



**ACTION SHEET**  
**ITEM FROM PUBLIC SAFETY COMMITTEE MEETING OF 04/21/15**

**ISSUE:** Proposed Ordinance amending the City of Santa Fe Alarm System Ordinance, Section 20-5 SFCC 1987 to clarify certain provisions; amend the fines for false alarms; and amend late reporting fees that are assessed against alarm installation companies and alarm monitoring companies

**PUBLIC SAFETY COMMITTEE ACTION:** Recommended approval

**SPECIAL CONDITIONS OR AMENDMENTS:**

**STAFF FOLLOW UP:**

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON DIMAS	X		
VICE-CHAIRPERSON HARRIS	X		
MEMBER MIKE MIER	X		
MEMBER NANCY OWEN-LEWIS	ABSENT		
MEMBER PETER MIZRAHI	ABSENT		
MEMBER MIKE BOWEN	X		
MEMBER ERIC JOHNSON	ABSENT		
MEMBER DAVID TRUJILLO	X		
MEMBER JOE ARELLANO	X		

# City of Santa Fe, New Mexico

## LEGISLATIVE SUMMARY

Bill No. 2015-\_\_\_

False Alarm

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**SPONSOR(S):** Councilor Rivera

**SUMMARY:** The proposed bill amends the City of Santa Fe Alarm System Ordinance, Section 20-5 SFCC 1987 to clarify certain provisions; amend the fines for false alarms; and amend late reporting fees that are assessed against alarm installation companies and alarm monitoring companies.

**PREPARED BY:** Rebecca Seligman, Legislative Liaison Assistant

**FISCAL IMPACT:** No

**DATE:** April 10, 2015

**ATTACHMENTS:** Bill  
FIR

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2015-\_\_\_\_

3 INTRODUCED BY:

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5 Councilor Chris Rivera

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10 AN ORDINANCE

11 AMENDING THE CITY OF SANTA FE ALARM SYSTEM ORDINANCE, SECTION 20-  
12 5 SFCC 1987 TO CLARIFY CERTAIN PROVISIONS; AMEND THE FINES FOR FALSE  
13 ALARMS; AND AMEND LATE REPORTING FEES THAT ARE ASSESSED AGAINST  
14 ALARM INSTALLATION COMPANIES AND ALARM MONITORING COMPANIES.

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16 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

17 Section 1. Section 20-5.6 SFCC 1987 (Ord. #2009-33, §8, as amended) is  
18 amended to read:

19 **20-5.6 Alarm Registration; Duration and Renewal.**

20 An alarm registration shall expire one (1) year from the date of issuance, and shall be  
21 renewed annually by submitting an updated application and a registration renewal fee to the alarm  
22 administrator. The alarm administrator shall notify each alarm user of the need to renew their  
23 registration within sixty (60) days prior to the expiration of the registration. It is the responsibility  
24 of the alarm user to submit an application for renewal prior to the registration expiration date.  
25 Failure to renew will be classified as use of a non-registered alarm system. For each alarm

1 occurrence, the fine for a non-registered alarm site, as set forth in subsection 20-5.14 SFCC 1987,  
2 shall be assessed [~~without waiver~~]. A waiver shall be granted for an assessed fine for an  
3 unregistered alarm system, if the registration is completed by the alarm user within ten (10)  
4 business days upon notification of the initial fine for an unregistered alarm system. A late fee  
5 may be assessed if the renewal is more than thirty (30) days late.

6 **Section 2. Section 20-5.14 SFCC 1987 (Ord. #2009-33, §16, as amended) is**  
7 **amended to read:**

8 **20-5.14 Fees and Fines.**

9 Unless otherwise permitted by the Alarm System Ordinance, [F]the following non-  
10 refundable fees and fines shall be assessed, as applicable, to alarm users, alarm installation  
11 companies and monitoring companies:

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<u>Non-Refundable Fees and/or Fines</u>	<u>Santa Fe City Code Section</u>	<u>Alarm User</u>	<u>Alarm Installation Company</u>	<u>Alarm Monitoring Company</u>
Fee - registration of alarm system	20-5.5B	\$25.00		
Fee - renewal of registration	20-5.5B	\$25.00		
Fee - late registration	20-5.6	\$10.00		
Fee - reinstatement	20-5.13A(1)	\$50.00		
Fee - appeal*	20-5.16D	\$50.00		
Fine - first false alarm	20-5.11D(4)	\$0.00		
Fine - second false alarm	20-5.11D(4)	\$0.00		
Fine - third false alarm	20-5.11D(4)	<del>[\$150.00]</del> \$100.00		
Fine - fourth false alarm	20-5.11D(4)	<del>[\$150.00]</del> \$100.00		
Fine - fifth false alarm	20-5.11D(4)	\$150.00		
Fine - sixth or more false alarm(s)	20-5.11D(4)	\$300.00 <u>per infraction</u>		
Penalty - for 11 or more false alarms in a 12 month period	20-5.12A	Suspend response and revoke registration		
Fine - operating an alarm system during period of revocation	20-5.12C	\$100.00		
Fine - non-registered alarm system, per alarm occurrence	20-5.5A 20-5.6	\$100.00		
Fee - license	18-8.10A(3)		\$75.00	\$75.00
Fine - no employee background check	20-5.9J		\$300.00	
Fine - Late report (names and addresses of users)	20-5.9H(2)  20-5.10E		[\$10.00 per day] <u>\$100.00</u> , after five <u>business day</u> grace period	[\$10.00 per day] <u>\$100.00</u> , after five <u>business day</u> grace period
Fine - failure to establish procedures for accepting cancellations of alarms and conveying cancellations of alarms	20-5.10F			\$50.00
Fine - Continuation of alarm dispatch requests to an alarm site after notification by the alarm administrator that the registration has been revoked	20-5.12C			\$50.00
Fine - failure to use enhanced call verification	20-5.10B(2)			\$300.00

\*Paid only if appeal is decided in favor of the city.

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1 APPROVED AS TO FORM:

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4 KELLEY A. BRENNAN, CITY ATTORNEY

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*M/Legislation/Bills 2015/False Alarm*

### City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

**Section A. General Information**

(Check) Bill:   X   Resolution: \_\_\_\_\_

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): AN ORDINANCE AMENDING THE CITY OF SANTA FE ALARM SYSTEM ORDINANCE, SECTION 20-5 SFCC 1987 TO CLARIFY CERTAIN PROVISIONS; AMEND THE FINES FOR FALSE ALARMS; AND AMEND LATE REPORTING FEES THAT ARE ASSESSED AGAINST ALARM INSTALLATION COMPANIES AND ALARM MONITORING COMPANIES.

Sponsor(s): Councilor Rivera

Reviewing Department(s): City Attorney's Office / Santa Fe Police Department

Persons Completing FIR: Jesse Guillen / Mario Salbidrez Date: 4/10/15 Phone: 955-6518 / 955-5267

Reviewed by City Attorney: Kelly A. Brennan Date: 4/14/15  
(Signature)

Reviewed by Finance Director: Jessica Guzman Date: 4/16/15  
Finance Director (Signature)

**Section B. Summary**

Briefly explain the purpose and major provisions of the bill/resolution:

This ordinance would modify the fees assessed for false alarms from alarm systems in the city. Allows for the granting of a waiver of fines for unregistered alarm systems if registration is completed within 10 days. Specifies that all assessed fees are non-refundable. Modifies fines for alarm installation and monitoring companies for late reporting of false alarms

**Section C. Fiscal Impact**

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)\*

**1. Projected Expenditures:**

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs  
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs  
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: \_\_\_\_\_

X Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Total:	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____

\* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. \*\*For fringe benefits contact the Finance Dept.

**2. Revenue Sources:**

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
Total:	\$ _____	_____	\$ _____	_____	_____	_____

**3. Expenditure/Revenue Narrative:**

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

Unable to determine at this point what the fiscal impact would be. Fine collections will most likely stay similar to current levels.

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**Section D. General Narrative**

**1. Conflicts:** Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

Modifies existing city code.

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**2. Consequences of Not Enacting This Bill/Resolution:**

Are there consequences of not enacting this bill/resolution? If so, describe.

Status Quo.

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**3. Technical Issues:**

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

N/A

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**4. Community Impact:**

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The false alarm ordinance is aimed at reducing the instances of false alarms that require emergency personnel response. Reduces fines for the 3<sup>rd</sup> and 4<sup>th</sup> offense, making the step up from previous false alarms not as steep. It also allows for the waiver of a fine for an unregistered system, if registered within 10 days, giving a certain degree of leniency for those not aware of registration requirements. Modifying the fines for alarm monitoring and installation companies will theoretically induce them to actually pay the assessed fines. Reducing the fine for late report from \$10 per day to \$100 will simplify the billing collection process.

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