BILL NO. 38 - 2013
AN ORDINANCE

AMENDING CHAPTER 13, LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF READING BY AMENDING SECTION §13-116 TO INCLUDE COLLECTIONS WHICH ALLOWS DELINQUENT ACCOUNTS OF NINETY (90) DAYS OR MORE TO BE GIVEN TO A COLLECTIONS AGENCY AND SUBJECT TO COLLECTION COSTS AND RENUMBERING THE REMAINING SECTIONS AS NECESSARY.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Chapter 13, Licenses, Permits and General Business Regulations, §13-116, of the Codified Ordinances is hereby amended to include collections which allows delinquent accounts of ninety (90) days or more to be given to a collections agency and subject to collection costs and renumbering the remaining sections as necessary as attached in Exhibit A.

SECTION 2: All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

SECTION 3: If any section, subsection, sentence or clause of this ordinance is held for any reason to be invalid such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 4: This Ordinance shall become effective in ten (10) days after passage.

Enacted Aug 18, 2013

Council President

Attest:

City Clerk

Submitted to Mayor: _____

Date: 8/13/13

I, LINDA A. KELLEHER, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original ordinance passed by the Council of the City of Reading, on the 13 day of August A. D. 2013. Witness my hand and seal of the said City this 16 day of August A. D. 2013

CITY CLERK

Received by the Mayor's Office: _____

Date: 8/14/13

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

EXHIBIT A

PART 1[1]

BURGLARY AND ROBBERY ALARM SYSTEMS

§13-101. Short Title.

This Part shall be known and may be cited as the "City of Reading, Pennsylvania, Burglary and Robbery Alarm Systems Ordinance."

[1] False Alarms - see 18 Pa.C.S.A. §4905.

(*Ord. 126-1995*, 12/13/1995, §1)

§13-102. Intent and Purpose.

The purpose of this Part is to encourage alarm users and alarm businesses to maintain operational reliability and properly use alarm systems and to reduce false alarms by providing minimum standards and regulations applicable to burglary, robbery, and police emergency alarm systems, alarm businesses, alarm agents and alarm users as defined in this Part.

(*Ord. 126-1995*, 12/13/1995, §2)

§13-103. Definitions.

The following words, terms and phrases when used in this Part shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning.

ALARM AGENT - any person who is self-employed in or employed by an alarm business whose duties include any of the following: altering, installing, maintaining, moving, repairing, replacing, selling, servicing, or responding to an alarm system.

Exemptions: This definition shall not include a person who engages in the manufacture or sale of an alarm system from a fixed location and who neither visits the location where the alarm system is to be installed, nor designs the scheme for physical location and installation of the alarm system in a specific location. Further, new construction personnel not in the employ of an alarm business may be involved under contracts or subcontracts in the use or installation of alarm systems.

ALARM BUSINESS - any business operated by any individual, including a person self-employed, partnership, corporation, or other entity which engages in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling, servicing, or responding to an alarm system.

Exemptions: This definition shall not include any business that engages in the manufacture or sale of an alarm system from a fixed location and who neither visits the location where the alarm system is to be installed, nor designs the scheme for physical location and installation of the alarm system in a specific location.

ALARM COORDINATOR - the individual designated by the Chief of Police to issue permits and enforce the provisions of this Part.

ALARM SYSTEM –

(1) Any single device or assembly of equipment, mechanical, electrical, or battery operated arranged to detect and signal an unauthorized intrusion into a premises or to signal an attempted or actual robbery or police emergency at a protected premises, and with respect to such signal public police and/or private guards are expected to respond.

(2) Devices maintained and operated by the Reading Department of Police used for the detection of unlawful acts and known as "Antiburglary/Anti-robbery" (ABAR) systems shall not be included under this definition. Devices which are designed for and installed upon motorized vehicles and trailers shall not be included under this definition.

ALARM USER - any person on whose premises an alarm system is maintained within the City except for an alarm system on motor vehicles or proprietary systems. If, however, an alarm system on a motor vehicle is connected with an alarm system at a premises (other than a proprietary system), the person using such system is an alarm user.

