

**ORDINANCE NO. 06042019-04**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF POTEET, TEXAS, AMENDING ORDINANCE NO. 09052017-03, SECTION 2, DEFINITIONS & SECTION 5, PERMIT FEE, OF THE CITY'S ALARM PERMIT ORDINANCE; ESTABLISHING REGULATIONS GOVERNING ALARMS; PROVIDING DEFINITIONS; ESTABLISHING AN EXEMPTION FOR NON-PROFIT ORGANIZATIONS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the city of Poteet, Texas (the "City") pursuant to Chapter 214(F) of the Texas Local Government Code, as amended, has the authority to regulate and permit burglar alarm systems in the City; and

**WHEREAS**, the City Council find that the regulation of alarm systems is in the best interest of the health, safety and welfare of the citizens of the City; and

**WHEREAS**, the current alarm permit fee has been reviewed by the City Council and the fees are in need of adjustment; and

**WHEREAS**, on June 4, 2019 the City Council voted to amend and adopt the alarm permit fees.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POTEET, TEXAS:**

**SECTION 1. AMENDMENT.** That the Alarm Permit Ordinance of the City of Poteet, Texas, Article I Section 2 – "Definitions" is hereby amended to add and include the following definition as follows; any definition not included below will remain unchanged:

**Sec.2 Definitions**

**Non-Profit Organization:** shall mean a 501(c)(3) nonprofit corporation in Texas formed for religious, charitable, scientific, literary, or educational purposes and are eligible for federal and state tax exemptions.

**SECTION 2. AMENDMENT.** That the Alarm Permit Ordinance of the City of Poteet, Texas, Article I Section 5 – "Permit Fee" is hereby amended to change the residential permit fee from \$50 to \$25; and to add and include the following exception as follows:

**Sec. 5 Permit Fee**

A non-refundable application fee of \$25.00 for residential permits and \$100.00 for commercial permits is required for issuance of a permit. Permits issued will expire on the last day of the month of expiration. It is the permit holder's responsibility to renew the permit within the 10 days of the expiration date of the permit. Non-profit organizations are exempt from having to pay the permit fees outlined above.

**SECTION 3.** All provisions not amended herein shall remain unchanged.

**SECTION 4.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

**SECTION 5.** All Ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

**SECTION 6.** It is officially found and determined that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, was given, all as required by Chapter 551, Texas Government Code.

**SECTION 7.** This Ordinance shall take effect immediately after its passage, approval and publication according to law.

**PASSED, APPROVED AND ADOPTED** this 4<sup>th</sup> day of June 2019.



By:   
WILLIE LEAL JR.  
Mayor

By:   
ABIGAYLE FRAUTSCHI  
City Secretary