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1 (3) Current state revenue division taxpayer identification number or
2 evidence of application for a current state revenue division taxpayer identification
3 number;

4 (4) A brief description of the nature of the business;

5 (5) Proof of insurance coverage, when applicable; and

6 (6) Proof of bond, when applicable.

7 B. In addition to the information required in paragraph A, the following businesses
8 shall also include the following information with their applications:

9 (1) Carnival operators shall submit a copy of their special use permit, as
10 required by subsection 18-7.2 SFCC 1987;

11 (2) Circus operators shall submit a copy of their special use permit, as
12 required by subsection 18-7.2 SFCC 1987;

13 (3) Itinerant vendors seeking to conduct sales as defined under subsection
14 18-5.1 SFCC 1987 shall submit a copy of their petition as approved by the governing
15 body, as required in subsection 18-5.1 SFCC 1987;

16 (4) Jewelry auction operators, as defined in subsections 18-5.1 through 18-
17 5.23 SFCC 1987, shall provide information required by subsections 18-5.12 and 18-5.14
18 SFCC 1987, including a notarization of the application;

19 (5) Mobile home park operators shall submit a copy of their certificate of
20 occupancy;

21 (6) Private day-care nurseries, facilities and kindergarten operators, when
22 approval is required by the board of adjustment, as per the provisions of Section 14-47
23 SFCC 1987, shall include a sworn affidavit stating that they have received such approval;
24 and

25 (7) Septic tank cleaners shall submit a sworn affidavit stating that they have

1 conformed to the requirements set forth in subsection 22-4.9 SFCC 1987.

2 (8) Flea market operators shall submit:

3 (a) A copy of a current certificate of occupancy. The certificate of
4 occupancy shall be reissued annually; and

5 (b) A sworn affidavit stating that they have conformed to the re-
6 quirements set forth in subsection 14-24.2 SFCC 1987.

7 (9) Alarm installation companies and monitoring companies, as defined in
8 Section 20-5.4 SFCC 1987, shall submit the following documents as [provide
9 information] required by Section 20-5.8 SFCC 1987;

10 (a) A copy of a valid license issued by the construction industries
11 division of the regulation and licensing department of the state of New Mexico;
12 and

13 (b) Proof of bonding.

14 **Section 2. Section 20-5.5 SFCC 1987 (being Ord. #2009-33, §7) is amended to**
15 **read:**

16 **20-5.5 Registration Required; Application; Fee; Transferability; False Statements.**

17 A. No alarm user shall operate, or cause to be operated, an alarm system at its alarm
18 site without a valid alarm registration. A separate alarm registration is required for each alarm
19 site. The fine for a non-registered alarm site as set forth in Section 20-5.14 SFCC 1987 shall be
20 assessed for each false alarm occurrence.

21 B. The non-refundable fee for an alarm registration or an alarm registration renewal
22 is set forth in Section 20-5.14 SFCC 1987 and shall be paid by the alarm user. The initial alarm
23 registration fee shall be submitted to the alarm administrator within [~~five (5)~~] thirty (30) days
24 after the alarm system installation or alarm system takeover.

25 C. The alarm registration application shall include the following information:

1 (1) The name, complete address (including apartment/suite number), mailing
2 address, if different from the address of the alarm site; and telephone numbers of the
3 person who will be the registration holder and be responsible for the proper maintenance
4 and operation of the alarm system and the payment of fees assessed under this article.

5 (2) The classification of the alarm site as either residential or commercial.

6 (3) The classification of the alarm system (burglary, ~~[fire,]~~ holdup, duress,
7 panic or other) and for each classification whether such alarm is audible or silent.

8 (4) Detailed information regarding any dangerous or special conditions
9 present at the alarm site.

10 (5) The names and telephone numbers of at least two individuals who are
11 able and have agreed to:

12 (a) Receive notification of an alarm system activation at any time;

13 (b) Respond to the alarm site within thirty (30) minutes at any time;

14 and

15 (c) Upon request is able to grant access to the alarm site and
16 deactivate the alarm system if necessary.

17 One of the two individuals may be the alarm response manager.

18 (6) If alarm site is commercial, the type of business conducted.

19 (7) ~~[A signed affidavit from the alarm user which states as applicable:]~~

20 ~~[(a)]~~ The date of installation, conversion or takeover of the alarm system[;
21 ~~whichever is applicable;].~~

22 ~~[(b)]~~(8) The name, address, telephone number and city of Santa Fe business
23 license number of the alarm installation company or companies performing the alarm
24 system installation, conversion or takeover; and the name, address, telephone number and
25 city of Santa Fe business license number of the alarm installation company responsible

1 for providing service to the alarm system[;].

