

Ordinance No. 123474

Council Bill No. #117005

AN ORDINANCE relating to alarm systems; modifying penalty provisions; and amending Section 6.10.100 of the Seattle Municipal Code.

CF No. \_\_\_\_\_

Date Introduced:	<u>Oct. 18, 2010</u>	
Date 1st Referred:	<u>Oct. 18, 2010</u>	To: (committee) <u>Budget</u>
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	<u>11.22.10</u>	Full Council Vote: <u>9-0</u>
Date Presented to Mayor:	<u>11.23.10</u>	Date Approved: <u>Dec. 2, 2010</u>
Date Returned to City Clerk:	<u>Dec. 2, 2010</u>	Date Published: <input type="checkbox"/> T.O. <input checked="" type="checkbox"/> F.T.
Date Vetoed by Mayor:		Date Veto Published:
Date Passed Over Veto:		Veto Sustained:

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: hodden

Councilmember

## Committee Action:

11.12.10 Pass 9-0

11.22.10 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_ (initial/date)

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed

ORDINANCE 123474

AN ORDINANCE relating to alarm systems; modifying penalty provisions; and amending Section 6.10.100 of the Seattle Municipal Code.

WHEREAS, costs associated with responding to monitored false alarms create a burden on the Seattle Police Department and impair the Department's ability to provide police protection and services to the people of the City of Seattle; and

WHEREAS, Section 10.08.140 defines two types of police alarm systems, specifically automatic property or burglar alarms (hereinafter, property alarms) and human-activated panic or robbery alarms (hereinafter, panic alarms); and

WHEREAS, the Department has used the 'No Response' provisions of Section 10.08.178 of the Seattle Municipal Code for addressing the problem of false property alarms but has no such recourse where false panic alarms are involved; and

WHEREAS, the false alarm rate for both property and panic alarms is distressingly high in excess of 97 percent; and

WHEREAS, in order to recover City costs and help address the burden of responding to false alarms with alarm fees charged, while encouraging the reduction of the number of false alarms, the City has recognized the need to adjust the fee schedule for both property and panic alarms;  
NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Section 6.10.100 of the Seattle Municipal Code is hereby amended as follows:

**6.10.100 Penalty for false alarms.**

A. The sending of an alarm by an alarm system monitoring company, which results in the dispatch of the police and subsequent arrival by the police at the alarm site shall be subject to a false alarm fee ((of Ninety Dollars (\$90.00))) whenever there is no evidence of a crime or other activity that would warrant a call for police assistance or investigation at the premises; provided however, that no false alarm fee shall be assessed if any individual who was on or near the



1 premises, or who had viewed a video communication from the premises, called for the dispatch  
2 and confirmed a need for police response. False alarm fees shall be imposed as follows:

3 1. For each false property alarm – \$115;

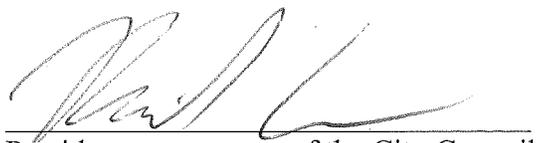
4 2. For each false panic alarm – \$230.

5 B. In the event that police were dispatched to the premises and such dispatch was subsequently  
6 cancelled prior to the police officer(s) arrival at the alarm site, the alarm system monitoring  
7 company shall be subject to a false alarm fee of ~~((Thirty Dollars (€)))~~ \$30 ((€)).  
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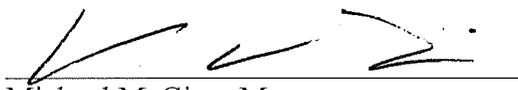


1 Section 2. This ordinance shall take effect and be in force 30 days from and after its  
2 approval by the Mayor, but if not approved and returned by the Mayor within ten days after  
3 presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

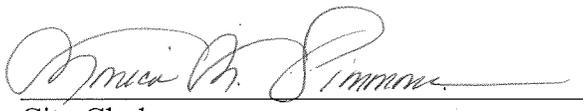
4 Passed by the City Council the 22 day of November, 2010, and  
5 signed by me in open session in authentication of its passage this  
6 22 day of November, 2010.

