

REQUEST FOR COUNCIL ACTION

Date: Nov 15, 2010
Item No.: 9.a

Department Approval

City Manager Approval



Item Description: Adopt an Ordinance Amending Title Five Section 506.03 User Fees regarding False Alarm Fees

BACKGROUND

It is the responsibility of the Roseville Police Department to respond to any alarm call in the City of Roseville. By the end of 2010, the Roseville Police Department will respond to approximately 1,200 residential and business alarm calls. 1,176 (98%) of these alarm calls will be false alarms. False alarm calls make it more difficult for police to respond to real emergencies and are costly to the Roseville tax payer.

Current code allows alarm users three false alarms per calendar year. On the fourth false alarm, the city fee schedule allows for charge of \$100.00, \$135.00 on the fifth, \$170.00 on the sixth with additional alarm fees increasing \$35.00 per alarm.

The proposed change to city code would be to eliminate the language allowing alarm users three false alarms and charge false alarm users according to the city's fee schedule. The police department is proposing the 2011 fee schedule allow charges to false alarm users on the third and subsequent alarm. The third false alarm fee would be \$100.00 with subsequent false alarms increasing in \$25.00 increments (i.e., fourth false alarm \$125.00, fifth false alarm \$150.00).

When reviewing alarm ordinances of nine surrounding communities, 66% charged users on the third and subsequent false alarm.

The proposed change in false alarm user fees places Roseville slightly below average. Using an example of seven false alarms during a calendar year (an extreme), a Roseville resident would incur \$750.00 in fees. Using the same example with the nine cities surveyed, the fee would be \$934.00.

POLICY OBJECTIVE

To more accurately reflect the actual cost of false alarm calls, the Roseville Police Department is requesting that the Council approve updating Roseville Ordinance 506.03: User Fees, as noted in Attachment A. Updating Roseville Ordinance 506.03: User Fees, would establish false alarm fees as set forth in city code, Section 314.05, Fee Schedule.

26 **FINANCIAL IMPACTS**

27 Based on current 2010 false alarm calls, increasing the fee as recommended in *Attachment A*
28 would generate an increase of \$7,200 false alarm fees annually. This dollar amount does not
29 reflect the additional fees incurred by users for the fourth or subsequent false alarm responses.

30 **STAFF RECOMMENDATION**

31 Adopt an Ordinance Adopt an Ordinance Amending Title Five, Section 506.03 User Fees
32 regarding False Alarm Fees, to establish false alarm fees as set forth by the city fee schedule in
33 city code Section 314.05.

34 **REQUESTED COUNCIL ACTION**

35 Adopt an Ordinance Amending Title Five, Section 506.03 User Fees regarding False Alarm
36 Fees, to establish false alarm fees as set forth by the city fee schedule in city code Section
37 314.05.

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40 **Prepared by: Lorne Rosand Patrol Lieutenant**

41 Attachments: A: Chapter 506 False Alarms - Security and Alarm Systems
B: Ordinance Amending Title Five, Section 506.03 User Fees

Attachment "A"

Chapter 506 False Alarms - Security and Alarm Systems

SECTION:

506.01: Purpose

506.02: Definitions

506.03: User Fees

506.04: Payment of Fees

506.01: PURPOSE:

The purpose of this Chapter is to provide regulations for the use of burglary, fire and safety alarms, including establishment of use fees for false alarms. (Ord. 1076, 4-23-90)

506.02: DEFINITIONS:

As used in this Chapter, the following words and terms shall have the meanings ascribed to them in this Section:

ALARM SYSTEM: Any alarm installation designed to be used for the prevention or detection of burglary, robbery or fire on the premises which contains an alarm installation. Automobile alarm devices shall not be considered an alarm system under the terms of this Chapter.

ALARM USER: The person, firm, partnership, association, corporation, company or organization of any kind in control of any building, structure or facility where an alarm system is maintained.

FALSE ALARM: An alarm signal eliciting a response by public safety personnel when a situation requiring a response does not exist and which is caused by the activation of the alarm system through mechanical failure, alarm malfunction, improper installation or the inadvertence of the user of an alarm system or its employees or agents. False alarms do not include alarms caused by climatic conditions such as tornadoes, thunderstorms, utility line mishaps or violent conditions of nature nor do they include alarms caused by third persons over whom the user has no control.

PUBLIC SAFETY PERSONNEL: Duly authorized City employees. (Ord. 1076, 4-23-90)

506.03: USER FEES:

A. False Alarms: The user of an alarm system who reports ~~more than three~~ false alarms to the Police Department or more than two false alarms to the Fire Department in a single calendar year (and who has received notice of such false alarms) will be charged a fee for ~~each subsequent~~ false alarm(s) as established by the City Fee Schedule in Section 314.05.

B. Appeal: An alarm user required by the City to pay a user fee as a result of a false alarm may make a written appeal of the false alarm user fee to the Chief of Police or Fire Chief, as appropriate, within ten days of notice by the City of the false alarm charge. An adverse decision by the Chief of Police or Fire Chief may be appealed to the City Manager within ten days of receipt of the Chief of Police's or Fire Chief's decision. The City Manager will have authority to make a final determination as to whether or not the user is to be charged a user fee for the false alarms. (Ord. 1076, 4-23-90)

506.04: PAYMENT OF FEES:

A. Payment of user fees provided for herein must be paid to the City Treasurer within 30 days from the date of notice by the City to the alarm user. Failure to pay the fee within 30 days will result in the imposition of a penalty of ten percent of the user fee.

B. All unpaid user fees and penalties shall be certified as an assessment against the property on which the alarm was located and shall be collected each year along with the taxes on such property. (Ord. 1076, 4-23-90)

**City of Roseville
ORDINANCE NO.**

**AN ORDINANCE AMENDING TITLE FIVE, FALSE ALARMS – SECURITY
AND ALARM SYSTEMS, SECTION 506.03 USER FEES**

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1: Title Five, Section 506.03 of the Roseville City Code is amended to read as follows:

506.03: USER FEES:

A. False Alarms: The user of an alarm system who reports ~~more than three~~ false alarms to the Police Department or more than two false alarms to the Fire Department in a single calendar year (and who has received notice of such false alarms) will be charged a fee for each ~~subsequent~~ false alarm(s) as established by the City Fee Schedule in Section 314.05.

B. Appeal: An alarm user required by the City to pay a user fee as a result of a false alarm may make a written appeal of the false alarm user fee to the Chief of Police or Fire Chief, as appropriate, within ten days of notice by the City of the false alarm charge. An adverse decision by the Chief of Police or Fire Chief may be appealed to the City Manager within ten days of receipt of the Chief of Police's or Fire Chief's decision. The City Manager will have authority to make a final determination as to whether or not the user is to be charged a user fee for the false alarms. (Ord. 1076, 4-23-90)

SECTION 2: Effective date. This ordinance shall take effect upon its passage and publication.

Passed by the City Council of the City of Roseville this ____ day of _____ 200_.

(SEAL)

CITY OF ROSEVILLE

BY: _____
Craig D. Klausing, Mayor

ATTEST:

William J. Malinen, City Manager