2 [(e)](9) The name, address, telephone number and city of Santa Fe business
3 license number of the monitoring company if different from the alarm installation
4 company;

5 (10) An acknowledgement from the alarm user that the alarm user has
6 received from the alarm installation company:

7 [(d)](a) The current city of Santa Fe Alarm System Ordinance;

8 (b) [~~That the alarm user has been trained by the alarm installation~~
9 ~~company~~] Training in the proper use of the alarm system[, ~~including~~] and
10 operating instructions on how to avoid false alarms; and

11 [(e)](c) [~~That the~~] A signed statement [~~by~~] from the alarm installation
12 company [~~verifying~~] that verifies the training. [~~is attached to the alarm~~
13 ~~registration application; and~~]

14 [(f) ~~That a set of written operating instructions for the alarm system,~~
15 ~~including written guidelines on how to avoid false alarms, has been left with the~~
16 ~~alarm user by the alarm installation company.~~]

17 [(8)](11) Acknowledgement that law enforcement response may be influenced
18 by factors including, but not limited to, the availability of police units, priority of calls,
19 weather conditions, traffic conditions, emergency conditions and staffing levels.

20 D. Upon receipt of a completed alarm registration application form and the alarm
21 registration fee, the alarm administrator shall register the alarm user, unless the applicant has:

22 (1) Failed to pay a fine assessed under Section 20-5.14 SFCC 1987; or

23 (2) Had an alarm registration for the alarm site suspended or revoked, and
24 the violation causing the suspension or revocation has not been corrected.

25 E. Any false statement of a material fact made by an alarm user for the purpose of

1 obtaining an alarm registration shall be sufficient cause for refusal to issue a registration.

2 F. An alarm registration cannot be transferred to another person or alarm site. An
3 alarm user shall inform the alarm administrator of any change that alters any of the information
4 listed on the alarm registration application within [~~five (5) business~~] thirty (30) days of such
5 change.

6 G. All fines and fees owed by an alarm user shall be paid before an alarm
7 registration may be issued or renewed.

8 H. Governmental entities, including federal, state, county, public schools and other
9 political subdivisions of the state of New Mexico shall obtain an alarm registration, for tracking
10 purposes only. Registration fees, services fees and fines shall not be required of such entities.

11 **Section 3. Section 20-5.6 SFCC 1987 (being Ord. #2009-33, §8) is amended to**
12 **read:**

13 **20-5.6 Alarm Registration; Duration and Renewal.**

14 An alarm registration shall expire one (1) year from the date of issuance, and shall be
15 renewed annually by submitting an updated application and a registration renewal fee to the alarm
16 administrator. The alarm administrator shall notify each alarm user of the need to renew their
17 registration within sixty (60) days prior to the expiration of the registration. It is the responsibility
18 of the alarm user to submit an application for renewal prior to the registration expiration date.
19 Failure to renew will be classified as use of a non-registered alarm system, [~~and a late fee,~~
20 ~~itations and penalties~~] For each false alarm occurrence, the fine for a non-registered alarm site,
21 as set forth in Section 20-5.14 SFCC 1987, shall be assessed without waiver. A late fee may be
22 assessed if the renewal is more than thirty (30) days late.

23 **Section 4. Section 20-5.7 SFCC 1987 (being Ord. #2009-33, §9) is amended to**
24 **read:**

25 **20-5.7 Duties of the Alarm User.**

1 A. An alarm user shall:

2 (1) Obtain an alarm registration for the alarm system as required in Section
3 20-5.5 SFCC 1987.

4 (2) Maintain the alarm site and the alarm system in a manner that will
5 minimize or eliminate false alarms.

6 (3) Make every reasonable effort to have a responder to the alarm site within
7 thirty (30) minutes when requested by the city in order to deactivate an alarm system,
8 provide access to the alarm site; and if necessary, provide alternative security for the
9 alarm site.

10 (4) Not activate an alarm system for any reason other than an occurrence of
11 an event that the alarm system was intended to report.

12 B. An alarm user shall adjust the mechanism or cause the mechanism to be adjusted
13 so that an alarm signal audible on the exterior of an alarm site will sound for no longer than five
14 (5) minutes after being activated.

