



Item No. 15 Town of Atherton

CITY COUNCIL STAFF REPORT – REGULAR AGENDA

**TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

FROM: STEVE McCULLEY, CHIEF OF POLICE

DATE: DECEMBER 18, 2019

SUBJECT: RESIDENTIAL ALARM ORDINANCE REVIEW

RECOMMENDATION

Maintain the current initial alarm set up fee, annual alarm system service fee, and false alarm fee service charge schedule; or provide direction to staff for changes.

BACKGROUND

As a service for our residents, the Atherton Department of Police Dispatch Center currently directly monitors approximately 1,300 residential burglary alarm systems. During a 23 month period, in 2016 and 2017, dispatch received and processed 4,599 residential burglary alarms. Of the 4,599 burglar alarms, dispatch was able to confirm 2,492 of the alarms were false and cancel our police response. Officers responded to the remaining 2,107 alarms and determined all were false alarms after arriving at the residence. None of the total 4,599 residential burglary alarms were actual real alarms.

The continued response to this high volume of false residential burglary alarms (200 per month) is disruptive to dispatch/patrol operations and creates real officer safety concerns.

In January 2018, at the request of the Police Department, the Council was asked to review information and documentation of an ongoing residential burglary false alarm response problem in Town. The Council was asked to consider adding a service charge for false alarms and an alarm initial permit fee and annual renewal fee to the current Alarm ordinance.

In July 2018, a public hearing was conducted and Ordinance 635, an Ordinance of the Town of Atherton related to false alarm systems was introduced for 1st reading. The ordinance amended chapter 8.04, Alarm Systems, of the Town of Atherton Municipal Code, by adding language to include fees for initial residential alarm permits, and fees for annual renewal of the alarm permit. Language was also added to include false alarm fee service charges for false alarm response by the Department of Police.

On September 19, 2018, the Council passed and adopted Ordinance 635. Related to Ordinance 635, the Council also passed and adopted Resolution 18-23. Resolution 18-23, amended the Town's master fee schedule to add alarm permit fees and other fees associated with police false alarm responses.

ANALYSIS

In October 2019, the Finance Department mailed out over 1,200 letters to residents who currently had their residential alarm system directly monitored by the Department of Police Dispatch Center. As part of the adoption of Ordinance 635 and Resolution 18-23, the intent of the letter was to advise these residents of the changes to the alarm ordinance, indicate they were grandfathered into the initial alarm permit process, and were now required to pay an annual \$50 alarm permit renewal fee.

Unfortunately, the letter that was mailed was actually intended for residents who did not have their alarm system currently registered or monitored by the Department of Police as it also required a \$100 registration fee. This miscommunication created confusion for residents, caused residents to call Councilmembers, the City Manager, and the Department of Police with questions and complaints. To correct this problem, a revised letter will be mailed to the initial 1,200 residents apologizing for the confusion created by the first letter, clearly communicate that they are considered to currently have an alarm permit registered with the Town, and that they are required to pay the \$50 annual alarm permit renewal fee.

The reason and justification for the initial alarm permit fee process and the annual alarm permit renewal fee is as a mechanism to require residents to provide alarm company contact information and resident/responsible party contact information to dispatch, and to require an annual update for the same information.

This permit process helps ensure that the dispatch center has the most accurate and up to date contact information when receiving notice of an alarm to assist with determining if the alarm is real or false. This process and information also supports good officer safety during their response to residential burglar alarms.

As adopted, the current ordinance requires that all alarms, whether monitored by the Police Department or privately, are required to pay a \$50 annual fee. All new alarm systems coming online are required to pay the \$100 registration fee and then each year thereafter, the \$50 annual fee. Alarm systems currently monitored by the Police Department are not required to pay the \$100 registration fee.

The annual fee for all alarm systems is consistent with what is done in other communities.

POLICY FOCUS

The purpose of the Town's residential alarm ordinance is to encourage alarm users to maintain the alarm system operational reliability, encourage the proper use of alarm systems, to reduce or

eliminate false alarms, and to ensure the Police Department has the most up to date contact information for the resident and for the alarm monitoring company.

False alarms require a considerable amount of time, resources, and expenses each year to the Town. They can also pose a safety hazard to police officers and the general public.

The ordinance governs systems intended to summon a police response, requires permits, establishes fees, provides for penalties for violations of false alarms, and establishes a system of administrating the program.

FISCAL IMPACT

None.

PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about this item is also disseminated via the Town’s electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town’s electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer), and regional elected officials.

