

ALARM ORDINANCE REVIEW
COMMITTEE MEETING
WEDNESDAY, SEPTEMBER 22, 2010
PRESCOTT, ARIZONA

MINUTES OF THE MEETING OF THE ALARM ORDINANCE REVIEW COMMITTEE held on WEDNESDAY, SEPTEMBER 22, 2010, in the CITY MANAGER'S CONFERENCE ROOM, located at CITY HALL, 201 SOUTH CORTEZ STREET, Prescott, Arizona.

A. Call to Order.

The meeting was called to order at 10:04 a.m.

B. Roll Call.

COUNCIL APPOINTMENT MEMBERS:

Member Lamerson	Present
Member Linn	Present
Member Mary Ann Suttles	Present

C. Approval of the minutes of the September 8, 2010 meeting.

MEMBER LINN MOVED TO APPROVE THE MINUTES OF SEPTEMBER 8, 2010; SECONDED BY MEMBER SUTTLES; PASSED UNANIMOUSLY.

D. Discussion of alarm ordinance.

Member Lamerson said that he did not agree with what was being proposed. If they had a problem with false alarms they should tax those that create the problem, not require everyone to register their alarm.

Member Suttles asked Chief Kabbel to review the proposed changes.

#1 Part-time Alarm Coordinator vs. Volunteer Personnel

Chief Kabbel said that they would like to use a part-time coordinator that is funded through the program and bring it back to the Council after one year for evaluation of that part-time position. The overall program would be reviewed after a two-year trial period. Member Linn said that she agreed that it needed to be a staff person rather than a volunteer.

#2 Mandating of Alarm Permits to All Alarm Users

Chief Kabbel said that the proposed ordinance would not mandate alarm permits for everyone with alarms, just those users that require police response services. If they have a proprietary alarm between themselves and the alarm company, whether a camera system or other, the alarm company would contact the property owner and if it did not invoke a police response it would not need to be registered. Member Linn asked if that would apply to a lot of them. Chief Kabbel said that they did not know.

Member Suttles asked how they would separate those. Chief Kabbel said that the ordinance states that, *"a proprietary alarm user is the person responsible for the operation of the alarm system and training of any other alarm users on the premises on an alarmed site."*

#3 Mandating Annual Alarm Permit Fees

Chief Kabbel said that they have reworded the ordinance to require a \$15 first-time permit fee and as long as the information is current they would not have to pay for the permit each following year. Member Suttles asked what would happen if a business stayed in place for five years with no changes and then sold the business. Chief Kabbel replied that the new person coming in would be required to obtain a new permit for \$15 with the new contact information. He added that both the new property owner and the alarm company would be responsible for obtaining this new permit.

Member Lamerson referenced Sec. 5-6-7A which stated that, *"every alarm user shall obtain an alarm user's permit..."* He said that it did not have any exception. Chief Kabbel explained that the definition of an alarm user had an exception for proprietary alarm users. Mr. Kidd said that even though it was covered in the definitions, they could add wording to this section to make it clearer.

Member Lamerson conveyed a story of when he managed Peterson's Jewelry Store and someone had snipped the direct wire between their store and the Police Department, which is no longer permitted (and which he did not agree with). He said that the alarm company had contacted him and that night the store was burglarized. He asked if that would be considered a false alarm. He reiterated that he did not have a problem paying for false alarms; his issue was with mandating people to register them.

Member Linn asked Member Lamerson if he could think of another way to address them. Member Lamerson said that they should fine those that have the false alarms; those that were responsible for creating a hazard to the public. Member Linn said that she agreed, but it still took manpower to look up the contact information for the 2,700 false calls.

Member Lamerson said that it was another tax on the people that have done nothing wrong. It was over-regulation and extra taxation to address an issue that could be handled by addressing those creating the problem.

#4 Mandating Fine Schedule and Funding of Program

Chief Kabbel said that they would bring it back to Council after the one-year period to see how effective it was and address the part-time coordinator position. They would bring it back after two years and review it along with the funding, fines, etc.