15 C. After an alarm site has three (3) false alarms within a one (1) year period, the
16 alarm administrator shall notify the alarm user and the alarm installation company named on the
17 alarm registration application that ~~[the alarm user shall contract with a licensed alarm installation~~
18 ~~company to inspect the alarm system]~~ the alarm user is required to attend the on-line alarm
19 school. The alarm administrator may waive a required inspection if it determines that a false
20 alarm(s) could not have been related to a defect or malfunction in the alarm system.

21 D. After an alarm site has five (5) false alarms within a one (1) year period, the
22 alarm administrator shall notify the alarm user and the alarm installation company named on the
23 alarm registration application that ~~[the alarm user shall contract with a licensed alarm installation~~
24 ~~company to modify the]~~ mandatory inspection of the alarm system shall be made and additional
25 user training shall be provided by the alarm installation company. Proof of the inspection and

1 additional training shall be provided to the alarm administrator. [to be more false alarm resistant
2 and provide additional user training as appropriate].

3 E. An alarm user shall not use an automatic voice dialer.

4 F. An alarm user shall maintain at each alarm site, a set of written operating
5 instructions for each alarm system.

6 G. An alarm user who has contracted with an alarm monitoring company shall be
7 aware of the "acclimation period" described in Section [30]20-5.10 SFCC 1987.

8 **Section 5. Section 20-5.9 SFCC 1987 (being Ord. #2009-33, §11) is amended to**
9 **read:**

10 **20-5.9 Duties of Alarm Installation Company.**

11 A. Upon the effective date of this Ordinance, alarm installation companies shall
12 establish an outreach program for their customers. Such outreach shall include written
13 notification that the Alarm System Ordinance has been adopted; and a summary of the Ordinance,
14 including the responsibilities and duties of alarm users.

15 B. The alarm installation company shall provide written and oral instructions to
16 each of its alarm users in the proper use and operation of each alarm system(s). Such instructions
17 shall specifically include all instructions necessary to turn the alarm system on and off and how to
18 avoid false alarms.

19 C. Alarm installation companies shall use only ANSI/SIA CP-01 listed alarm
20 control panels on all new installations and panel replacements or upgrades.

21 D. An alarm installation company shall not:

22 (1) Install or activate automatic voice dialers;

23 (2) Program an alarm system so that the alarm system is capable of sending
24 one plus duress alarms. The alarm installation company shall remove the one plus duress
25 alarm feature from alarm systems whenever an alarm technician is at the alarm site or

1 otherwise accessing the panel for reprogramming purposes; or

2 (3) Program an alarm system to activate a holdup alarm, which is a single
3 action, non-recessed button.

4 ~~[E. After completion of the installation of an alarm system, an alarm installation~~
5 ~~company employee shall review with the alarm user the false alarm prevention checklist which~~
6 ~~shall be provided by the alarm administrator.]~~

7 [F]E. An alarm installation company that purchases alarm system accounts from
8 another alarm installation company shall notify the alarm users that the alarm users need to notify
9 the alarm administrator that the alarm registration needs to be updated with the name of the new
10 alarm installation company.

11 [G]E. Each alarm installation company shall designate one individual as the alarm
12 response manager (ARM) for the company who will manage alarm related issues and act as the
13 point of contact for the alarm administrator. The ARM shall be knowledgeable of the general
14 provisions of the Ordinance, as well as have the knowledge and authority to deal with false alarm
15 issues and respond to requests from the alarm administrator. The name, phone number, and email
16 address of the designated ARM shall be provided to the alarm administrator.

17 [H]G. Alarm installation companies shall be responsible for any fines assessed upon an
18 alarm user, upon failure by the alarm installation company to comply with the following
19 requirements:

20 (1) Upon the effective date of this Ordinance, alarm installation companies
21 shall provide the alarm administrator with an existing customer list in a format acceptable
22 to the alarm administrator to assist the alarm administrator with creating tracking data.

23 [I](2) Alarm installation companies shall provide a monthly report to the alarm
24 administrator by the twenty-fifth day of the month listing all new alarm systems, which
25 the alarm installation company contracted to install during the previous month. The

1 monthly report shall also include a listing of any cancelled or inactive alarm user
2 accounts. Each report shall include at the minimum the name, address and phone number
3 of the alarm user and the address of the alarm site. Nothing in this Ordinance shall
4 prohibit the use of such information for legitimate public safety purposes. A fine in
5 accordance with Section 20-5.14 SFCC 1987 for each monthly report that is overdue
6 shall be assessed to any alarm installation company that fails to provide this report by this
7 deadline.