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10 President \_\_\_\_\_ of the City Council

11 Approved by me this 2<sup>nd</sup> day of December, 2010.

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15 Michael McGinn, Mayor

16 Filed by me this 2<sup>nd</sup> day of December, 2010.

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19 City Clerk

20 (Seal)

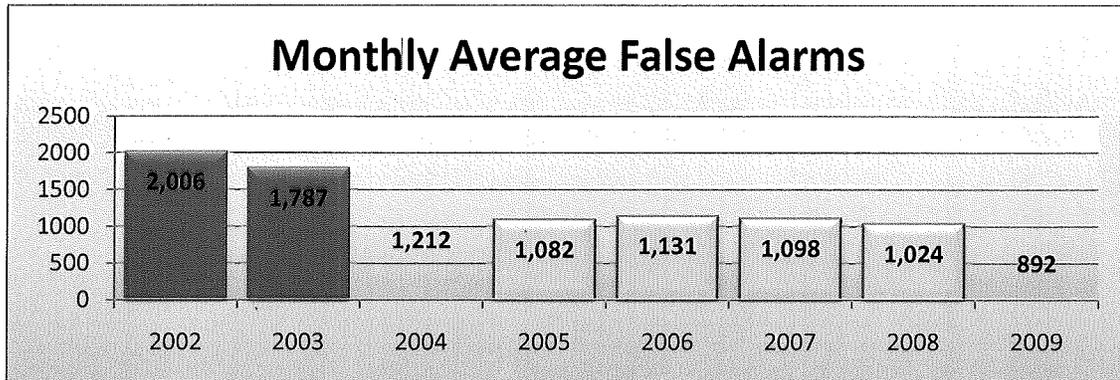
**2011-2012 BUDGET LEGISLATION FISCAL NOTE**

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Seattle Police	Mike Quinn, 615-1230	Michael Katz, 684-5211

Legislation Title: AN ORDINANCE relating to alarm systems; modifying penalty provisions; and amending Section 6.10.100 of the Seattle Municipal Code.

Summary of the Legislation: This legislation adjusts the fees for false alarms to \$115 per occurrence for automatic property alarms and to \$230 per occurrence for human-activated panic alarms. This legislation will accomplish two things. It will allow the Seattle Police Department to fully recover the \$1.3 million annual cost of responding to false alarms. It also will help to reduce the number of false alarms in the future.

Background: False Alarm Trends: The burden of responding to false alarms has been a problem of longstanding in the city of Seattle. Considerable progress has been made since the last major revision of the alarms ordinance in 2003 (Ordinance 121332) As shown in the graphic, false alarms dropped from more than 2,000 per month in 2002 to just 892 per month in 2009. At the same time, the false alarm rate remains distressingly high at upwards of 97% for both property and panic alarms.



The existing false alarm fee for both property and panic alarms was set at \$90 per occurrence in Ordinance 121932 in 2005. This fee does not cover the cost of alarm response nor does it provide much incentive for the alarm monitoring company or its subscribers to take actions that could significantly reduce the likelihood of future false alarms, particularly for panic alarms.



As shown in the table, false panic alarms have moved counter to the overall trend in false alarms, moving up since 2005 with a surge to 70 per month in 2009.

Monthly Average False Alarms			
Year	Property	Panic	Total
2002	N/A	N/A	2,006
2003	N/A	N/A	1,787
2004	1,182	30	1,212
2005	1,050	32	1,082
2006	1,088	43	1,131
2007	1,049	49	1,098
2008	985	39	1,024
2009	822	70	892

With automatic property alarms, the Police Department has the option of placing premises that experience six or more false alarms within a one-year period on a No Response List. This option does not exist for the so-called panic alarms, given that these are human-activated alarms.

The doubling of the basic alarm fee to \$230 for panic alarms will address this problem by encouraging panic alarm users to select enhanced alarm technology, thereby resulting in reduced false alarms in the future.

The practice of charging more for false panic alarms is common in our area. Auburn, Issaquah, Lakewood and Pierce County all set their rates for false panic alarms at twice the fee set for property alarms.

**False Alarm Costs and Revenues:** In 2009, City costs for responding to alarm calls and the associated billing process for false alarms exceeded \$1,264,500; at the same time, as of mid-year 2010, Revenue and Consumer Affairs reported 2009 collections for false alarm fees at \$760,375 and approximately \$263,800 for alarm device registrations. This represents a 2009 shortfall, in costs less revenues, of approximately \$240,300 under the false alarm fees then current (same as 2010).

