

ORDINANCE NO. 08-02

AN ORDINANCE OF THE TOWN OF CUTLER BAY, FLORIDA; AMENDING SECTION 21-276 "BURGLAR ALARMS" OF THE TOWN CODE BY PRO RATING THE FEE FOR NEW BURGLAR ALARM REGISTRATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, burglar alarms operate in the Town of Cutler Bay (the "Town") and the Town requires registration of these burglar alarms; and

WHEREAS, the Town wishes to reduce the burglar alarm fee for new registrations by pro rating the fee.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS: <sup>1</sup>

**Section 1. Recitals Adopted.** That the recitals set forth above are true and correct and incorporated herein by this reference.

**Section 2. Burglar Alarms.** That Section 21-276, "Burglar Alarms", of the Town Code of the Town of Cutler Bay is hereby amended, as follows:

**Sec. 21-276. Burglar alarms.**

(4) *Registration of alarm system and fee.*

(a) *Registration of burglar alarm systems.* All burglar alarm systems which operate at locations within the Town shall be registered with the Police Department by the user. The user shall complete and submit to the PD an initial registration or an annual registration renewal with the appropriate fee. Initial registration shall be necessary to register any system which is not currently registered with the Department or upon a change in the user of an alarm.

(b) *Annual registration fee.* ~~Effective with registrations for registration periods beginning on or after January 1, 2002,~~ There shall be an annual registration fee of twenty-five dollars (\$25.00) for all alarm registrations. Separate alarm systems require separate registrations. The registration period will be for one year. Initial alarm registrations which are submitted after November may pay a reduced initial alarm registration fee for the first year. The fee shall be reduced by two dollars for each month after November. By way of example a registration submitted in December would pay a fee of twenty three dollars and a registration submitted in September would pay a fee of five dollars. Upon renewal for registration periods ~~beginning on or after January 1, 2003,~~ the fee will be waived if the burglar alarm system has had no false burglar alarms requiring

<sup>1/</sup> Proposed additions to existing Town Code text are indicated by underline; proposed deletions from existing Town Code text are indicated by ~~strikethrough~~.

police dispatch during the prior registration period. Renewal registration fees, if required, shall be paid by November 1<sup>st</sup> of each year.

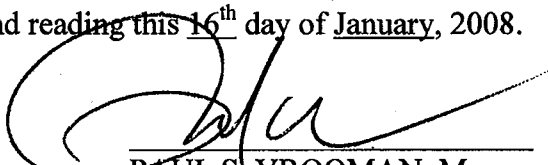
**Section 3. Severability.** The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 4. Inclusion in the Code.** It is the intention of the Town Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the Town of Cutler Bay; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 5. Effective Date.** That this Ordinance shall be effective immediately upon adoption on second reading.

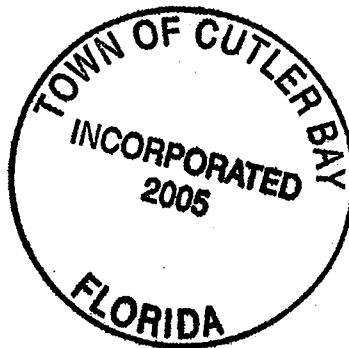
PASSED on first reading this 19<sup>th</sup> day of December, 2007.

PASSED and ADOPTED on second reading this 16<sup>th</sup> day of January, 2008.


  
PAUL S. VROOMAN, Mayor

Attest:

  
ERIKA GONZALEZ-SANTAMARIA, CMC  
Town Clerk



APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE  
SOLE USE OF THE TOWN OF CUTLER BAY:

  
WEISS SEROTA HELFMAN PASTORIZA  
COLE & BONISKE, P.L.  
Town Attorney

Moved By: Councilmember Sochin  
Seconded By: Councilmember Bell

FINAL VOTE AT ADOPTION:

Mayor Paul S. Vrooman	<u>YES</u>
Vice Mayor Edward P. MacDougall	<u>YES</u>
Councilmember Peggy R. Bell	<u>YES</u>
Councilmember Timothy J. Meerbott	<u>YES</u>
Councilmember Ernest N. Sochin	<u>YES</u>