ANSWERING SERVICE - a telephone answering service providing among its services the service of receiving on a continuous basis through trained employees, emergency signals from alarm systems, and thereafter immediately relaying the message by live voice to the complaint office of the Department of Police.

AUDIBLE ALARM - any device, bell, horn, or siren which is attached to the interior or exterior of a building, structure, or facility and emits a warning signal audible outside the building, structure, or facility and is designed to attract attention when activated by a criminal act or other emergency requiring police response.

AUTOMATIC DIALING DEVICE - any device which is interconnected to a telephone line and is programmed to transmit by prerecorded voice message or coded signal an emergency message indicating a need for emergency response.

BILLING AGENT – The Company that the City has contracted with to collect all fees payable under this ordinance.

CENTRAL STATION - a protective system or group of such systems operated privately for customers by a person, firm or corporation which accepts recorded or coded messages from automatic dialing devices at a central station having operators and guards in attendance at all times who have the duty to take appropriate action upon receipt of a signal or message, including the relaying of messages to the Reading Department of Police.

CHIEF OF POLICE - the Chief of the Department of Police of the City of Reading, Pennsylvania, or his designated representative.

CITY - the City of Reading, Pennsylvania.

DEPARTMENT OF POLICE or POLICE - the publicly supported Department of Police of the City of Reading, Pennsylvania or any authorized agent thereof.

FALSE ALARM -

(1) An alarm activated in the absence of an emergency, whether willfully or by inadvertence, negligence, or unintentional act, including the malfunction of the alarm system, to which the Department of Police responds. The definition excludes testing or repairing of telephone or electrical lines or equipment outside the premises; acts of God, such as earthquake, flood, windstorm, thunder, or lightning;

an attempted illegal entry of which there is visible evidence; or a crime in progress. If doubt exists as to cause of the alarm, the Chief of Police or his designee shall make a decision regarding the circumstances of the activation.

(2) Multiple alarms received by the Department of Police before the system can be deactivated within a reasonable period of time shall be considered a single alarm.

(3) A false alarm shall also mean the intentional activation of a robbery alarm for other than a robbery in progress, the intentional activation of a burglary alarm for other than a burglary in progress and the intentional activation of a police emergency alarm for other than a police emergency in progress.

INTERCONNECT - to connect an alarm system including an automatic dialing device to a telephone line, either directly or through a mechanical device that utilizes the telephone line to transmit a message upon the activation of the alarm system.

LOCAL ALARM SYSTEM - a system which is attached to the interior or exterior of a building, structure, or facility which when activated causes an audible and/or visual warning signal which can be heard and/or seen outside the building, structure, or facility and designed to attract attention when activated by a criminal act or other emergency requiring police response.

PERMIT - written permission duly granted to an applicant by the City of Reading upon payment of the required fee.

POLICE EMERGENCY - an incident requiring prompt response by the Department of Police.

PRIMARY TRUNKLINE - a telephone line leading into the complaint office of the Department of Police that is for the purpose of handling emergency calls on a person-to-person basis, and which is identified as such by a specific number included among the emergency numbers listed in the telephone directory issued by the telephone company and covering the service area within the City of Reading.

PROPRIETARY ALARM - any alarm system which sounds within the protected premises or control center under the supervision of the proprietor of the protected building, structure, or facility. If police response is expected or is a result of this proprietary alarm signal or message, it thereby becomes an alarm system as defined by this Part.

SUBSCRIBER - a person who buys and/or leases, or otherwise obtains an alarm system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm.

(*Ord. 126-1995*, 12/13/1995, §3; as amended by *Ord. 14-2001*, 5/29/2001)

§13-104. Alarm Business Permits.

1. Any person engaging in an alarm business in the City of Reading shall, within 30 days after the effective date of this Part, file an application for an alarm business permit with the Alarm Coordinator. The application shall contain such information as is reasonably

required by the Chief of Police to administer and enforce this Part.

2. Applicants for alarm business permits shall agree in writing and as a condition for receiving permits to do the following:

   A. Notify the Alarm Coordinator within 14 days of any substantial change affecting the status or validity of this permit.