8 ~~[J-](3)~~ Alarm installation companies shall assist the alarm administrator by
9 providing the initial alarm registration application to the alarm user and submit such
10 registrations to the alarm administrator within ~~[ten-(10)]~~ thirty (30) days of the activation
11 of an alarm system.

12 ~~[K]H.~~ If an alarm installation company repairs an alarm system within ~~[ten-(10)]~~ thirty
13 (30) days after a false alarm, the alarm installation company may transmit the repair invoice or
14 other written record of the repair to the alarm administrator, in which instance the alarm
15 administrator shall delete the false alarm from the alarm user's record. There shall be no more
16 than two repair deletions allowed per alarm user registration per year.

17 ~~[L]I.~~ All alarm system installation company personnel responding to alarms, or
18 repairing or installing alarm systems shall wear a picture identification card issued by the alarm
19 installation company on their company uniform, which identifies the individual and the alarm
20 installation company. The alarm system installation company personnel includes, without
21 limitation, any person or entity that derives any pecuniary benefit from any contract for the
22 installation of any alarm system, including any person or entity that sells a contract for the
23 installation or monitoring of an alarm system. This identification card shall be in a standard form
24 approved by the alarm administrator. The identification card shall be issued by the alarm
25 installation company after a background investigation has been conducted on that individual. No

1 identification card shall be issued if the applicant has been convicted of a felony. Each alarm
2 installation company shall pay a fine in accordance with Section 20-5.14 SFCC 1987 for each and
3 every installation conducted in whole or in part by an employee who lacks the required
4 background investigation or identification card.

5 **Section 6. Section 20-5.11 SFCC 1987 (being Ord. #2009-33, §12) is amended to**
6 **read:**

7 **20-5.11 [NEW MATERIAL] Duties and Authority of the Alarm Administrator.**

8 A. The alarm administrator shall obtain reports from the regional emergency
9 communications center that include:

- 10 (1) Alarm dispatch requests;
11 (2) Cancellations of alarm dispatch requests; and
12 (3) Verification that the monitoring company used enhanced call verification
13 when the alarm dispatch request was made.

14 B. The alarm administrator shall establish a procedure to record alarm dispatch
15 requests for the purpose of maintaining records, which shall include, without limitation the
16 following information:

- 17 (1) Identification of the registration number for the alarm site;
18 (2) Address of the alarm site;
19 (3) Date and time alarm dispatch request was received;
20 (4) Name of the monitoring company and the monitoring operator's name or
21 number;
22 (5) Date and time of law enforcement officer arrival at the alarm site and
23 verification that law enforcement officer left his business card at the site;
24 (6) Zone and zone description, if available;
25 (7) Weather conditions, mass power failures or surges, or mass telephone

1 line interruptions;

2 (8) Name of alarm user /or alarm user's representatives that were contacted
3 by the monitoring company prior to the alarm dispatch request;

4 (9) Name of alarm user or representative that was available at the alarm site
5 when law enforcement was present;

6 (10) Identification of the responsible alarm installation company or
7 monitoring company;

8 (11) Whether law enforcement officer was unable to locate the address of the
9 alarm site; and

10 (12) Cause of alarm signal, if known.

11 C. The alarm administrator shall determine whether the alarm signal was a false
12 alarm based upon the information collected in paragraph B. above. Alarms caused by acts of
13 nature such as severe weather conditions that cause mass activations which are beyond the control
14 of the alarm user, or signal activations caused by documented mass power failure or surges which
15 are beyond the control of the alarm user, or mass telephone line interruptions which are beyond
16 the control of the alarm user shall not be counted as a false alarm.

17 D. The alarm administrator shall establish a procedure to notify the alarm user, in
18 writing, of a false alarm. The notice shall include the following information:

19 (1) The date and time of law enforcement [~~response to the false alarm~~]
20 arrival at the false alarm address;

21 (2) The identification number of the responding law enforcement officer;

22 (3) A statement urging the alarm user to ensure that the alarm system is
23 properly operated, inspected, and serviced in order to avoid false alarms and resulting
24 fines;

25 (4) The amount of the fine, [~~if any~~] in accordance with Section 20-5.14

1 SFCC 1987;

2 (5) A statement that city response to a false alarm shall be suspended after
3 the tenth (10th) false alarm (excluding duress, holdup and panic alarms) in a twelve (12)
4 month period; and

5 (6) A description of the appeals procedure available to the alarm user.

