

NOTICE

At a Regular Rochester Hills City Council Meeting held on Wednesday, June 19, 1996, at the Rochester Hills Municipal Offices, 1000 Rochester Hills, Oakland County, Michigan:

Present: President Lauren Shepherd, Members Scot Beaton, Susan de Caussin, John Gaber, Melinda Hill-Schulte, Linda Raschke, Pat Somerville
Absent: None Quorum Present

MOTION by Beaton, seconded by Raschke,

Resolved, that, Ordinance No. 398, an ordinance to amend Chapter 8-08 of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to allow two (2) False Alarms, without charge, in a calendar year, to increase the City's charge for subsequent False Alarms, to repeal conflicting ordinances, and to prescribe a penalty for violations, BE AND IS HEREBY ADOPTED and shall become effective on June 28, 1996, the day following its publication in the Rochester Eccentric.

Ayes: Shepherd, Beaton, deCaussin, Gaber, Hill-Schulte, Raschke, Somerville
Nays: None

MOTION CARRIED

ORDINANCE NO. 398

AN ORDINANCE TO AMEND SECTION 8-08.06 OF CHAPTER 8-08, FALSE ALARMS, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO ALLOW TWO (2) FALSE ALARMS, WITHOUT CHARGE, IN A CALENDAR YEAR, TO INCREASE THE CITY'S CHARGE FOR SUBSEQUENT FALSE ALARMS, TO REPEAL CONFLICTING ORDINANCES, AND TO PRESCRIBE A PENALTY FOR VIOLATIONS.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Section 8-08.06 of Chapter 8-08 of the Code of Ordinances of the City of Rochester Hills shall be amended as follows:

8-08.06 False Alarm Fee

.01 Unchanged

.02 Charges.

A. ~~First Occurrence~~ TWO OCCURRENCES. There shall be no fee charged for the first ~~occurrence~~ TWO OCCURRENCES of a false alarm during a calendar year, but the alarm system owner or lessee shall be advised, in writing, of both the false alarm and the existence of this Chapter.

B. Subsequent Occurrences. The alarm system owner or lessee shall be charged by the City a fee of

~~(a) // Twenty-five Dollars (\$25) for the second false alarm responded to by law enforcement or fire department personnel and registered with the City, within a calendar year, and~~

(a) ~~(a)~~ One TWO Hundred Dollars (\$~~100~~ 200) for each false alarm responded to and registered ~~thereafter~~ AFTER THE SECOND FALSE ALARM within the same calendar year.

.03 through .05 Unchanged.

CODIFIED ORDINANCE NO. 398

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

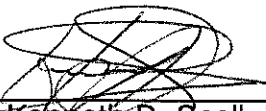
Section 3. Penalty. All violations of this ordinance shall be misdemeanors and upon conviction thereof shall be punishable by a sentence of not more than ninety (90) days of confinement to jail or by a fine of not more than \$500, or both, in the court's discretion.

Section 4. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on June 28, 1996, the day following its publication in the Rochester Eccentric on June 27, 1996.


(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on Wednesday, June 19, 1996.



Kenneth D. Snell, Mayor
City of Rochester Hills

CERTIFICATE

I, BEVERLY A. JASINSKI, ROCHESTER HILLS CITY CLERK, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND COMPLETE COPY OF AN ORDINANCE, THE ORIGINAL OF WHICH IS ON FILE IN MY OFFICE, ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCHESTER HILLS AT A MEETING THEREOF HELD ON WEDNESDAY, JUNE 19, 1996.



Beverly A. Jasinski, Clerk
City of Rochester Hills

First Reading: June 5, 1996
ord398/lkd

Angelo's Asphalt Paving, of Warren, Michigan.

Ayes: Shepherd, deCaussin, Gaber, Raschke, Somerville

Nays: None

Absent: Hill-Schulte, Beaton

MOTION CARRIED

(ENTER MR. BEATON -- 10:15 p.m.)

- d. **Request for Permission** to sponsor a circus and display cars at Rochester Hills Festival o' the Hills at Bloomer Park. (Members received memo dated 5/23/96 from Alan Buckenmeyer, Park Operations Manager, to President Shepherd, with attachments.)

Darin Lamphier, 833 Cobblestone, appeared before Council representing the Rochester Hills Elks Club, sponsor of the proposed circus. Mr. Lamphier said all proceeds from the Elks Club's sponsorship of The King Royal Circus, a three-ring circus seating 1,500 people, would go to programs sponsored by the Elks Club and to its charitable organization. Elephant rides and a petting zoo would be provided in a fourth ring. He said two shows were planned and he asked Council what times would best suit the Festival's plans. President Shepherd asked him to consider shows at 4:00 p.m. and 6:00 p.m.