   B. Agree to issue to all alarm agents connected with or in the employ of the business, identification cards containing as a minimum:

      (1) The name of the business.

      (2) The alarm business permit number

      (3) Name of the agent.

      (4) Signature of an official of the business and agent named.

   C. Applicants shall posses and maintain an electrical installer (dealer) license, as defined in as the Electrical Code, §5-402, "Definitions." The qualifications are listed under §5-406, entitled, "Applicant Qualifications and Examinations." All persons are employed by the electrical installer (dealer) who will be engaged in the actual installation of security alarm systems must obtain an electrical installer "B" license as defined under §5-406, "Applicant Qualifications and Examinations."

3. Applicants shall furnish an insurance certificate annually confirming that the applicant has in force general liability insurance coverage in an amount of not less than $300,000.00 each occurrence. An applicant who self insures such coverage shall furnish evidence of financial ability.

4. Following the completion of the application and payment of the appropriate fee as indicated in §13-105, the Department of Police shall have 15 working days to investigate the applicant, process the application, and to grant or deny a permit.

5. Permits to any applicant shall be denied if:

   A. The applicant does not agree to comply or fails to comply with the requirements of this Part and rules and regulations adopted pursuant to this Part.

   B. The applicant has knowingly made any false, misleading, or fraudulent statements of material fact in the application or in any report or record required to be filed with the City of Reading.

   C. A corporation, sole proprietor, partner, joint venture, trustee, executor, administrator, employee, fiduciary, or stockholder with a 5% or greater interest in a corporation (except a corporation whose stock is publicly traded and registered with the Securities and Exchange Commission or with a state securities commission) applying for a permit has ever been convicted of a felony charge or pleaded Nolo Contendere to a felony charge or indictment.

6. When an application for a permit is denied, the applicant shall be notified in writing of the denial with the basis thereof. If reason(s) for denial are correctable the applicant will be so advised with suggestions on how these corrections can be made and what time limit has been set for making said corrections.

7. Permit applications shall be accompanied by a nonrefundable fee of $50 to cover the costs to the City of processing the application and investigating the applicant. No prorating is permitted of the initial fee.

8. The Alarm Coordinator shall, after investigation, issue an alarm business permit to an alarm business meeting the requirements of this Section. Each permit shall bear the signature of the Coordinator and be for a 1 calendar year period. A copy of the permit shall be physically upon each of the premises using the alarm business' systems and shall be available for inspection by the Chief of Police, the Alarm Coordinator or his representative.

(*Ord. 126-1995*, 12/13/1995, §4; as amended by *Ord. 29-1996*, 9/13/1996, §1; and by *Ord. 14-2001*, 5/29/2001)

§13-105. Alarm Business Permit Fees.

Alarm businesses shall pay an annual permit fee of $50 due and payable to the Billing Agent by January 31st of each year. Applications for renewal shall be processed in the same manner as initial applications.

(*Ord. 126-1995*, 12/13/1995, §5)

§13-106. Alarm Business Responsibilities.

1. It shall be unlawful for any person to engage in or conduct business or operate as an alarm agent at any time within the limits of the City of Reading unless connected with and carrying identification from a business issued an alarm business permit in accordance with this Part. Agent identification must be carried at all times while engaged in alarm business activities and must be displayed to any police officer upon request.

2. Alarm businesses which have installed alarm systems in the City of Reading shall supply to the Alarm Coordinator within 90 days after the effective date of this Part or upon notice of approval of a permit application, which ever occurs later, a current list of such installations which shall include the following information:

A. The name, residence, and telephone number of the owner or user.

B. The address where the system is installed and the telephone number at that address.

C. The name, address, and telephone number of any other persons or firm who is authorized to respond to an emergency and gain access to the address where the system is installed.

D. The name and telephone number of any person, firm or corporation, if any, other than the alarm business, who is responsible for maintenance and repair of the system.

E. The type of system, i.e. burglary, robbery or police emergency.

3. By the fifth working day of each month following submission of the initial list, every alarm business shall furnish the Alarm Coordinator with a supplemental list of any additional installations, along with any corrections or deletions from the list previously furnished.

4. All information furnished pursuant to this Section shall be kept confidential and shall be for authorized use of the Department of Police.

5. Every alarm business selling, leasing, or furnishing to any user an alarm system which is installed on premises located in the City of Reading shall furnish the user with written instructions that provide information to enable the user to operate the alarm system properly and obtain service for the alarm system at any time.

6. Every alarm business that installs one or more alarm systems in the City shall make service available directly or through an agent on a 24 hour a day basis 7 days a week, to repair such systems and to correct malfunctions as they occur.

7. Every alarm business shall furnish at their own expense, at or prior to the time of contracting, a copy of this Part to owners, lessees or users of the systems or services to be supplied.

(*Ord. 126-1995*, 12/13/1995, §6; as amended by *Ord. 14-2001*, 5/29/2001)

§13-107. Alarm System Regulations and Standards.

1. Audible alarm systems shall be equipped with a timing mechanism that will disengage the alarm annunciator after a maximum period of 20 minutes. Audible alarms without such timing mechanisms shall be unlawful in the City and must be disconnected by the user within 90 days from the effective date of this Part.

2. Every alarm system installed shall consist only of equipment that is listed by Underwriter's Laboratories, Inc. as being electronically safe and meeting the City's requirements for the alarm system. Wiring for the alarm system must conform with all applicable City codes.

3. Every system installed shall be provided with standby battery power which shall automatically and immediately take over in the event of a power failure.

4. Every system installed shall be done with equipment in such a way as to neutralize electrical surges on the alarm system.

(*Ord. 126-1995*, 12/13/1995, §7)

§13-108. Automatic Dialing Devices.

1. No automatic dialing device shall be interconnected to a primary trunkline after the effective date of this Part.

2. Within 90 days after the effective date of this Part, all automatic dialing devices interconnected to a primary trunkline shall be disconnected therefrom. The user of such device shall be responsible for having the device disconnected within the 90 day time period.

3. Users of an automatic dialing device may have the device interconnected to a telephone line transmitting directly to intermediary monitoring services such as:

   A. A central station.

   B. A modified central station.

   C. An answering service.

4. The relaying of messages by intermediary services to the police may be over a primary trunkline or over a direct line paid for by the intermediary service.

5. Automatic dialing devices may also be interconnected to one or more telephone numbers available to the user of the devices, or their designated representative, at another location.

(*Ord. 126-1995*, 12/13/1995, §8)

§13-109. Intermediary Monitoring Service Standards.

1. Emergency messages from alarm systems shall be given priority over all other messages received by the intermediary service except that firm alarm signals may have equal priority.

2. All operators shall be trained to handle emergency messages.

3. As soon as possible after notifying the police, the operator concerned shall notify the subscriber involved of such action and the nature of the emergency message received.

4. All subscribers of an intermediary service shall be required by the service to cooperate in a test of its alarm devices at least once a year to determine if the system is working properly. The intermediary service shall certify that the test requirements have been fulfilled. Unsatisfactory test results shall be reported promptly in writing, to the subscriber and the Alarm Coordinator. Until the system in question is again working properly, the Department of Police may require that its use be discontinued.

(*Ord. 126-1995*, 12/13/1995, §9; as amended by *Ord. 14-2001*, 5/29/2001)

§13-110. Inspection of Alarm Systems.

1. For the purpose of enforcing the provisions of this Part, the Chief of Police or Alarm Coordinator shall have the authority to enter any premises in the City of Reading in or upon which alarm systems are located; to inspect the installation and/or operation of such alarm systems.

2. Application for a permit for the installation of such a system and subsequent installation

of such a system pursuant to a permit issued or the continuance of the use of any alarm system already installed at the effective date of this Part shall constitute consent by the owner or lessee thereof and authorization for the inspection of any such installation and/or operation by the Chief of Police or Alarm Coordinator.

3. All such entries upon the premises where an alarm system is installed and all such inspection of the installation and operation of alarm systems shall be at reasonable times and upon reasonable notice, except in emergency situations.

(*Ord. 126-1995*, 12/13/1995, §10)

§13-111. Statistical Data.

In addition to any other information that may be required to be supplied by the provisions of this Part, the Chief of Police may require an alarm business to furnish him/her with certain statistical data which may be reasonably available relative to specified periods of operation after the effective date of this Part.

(*Ord. 126-1995*, 12/13/1995, §11)

§13-112. Alarm User Permits.

1. Any person desiring to use an alarm system in the City of Reading shall, within 60 days after of the effective date of this ordinance, file an application for an alarm user permit, for each system, with the Alarm Coordinator. The application shall contain such information as is reasonably required by the Chief of Police to administer and enforce this Part.

2. Applicants for alarm user permits shall agree in writing and as a condition for receiving and keeping permits to notify the Alarm Coordinator within 14 days of any substantial change affecting the validity of the permit.

3. Following the completion of the application and payment of the appropriate fee as indicated in §13-113, the Department of Police shall have 15 working days to investigate the applicant, process the application, and to grant or deny a permit.

4. Alarm user permits to any applicant shall be denied if:

A. The applicant does not agree to comply or fails to comply with the requirements of this ordinance and rules and regulations adopted pursuant to this ordinance; or

B. The applicant has knowingly made false, misleading, or fraudulent statements of a material fact in the application or in any report or record required to be filed with the City of Reading; or

C. The applicant has had a similar type permit previously revoked for good cause in the past unless the applicant can show a material change in the circumstances since the date of revocation.

5. When an application for a permit is denied, the applicant shall be notified in writing of

the denial with the basis thereof. If the reason(s) for denial are correctable, the applicant will be so advised with suggestions on how these corrections can be made and what time limit has been set for making said corrections.

6. The Alarm Coordinator shall, after investigation, issue an alarm user permit to an applicant meeting the requirements of this Section. Each permit shall bear the signature of the Coordinator and be valid for the period that the owner or tenant owns or leases the premises upon which the alarm system is installed. The permit shall be physically present upon the premises upon which the alarm system is installed and shall be available for inspection by the Chief of Police, the Alarm Coordinator or his representative.

7. Applicants already using alarm systems in the City of Reading may continue to use the alarm systems while their permit applications are being processed. All alarm systems installed after the effective date of this Part shall not commence use until their alarm user permit application is approved.

8. By submitting an application for permit for the installation of an alarm system and the subsequent installation of such a system or by the continuation of the use of an alarm system already installed at the effective date of this Part, the owner, lessee or user thereof shall agree that such permit application constitutes a waiver of the right to bring or file action, claim or complaint whatsoever against any police officer or other agent of the City who makes a forced entry in response to such an alarm into the premises on which such an alarm is installed as a result of entry into the protected premises.

9. In the event the owner of such a premises is a person other than the alarm user permit applicant, as in the instance of a lessee or other use not the owner of the premises on which the alarm is installed, such permit application shall constitute an indemnification agreement by the applicant to hold harmless any police officer, the City of Reading, the police department, or other agent, as appropriate, from any all damages whatsoever claimed by the lessor or owner of the premises on which the alarm is installed.

(*Ord. 126-1995*, 12/13/1995, §12; as amended by *Ord. 14-2001*, 5/29/2001)

§13-113. Alarm User Permit Fees.

1. Alarm users shall pay a permit fee of $25 payable to the Billing Agent. This fee shall be for the period that the owner or tenant owns or leases the premises upon which the alarm system is installed.

2. An alarm user permit will automatically terminate upon the change in occupancy or usage of the premises for which originally issued.

3. The following are exemptions to the alarm user permit fees:

   A. The United States Government, the Commonwealth of Pennsylvania, counties, municipal corporations, departments thereof and other governmental entities are exempt from the fees required in this Part.

   B. A residential alarm user who is over the age of 65 and is the primary resident of the residence may obtain an alarm users permit from the Department of Police according to this Part without payment of a fee.

4. Alarm users who are not required to pay a fee or who are exempt from obtaining an alarm user's permit as above shall nevertheless, be subject to the penalty provisions of this Part.

(*Ord. 126-1995*, 12/13/1995, §13; as amended by *Ord. 14-2001*, 5/29/2001)

§13-114. Alarm User Responsibilities.

1. No person shall conduct any test or demonstration of any alarm system without first notifying the complaint desk of the Department of Police.

2. Alarm users shall supply to the Alarm Coordinator within 90 days after the effective date of this Part or upon notice of approval of a permit application, whichever occurs later, the following information:

   A. The name of the owner, tenant, or agent responsible for the property and name of the business (if applicable).

   B. The address of the property and telephone number.

   C. The alarm business or other entity responsible for maintaining the system.

   D. The type of alarm and how the alarm signal will be received by the Department of Police.

   E. The names and telephone numbers of at least two persons to be contacted to secure the property.

3. Alarm users shall notify the Alarm Coordinator within 14 days of any change in the information required by this Section.

4. Any person using an alarm system shall be required to deactivate any alarm system within a reasonable period of time when multiple false alarms are received. The system shall remain deactivated until it has been repaired and functioning in accordance with the standards of this Part.

§13-115. False Alarms.

1. The City of Reading Police Department will keep written record of all false alarms and will share such information with the Billing Agent. The Billing Agent, shall, within ten (10) business days notify the person in whose name the alarm is registered of such false alarm.

2. The alarm user permit holder shall be assessed a fee for service for each false alarm in a calendar year to be payable to the Billing Agent as follows:

Alarm in Calendar Year Fee	**Fee**

1	Free (No Charge)
2	$50
3	$50
4	$100
5	$100
6	$150
7	$150
8	$150
9	$150
10	$250
11	$250
12	$250
13	$500
For Each Alarm 14 and Greater (over 13) in a Calendar Year	$500

(*Ord. 126-1995*, 12/13/1995, §15; as amended by *Ord. 14-2001*, 5/29/2001; and by *Ord. 41-2010*, 7/26/2010, §1)

§13-116. ~~**Administrative Rules.**~~ ***Collections.***

~~The Chief of Police shall promulgate such rules as may be necessary for the implementation, administration, and enforcement of this Part. Any such rules shall be approved by the Council of the City of Reading and shall be available for public inspection.~~
~~(*Ord. 126-1995*, 12/13/1995, §16)~~

Delinquent permit and false alarm fees will be turned over to a Collections Agency and subject to collection costs after ninety (90) days of delinquency.

§13-117. ~~**Confidentiality.**~~ ***Administrative Rules.***

~~The information furnished and secured pursuant to this Part shall be confidential in character and shall not be subject to public inspection and shall be kept so that the contents thereof shall not be known except to persons charged with the administration of this Part.~~

The Chief of Police shall promulgate such rules as may be necessary for the implementation, administration, and enforcement of this Part. Any such rules shall be approved by the Council

of the City of Reading and shall be available for public inspection.
(Ord. 126-1995, 12/13/1995, §16)

§13-118. ~~Penalties.~~ *Confidentiality*

1. ~~A violation of any provision in this Part may result in the revocation of any permit issued and/or can constitute a summary offense punishable by a fine, plus costs of prosecution. Such fines and costs shall be collectible before any District Justice as like fines and costs are now by law collectible. Each 24 hour period during which failure to comply continues shall constitute a separate offense. Violation of any provisions of this Part shall be subject to the following penalties:~~

   ~~(1) First Violation. A fine of $100, or 30 days imprisonment, or both.~~

   ~~(2) Second Violation. A fine of $200, or 30 days imprisonment, or both.~~

   ~~(3) Third violation. A fine of $300, or 30 days imprisonment, or both.~~

~~2. Any person found guilty of willful misuse or willful false activation of an alarm system shall be, upon conviction thereof, sentenced to pay a fine not more than $600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days for each and every such activation. Such fines and costs shall be collectible before any District Justice as like fines and costs are now by law collectible. The same shall constitute a summary offense.~~

~~2. The payment of any fees required shall not be a bar against prosecution for any violations under this Part.~~

The information furnished and secured pursuant to this Part shall be confidential in character and shall not be subject to public inspection and shall be kept so that the contents thereof shall not be known except to persons charged with the administration of this Part.

