

# City Council Report

**Date:** December 12, 2011  
**To:** City Council  
**Through:** Christopher J. Brady, City Manager  
**From:** Frank L. Milstead, Chief of Police  
Lee Rankin, Lieutenant  
**Subject:** Proposed Amendment to Mesa City Code 6-15 (Alarm Systems)

**Strategic Initiatives**



## Purpose and Recommendation

The purpose of this report is request an amendment to Mesa City Code, Title VI, Chapter 15- Alarm Systems, with the intent of decreasing the number of false alarm activations in Mesa; which in turn reduces the subsequent police response to false alarms. If approved, amending the alarm ordinance will ensure the City of Mesa's alarm program is consistent with other progressive alarm ordinances across the state and country.

## Background

The City alarm ordinance was initiated in 1983 to manage the growing number of false alarm activations in Mesa and was last amended in 2005. Significant changes to the ordinance at that time included enhanced call verification, amended false alarm assessment structure and technical changes to alarm permit requirements. The police department's alarm unit issued 5,346<sup>1</sup> new alarm permits last year and currently maintains over 24,200<sup>2</sup> alarm accounts. In fiscal year 2010/11 the Mesa Police Department responded to 11,427<sup>3</sup> alarm activations at an estimated cost of \$654,310. The average number of alarm activations over the previous five years is 14,225<sup>4</sup> with an average cost of \$679,053 per year. The ordinance requires that each user obtain a permit issued by the City of Mesa. Permitted systems are subject to a civil assessment for each false alarm activation.

The assessments range from \$50-\$400. However, non-permitted systems are not subject to civil assessments. Non-permitted false alarm activations generate the same police response. However, based on the current ordinance, the City of Mesa cannot seek cost recovery of non-permitted false alarm activation through civil assessment. Instead, operating an alarm system without a permit is a crime (class one misdemeanor). In fiscal year 2010/11, out of the 11,427<sup>3</sup> alarm activations, 11,198 were cleared as false alarms. During this time period, permitted users who had false alarm activations were

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1 I:\Reports\Permit Count.xlsx – Data collected from Alarm Program

2 I:\Reports\Count by Status of Alarm Accounts.xlsx – Data collected from Alarm Program

3 I:\Reports\Compstat Reports\AUG 2011 Stats.xlsx – Data collected from CAD and CAD History

4 I:\Reports\February 2011 Stats.xlsx – Data collected from CAD and CAD History (2010-2006)

assessed \$450,050<sup>5</sup>. The billed assessments resulted in an actual cost recovery of \$321,786<sup>6</sup>. Also in fiscal year 2010/11, 20% (2,313<sup>7</sup>) of all alarm activations were generated by non-permitted systems.

Assuming that each non-permitted activation was a first offense, the City of Mesa was unable to recoup \$115,650 through civil assessments. However, this is a conservative figure as multiple non-permitted false alarm activations were generated by repeat offenders. In addition to cost recovery assessments, permit fees received during fiscal year 2010/11 totaled \$232,660<sup>5</sup>.

The President and Executive Director of the Arizona Alarm Association, an organization representing alarm companies throughout the state of Arizona, have reviewed the proposed changes to this ordinance and support the revisions. Members of the SIAC (Security Industry Alarm Coalition), a national organization which represents the alarm industry have also provided their support of the proposed revisions.

## **Discussion**

According to a recent U.S. Department of Justice study<sup>8</sup>, 94-98% of all alarm activations across the nation are false alarms; this study validates Mesa's approximate 98% rate for false alarms. In an effort to reduce the number of false alarm activations in Mesa, while continuing to provide effective public safety services to our community, this proposal seeks to amend the city alarm ordinance as follows:

### Allow the City of Mesa to Impose Assessments for All False Alarm Activations

This amendment would have the effect of allowing the City of Mesa to impose assessments for all burglary and robbery false alarm activations within the City without regard to permit status. This provides for cost recovery of police response to all false alarm activations.

### Increase Accountability for Commercial Alarm Industry

This amendment places greater accountability on the commercial alarm industry. Through this amendment, alarm companies would be required to assume increased responsibility for:

- Systems installation
- Customer education
- Provide notification on all new alarm installations and renewals.
- Implement proactive measures to reduce false alarms.

### Technical Changes

This amendment will have the effect of modifying existing requirements in the ordinance, to include:

- Decreasing the time allowed to repair a failing system.
- Reducing redundant permitting for multiple alarm types at a single location.
- Establishing defined requirements for multiple systems by multiple users at a single site (i.e. apartment complexes, strip malls, etc.).

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5 City of Mesa / Revenue Sub-Ledger / Source within Fund / JV Register

6 Finance Report Miscellaneous A/R Control Entries

7 I:\Ordinance Review Committee\No permit letter count.xlsx – Data collected from Alarm Program

8 <http://www.cops.usdoj.gov/files/RIC/Publications/e0307265.pdf>

- Implement changes to existing verbiage to make the ordinance succinct.

See Revision Index for complete proposal details.

### **Alternatives**

#### Increase existing fine assessments and alarm permit fees

This alternative will have the effect of increasing cost recovery from permitted users, but will not address the estimated 40% of users who are not permitted. Nor will it address the 20% of annual non-permitted false alarm activations.

#### Limited Implementation

Council may choose to implement parts of the recommendation. While this option may address some of the issues identified, it may not allow the City to maximize its efforts to reduce false alarm activations.

#### No Change

This alternative will continue to allow the estimated 40% of all alarm users to operate an alarm system without a permit, which will result in the inability to recover response associated costs through assessments of false alarm activations. This option will not reduce the current volume of false alarm activations.

### **Fiscal Impact**

Implementation of this proposal would authorize the City of Mesa to seek cost recovery for police response to all false alarm activations, including the 20% of annual false alarm activations from non-permitted systems. This would also ensure reporting requirements for alarm companies, which install new alarm systems or renew existing systems. The requirements would capture the needed data to begin permitting the estimated 40% of alarm systems that operate within the City without an issued permit.

### **Coordinated With**

Police Department  
City Attorney's Office