



City Council Meeting
7:00 p.m., Monday, October 30, 2017
Conference Room
23600 Liberty Street
Farmington, MI 48335

FINAL

REGULAR MEETING MINUTES

A regular meeting of the Farmington City Council was held on October 30, 2017, at 23600 Liberty Street, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 7:00 PM by Mayor William Galvin.

1. ROLL CALL

| Attendee Name | Title | Status | Arrived |
|------------------|---------------|---------|---------|
| Sara Bowman | Councilmember | Present | |
| Greg Cowley | Councilmember | Present | |
| William Galvin | Mayor | Present | |
| Steve Schneemann | Mayor Pro Tem | Absent | |
| Jeff Scott | Councilmember | Present | |

City Administration Present

Director Christiansen
City Clerk Halberstadt
City Manager Murphy
City Attorney Schultz

2. PUBLIC COMMENT

No public comment was heard.

3. APPROVAL OF AGENDA

Move to approve the agenda as presented.

| | |
|------------------|-------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Cowley |
| SECONDER: | Scott |
| AYES: | Bowman, Cowley, Galvin, Scott |
| ABSENT: | Schneemann |

4. PRESENTATION/PUBLIC HEARINGS

- A. **Roush Industries, Inc. Public Hearing: Transfer of Industrial Facilities Exemption Certificate**

Move to open a public hearing to receive public comment on proposed transfer of Industrial Facilities Exemption Certificate from Roush Manufacturing, Inc. to Roush Industries, Inc.

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Councilmember Cowley |
| SECONDER: | Councilmember Scott |
| AYES: | Cowley, Galvin, Scott, Bowman |
| ABSENT: | Schneemann |

Hearing no public comment, Mayor Galvin requested a motion to close the hearing.

Move to close the public hearing.

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Councilmember Bowman |
| SECONDER: | Councilmember Cowley |
| AYES: | Cowley, Galvin, Scott, Bowman |
| ABSENT: | Schneemann |

5. NEW BUSINESS

- A. Consideration to Approve the Request for Transfer of the IFEC Tax Exemption Certificate and Related Agreement Between the City of Farmington and Roush Manufacturing, Inc. from Roush Manufacturing, Inc. to Roush Industries, Inc.**

Murphy provided background information on the requested transfer of the IFEC tax exemption certificate and related agreement.

Move to approve (1) the request for transfer of the Industrial Facilities Exemption Certificate (IFEC) and related IFEC Agreement between the City of Farmington and Roush Manufacturing, Inc. from Roush Manufacturing, Inc. to Roush Industries, Inc.; and (2) the Consent to Assignment, upon the existing terms and conditions of the Certificate and the Agreement, and authorize the City Manager to sign the same, subject to final review as to form by the City Attorney's office.

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|------------------|-------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Councilmember Bowman |
| SECONDER: | Councilmember Scott |
| AYES: | Cowley, Galvin, Scott, Bowman |
| ABSENT: | Schneemann |

B. Consideration to Approve a Michigan Liquor Control Commission Resolution Allowing the Farmington Gifts, Greens and Giving Market a Temporary Special Liquor License to Sell Beer, Wine and Spirits

Present: Walt Gajewski, Market Master

Gajewski spoke about altering the times of the market to bridge the gap between the ending of the Greens Market and the Lighted Parade; and adding serving alcohol to help round out the day.

Responding to Bowman, Gajewski stated he will approach Farmington Brewery to serve alcohol. He will use volunteers to check ID's.

Scott expressed support for shifting the time of the market.

Move to approve a Michigan Department of Licensing and Regulatory Affairs, Liquor Control Commission Resolution for Special License for the Farmers Market Special Event: Gifts, Greens and Giving, on Saturday, December 2, 2017, 11 a.m. until 5:00 p.m.

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Councilmember Scott |
| SECONDER: | Councilmember Bowman |
| AYES: | Cowley, Galvin, Scott, Bowman |
| ABSENT: | Schneemann |

Gajewski thanked Council for opening the market this year and for its continued support. He stated the market had a banner year.

