

## **Enforcement of the Town Bylaw Regarding False Alarms through Setting Fees**

### **Background**

Responding to false alarms is an issue faced by virtually every law enforcement agency throughout the United States. Limited and valuable resources have to be expended responding to alarm calls where nationally the figure is approaching 99% of them as being false. On the off chance that the alarm is valid and immediate public safety response is needed, each alarm has to be handled as a serious demand for service. This response often involves a multiple car assignment and emergency equipment utilization which places citizen's and officer's safety in potential jeopardy while diverting resources from other important activities. With the exorbitant number of false alarms, officers must be careful not to become overly complaisant or neglect safety issues in responding to these calls.

The Harwich Police Department responds to literally hundreds of business and residential alarm calls in any given year. 880 alarm calls were received and responded to by this Department in 2008 (897 in 2007 and 886 in 2006, averaging 870 over the three-year period) with a conservative estimation that 98% of those calls were false. Between July 1, 2008 and April 1, 2009 (most recent nine months) 622 alarms were received by the Department of which 5 were valid. 42 were cancelled prior to arrival, and 67 were Town owned buildings (Community Center, schools, etc.).

On occasions, false alarms are caused by circumstances beyond the control of the alarm owner/operator such as high winds, power failure, damaged telephone lines, and tree limbs breaking glass; however, the vast majority are caused by user errors including faulty operation, failing to enter the correct code, neglecting to turn the system off prior to opening doors, improper maintenance, and service personnel (plumbers, carpenters, etc.) improperly operating the system.

As previously stated, false alarms are occasionally unavoidable; however, many alarm owners/operators become very complacent regarding false alarms that could have been avoided with reasonable operation and proper maintenance. Careless usage has resulted in some locations being responded to several times in the same day. Currently there are no penalties being enforced for false alarms; therefore, little incentive exists for proper maintenance, changing operating practices, or investigating system problems to reduce the number of false alarms.

The Police Department has been evaluating ways to improve service levels to our community. Reducing the number of responses to false alarms will allow available resources to be better deployed to other public safety priorities.

### **Comparison with Other Cape Towns**

Of the fifteen (15) Cape Towns and Nantucket, twelve (12) or 75% currently assess fees for excessive numbers of false alarms. Falmouth is in the process of implementing a program. All towns with an active program allow three (3) no fee alarms each calendar year with the exception of Mashpee that only allows two prior to charging. Rates vary from a low of \$25 to a high of \$150, most with an ascending scale as the number of false alarms increases.

Only the towns of Barnstable and Yarmouth have a mandatory fee based annual alarm registration requirement (\$25.00 for a two year registration). Six other towns suggest and provide for voluntary alarm registration; however, no fees for this process are collected. A chart providing basic information regarding the comparison towns has been attached for your reference.

### **Cost of Average False Alarm Response**

Over the last three years, the Police Department has averaged 870 false alarm responses annually. Each alarm utilizes approximately 55 minutes of dedicated staff time which includes the responding officer(s), dispatch, and computer entries. This equates to 797 staff hours or the equivalent of 0.44 FTE. Utilizing the average police officer pay scale with educational incentive and 34% benefits, 0.44 FTE is valued at \$32,435. Based upon these factors, each response has an estimated cost of \$37.28.

Not included is the cost of police vehicle operation, administrative time, and supplies related to the tracking, notification, and billing for false alarms. In considering the recovery cost of a false alarm call, it is important to remember that the first three received at each location annually would not be assessed a fee in accordance with the Town Bylaw.

With the very limited number of false **fire** alarms received annually, impact on the cost per alarm response is minimal according to Fire Department records.

## **Current Town Bylaw Regarding False Alarms**

The current Town Bylaw allows the Board of Selectmen to establish a fee for each false alarm starting with the fourth in any calendar year. This fee must be set and approved by the Board annually. There is a provision that false alarms caused by circumstances beyond the control of the owner/operator, i.e. power failures, weather related, etc. will not count as a false alarm for assessing fees.

The Fire Department currently assesses fines for false alarms under their policies and Bylaw provisions. Recommendations contained in the attached documents refer to alarm situations predominantly encountered by police departments; however, modifications can easily be made to include fire/rescue related alarms to achieve consistency of process and application.

### **Recommendation**

1. It is being recommended that the Board of Selectmen support the concept of enforcing Town Bylaw Article VI regarding false alarms.
2. It is recommended that the fees assessed for exceeding three (3) false alarms in a calendar year be established as follows:
  - A. Alarms 1 – 3: No Fee
  - B. Alarm 4: \$25.00
  - C. Alarm 5: \$50.00
  - D. Alarm 6 (+) \$100.00 each
3. The Police Department has developed a policy regarding the enforcement of this Bylaw that is designed to maintain accurate computer records regarding registration of alarm systems, alarm response histories, identification of alarms beyond the control of the owner/operator, administrative overview, and notification to the owner/operator each time a response is made to the alarm site beyond the initial three each calendar year. The final policy will be predicated upon the decision of the Board of Selectmen regarding assessing fees.
4. As an option, the Board may want to consider an annual alarm registration program to maintain current information regarding a responsible party for false alarm fee assessment beyond the annual allotment, local individuals with access to the property, and telephone numbers.
5. With the capabilities of joint public safety dispatch, the potential exists to combine police/fire/rescue alarm administration into one

system to achieve consistency of process and application while reducing confusion and duplicity of efforts.

## **Conclusion**

**The objective of this effort is to reduce the number of false alarms and more effectively utilize available resources.** Enforcement of the False Alarm Town Bylaw has not been done in the past which necessitates public announcement and education as key elements for successful implementation. It is anticipated that administration of this proposal will be part of the Police Department's responsibilities.