False alarm fees are now set at \$90 for every alarm call dispatched when police arrive at the premise; and \$30 for every dispatch when the call is cancelled prior to officer arrival at the premise (a "victor" call).

In 2010, SPD anticipates that false alarm totals will be approximately what they were in 2009 – 10,700 false alarm dispatches, including 9,700 dispatches with units arriving (8,300 property alarms and 1,400 panic alarms) and 1,000 victor calls. Assuming a false alarm collection rate of approximately 83.5%,<sup>1</sup> under the existing fee structure collections would be approximately \$1,024,000. Estimated program costs for 2010 are expected to be approximately \$1,298,000. The cost recovery shortfall in 2010 (cost less revenue) is anticipated to be approximately \$274,000.

Estimated revenue change and totals for 2011 and 2012 under the proposed new false alarm fees are contained in the tables below. Text accompanying the tables includes estimated program costs for 2011 and 2012.

**Bottom line: the numbers show that estimated costs and revenues are virtually identical in each year under the proposed new false alarm fees. This is a cost recovery proposal.**

- Please check one of the following:

This legislation does not have any financial implications. (Stop here and delete the remainder of this document prior to saving and printing.)

This legislation has financial implications. Please complete all relevant sections that follow.

**Summary of Changes to Revenue Generated Specifically From This Legislation:**

The false alarm program generates variable revenue from two sources: a \$10 annual fee from each registered alarm device (not proposed for change) and a fee charged for each false alarm occurrence, as described in the Background section above. Only changes to the false alarm fees are proposed. The first of the following two tables estimates the **increase** in revenues anticipated under the proposed ordinance; the second table estimates **total** program revenues, from both device registrations and false alarm fees, anticipated under the proposed ordinance.

	Revenue Source	2011 Proposed	2012 Proposed
	False Alarms Fees	Increase of \$147,200	Increase of \$94,000
<b>Total Fees and Charges Resulting From Passage of This Ordinance</b>		<b>Increase of \$147,200</b>	<b>Increase of \$94,000</b>

*Notes:* The alarm monitoring company receiving a false property alarm citation would be asked to pay \$25 more per occurrence (\$115 instead of \$90). The alarm monitoring company receiving a false panic alarm citation would be asked to pay \$140 more per occurrence (\$230 instead of \$90). These increased charges typically are passed on to the alarm system subscriber, either the business, agency, or residential customer. Please see background for additional information, including information on last fee change and reference to other jurisdictions in the region.

**Anticipated Total Revenue from Entire Program, Including Changes Resulting From This Legislation:**

Fund Name and Number	Revenue Source	Total 2011 Revenue	Total 2011 and 2012 Anticipated Revenue from Entire Program
General Subfund (00100)	False Alarms Fees & Alarm Registrations	\$1,181,200	\$2,319,200
<b>TOTAL</b>		<b>\$1,181,200</b>	<b>\$2,319,200</b>



What is the financial cost of not implementing this legislation? Failure to make the proposed changes will leave the City more than \$145,700 short of meeting the cost of City response to false alarms in 2011 and approximately \$99,700 short in 2012. Of equal importance, failure to make these changes will forego a significant incentive for alarm monitoring companies and subscribers to address the problem of false alarms.

Assuming adoption of the proposed fee increases, which are expected to decrease false alarms approximately 19% over the two-year period, program cost for alarm response is estimated at \$1,179,700 in 2011 and \$1,143,700 in 2012.

Does this legislation affect any departments besides the originating department? The Revenue and Consumer Affairs (RCA) Division of the Department of Finance and Administrative Services will be affected by this legislation. RCA will need to change the fee structure for billing false alarms – a minor change in procedure well within the capability of that agency. There also will likely be an increase in inquiries regarding the change in fees. SPD will work proactively to get the word out to the alarm companies and their subscribers to mitigate any impact. The Director of RCA, Denise Movius, has been notified of our intent to change false alarm fees. RCA staff member Terry Boyle has also been notified.

What are the possible alternatives to the legislation that could achieve the same or similar objectives? There are no practical alternatives at this time. Choosing not to respond to panic alarms – a No Response option – where there might be a crime underway poses an unacceptable level of risk that the Department is unwilling to incur and the public would not accept. Increasing fees will allow the Department to recover the cost of responding while providing an incentive for alarm monitoring companies and subscribers to seek alternatives to unnecessary police dispatch.