Member Suttles said that this issue has been out in the public for years and has been discussed a couple of times since she came on Council. She said that they talked about it during the budget session and agreed that they needed to look at the alarm ordinance. She said that each Council person had a different opinion and that was why the subcommittee was created. She said that the changes in the wording presented cleared things up for her and she believed they were ready to take it back to Council.

Mr. Kidd noted that the more they look at it and start using it, they would probably be back to clarify things. They have never done it and they know they will have a definition that does not quite work and the wording will need to be adjusted. He said that a lot of Member Lamerson's concerns were core policy issues. They could fine those with false alarms but it would not deal with reducing the call loads at the same rate.

Member Lamerson asked that before they take it back to Council that Chief Kabbel explain Sec. 5-6-6 to him. Chief Kabbel said that it was to address those businesses that sell systems but do not install them, such as Radio Shack. He said that they still get false alarms from those but the responsibility falls on the alarm user.

Member Linn referred to 5-6-6B and asked if all of the alarm companies had Arizona State Contractor's licenses. Chief Kabbel said that this ordinance was put together by looking at several ordinances from around the State. He said that this would refer to an alarm business that installed the system, and they would be required to have a contractor's license. Member Linn asked what would happen if they did not have such a license and if the State Registrar of Contractor would come down on them. Chief Kabbel said that was a possibility.

Member Linn asked if they could develop a database of the 2,700 false alarms and update that information as it comes in. She said that it would be hard for the first year, but perhaps they could have a part-time coordinator just build the database.

Member Suttles said that they were still looking at one year to see if it is going to work for the abusers. Member Linn asked how they would analyze after the first year and how they would know if they were registered. She said they could go to

the frequent abusers first. Member Lamerson said that the Police Department would know who the frequent abusers were. Chief Kabbel said that they would know a portion of them.

Member Lamerson said that it was a knee-jerk reaction. The most righteous way to approach it was also the simplest way. Chief Kabbel said that he understood Member Lamerson's point of view, but disagreed with the tactic because they would still have 2,700 alarms being responded to.

He said that two years ago they had 75 officers; now they have 68. Crime scene response now takes more time. DUI's used to take one hour; now they take four to five hours. They have looked at ways to make their officers' time more productive rather than come in and ask for more officers. He said that having this information will allow the Police Department to provide good customer service.

Chief Kabbel said that if they did not want the Police Department to respond they could deal with their alarm companies directly. Mr. Kidd said that Member Lamerson's prevention would be through citations for false alarms; the ordinance was trying to obtain the information ahead of time and reduce the officers' time. Chief Kabbel said that if they go to just fining people, they would still be taking time and only reduce the time to 40% or less. The other way they could get closer to reducing up to 60% of their time.

Member Lamerson said that he did understand the problem but he did not think that going after everyone in the world would fix the problem. They need to deal with those creating the problem. He said that when they approached the high water users, they raised rates and it has brought down water usage.

Mr. Kidd noted a past event in Prescott Valley where an alarm was sounded, the officers went to the house and when no one answered they broke into the house. It ended up that the homeowner was taking a shower. He said that if they had the information up front it would reduce the officer's liability.

Member Suttles said that they were trying to get some ownership by the owners and providers with a year trial. They have a tendency to take the softer approach. She said that she wants to hone in on the trial time and work through it. There were situations that come up and they should try to handle this so it does not keep coming up.

Member Lamerson said that he had a proprietary system and works through the alarm company, but he has a problem going after everyone. He asked how long they would abuse the system if they were getting fined each time there was a false alarm.

Member Suttles asked that the summary sheet provided with the proposed changes be included with the packet item. It was also requested that both sets of the meeting minutes be provided for the Council's review.

E. Adjournment

There being no further business to be discussed, the meeting of the Alarm Ordinance Review Committee of September 22, 2010, adjourned at 10:43 a.m.