MOTION by Gaber, seconded by deCaussin, **Resolved**, that on behalf of the City of Rochester Hills and as required by Ordinance 7-10.07-09 - Exhibitions and Performances, the Rochester Hills City Council hereby grants permission for the Rochester Elks Club to sponsor a circus in Bloomer Park on July 4, 1996.

BE IT FURTHER RESOLVED, that the Festival o' the Hills Committee is granted permission to display cars, Fire Department apparatus, and Sheriff's Department equipment as part of the City's festival at Bloomer Park on July 4, 1996.

Ayes: Shepherd, Beaton, deCaussin, Gaber, Raschke, Somerville

Nays: None

Absent: Hill-Schulte

MOTION CARRIED

- e. **Proposed Ordinance (First Reading)** - An Ordinance to amend Section 8-08.06 of Chapter 8-08, False Alarms, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan. (Members received copies of a letter dated 5/17/96 from Attorney Staran to Mayor Snell, with attachments; copy of proposed ordinance.)

MOTION by Raschke, seconded by Somerville, **Resolved**, that an Ordinance to amend Section 8-08.06 of Chapter 8-08, False Alarms, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to allow two (2) False Alarms, without charge, in a calendar year, to increase the City's charge for subsequent false alarms, to repeal conflicting ordinances, and to prescribe a penalty for violation **be and is hereby accepted for First Reading**.

Ayes: Shepherd, Beaton, deCaussin, Gaber, Raschke, Somerville

Nays: None

Absent: Hill-Schulte

MOTION CARRIED

- f. **Proposed Ordinances (9) (First Reading)** - to Amend the following ordinances be deleting the insurance provisions from the following ordinances: Chapter 3-05, Section 3.05.03; Chapter 3-08, Section 3-08.03; Chapter 4-01, Section 4-01.13; Chapter 4-04, Section 4-04.07; Chapter 4-15, Section 4-15.06; Chapter 5-03, Section 5-03.03; Chapter 6-05, Section 6-05.04; Chapter 6-07, Section 6-07.13; and

6. Ordinance No. 394: Amend Section 5-03.03 of Chapter 5-03 (Moving of Buildings) to delete the insurance provision and renumber remaining provisions.
7. Ordinance No. 395: Amend Section 6-05.04 of Chapter 6-05 (Municipal Sanitary Sewer Connections) to delete the insurance provision and renumber remaining provisions.
8. Ordinance No. 396: Amend Section 6-07.13 of Chapter 6-07 (Municipal Water Department) to delete the Certificate of Insurance Provision and renumber remaining provisions.
9. Ordinance No. 397: Amend Section 6-12.18 of Chapter 6-12 (Special Assessments) to delete the proof of insurance provision and renumber remaining provisions.

Ayes: Shepherd, Beaton, deCaussin, Gaber, Hill-Schulte, Raschke, Somerville
Nays: None **MOTION CARRIED**

- f. **Proposed Ordinance - Second Reading** - An Ordinance to Amend Section 8-08.06 of Chapter 8-08, False Alarms, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to allow two (2) False Alarms, without charge, in a calendar year, to increase the City's charge for subsequent false alarms, to repeal conflicting ordinances, and to prescribe a penalty for violations. (Members received copies of the revised ordinance.)

MOTION by Beaton, seconded by Raschke, **Resolved**, that an Ordinance to amend Section 8-08.06 of Chapter 8-08, False Alarms, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to allow two (2) False Alarms, without charge, in calendar year, to increase the City's charge for subsequent false alarms, to repeal conflicting ordinances, and to prescribe a penalty for violations **be and is hereby adopted** and shall become effective on June 28, 1996, the day following its publication in *Rochester Eccentric*.

Ayes: Shepherd, Beaton, deCaussin, Gaber, Hill-Schulte, Raschke, Somerville
Nays: None **MOTION CARRIED**

MAYOR'S REPORT

- a. Mayor Snell said the insurance ordinance consolidation would be back before Council by the end of August.
- b. Mayor Snell said Council's July 3, 1996 agenda would contain the Petitions of Objection for the Martin Farms Special Assessment District (SAD). He said the petitions showed 62% opposition and reminded Council that an override of these petitions would require the vote of six or seven Council Members.
- c. Mayor Snell advised Council that he had determined that Ameritech had no plans to operate north of Troy for one to two years. He suggested that Council negotiate with neighboring communities, decline the opportunity to participate with the Ferndale consortium, but leave the door open for further discussions with Ameritech.
- d. Ms. Jasinski, City Clerk, advised Council that ballots for the upcoming election were due in; however, there was a court case on one of the races which was going to