Is the legislation subject to public hearing requirements? No.

Other Issues: None.

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<sup>i</sup> In 2009, the collection rate for false alarm fees was approximately 83.5% (\$760,375 divided by estimated billings of \$910,100).



**City of Seattle**  
Office of the Mayor

September 27, 2010

Honorable Richard Conlin  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Conlin:

I am transmitting the attached proposed Council Bill for consideration with the 2011 Proposed Budget. This legislation increases the fees for false alarms to \$115 per occurrence for automatic property alarms and to \$230 per occurrence for human-activated panic alarms. This legislation will accomplish two things. It will allow the City to fully recover the \$1.3 million annual cost of responding to false alarms and it will help to reduce the number of false alarms in the future, thereby making more patrol officer time available for fighting real crime.

The burden of responding to false alarms has been a longstanding problem for the Seattle Police Department (SPD). Progress in curtailing false alarms has been made since the last major revision of the alarms ordinance in 2003. False alarms have dropped from more than 2,000 per month in 2002 to just 892 per month in 2009; however, the false alarm rate remains distressingly high at upwards of 97% for both property and panic alarms. Raising alarm fees will encourage alarm subscribers to consider alternatives, such selection of enhanced alarm technology, which will result in reduced false alarms in the future. Reduction of false alarms, in turn, will free up patrol officer time to direct their attention to real crime.

Thank you for your consideration of this legislation. Should you have questions, please contact Yanal (Mark) Vwich, SPD Alarm Administrator, at 684-9201.

Sincerely,

Michael McGinn  
Mayor of Seattle

Michael McGinn, Mayor  
Office of the Mayor  
600 Fourth Avenue, 7<sup>th</sup> Floor  
PO Box 94749  
Seattle, WA 98124-4749

Tel (206) 684-4000  
Fax (206) 684-5360  
TDD (206) 615-0476  
mike.mcginn@seattle.gov



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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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264497  
CITY OF SEATTLE, CLERKS OFFICE

No.

**Affidavit of Publication**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

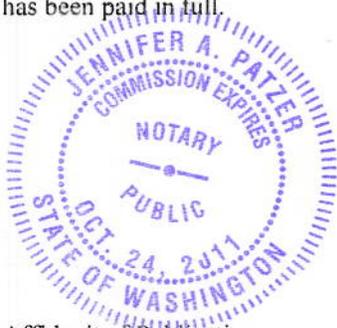
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123474 ORDINANCE

was published on

12/16/10

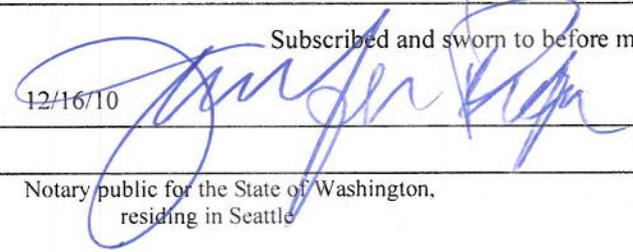
The amount of the fee charged for the foregoing publication is the sum of \$ 122.85, which amount has been paid in full.



Affidavit of Publication

  
\_\_\_\_\_  
Subscribed and sworn to before me on

12/16/10

  
\_\_\_\_\_  
Notary public for the State of Washington,  
residing in Seattle

# State of Washington, King County

## City of Seattle

### ORDINANCE 123474

AN ORDINANCE relating to alarm systems; modifying penalty provisions; and amending Section 6.10.100 of the Seattle Municipal Code.

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1. For each false property alarm - \$115;
2. For each false panic alarm - \$230.

B. In the event that police were dispatched to the premises and such dispatch was subsequently cancelled prior to the police officer(s) arrival at the alarm site, the alarm system monitoring company shall be subject to a false alarm fee of (~~Thirty Dollars (\$30.00)~~).

Section 2. This ordinance shall take effect and be in force 30 days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 22nd day of November, 2010, and signed by me in open session in authentication of its passage this 22nd day of November, 2010.

Richard Conlin

President of the City Council

Approved by me this 2nd day of December, 2010.

Michael McGinn, Mayor

Filed by me this 2nd day of December, 2010.

(Seal) Monica Martinez-Simmons

City Clerk

Publication ordered by the City Clerk  
Date of publication in the Seattle Daily Journal of Commerce, December 16, 2010.  
12/16(264497)