COMMISSION/COMMITTEE FEEDBACK/REFERRAL

This item ___ has or X has not been before a Town Committee or Commission.

- ___ Audit/Finance Committee (meets every other month)
- ___ Bicycle/Pedestrian Committee (meets as needed)
- ___ Civic Center Advisory Committee (meets as needed)
- ___ Environmental Programs Committee (meets every other month)
- ___ Park and Recreation Committee (meets each month)
- ___ Planning Commission (meets each month)
- ___ Rail Committee (meets every other month)
- ___ Transportation Committee (meets every other month)

ATTACHMENTS

1. January 17, 2018 False Alarm Staff Report
2. July 18, 2018 False Alarm Systems Staff Report
3. Ordinance 635
4. Resolution 18-23
5. Municipal Code Chapter 8.04 Alarm Systems
6. Town of Atherton Alarm Fee Letter



Item No. 18 Town of Atherton

CITY COUNCIL STAFF REPORT – REGULAR AGENDA

**TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

FROM: STEVEN D. MCCULLEY, CHIEF OF POLICE

DATE: JANUARY 17, 2018

**SUBJECT: RESIDENTIAL FALSE ALARM RESPONSES – CONSIDERATION
OF A SERVICE CHARGE FOR FALSE ALARMS AND AN
ANNUAL PERMIT RENEWAL FEE**

RECOMMENDATION

Review and discuss; and, if appropriate, direct staff to incorporate a false alarm service charge process and return with amendments to the Town's Alarm Ordinance to require an annual permit renewal fee following an inspection report.

BACKGROUND

In 2003, the U.S. Department of Justice, Office of Community Oriented Police Services, conducted an extensive study on false alarm responses by Police Officers across the United States. The study found that in 1998, Police Officers in the U.S. responded to approximately 38 million false alarm activations at an estimated annual cost of \$1.5 billion dollars (adjusted for inflation, \$2.25 billion dollars in 2018). The study also found the vast majority of alarm calls to police, between 94 and 98 percent are false. This is a major drain of limited police resources and a source of real officer safety concern. For details see the attached link to the full COPS/DOJ study.

As a free service to residents, Atherton Police Department Dispatch Center monitors approximately 2,000 residential burglary alarm systems. In 2016, the Dispatch Center received and processed 2,439 residential burglary alarms. Of the 2,439 alarms, 1,362 were able to be confirmed as false and canceled by dispatch before officers arrived on scene. Officers responded to the remaining 1,077 alarms which were all determined to be false. To date in 2017, Dispatch has received and processed 2,160 alarms. Of the 2,160 alarms, 1,246 were able to be confirmed as false by dispatch and cancelled before officers arrived on scene. Officers responded to the remaining 1,030 alarms which were all determined to be false. This high volume of alarm calls is very disruptive to dispatch and field operations.

In the last 23 months, Officers responded to 2,107 false residential burglar alarms. False alarm responses require at least 2 officers to respond with a minimum of 30 min patrol time for each

False Alarm Responses
January 17, 2018

officer or 1 hour of patrol time for each alarm response. On a low end time estimate, the 2,107 alarm responses equal 2,107 patrol hours. This is equivalent to approximately 13 months of one full time police officer doing nothing but responding to false alarms at an approximate cost of over \$136,000. In the last 10 years, officers responded to 9 alarms which were true alarms resulting in a burglary investigation. The last real alarm we responded to was in July 2015.

As Chief, two significant responsibilities are to ensure the best possible officer safety measures and to ensure the most efficient and cost-effective use of limited police resources. The current response method to unchecked and unrestricted false alarm calls impacts officer safety and the efficient operation of the police department.

How to Prevent False Alarms

There are a number of ways to prevent false alarms. The most common reasons for false alarms are:

- User errors, such as entering incorrect key pad codes
- Leaving a door or window open when activating the alarm
- Inadequate employee training on alarms
- Poor installation of motion detectors
- Poor quality alarms

Below is a table depicting local agency fees for annual alarm permit fees and how many responses before fees are generated along with dollar amounts.

