

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
3.2
(ID # 7167)

MEETING DATE:


Tuesday, June 5, 2018

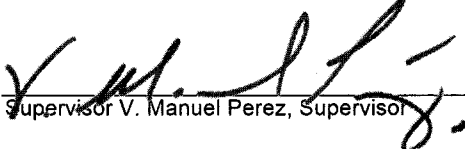
FROM : SUPERVISOR KEVIN JEFFRIES AND SUPERVISOR V. MANUEL PEREZ :

SUBJECT: SUPERVISOR JEFFRIES and SUPERVISOR PEREZ: Development of a False Alarm Ordinance. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors direct the Executive Office to coordinate with the Sheriff's Department and Riverside County Fire and other relevant agencies to develop a false alarm ordinance for unincorporated areas of Riverside County and report back within 90 days.

ACTION: Policy

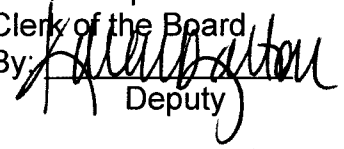

Supervisor Kevin Jeffries, Vice Chairman 5/24/2018


Supervisor V. Manuel Perez, Supervisor 5/25/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: June 5, 2018
xc: Supvr. Jeffries, Supvr. Perez, EO, Sheriff, Fire, COB

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

Background:

At a time when Sheriff patrols are stretched thin, and Riverside County Firefighters are responding to an ever increasing number of emergencies and fires, it is critical that their time be used as efficiently as possible, so as to not waste valuable public safety resources. One of the largest unnecessary uses of Sheriff and Fire resources is responding to false alarms.

In 2016, the Sheriff had 15,172 alarm calls in unincorporated areas, of which only 37 were determined to be legitimate and 13,461 were responded to but found to be false. The other 1674 were cancelled before any officers arrived on the scene. Riverside County Fire similarly reports responding to 2,662 false alarms in 2017. Reports from both agencies are attached.

Many cities in Riverside County, including the Cities of Riverside, Corona, Moreno Valley, Murrieta, Lake Elsinore, and Palm Springs have false alarm ordinances, which vary in their approach, from the number of false alarms allowed before being assessed a fee, to the amount charged per violation.

Riverside County passed Ordinance 753 in May of 1996 to bill alarm companies for every call (even the valid ones) to the Sheriff, and then impose fines for false alarms, but it was repealed in August of 1997 after being challenged in court by an association of alarm companies (attached below and linked here:

<https://www.rivcocob.org/ords/700/753.htm>). Ordinances passed in other jurisdictions (that did not charge for valid calls) have withstood legal scrutiny.

On December 4, 2012, the Board of Supervisors voted to initiate an ordinance regulating false fire alarms (attached, but also found at link:

http://rivcocob.org/agenda/2012/12_04_2012/03.15.pdf), but the ordinance apparently never returned to the Board for approval.

In an attempt to reduce the longstanding issue of the total number of false alarm calls responded to by the Sheriff's Department and the Riverside County Fire Department, this Form 11 would request that the Executive Office work with the Sheriff, Fire, and any other relevant agencies to develop an ordinance to decrease the number of false alarms, and encourage alarm companies to improve their alarm systems and their verification of alarms before notifying first responders. Preferably, this effort should focus enforcement on alarm companies (rather than residents), while looking to identify alternative options for the administration of the ordinance to reduce the need for new resources.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

Impact on Residents and Businesses:

False alarms consume public safety resources and can increase response times for legitimate emergencies. A false alarm ordinance could reduce the number of false alarms and the time spent responding to them. New burdens could be placed on fire alarm companies that may also be passed on to their customers.

Incident Count of False Alarms incident types

*** Only includes Riverside County and the Contract cities

Year	Incident Type	Juris	Num of Incidents
2017	False Alarm	Banning	238
2017	False Alarm	Beaumont	238
2017	False Alarm	Calimesa	52
2017	False Alarm	Canyon Lake	43
2017	False Alarm	Coachella	243
2017	False Alarm	Desert Hot Springs	280
2017	False Alarm	Eastvale	293
2017	False Alarm	Indian Wells	151
2017	False Alarm	Indio	621
2017	False Alarm	Jurupa Valley	894
2017	False Alarm	La Quinta	352
2017	False Alarm	Lake Elsinore	449
2017	False Alarm	Menifee	557
2017	False Alarm	Moreno Valley	1327
2017	False Alarm	Norco	243
2017	False Alarm	Palm Desert	832
2017	False Alarm	Perris	480
2017	False Alarm	Rancho Mirage	497
2017	False Alarm	Riverside County Unincorporated Area	2662
2017	False Alarm	Riverside Unit	1
2017	False Alarm	San Jacinto	308
2017	False Alarm	Temecula	755
2017	False Alarm	Wildomar	210
2017 Total:			11726

RIVERSIDE COUNTY SHERIFF'S DEPARTMENT
 ALARM CALLS
 CALENDAR YEAR 2016

	TOTAL ALARM CALLS	WRITTEN ALARM CALLS	CONVERTED ALARM CALLS	CANCELLED ALARM CALLS	NON-WRITTEN ALARM CALLS
UNINCORPORATED PATROL AREAS					
CABAZON	916	3	3	73	837
COLORADO RIVER	90	0	0	6	84
ELSINORE	1,734	0	0	180	1,554
HEMET	1,804	5	5	229	1,565
THERMAL	1,946	4	0	320	1,622
JURUPA VALLEY (COUNTY)	1,453	1	1	146	1,305
MORENO VALLEY (COUNTY)	82	0	0	9	73
MORENO VALLEY (MARCH)	208	0	0	29	179
PALM DESERT (COUNTY)	2,045	5	4	209	1,827
PERRIS (COUNTY)	2,238	1	1	261	1,975
SOUTHWEST	2,637	0	1	211	2,425
OTHER	19	0	3	1	15
DEPARTMENT TOTAL	15,172	19	18	1,674	13,461

TOTAL ALARM CALLS = TOTAL ALARM CALLS DISPATCHED IN THE UNICORPERTED AREAS

WRITTEN ALARM CALLS = CLOSED AS A WRITTEN REPORT BUT KEPT AS ALARM CALLS

CONVERTED ALARM CALLS = ALARM CALLS THAT WERE CHANGED

CANCELLED ALARM CALLS=ALARM CALLS CANCELLED BY A DISPATCHER AFTER BEING DISPATCHED

NON-WRITTEN ALARM CALLS=ALARM CALLS CHANGED TO NO REPORT WRITTEN

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

709



FROM: Riverside County Fire Department, Office of Emergency Services (OES)

SUBMITTAL DATE:
November 13, 2012

SUBJECT: Initiation of Ordinance That Would Regulate Fire False Alarms

RECOMMENDED MOTION: That the Board of Supervisors:

1. Pursuant to Board Policy A-67, adopt an order initiating an ordinance that would regulate Fire False Alarms; and,
2. Direct County Counsel to prepare and process the ordinance.

BACKGROUND: At the June 13, 2011 Board of Supervisors Budget Hearing meeting, Supervisor Stone directed the Riverside County Fire Department, Office of Emergency Services, to work with County Counsel in preparing an ordinance to regulate fire false alarms.

(Continued on Page 2)

Departmental Concurrence

Peter Len
By Peter Len, Deputy Director, County Fire, OES for
John R. Hawkins, County Fire Chief

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	FY12/13

SOURCE OF FUNDS: None.	Positions To Be Deleted Per A-30	<input type="checkbox"/>
APPROVE		Requires 4/5 Vote <input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION:

BY: *Michael R Shetler*
Michael R. Shetler

County Executive Office Signature

- Policy
- Policy
- Consent
- Consent

Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: | **District:** All | **Agenda Number:**

3.15

FORM 11

Riverside County Fire Department, Office of Emergency Services

SUBJECT: Initiation of Ordinance That Would Regulate False Alarms

Page 2 of 2

BACKGROUND (continued):

During 2011, the Fire Department responded to 2,110 false alarm calls, an average of 6 per day. These calls range from someone pulling the fire alarm erroneously at a school to not turning off a house alarm in time. Responding to these calls prolongs the time that it can take for the Department to respond to a bona fide emergency and can ultimately jeopardize health, welfare or safety of Riverside County residents.

FISCAL: The Department has researched the issue and prepared a draft ordinance and fee study. Therefore, further County Counsel time to finalize the proposed ordinance will be nominal.

ORDINANCE NO. 753 no longer operative
REPEALED PER Ord. 753.1 (Minute Order dated 8/12/97)

Ordinance No. 753.1

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGULATING
ALARM SYSTEMS AND THE REPORTING OF ACTIVATED ALARM
SYSTEMS
BY ALARM COMPANIES TO THE SHERIFF'S DEPARTMENT**

The Board of Supervisors of the County of Riverside, State of California, ordains as follows:

Section 1. Purpose and Application.

The purpose of this ordinance is to regulate Alarm Systems and the reporting of activated Alarm Systems by Alarm Companies to the Sheriff's Department of Riverside County. This ordinance shall be applicable in the unincorporated areas of the County.

Section 2. Non-Applicability.

This ordinance shall not apply to Persons who report the activation of an Alarm System who are not doing so as employees or agents of an Alarm Company.

Section 3. Definitions.

For the purpose of this ordinance, the following definitions shall apply:

- a. **"Alarm System"** shall mean any device designed for the detection of any unauthorized entry on premises or for alerting others of the commission of an unlawful act or both, and when activated, emits a sound and/or transmits a signal to indicate that an emergency exists and which transmits a signal to a monitoring point designed to contact an emergency public agency or dispatch center to which law enforcement personnel and resources are expected to immediately respond to the location of the reported activated Alarm System.
- b. **"Alarm User"** shall mean any Person using an Alarm System at his or her place of business, residence or other property.
- c. **"Person"** shall mean natural person, firm, partnership, association or corporation.
- d. **"Automatic Telephone Billing Service"** shall mean a service provided by a telephone service vendor that has the capability to establish, and bill and collect fees for use of, what is commonly known as a "900" telephone line or number (hereafter referred to as a "900 Telephone Service").

- e. **"Alarm Company"** shall mean any person who monitors an Alarm System(s) and/or forwards to a public safety agency or dispatch center information regarding the activation of an Alarm System(s).
- f. **"False Alarm"** shall mean the activation of an Alarm System to which emergency public safety personnel respond when an emergency public safety situation does not exist; provided that alarm activations caused by natural disaster or other violent conditions of nature or other extraordinary circumstances not subject to the control of the Alarm User or Alarm Company shall not constitute a False Alarm.
- g. **"Audible Alarm"** shall mean an Alarm System that, when activated, generates an audible sound.

Section 4. Prohibitions.

- a. No Person shall use or cause to be used any telephone device or telephone attachment, commonly known as an "auto-dialer," that automatically selects a public telephone trunk line to an emergency public safety agency or dispatch center and then reproduces a prerecorded message to report any unlawful act or other emergency.
- b. No Person shall operate or use, or cause to be operated or used, any Alarm System that emits a sound similar to that of any emergency vehicle siren or civil defense warning system.
- c. No Alarm Company shall report to the Sheriff's Department or its designated emergency dispatch centers an activated Alarm System except as provided by this ordinance.
- d. No Person shall knowingly make, or cause to be made, a False Alarm. This subsection does not prohibit a test of an Alarm System if the appropriate emergency public safety agency and/or dispatch center is notified of the intended test prior to the activation of an Alarm System.

Section 5. Reporting Activated Alarm Systems by Alarm Companies.

Reporting of an activated Alarm System by an Alarm Company shall be made by using a 900 Telephone Service as may be established by the Sheriff's Department. An Alarm Company shall pay a fee, as established by this ordinance, for the reporting of an activated Alarm System as prescribed by this ordinance.

Section 6. Fee for reporting activated Alarm Systems by Alarm Companies.

The fee for reporting of an activated Alarm System by an Alarm Co. is established as five dollars (\$5.00).

Section 7. Fee Collection and establishment of 900 Telephone Service.

- a. The Sheriff's Department shall collect the fee established in section No. 6 hereinabove for the reporting of an activated Alarm System by Alarm Company as prescribed by this ordinance.
- b. The Sheriff's Dept. may contract with an Automatic Telephone Billing Service for the establishment of a 900 Telephone Service for the reporting of activated Alarm Systems by Alarm Companies & for the billing and collection of any fee owed pursuant to section No. 6 hereinabove. The cost for said services rendered by an Automatic Telephone Billing Service under said contract shall be paid by an amount deducted from each fee collected by the Automatic Telephone Billing Service, not to exceed 25 percent of the fee.

Section 8. Installation of Alarm Systems.

All Alarm Systems installed or used within the unincorporated area of the County of Riverside shall be approved by Underwriter's Laboratories rated protection equipment and, where required, electrical installation of Alarm Systems shall be in accordance with applicable requirements of the County of Riverside's Building Code and all necessary permits shall be obtained therefore.

Section 9. Nuisance Alarms.

An Audible Alarm shall terminate its operation or the Audible Alarm shall automatically reset within fifteen (15) minutes of its being activated. If an Audible Alarm has emitted an alarm signal in excess of thirty (30) minutes within a one (1) hour period it may be declared a nuisance, and the Sheriff's department may cause such alarm to be disconnected by an Alarm Company licensed by the Department of Consumer Affairs, and the cost thereof to be charged to the Alarm User. If the alarm is connected to a Central Monitoring Point, a responsible party must deactivate the alarm within thirty (30) minutes of being notified of the nuisance.

Section 10. Violation.

- a. Any Person violating the provisions of this ordinance shall be guilty of an infraction, and upon conviction thereof shall be punished by: (1) a fine not to exceed One Hundred Dollars (\$100.00) for the first violation of this ordinance; (2) a fine not to exceed Two Hundred Dollars (\$200.00) for a second violation of the ordinance within one year. The third and any additional violations of the ordinance within one year by the same person shall constitute a misdemeanor offense and shall be punishable by a fine not to exceed One Thousand Dollars (\$1,000.00) or six months in jail, or both. Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any fine or penalty herein shall not relieve a Person from the responsibility for correcting any violation of this ordinance.

- b. The additional remedies, penalties, and procedures for violation of this ordinance and for recovery of costs related to enforcement provided for in Ordinance No. 725 are incorporated herein by this reference.
- c. All remedies available to the County of Riverside shall be cumulative and the use of one or more remedies by the County of Riverside shall not bar the use of any other remedy for the purpose of enforcing the provisions of this ordinance.

Section 11. Severability.

If any section, subsection, sentence, clause, or phrase of this ordinance as herein acted or the application thereof to any Person or circumstances is held invalid or unconstitutional by decision of any court of competent jurisdiction, such invalidity shall not affect the other provisions or applications of this ordinance, or any section or portion of section hereof, which can be given effect without the invalid provisions where application and to this in the provisions of this ordinance are, and are intended to be, severable. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, or phrase thereof irrespective of the fact that anyone or more other sections, subsections, clauses, or phrases may be declared invalid or unconstitutional.

Section 12. Repeal.

Ordinance No. 595.1 is hereby repealed.

Section 13. Effective Date.

The provisions of this ordinance shall become effective ninety (90) days after its adoption.

ADOPTED: 753 05/07/96 (Eff.: 08/05/96)
AMENDED: 753.1 08/12/97 (Eff.: 09/11/97)