



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1268**

AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 38 "EMERGENCY SERVICES," ARTICLE II "ALARM SYSTEMS," SECTION 38-40 "FALSE ALARMS CHARGES" TO SIMPLIFY LANGUAGE IN LIGHT OF THE FEE SCHEDULE ADOPTED BY CITY COUNCIL.

THE CITY OF YPSILANTI HEREBY ORDAINS:

1. Amendments, additions, and deletions to the Code of Ordinances, City of Ypsilanti, Michigan. That Chapter 38, Article II, Section 38-40 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "False alarms charges," is hereby amended as follows:

Sec. 38-40. - False alarms charges.

(a) — Any owner or lessee of property having a police or fire alarm device or system of police or fire alarm devices on their premises and any user of services or equipment furnished by a licensee under this article shall pay to the city a charge for each and every false alarm to which the police or fire department respond, in each calendar year, as ~~set by resolution of the city council.~~ follows:

(1) — ~~First false alarm to which the police or fire department respond which cannot be attributed to a hold up or burglary, other emergency, criminal act, or malfunction providing such hold up alarm also cannot be attributed to the fault or negligence of the homeowner or any other person responsible to such licensee: No charge~~

(2) — ~~Second false alarm each year: As set by resolution of the city council~~

(3) — ~~Each false alarm thereafter: As set by resolution of the city council~~

(4) — ~~After four false alarms the licensing authority may at its discretion invoke the provisions of state law.~~

(b) — ~~The charges levied in this section shall be collected by the licensing authority and be paid to the city treasurer within ten days.~~

Failure to pay any such charges shall subject such owner, lessee or user to the penalty provisions of this article.

2. Severability. If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined

in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

3. Repeal. All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

4. Savings Clause. The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or previously amended, shall remain in full force and effect. The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

5. Copies to be available. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

6. Publication and Effective Date. The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published according to Section 11.13 of the City Charter. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS 19th DAY OF April, 2016.

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1268 was published according to Section 11.13 of the City Charter on the 27th day of April, 2016.

Frances McMullan, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the 19th day of April, 2016.

Frances McMullan, City Clerk

Notice Published: March 29, 2016

First Reading: April 5, 2016

Second Reading: April 19, 2016

Published: April 27, 2016

Effective Date: May 19, 2016