

ORDINANCE NO. C-15-27

AN ORDINANCE AMENDING CHAPTER 4, ALARM SYSTEMS, SECTION 4-9 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO SETTLE A LIEN OR DEBT ARISING FROM UNPAID ALARM FEES; PROVIDING FOR SEVERABILITY; RESCISSION OF A CONFLICTING RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a schedule for service fees for responses to alarms is established by Section 4-9 of the Code of Ordinances of the City of Fort Lauderdale, Florida; and

WHEREAS, the schedule provides that the service fees escalate for repeat alarms at the same premises within a twelve-month period and so, sets forth penalties rather than user fees; and

WHEREAS, from time to time an alarm user or property owner or a successor-in-interest desires to settle the unpaid fee or lien at less than the face value and wants to provide evidence of circumstances in support of a payment of a lesser penalty than the Code of Ordinances of the City of Fort Lauderdale, Florida ("Hereinafter Code") provides; and

WHEREAS, the City Commission has the authority to execute a release of such a unpaid fee or lien; and

WHEREAS, the City Commission desires to enable the City Manager to negotiate settlement and release of such unpaid fees and liens when circumstances warrant; and

WHEREAS, Resolution No. 06-122 adopted on July, 18, 2006, delegated the authority to settle and release certain municipal liens to the City Manager;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 4-9 of the Code is hereby amended to read as follows:

Sec. 4-9. Service Fee

(a)

(1) . . .

- (c) Should the service charge remain unpaid for a period of thirty (30) days past the date of the notice of the invoice of the service fee as provided in section 4-7(b), the city shall have a lien on all lands or premises of the alarm user. ~~Such liens shall be prior to all other liens on such lands or premises, except the lien of the state, county and municipal taxes, and shall be on a parity with the lien of such state, county and municipal taxes. Such liens may be foreclosed by the city in the matter provided by law.~~
- (d) That the authority to settle and execute a release of any lien or debt arising from unpaid alarm response fees is delegated to the City Manager.

SECTION 2. That Resolution No.: 06-122, adopted on July 18, 2006, is hereby rescinded

SECTION 3. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4 That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 5. That this Ordinance shall be in full force and effect upon passage.

PASSED FIRST READING this the 7th day of July, 2015.

PASSED SECOND READING this the 18th day of August, 2015.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI