

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Ordinance proposing to amend Chapter 9.16 sections .020 (Definitions) and .040 (Alarm Permit) of Title 9 (Health and Safety) of the Bellevue City Code (Ordinance 6214) relating to false alarms.

STAFF CONTACTS

Chief Stephen Mylett	452-4334
Melissa Chin, Legal Advisor	452-7826
Carl Krikorian, Fiscal Manager	452-6961

Police Department

POLICY ISSUES

Should the City enact an ordinance amending BCC 9.16.040, Alarm Permit, False Alarms and BCC 9.16.020, Definitions, False Alarms?

- The Bellevue False Alarm Ordinance 6214 was adopted on December 8, 2014, repealing the original 1977 version;
- The intent of the False Alarm Ordinance is to hold alarm users and companies accountable for their false alarms, to recover the City's costs of responding to false alarms, and to provide an incentive for the alarm monitoring companies and users to reduce false alarms. The desired objective is to free police resources from responding to false alarms and direct them to proactive policing and availability for other calls;
- The goal is to register alarm users, so law enforcement has the appropriate contact information for a resident in case of an emergency, the need to deactivate an ongoing alarm, and to educate alarm users in order to reduce the number of false alarms;
- Consideration should be given to ease the registration process for alarm users to encourage involvement in the False Alarm Reduction Program; and
- The administrative costs of running the program with the amount of notices and mailings required to effectuate enforcement of the Ordinance.

DIRECTION NEEDED FROM COUNCIL

<u> </u>	Action
<u> x </u>	Discussion
<u> x </u>	Information

BACKGROUND/ANALYSIS

In May 2015, the City entered into a services contract with the Public Safety Corporation (PSC) to administer a false alarm management program. The Police Department began implementation of the False Alarm Reduction Program (FARP) on July 6, 2015 by educating the public and sending out registration information to monitored alarm users. Actual collection of registration fees and false alarm fines began on October 1, 2015.

Currently, alarm users within the City are required to register their monitored alarms within thirty days of activation and pay a registration fee of \$25, or a \$12 reduced fee for senior citizens or individuals with a permanent disability. The Ordinance also requires an annual renewal fee of \$25 to be paid prior to the expiration of the current annual permit.

Both the Public Safety Corporation (PSC) and the City share in the fee and fine collections according to a graduated revenue sharing scale. Annually, PSC retains 29% of all collections up to the first \$75,000, and the City the remaining 71%. The scale gradually changes to the point where PSC retains 19% of all collections over \$150,000 and the City the remaining 81%. The scale reverts back to its original form at the start of a new twelve month period. All funds retained by the City of Bellevue are deposited into the General Fund.

In the months following enforcement of false alarms, Bellevue began to receive complaints from alarm users who felt the \$25 annual registration fee was inappropriate. Several alarm users addressed Council during open forum to voice their frustrations over the cost to the residents of Bellevue. Early program implementation resulted in other issues for some alarm owners, including (give example of some of the common issues).

As a result of these initial implementation issues, billing and collection was suspended in December 2015 and resumed on March 1, 2016. During this period of time, the City and PSC made a number of improvements to the program, including [list some highlights here].

On April 11, 2016, Council discussed the progress of the FARP in the first six months of implementation as well as the improvements implemented by the City and PSC to address initial problems with the program. At that time, Council considered options for proceeding with the program while retaining the ultimate goal of reducing false alarms within the City. Council decided to continue with the FARP but directed the Police Department to return to Council with a proposed amendment to the False Alarm Ordinance with changes to the registration fee structure to address constituent complaints regarding the annual permit fee, and any other amendments recommended by staff to address concerns about implementation and administration.

Staff, in consultation with PSC, has reviewed the ordinance, our experience over the first seven months of implementation and enforcement, and Council interests and has determined a number of changes to the program are advisable. The amendments are outlined in detail in the attached draft Ordinance, and include:

- Changing the annual permit fee to a one-time registration fee; and
- Broadening the scope of the Ordinance to include any type of alarm that would elicit a police response under the ordinance

The proposed amendment to the Ordinance will address constituent complaints regarding the annual permit fee by removing the \$25 annual renewal fee and violation for failing to renew a permit for an alarm system from the current Ordinance.

The proposal to expand the definition of “alarm system” would ensure that the City’s ordinance includes unmonitored alarms, not just monitored alarms where a response is requested by an alarm company. This amendment would include self-installed alarms that are not monitored by an alarm company, but could elicit a police response due to the noise of the alarm. This change is recommended after review of a number of other programs in jurisdictions with false alarm reduction programs and considering the original aims of the ordinance, which were to reduce the total number of false alarms and the burden they place on officers to respond to what is ultimately a non-emergency situation.

Other local jurisdictions that currently include all alarm systems that may elicit a law enforcement response in their False Alarm Ordinances include Spokane, Pierce County, Seattle, Lakewood, Auburn, Olympia, and Issaquah. The growing trend amongst the false alarm enforcement community is to require registration of all alarms that can elicit a police response so that a party can be contacted in case of an emergency, ensure a responsible party is notified when an alarm system needs to be disengaged, and to educate all alarm users of the proper methods to avoid false alarms in order to decrease the likelihood of a false activation.

In addition to consistency with other jurisdictions, broadening the scope to clearly include unmonitored alarms in the program is consistent with BPD's actual treatment of false alarms. When an alarm is sounding and it causes a request for response, whether from an alarm company or from a neighbor or passer-by hearing the alarm, the Police Department will respond. With the proposed change to the definition of "alarm system," if police were to respond to an unmonitored alarm location due to a false alarm, the alarm user would be penalized for both the false alarm and the failure to register their unmonitored alarm. The unmonitored alarm user would be given 30 days to register their alarm system with the City.

Staff is recommending these changes to refine the FARP program, rather than eliminate or reduce the scope of the program because, despite the admitted issues seen during our preliminary implementation, the program appears to be working. Since billing started on October 1st, false alarm statistics have decreased to 109 less false alarms per month. From a year ago, false alarms have decreased 35% and the number of false activations continue to trend downward.

Month	# of False Alarms
June 2015	397
July 2015	416
August 2015	442
September 2015	368
October 2015 (enforcement begins)	366
November 2015	287
December 2015 (enforcement suspended)	328
January 2016	272
February 2016 (enforcement resumes)	258
March 2016	287
April 2016	284
May 2016	259

ALTERNATIVES

1. Direct staff to finalize the proposed draft Ordinance amending Chapter 9.16 sections .020 (Definitions) and .040 (Alarm Permit) of Title 9 (Health and Safety) of the Bellevue City Code, (Ordinance 6214) relating to false alarms.
2. Provide alternate direction to staff.

RECOMMENDATION

Alternative 1

ATTACHMENTS

Draft Ordinance in Redline Version