AGENCY	ALARM PERMIT FEES / ANNUAL	FALSE ALARMS	FEES
BELMONT	\$50	First and Second Responses	\$0
		Third Response	\$100
		Fourth Response	\$200
BURLINGAME	\$0	First and Second Responses	\$0
		Third – Fifth Responses	\$50
		Sixth Response	\$100
FOSTER CITY	\$0	First Response	\$0
		Second Response	\$55
		Third Response	\$111
		Fourth Response	\$111
		Fifth and after	\$200
HILLSBOROUGH	\$60 + \$24 per month monitoring fee	First and Second Responses	\$0
		Third – Fifth Responses	\$200
		Sixth or more	\$300
MENLO PARK	\$25	First Response & after	\$175
		Per Incident	\$350
PACIFICA	\$85 / \$45	First Response	\$0
		Second through fifth responses	\$129
		Six or more	\$202
REDWOOD CITY	\$0	First and Second Responses	\$0

False Alarm Responses
January 17, 2018

AGENCY	ALARM PERMIT FEES / ANNUAL	FALSE ALARMS	FEES
		Third and more	\$100
SAN BRUNO	\$0	First and Second Responses	\$0
		Third Response	\$100
		Fourth Response	\$125
SAN CARLOS	\$0	Second and more	\$183
SAN MATEO	\$0	First Response	\$0
		Second and more	\$104
SOUTH SAN FRANCISCO	\$25	First and Second Responses	\$0
		Third – Fifth Response	\$50
		Six – Eight Response	\$100

ANALYSIS

Staff recommends that to mitigate false alarms, an integrated response of community outreach/education, revision of the current false alarm ordinance, enforcement, and an enhanced residential alarm permitting process. The outreach/education will take place using Town resources, local media as appropriate, and community meeting and other resident education opportunities. The current Town false alarm ordinance mentions a penalty service charge for more than one false alarm in a calendar year. It does not specify the amount of the service charge; nor is an amount specified within the Town's Fee Resolution.

Currently residents are charged a one-time alarm registration fee of \$61. This includes free monitoring of their alarm by the police department if the resident chooses this option. Staff recommends that an annual registration fee of \$50 be set with the requirement that residents have their alarm system inspected by a professional alarm system vendor and provide proof of this inspection. The revenue received from the false alarm response services fees and annual alarm registration fees can be utilized to continually upgrade the Town's false alarm monitoring and response equipment.

The proposed timeline is to perform the community outreach/education during February and March 2018 and complete updates to the false alarm ordinance, fee resolution and permitting process by March 31, 2018. The enforcement/service charge program would begin on April 1, 2018.

POLICY FOCUS

The purpose of the Town's alarm ordinance is to encourage alarm users to maintain the operational reliability and proper use of alarm systems and to reduce or eliminate false alarms. False alarms require a considerable amount of time, resources, and expenses each year to the Town. They can also pose a safety hazard to police officers and the general public.

The ordinance governs systems intended to summon a police response, requires permits, establishes fees, provides for penalties for violations of false alarms, and establishes a system of administering the program.

False Alarm Responses
January 17, 2018

FISCAL IMPACT

Number of False Alarms	Action Taken	Fee
1	Warning Letter	None
2	Written Notice	\$200
3	Written Notice	\$200
4 and over	Written Notice	\$200

Staff time to monitor false alarms can easily be accessed through our RIMS database where invoices can be generated by the Town's Finance Department.

PUBLIC NOTICE

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ATTACHMENTS

Sample - False Alarm Warning Letter
Current Alarm Ordinance
Alarm Excel Spreadsheet
Department of Justice False Alarm Report

Date

Resident Name
Address
Atherton, CA 94027

Dear Resident:

On DATE our officers responded to a report of a Panic/Residential/Audible alarm at your address. The alarm was determined to be false. This letter serves as notice of the Town's Alarm Ordinance with specific information regarding false alarm responses. A copy of the ordinance is attached for your review and education. Should we respond to your address for an additional false alarm in the calendar year, you will be invoiced by the Town for a service/response charge of \$200 per false alarm response.

False alarm response impacts limited police resources and can impact officer safety. In 2016, our police officers responded to 600 false alarms. False alarm responses require at least 2 officers to respond with a minimum of 30-minute patrol time for each officer or 1 hour of patrol time for each alarm response. On a very low-end time estimate, the 600 false alarm responses equal 600 patrol hours. This is almost 4 months of one full time police officer doing nothing but responding to false alarms at an approximate cost of over \$38,000. In the last 10 years, our officers responded to 9 alarms which were true alarms resulting in a burglary investigation. The last real alarm our officers responded to was in July 2015.

Your help and cooperation are needed to assist our officers by mitigating false alarms. Please ensure you, your family members, and staff/employees are very familiar with the operation of your alarm system. Should your alarm be accidentally activated, it is important for you to call our dispatch center immediately at 650-688-6500 in order to report the activation and stop a police response to your residence. Enclosed are stickers to place on or near your alarm keypad with our dispatch phone number.