C. Consideration to Adopt Proposed Amendment to Chapter 19 "Nuisances," Article 7, of the City of Farmington Code of Ordinances - Alarm Systems

Murphy presented the proposed ordinance, noting the fee schedule was removed from the ordinance and noted amended language.

Move to adopt an ordinance to amend Chapter 19 "Nuisances," Article 7, of the City of Farmington Code of Ordinances, Alarm System. [SEE ATTACHED ORDINANCE]

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|------------------|-------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Councilmember Bowman |
| SECONDER: | Councilmember Scott |
| AYES: | Galvin, Scott, Bowman, Cowley |
| ABSENT: | Schneemann |

D. Consideration to Approve Proposed Resolution to Amend Chapter 6, Section 3 of the City of Farmington Fee Schedule – Alarm Fees

Murphy discussed the basis for amending the Fee Schedule.

Move to adopt a resolution to amend Chapter 6, Section 3, of the City of Farmington Fee Schedule, Alarm Fees. [SEE ATTACHED RESOLUTION]

| | |
|------------------|--------------------------------|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Councilmember Bowman |
| SECONDER: | Councilmember Scott |
| AYES: | Scott, Bowman, Cowley, Galvin, |
| ABSENT: | Schneemann |

6. CITY COUNCIL COMMENTS

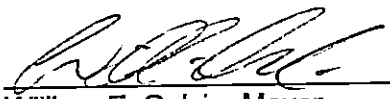
Galvin noted this is his last meeting as Mayor before the upcoming election.

7. ADJOURNMENT

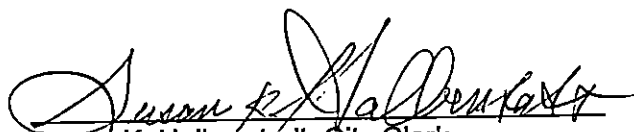
Move to adjourn the meeting.

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Councilmember Cowley |
| SECONDER: | Councilmember Scott |
| AYES: | Bowman, Cowley, Galvin, Scott |
| ABSENT: | Schneemann |

The meeting adjourned at 7:21 p.m.



William E. Galvin, Mayor



Susan K. Halberstadt, City Clerk

Approval Date: November 20, 2017

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF FARMINGTON

ORDINANCE NO. C-____-2017

AN ORDINANCE TO AMEND THE CITY OF
FARMINGTON CITY CODE OF ORDINANCES,
CHAPTER 19, "NUISANCES," ARTICLE 7, "ALARM
SYSTEMS."

THE CITY OF FARMINGTON ORDAINS:

PART I. That Chapter 19, "Nuisances," Article 7, "Alarm Systems," of the City of Farmington Code of Ordinances is hereby amended to read as follows in its entirety:

Sec. 19-176. - Defined.

~~For the purpose of this article, "alarm system" means an assembly of equipment and devices, or a single device, arranged to signal the presence of a hazard requiring urgent attention and to which the department of public safety is expected to respond.~~

Definitions, for the purpose of this Section, the following definitions shall apply:

- 1) Alarm system – An assembly of equipment and devices, or a single device, except for an alarm system on a motor vehicle, designed to detect and signal an unauthorized intrusion, presence of a hazard, or other type of emergency to which the police are expected to immediately respond. The term also includes any device which, when activated, transmits a signal to police headquarters, transmits a signal to a person who relays the information to police headquarters, or produces an audible or visible signal to which the police department is expected to respond. The term also includes any fire alarm systems and alarm systems which monitor temperature, humidity, or any other condition which is not related directly to an unauthorized intrusion are not included in this article.
- 2) Alarm user – The owner of the land or premises within which an alarm system is installed, the tenant, occupant or person having possession or control of any premises in which an alarm system is installed, and any person having actual or constructive possession of an alarm system, when such alarm signals the presence of a hazard.
- 3) False alarm – the activation of an alarm system under circumstances where no police emergency exists at the alarm site and when activation results in a response by a law enforcement agency. This definition includes, but is not limited to, signals

activated intentionally in non-emergency situations, signals for which the actual cause is unknown, signals activated through mechanical failure, and signals activated by the negligence of the owner or lessee of an alarm system or of his employee or agent.