§13-119. ~~Appeals~~ *Penalties*

~~A. Administrative Appeal~~

~~1. A person in receipt of a fine/fee related to false alarms may appeal to the Chief of Police by filing a request with the Police Administration in writing within 15 calendar days of the date of the fine/fee.~~

~~2. Payment of the fine/fee must be paid in full at the time of filing of the appeal. Such payment will be refunded within thirty (30) calendar days should the alleged violator win the appeal.~~

~~3. The appeal hearing will be held before the Police Chief or his/her designee. The Police Chief or his/her designee may uphold the appeal, deny the appeal, or may modify the fine/fee as he/she sees appropriate.~~

~~B. Subsequent Appeals~~

~~Any subsequent appeal shall be filed to the Berks County court of common Pleas pursuant to 2 Pa.C.S. §751 and §752.~~

1. *A violation of any provision in this Part may result in the revocation of any permit issued and/or can constitute a summary offense punishable by a fine, plus costs of prosecution. Such fines and costs shall be collectible before any District Justice as like fines and costs are now by law collectible. Each 24 hour period during which failure to comply continues shall constitute a separate offense. Violation of any provisions of this Part shall be subject to the following penalties:*

    (1) First Violation. A fine of $100, or 30 days imprisonment, or both.

    (2) Second Violation. A fine of $200, or 30 days imprisonment, or both.

    (3) Third violation. A fine of $300, or 30 days imprisonment, or both.

2. *Any person found guilty of willful misuse or willful false activation of an alarm system shall be, upon conviction thereof, sentenced to pay a fine not more than $600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days for each and every such activation. Such fines and costs shall be collectible before any District Justice as like fines and costs are now by law collectible. The same shall constitute a summary offense.*

3. *The payment of any fees required shall not be a bar against prosecution for any violations under this Part.*

§13-120. Appeals

A. Administrative Appeal

1. *A person in receipt of a fine/fee related to false alarms may appeal to the Chief of Police by filing a request with the Police Administration in writing within 15 calendar days of the date of the fine/fee.*

2. *Payment of the fine/fee must be paid in full at the time of filing of the appeal. Such payment will be refunded within thirty (30) calendar days should the alleged violator win the appeal.*

3. *The appeal hearing will be held before the Police Chief or his/her designee. The Police Chief or his/her designee may uphold the appeal, deny the appeal, or may modify the fine/fee as he/she sees appropriate.*

B. Subsequent Appeal

Any subsequent appeal shall be filed to the Berks County court of common Pleas pursuant to 2 Pa.C.S. §751 and §752.

CITY OF READING, PENNSYLVANIA

LINDA A. KELLEHER CMC
CITY CLERK

CITY COUNCIL
ROOM 2-24
815 WASHINGTON STREET
READING, PA 19601-3690
(610) 655-6204

DATE: **July 20, 2013**
FROM: **Linda A. Kelleher, City Clerk**

Please place the following ad in the Reading Eagle Times in the Public Notice Section on Monday, July 29, 2013

City Of Reading
Notice of Introduction of Proposed Code Adoption Ordinance

Please take notice that a proposed Code Adoption Ordinance was introduced by the City Council of the City of Reading at a regular meeting of the City Council held on the August 12, 2013. A copy of the proposed Code Adoption Ordinance and the Code may be examined in the office of the City Clerk.

Ordinance - amending Chapter 13, Licenses, Permits and General Business Regulations, §13-116, of the Codified Ordinances to include collections which allows delinquent accounts of ninety (90) days or more to be given to a collections agency and subject to collection costs and renumbering the remaining sections as necessary as attached in Exhibit A. (Police)

Please take further notice that the City Council intends to adopt the proposed Code Adoption Ordinance on August 26, 2013. A copy of the Code Adoption Ordinance proposed for adoption is on file in the office of the City Clerk, 815 Washington St, Rdg, PA, where it is available for inspection during regular office hours. The ordinance can also be viewed on the City website at ReadingPA.gov through the August 12th and August 26th regular meeting agendas.

Linda A. Kelleher CMC
City Clerk