6 E. The alarm administrator may require a conference with an alarm user and the
7 alarm installation company and/or monitoring company responsible for the repair or monitoring
8 of the alarm system to review the circumstances of each false alarm. For these purposes, the
9 alarm installation company shall have contact information for the alarm response manager for
10 each alarm site on record with the alarm administrator.

11 F. The alarm administrator may create and implement an alarm user awareness
12 class. The alarm administrator may request the assistance of associations, alarm companies and
13 law enforcement agencies in developing and implementing the class. The class shall inform
14 alarm users of the problems created by false alarms and teach alarm users how to avoid
15 generating false alarms.

16 G. The alarm administrator may require an alarm user to remove a holdup alarm
17 device that is a single action, non-recessed button, or have it replaced with an acceptable dual-
18 action or recessed device after the occurrence of a false holdup alarm.

19 H. The alarm administrator may require an alarm user to remove the duress or panic
20 alarm capability from the alarm user's alarm system after the occurrence of a false duress or panic
21 alarm.

22 I. The alarm administrator shall make available to the alarm user this Ordinance
23 and/or an Ordinance summary sheet.

24 ~~[J. The alarm administrator shall refer commercial alarm users which have exceeded~~
25 ~~two false alarms in a twelve (12) month period for fire, smoke, carbon monoxide or heat false~~

1 ~~alarms to the city of Santa Fe fire department, fire marshal's office for inspection.]~~

2 [K]J. If the alarm administrator identifies an alarm installation company that is
3 operating within the municipal boundaries of the city of Santa Fe without a license from the
4 construction industries division of the New Mexico regulation and licensing department or
5 without a valid city of Santa Fe business license, the alarm administrator shall report that business
6 to the ~~[authorized state or local enforcement authority]~~ city business license administrator.

7 [L]K. The alarm administrator and all employees or representatives of the city of Santa
8 Fe shall, in the interest of public safety, hold in confidence:

- 9 (1) all information contained in and gathered through the alarm registration
10 applications;
- 11 (2) records relating to alarm dispatch requests;
- 12 (3) applications for appeals;
- 13 (4) customer lists obtained from alarm installation companies; and
- 14 (5) customer lists obtained from monitoring companies.

15 **Section 7. Section 20-5.12 SFCC 1987 (being Ord. #2009-33, §14) is amended to**
16 **read:**

17 **20-5.12 Suspension of Response.**

18 A. The alarm administrator may suspend law enforcement response to an alarm site
19 by revoking the alarm registration if it is determined that:

- 20 (1) The alarm user has eleven (11) or more false alarms in a twelve (12)
21 month period;
- 22 (2) There is a statement of a material fact known to be false in the
23 application for a registration;
- 24 (3) The alarm user has failed to make timely payment of a fee or fine
25 assessed under Section 20-5.14 SFCC 1987; or

1 (4) The alarm user has failed to submit a written certification from an alarm
2 installation company, that complies with the requirements of this Ordinance, stating that
3 the alarm system has been inspected and repaired (if necessary) and/or additional training
4 has been conducted by the alarm installation company.

5 B. The alarm administrator shall notify the alarm installation company and the
6 alarm monitoring company listed on the alarm registration application of the determination to
7 revoke an alarm registration and suspend response to alarm site.

8 C. A person commits an offense if the person operates an alarm system during the
9 period in which the alarm registration is revoked and is subject to enforcement and penalties set
10 in Sections 20-5.14 SFCC 1987.

11 [~~C~~]D. A monitoring company commits an offense if it continues alarm dispatch
12 requests to an alarm site after notification by the alarm administrator that the registration has been
13 revoked and is subject to enforcement and penalties set forth in Section 20-5.14 SFCC 1987.

14 [~~D~~]E. Unless there is separate indication that there is a crime in progress, the city police
15 department shall refuse response to an alarm dispatch request at an alarm site for which the alarm
16 registration is revoked.

17 [~~E~~]F. If the alarm registration is reinstated pursuant to Section 20-5.13 SFCC 1987, the
18 alarm administrator may again suspend law enforcement response to the alarm site by again
19 revoking the alarm registration if it is determined that two false alarms have occurred within one
20 year period after the reinstatement date.