Sincerely,

Steven D McCulley
Chief of Police

Chapter 8.04 ALARM SYSTEMS

Sections:

- 8.04.010 Prohibited phone device.
- 8.04.020 Alarm business license required.
- 8.04.030 Secondary telephone line—Permit application.
- 8.04.040 Secondary telephone line—Costs and charges.
- 8.04.050 Installation permit required.
- 8.04.060 Removal of device—License revocation.
- 8.04.070 False alarms.
- 8.04.080 Audible alarm regulations.

8.04.010 Prohibited phone device.

No person shall use or cause to be used any telephone device or telephone attachment on the primary telephone trunk line of the police department which reproduces any prerecorded message. (Ord. 328 § 1, 1974)

8.04.020 Alarm business license required.

Any person engaged in the business of selling or leasing alarms in the town shall pay a yearly license fee as provided in Section 5.12.150(1) of this code. (Ord. 492 § 1(A), 1996; Ord. 328 § 2, 1974)

8.04.030 Secondary telephone line—Permit application.

Any persons wishing to obtain a private secondary phone line terminating at the police dispatching center shall submit an application in writing to the chief of police. Such application shall contain an agreement to comply with the conditions of this chapter. The chief of police shall approve such application if the following conditions are met:

- A. The termination of the secondary phone line constitutes no hinderance to regular town activities.
- B. All costs of installation and maintenance of such telephone lines shall be borne by the person requesting the terminating phone line.
- C. The person requesting the terminating phone line shall maintain adequate equipment and service personnel to maintain or otherwise service alarms sold or leased by him.
- D. The person requesting the terminating phone line shall make adequate provisions for testing of equipment and prevention of false alarms. (Ord. 328 § 3, 1974)

8.04.040 Secondary telephone line—Costs and charges.

All costs and recurring charges incurred in the installation and maintenance of such secondary telephone lines shall be borne by the person requesting the terminating phone line. (Ord. 328 § 4, 1974)

8.04.050 Installation permit required.



**Item No. 11
Town of Atherton**

CITY COUNCIL STAFF REPORT – PUBLIC HEARING

TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER

FROM: STEVEN D. MCCULLEY, CHIEF OF POLICE

DATE: JULY 18, 2018

SUBJECT: CONDUCT A PUBLIC HEARING; AND, IF APPROPRIATE,
INTRODUCE FOR 1ST READING ORDINANCE NO. XX, AN
ORDINANCE OF THE TOWN OF ATHERTON RELATED TO
FALSE ALARM SYSTEMS

RECOMMENDATION

Conduct a Public Hearing; and, if appropriate, introduce for 1st Reading, Ordinance No. XX, an Ordinance of the Town of Atherton related to False Alarm Systems.

BACKGROUND

In 2003, the U.S. Department of Justice, Office of Community Oriented Police Services, conducted an extensive study on false alarm responses by Police Officers across the United States. The study found that in 1998, Police Officers in the U.S. responded to approximately 38 million false alarm activations at an estimated annual cost of \$1.5 billion dollars (adjusted for inflation, \$2.25 billion dollars in 2018). The study also found the vast majority of alarm calls to police, between 94 and 98 percent are false. This is a major impact to limited police resources and a source of real officer safety concern.

As a free service to our residents, our dispatch center monitors approximately 1,500 residential burglary alarm systems. The Town last charged for false alarm responses over 12 years ago.

Alarm responses require at least 2 officers to respond, and it can take officers 30 minutes or more to determine whether or not the alarm is false. This process typically involves a search of the home and property. In the last 10 years, our officers responded to 9 alarms which were true alarms resulting in a burglary investigation. The last real alarm we responded to was in July 2015.

Since the last Council meeting on this issue, staff corrected the alarm table below with more accurate data in a more readable fashion. The Police Department responded on scene to 547 false alarms in 2017 and 431 in 2016.

False Alarm Responses
July 18, 2018

# of Property False Alarm Calls to Same Address	2016	2017
1 False Alarm Only	431	547
2 False Alarms Only	78	94
3 False Alarms Only	30	63
4 False Alarms Only	15	20
5 False Alarms Only	8	7
6 False Alarms Only	0	5
7- 10 False Alarms	0	0
10+ False Alarms	0	0

Interpreting the table, in 2017 the Police Department responded to 547 false alarm calls. Of the 547 total, the Police Department responded 2 times to 94 addresses. Of the 94 addresses, the Police Department responded 3 times to 63 addresses, etc.