- 4) Public safety personnel – City of Farmington public safety officers and public safety reserve fire fighters who provide emergency services to persons and/or property within the city.
- 5) Hold-up alarm – an alarm system designated for and intended to signal a robbery or attempted robbery in the area protected by such alarm.
- 6) Panic alarm – means an alarm system signal generated by a device designed to be manually activated by an individual at the alarm site intended to signal a life threatening emergency situation requiring law enforcement response

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Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 19-177. - ~~Permission to install, use, etc.~~ Alarm Regulations

~~No person shall sell, install, operate, adjust, arrange for, or contract to provide a device or combination of devices that will upon activation, either mechanically, electronically, or by other means initiate the automatic intrastate calling, dialing or other connection to any telephone number assigned to the city department of public safety without having first received written permission from the city department of public safety.~~

- 1) No alarm shall cover more than one (1) business place and/or residence, meaning that buildings with more than one (1) business must have a separate alarm for each business located therein, provided that they have separate entrances. No single alarm shall cover a grouping of houses, apartments or condominiums which have separate entrances to each living quarters. However, in case of fire alarm systems (i.e. heat detector, smoke detector, sprinkler system supervision), or any combination of systems in multiple occupancy building, an annunciation panel shall be installed in an area which is readily accessible to the department of public safety. The annunciation panel shall indicate in which occupancy or section of the building the system was activated.
- 2) When multiple calls are received at the same location within a 48-hour period and a key holder does not respond or resolve the cause of the false alarms, the police and fire departments may stop further response to the site until the false alarm problem is resolved.
- 3) It shall be a violation of this Section for any person to sell, install, operate, adjust, arrange for, or contract to provide a device or combination of devices that will upon activation, either mechanically, electronically, or by other means initiate the automatic calling, dialing or other connection directly to any City of Farmington Public Safety Department telephone number.
- 4) No person shall willfully and intentionally create a false alarm, by any means.

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- 5) No device shall be installed that activates a hold-up alarm by the depression of a single-action nonrecessed button at alarm sites within the city and all existing nonrecessed button alarms shall be removed on or before (date to be determined).
- 6) No panic or hold-up alarm system shall be installed in residential sites that activates a silent alarm signal by alteration of the last digit of the normal arm/disarm code at alarm sites within the city and shall deactivate such systems currently in existence on or before (date to be determined).
- 7) It shall be a violation of this Article for any person to maintain an alarm system which, when activated, causes a signal that is disturbing to the peace and quiet of the surrounding area, unless that person, firm or corporation has first provided the Public Safety Director or his/her designee with: their name, the telephone number and address of the premises where the alarm system is located, and also the name and telephone number of at least one other person, firm or corporation who can be reached at any time, day or night, and who, within a thirty-minute response time, can open the premises in which the alarm system is installed and deactivate the audible and/or visible signal.

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Sec. 19-178. Coverage limited.

~~No alarm shall cover more than one (1) business place and/or residence, meaning that buildings with more than one (1) business must have a separate alarm for each business located therein, provided that they have separate entrances. No single alarm shall cover a grouping of houses, apartments or condominiums which have separate entrances to each living quarters. However, in case of fire alarm systems (i.e. heat detector, smoke detector, sprinkler system supervision), or any combination of systems in multiple occupancy building, an annunciation panel shall be installed in an area which is readily accessible to the department of public safety. The annunciation panel shall indicate in which occupancy or section of the building the system was activated.~~

Sec. 19-178. – Duties of Alarm Company

Alarm companies shall:

- 1) Not install any burglary control panel, after the effective date of this section, which fails to meet Security Industry Association Standards with false alarm prevention features programmed to the factory default;
- 2) Not install an alarm system, after the effective date of this article, which does not meet the requirements of this article, applicable National Fire Protection Association standards, manufactures specifications and other nationally recognized standards;
- 3) Maintain a current record, available for review by the alarm administrator upon request on an individual case by case basis during regular business hours, of alarm users and sites serviced by the company that includes the names of the alarm user

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serviced by the company, the address of the protected properties, the type of alarm system, the original installation date and the subsequent modifications, if any for each protected property, a record of the date and the time of alarm dispatch requests to each protected property, record if the false alarms at each property with evidence of the company's attempt to verify the alarm and it's explanation of the cause of the false alarm;

- 4) Provide each of its alarm users with written operating instructions for their alarm system, including an explanation of the company's alarm verification process; a telephone number to call for assistance in operating the system; and a summary of the provision of this article relating to penalties for false alarms;
- 5) Work cooperatively with the alarm system user and the alarm administrator to determine the cause of any false alarm recurrences; and
- 6) Establish a training period during the first seven days following the installation of any alarm system during which the alarm user will be trained on the proper use of the system.

Sec. 19-179. Licensing and Regulation of Alarm Installers

- 1) License Required by Installer. It shall be a violation of this Section for any person, firm or corporation to engage in the business of the installing an alarm system unless such person has been licensed by the State of Michigan in accordance with Public Act No. 190 of 1975, as amended (MCL388.1051).
- 2) Misrepresentation by Alarm Contractor. It shall be a violation of this Section for any person, firm or corporation who is an alarm contractor, or its agent, to knowingly misrepresent any services rendered to an alarm user.
- 3) Violations. All violations of this Code Section, 19-185 by any person, firm or corporation shall be considered misdemeanors and punishable by a fine of up to \$500.00.

Sec. 19-180.79. - Additional Requirements for Fire Alarms Systems.

In the case of fire alarm systems or devices, the following additional requirements shall be complied with:

- (1) All fire alarm devices, installed in commercial buildings, shall be subject to approval by the director of public safety or his authorized representative.
- (2) Plans and specifications for all fire alarm and sprinkler system supervision systems, in commercial buildings, shall be submitted to the city building inspector and the director of public safety, or his authorized representative, for their approval prior to the installation of the system.
- (3) All fire alarms systems shall be installed and maintained according to applicable sections of the National Fire Codes (National Fire Protection Association Standards) and the National Electrical Code.

Sec. 19-181. - Signal Restrictions.

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No person shall maintain an alarm system which, when activated, causes an audible signal, which signal can be heard outside the premises protected by the alarm system, and which signal is disturbing to the peace and quiet of the surrounding area, unless the alarm system is so designed that the audible signal will sound for no more than fifteen (15) minutes; and which shall not immediately reset and become audible again.

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Sec. 19-181182. - ~~Connection to dispatch board.~~Automatic Shutoff Required

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~~No alarm system shall be connected to the public safety dispatch board without permission of the director of public safety and payment of an installation fee of one hundred dollars (\$100.00) to the city. Residential alarms shall not be permitted to connect to the dispatch board; priority shall be given to financial institutions and high-risk commercial and industrial businesses, as determined by the director of public safety. In addition, a one hundred dollar per year maintenance and monitoring fee shall be paid to the city upon completion of installation and at the beginning of each calendar year thereafter. Permission to connect to the public safety dispatch board shall be subject to revocation by the director of public safety upon notification in writing stating the reasons therefor.~~

It shall be a violation of this Section for any person, firm or corporation to maintain and operate an alarm system equipped with audible signal(s) (bells, horns, sirens, etc.) that is not equipped with a shutoff device that automatically silences the audible signal(s) within ten (10) minutes of said signal activation. This Section shall not apply to fire alarm systems.

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Sec. 19-183. Registration by Owner

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- 1) Any person, firm, or corporation who owns, leases or occupies a premises in which an alarm system is installed, used, or maintained must register such alarm system with the City of Farmington Public Safety Department on forms provided by the City.
- 2) A registration fee, in an amount set by the City Council Resolution, must be paid by each person, firm or corporation who registers an alarm system prior to the activation of such an alarm system.
- 3) Persons, firms or corporations using, owning, leasing, or occupying a premises in which an alarm system exists on the effective date of this mandatory ordinance shall comply with the requirements of subparagraphs (1) and (2) above by (Date to be determined).