21 **Section 8. Section 20-5.14 SFCC 1987 (being Ord. #2009-33, §15) is amended to**
22 **read:**

23 **20-5.14 Fees and Fines.**

24 The following fees and fines shall be assessed, as applicable, to alarm users, alarm
25 installation companies and monitoring companies:

	<u>Santa Fe City Code Section</u>	Alarm User	Alarm Installation Company	Alarm Monitoring Company
Fee – registration of alarm system	<u>20-5.5(B)</u>	\$25.00		
Fee – renewal of registration	<u>20-5.5(B)</u>	\$25.00		
Fee – late registration	<u>20-5.6</u>	\$10.00		
<u>Fee – reinstatement</u>	<u>20-5.13(A)(1)</u>	<u>\$50.00</u>		
Fee – appeal *	<u>20-5.16(D)</u>	\$50.00		
Fine – first false alarm	<u>20-5.11(D)(4)</u>	\$0.00		
Fine – second false alarm	<u>20-5.11(D)(4)</u>	\$0.00		
Fine – third false alarm	<u>20-5.11(D)(4)</u>	\$150.00		
Fine – fourth false alarm	<u>20-5.11(D)(4)</u>	\$150.00		
Fine – fifth false alarm	<u>20-5.11(D)(4)</u>	\$150.00		
Fine – sixth or more false alarm(s)	<u>20-5.11(D)(4)</u>	\$300.00		
Penalty – [after ten false alarms suspend response and revoke registration in accordance with 20-5.12 SFCC 1987] for 11 or more false alarms in a 12 month period	<u>20-5.12(A)</u>	<u>Suspend response and revoke registration</u>		
<u>Fine – Operating an alarm system during period of revocation</u>	<u>20-5.12(C)</u>	<u>\$100.00</u>		
Fine – [unregistered] non- <u>registered</u> alarm system, <u>per false alarm occurrence</u>	<u>20-5.5 (A)</u> <u>20-5.6</u>	\$100.00		
Fee – license [per Section 18-8.10 SFCC 1987]	<u>18-8.10(A)(3)</u>		\$75.00	\$75.00
Fine – no employee background check	<u>20-5.9(I)</u>		\$300.00	

* Paid only if appeal is decided in favor of the city

[Fine — knowingly making false statements regarding an alarm user]			[\$300.00]	
Fine – Late report (names and addresses of users)	<u>20-5.9(G)(2)</u> <u>20-5.10(E)</u>		\$10.00 per day after five day grace period	\$10.00 per day after five day grace period
<u>Fine – failure to establish procedures for accepting cancellations of alarms and conveying cancellations of alarms</u>	<u>20-5.10(F)</u>			<u>\$ 50.00</u>
<u>Fine – Continuation of alarm dispatch requests to an alarm site after notification by the alarm administrator that the registration has been revoked</u>	<u>20-5.12(C)</u>			<u>\$ 50.00</u>
Fine – failure to use enhanced call verification	<u>20-5.10(B)(2)</u>			\$300.00

1 **Section 9. Section 20-5.16 SFCC 1987 (being Ord. #2009-33) is amended to**
2 **read:**

3 **20-5.16 Appeals.**

4 A. Any alarm user, unregistered alarm user, alarm installation company or
5 monitoring company that receives a notice of a false alarm or a notice of fees or fines due under
6 this Ordinance may file an appeal with the alarm administrator setting forth the reasons for the
7 appeal within thirty (30) days from the date the notice was mailed by the alarm administrator.

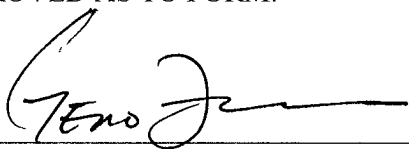
8 B. A hearing officer appointed by the city manager shall conduct a formal hearing
9 within thirty (30) days of the receipt of the appeal by the alarm administrator. The alarm
10 administrator shall give written notice by certified mail to the appellant at least ten (10) days prior
11 to the hearing.

1 C. The hearing officer shall make a decision on the basis of the preponderance of
2 evidence presented at the hearing. The hearing officer shall affirm or reverse the decision of the
3 alarm administrator. The hearing officer shall render a decision within thirty (30) days after the
4 date of the hearing and shall forward the decision to the alarm administrator and the appellant.
5 ~~[The hearing officer shall affirm or reverse the decision of the alarm administrator.]~~

6 D. A filing fee in accordance with Section 20-5.14 shall ~~[accompany the notice of~~
7 ~~appeal. The filing fee shall be refunded]~~ be paid if the hearing officer does not find[s] in favor of
8 the appellant.

9 E. The failure of an appellant to appear at the appeal hearing shall extinguish the
10 appeal.

11 APPROVED AS TO FORM:

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13 _____

14 GENO ZAMORA, CITY ATTORNEY
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