

ORDINANCE NO. 17-658

**AN ORDINANCE OF THE CODE OF THE CITY OF PORT RICHEY,
FLORIDA, AMENDING CHAPTER 12 EMERGENCY SERVICES, ARTICLE
II, FIRE AND SECURITY ALARMS, SECTION 12-20, PENALTIES ASSESSED
FOR FALSE ALARMS, AND PROVIDING FOR SEVERABILITY AND AN
EFFECTIVE DATE.**

WHEREAS, the Port Richey Code of Ordinances has been amended from time to time, as necessary, to serve the needs of the citizens of Port Richey, Florida; and

WHEREAS, it is in the interest of public safety and welfare that Port Richey, amend Section 12-20 to provide uniform enforcement.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT RICHEY, FLORIDA:

Section 1, Amending Chapter 12, Article II, Section 12-20, Penalties Assessed For False Alarms, of the Code of the City of Port Richey, Florida be, and the same is hereby, amended to read as follows:

Sec. 12-20. - Penalties assessed for false alarms.

- (a) The following penalties shall be assessed against any individual, partnership, corporation, lessee, or other entity that is legally responsible for the operation and maintenance of the alarm system:
 - (1) Up to three false alarms within a 12-month period; no penalty will be assessed.
 - (2) On the fourth false alarm within a 12-month period; a ~~\$30.00~~, (Class V) fine and costs prescribed in Chapter 2, Article V, Section 2-299 will be assessed.
 - (3) On the fifth false alarm within a 12-month period; a ~~\$55.00~~, (Class IV) fine and costs prescribed in Chapter 2, Article V, Section 2-299 will be assessed.
 - (4) On the sixth false alarm within a 12-month period; a ~~\$130.00~~, (Class II) fine and costs prescribed in Chapter 2, Article V, Section 2-299 will be assessed.
 - (5) On the seventh false alarm within a 12-month period; a ~~\$155.00~~, (Class I) fine and costs prescribed in Chapter 2, Article V, Section 2-299 will be assessed.
 - (6) On the eighth false alarm within a 12-month period; a ~~\$250.00~~, (Class VII) fine and costs prescribed in Chapter 2, Article V, Section 2-299 will be assessed.
 - (7) On the ninth and each subsequent false alarm within a 12-month period; a ~~\$500.00~~, (Class VI) fine and costs prescribed in Chapter 2, Article V, Section 2-299 will be assessed.
- (b) Penalties shall be payable to the Pasco County Clerk of Court within 30 days of the fine assessment.

Section 2 Conflicts. Whenever the requirements or provision of this ordinance are in conflict with the requirements or provisions of any other lawfully adopted ordinance or statute, the most restrictive requirements shall apply.

Section 3. Severability The provisions of this ordinance are severable, and it is the intention of the City Council of the City of Port Richey, Florida to confer the whole or any part of the powers herein provided. If any of the provision of this ordinance shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the City Council that this ordinance would have been adopted had such unconstitutional provision not been include herein.

Section 4. Inclusion in Code. It is the intention of the City Council that the provisions of this ordinance shall become and be made a part of Port Richey Code; and that the sections of this ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Section". "Article", or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. Effective date. This Ordinance shall become effective upon passage at the second reading.

The foregoing Ordinance No.17-658 was read and passed on its first reading in an open and regular meeting of the City Council of the City of Port Richey, Florida, on the 9th day of May, 2017.

Attest:



Tammy Schuck, City Clerk

CITY OF PORT RICHEY



Dr. Dale Massad, Mayor

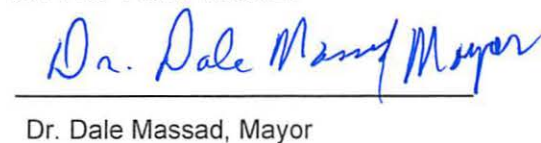
The foregoing Ordinance No. 17-658 was read and passed on its second reading in an open and regular meeting of the City Council of the City of Port Richey, Florida, on this 23rd day of May, 2017.

Attest:



Tammy Schuck, City Clerk

CITY OF PORT RICHEY



Dr. Dale Massad, Mayor

Approved as to legal form and legal content
For the reliance of the City of Port Richey only:



James Mathieu Esq., City Attorney.