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Sec. 19-184. Testing of Alarm Systems

No alarm system may be demonstrated or tested to merely determine the speed or type of Police or Fire response. An alarm user or company must notify the police and/or fire department(s) prior to any service, testing, repair, or adjustment of an

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alarm system. Likewise, the alarm user must notify the police and/or fire department(s) upon completion of these tasks.

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Sec. 19-1852. - False alarms.

As used in this section "false alarm" means the activation of an alarm system through mechanical failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system or of his employee or agent and when there are no signs of illegal entry or evidence of fire or where persons, authorized to work on the alarm system, did not previously notify the department of public safety. False alarm does not include an alarm caused by severe weather or other violent conditions beyond the control of the owner or lessee of an alarm system or of their employee or agent.

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1) Notwithstanding any civil fines provided for in the event of a finding of responsibility for violation of this Article or Subsection herein, and notwithstanding the fact that a prosecution for violation of this Section has or has not been commenced, in order to defray the cost of responding to false alarms, the owner, lessee or user of an alarm system defined in this Article, shall pay to the city the following fees:

- ~~a) First activation required response by public safety department, in a calendar year.....No Charge~~
- ~~b) Second activation required response by the public safety department, in a calendar year.....\$20~~
~~If not paid within 30 days.....\$30~~
- ~~c) Third activation required response by public safety department, in the calendar year.....\$40~~
~~If not paid in 30 days.....\$50~~
- ~~d) Fourth and each subsequent activation requiring response by the public safety department, in the calendar year.....\$100~~
~~If not paid within 30 days.....\$125~~
- ~~e) For each additional 30-day period that the above required fees are not paid, an additional fess shall be required.....\$5~~

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2) The above alarm fees apply in the following cases:

- a) No evidence of illegal entry or an attempt thereof;
- b) No evidence of fire;
- c) A malfunction in the system;
- d) Activated by mistake;
- e) Alarm activated by persons working on the alarm system, where the public safety department was not previously notified.

3) Alarm Fee Waiver/Warning. Alarm fees may be waived by the Public Safety Director or his/her designee in the following circumstances.

- a) Alarms activated by severe storm conditions.
- b) Alarm system malfunction; if corrective measures have been instituted within five (5) days after the alarm activation, and a copy of the repair

order by a licensed alarm system contractor is provided to the Farmington Public Safety Department within thirty (30) days of the false alarm.

- c) False alarms that can be substantiated as being activated by disruption or disturbance of phone company facilities.
- d) Utility pole accident.
- e) Where the fee has been waived by the Public Safety Director or his/her designee because there has been a request for waiver due to documented extenuating circumstances.
- f) Notwithstanding anything herein to the contrary, no owner or lessee shall be required to pay any fee on the first occasion of a false alarm requiring response by the public safety department in the calendar year, but shall be advised in writing by the Public Safety Director or his/her designee of said false alarm and of the existence of this Ordinance.

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4) Violations. All violations of the Code Section 19-183 by any person, firm or corporation shall be considered a civil infraction and punishable by a civil fine not to exceed \$100.00. Each such false alarm shall be considered a separate violation of the Section.

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Sec. 19-1863. - Notification of false alarms. Collection of False Alarm Fees

~~The department of public safety will notify the owner or lessee of an alarm system if the department has received two (2) false alarms, as described previously, within a thirty day period or four (4) false alarms within a calendar year. Such notification shall be in writing. After such notification, the owner or lessee will pay to the city the sum of twenty-five dollars (\$25.00) for each occasion a false alarm is responded to by the department of public safety to defray the cost of responding to such false alarms.~~

False alarm fees shall be paid within thirty (30) days of written notice sent to the address of the alarm use provided in the alarm system registration. If a property owner, occupant, tenant, or lessee fails to pay the false alarm fees charged by the City within thirty (30) days after written notice, any unpaid amount will be a lien against the property. Each May 1st, the Public Safety Director shall certify all unpaid charges for such services furnished to any premises to the City Assessor who shall place the same on the next tax roll of the city. Such charges so assessed shall be collected in the same manner as general city taxes.

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Sec. 19-187. Smoke Detectors or Fire Alarms

Nothing in this Article shall be deemed to prohibit the installation and use of smoke detectors, carbon monoxide detectors, or fire alarms designed for internal use for the protection, safety, and well-being of the occupants of any residential dwellings within the City of Farmington.

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Secs. 19-1884—19-189. - Reserved.

Part II Severability

Should any section, subsection, paragraph, sentence, clause, or word of this ordinance be held invalid for any reason, such decisions shall not affect the validity of the remaining portions of the ordinance.

Part III Savings

This amendatory ordinance shall not affect violations of the zoning ordinance or any other ordinance existing prior to the effective date of this ordinance and such violation shall be governed and shall continue to be separately punishable to the full extent of the law under the provisions of such ordinance at the time the violation was committed.

Part IV Effective Date: Publication.

This amendatory ordinance shall be effective 10 days after adoption by the City Council and after publication as provided by the Charter of the City of Farmington.

Ayes:
Nayes:
Abstentions:
Absent:

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Farmington at a meeting held on the ____ day of _____, 2017, the original of which is on file in my office.

SUSAN K. HALBERSTADT,
City Clerk
City of Farmington

Adopted:
Published:
Effective:

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON

RESOLUTION NO. 17-

A RESOLUTION OF THE FARMINGTON CITY COUNCIL AMENDING THE CITY FEE SCHEDULE.

WHEREAS, the City of Farmington maintains a fee schedule that covers all charges for services, sales, deposits, permits, and licenses;

WHEREAS, it is necessary to periodically update the fee schedule as a result of operational changes, regulatory changes, and policy decisions to insure that revenues are adequate to cover the cost of services; and

WHEREAS, the Farmington City Council discussed changes to the alarm ordinance to include an alarm registration fee in addition to increased fees for second and subsequent false alarms; and

WHEREAS, the Farmington City Council discussed the need for changes to the alarm ordinance as a means of cost recovery for public safety responses to false alarms and as a means to hold owners and leases of alarmed properties accountable for repeated false alarms.

NOW, THEREFORE BE IT RESOLVED that the Farmington City Council hereby amends the City Fee Schedule as indicated below:

1. Amend Chapter 6 - Department of Public Safety, Section 3 - Alarms, to add a new fee, effective November 1, 2017

Alarm Registration Fee - \$15.00
2. Eliminate Chapter 6, Section 3 dealing with no cost for up to four (4) false alarms.
3. Eliminate Chapter 6, Section 3 dealing with a \$25 fee per occurrence for five (5) or more false alarms.
4. Amend Chapter 6, Section 3, False Alarm Fees, to add new fees effective November 1, 2017

First activation required response by public safety department, in a calendar year... No Charge

Second activation required response by the public safety department, in a calendar year \$20
If not paid within 30 days..... \$30

Third activation required response by public safety department, in the calendar year..... \$40
If not paid in 30 days..... \$50

Fourth and each subsequent activation requiring response by the public safety department, in the calendar year..... \$100
If not paid within 30 days..... \$125

Resolution 10-13-052

Meeting of October 30, 2017

For each additional 30 day period that the above required fees are not paid, an additional fess shall be required..... \$5

RESULT: ADOPTED [UNANIMOUS]

MOVER:

SECONDER:

AYES:

I, Susan K. Halberstadt, duly authorized City Clerk for the City of Farmington do hereby certify that the foregoing is a true and correct copy of a motion adopted by the Farmington City Council at a regular meeting held on Monday, October 30, 2017, in the City of Farmington, Oakland County, Michigan.

Susan K. Halberstadt, City Clerk