If each false alarm response only took 30 minutes of an officer's time (this is a very low estimate), that represents 978 hours (30 minutes x 2 officers per call) spent at false alarms in 2016/2017. This represents a significant amount of time for officers to be taken off the street in response to a false alarm.

Other Agency Fees/Permitting

Below is a table depicting local agencies fees for annual alarm permit fees and how many responses before fees are generated along with dollar amounts.

AGENCY	ALARM PERMIT FEES / ANNUAL	FALSE ALARMS	FEES
BELMONT	\$50	First and Second Responses	\$0
		Third Response	\$100
		Fourth Response	\$200
BURLINGAME	\$0	First and Second Responses	\$0
		Third – Fifth Responses	\$50
		Sixth Response	\$100
FOSTER CITY	\$0	First Response	\$0
		Second Response	\$55
		Third Response	\$111
		Fourth Response	\$111
		Fifth and after	\$200
HILLSBOROUGH	\$60 + \$24 per month monitoring fee	First and Second Responses	\$0
		Third – Fifth Responses	\$200
		Sixth or more	\$300
MENLO PARK	\$25	First Response & after	\$175
		Per Incident	\$350

False Alarm Responses
July 18, 2018

AGENCY	ALARM PERMIT FEES / ANNUAL	FALSE ALARMS	FEES
PACIFICA	\$85 / \$45	First Response	\$0
		Second through fifth responses	\$129
		Six or more	\$202
REDWOOD CITY	\$0	First and Second Responses	\$0
		Third and more	\$100
SAN BRUNO	\$0	First and Second Responses	\$0
		Third Response	\$100
		Fourth Response	\$125
SAN CARLOS	\$0	Second and more	\$183
SAN MATEO	\$0	First Response	\$0
		Second and more	\$104
SOUTH SAN FRANCISCO	\$25	First and Second Responses	\$0
		Third – Fifth Response	\$50
		Six – Eight Response	\$100

ANALYSIS

The proposed response to mitigate excessive false responses includes an integrated response of community outreach/education, revision to the false alarm ordinance, enforcement, and an enhanced residential alarm permitting process. The outreach/education will take place using Town resources, local media as appropriate, community meetings and other resident education opportunities. The current Town false alarm ordinance provides that the Town can establish a penalty service charge for more than one false alarm in a 12-month (one year) period. It does not specify what the service charge is and the Town's fee resolution does not set a fee.

Staff recommendation is for residents to receive a warning letter for the first, second, and third false alarm responses during a 12-month (one year) period. For the fourth alarm in a 12-month (one year) period, staff recommends a \$200 service charge, a \$300 service charge for the fifth alarm, and a \$400 service for each additional alarm after the fifth alarm in a 12-month (one year) period.

Currently, residents are charged a one-time alarm registration fee of \$61. This payment includes free monitoring of their alarm system by the Police Department if the resident chooses this option. The average monthly cost of private alarm monitoring is approximately \$60 per month for minimal services (\$720 annually). Staff recommendation is to change the initial alarm registration fee to \$100 and establish an annual permit fee of \$100. As part of the permit fee, residents would be required to confirm or update their alarm contact information with the Police Department. The revenue received from the false alarm response services fees and annual alarm registration fees can be utilized to continually upgrade our monitoring and response equipment.

The proposed timeline is to continue to perform the false alarm related community outreach/education for two calendar months after Council approves the new ordinance and complete updates to the false alarm ordinance and permitting process during this time. It is anticipated the enforcement/service charge program would begin when the two months of education and outreach is completed.

False Alarm Responses
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Since February 1, 2018, the department has sent out 195 letters to residents to advise of their false alarm activation with a police response to their residence. The letter also provides solutions to help remedy the situation. Based on the alarm letter data, we anticipate officers will be responding to approximately 50 false alarms per month which will be in violation of the false alarm ordinance (approximately 600 per year).

The revised ordinance includes language to allow for appeal of the service charge, and a section to require private monitoring after excessive false alarms.

POLICY FOCUS

The purpose of the Town's alarm ordinance is to encourage alarm users to maintain the operational reliability and proper use of alarm systems and to reduce or eliminate false alarms. False alarms require a considerable amount of time, resources, and expenses each year to the Town. They can also pose a safety hazard to police officers and the general public.

The ordinance that governs alarm systems is intended to summon a police response, requires the acquisition of a permit, establishes fees, outlines the penalties for violations of false alarms, and establishes a system of administrating the program.

FISCAL IMPACT

Number of False Alarms	Action Taken	Fines
1	Warning Letter	None
2	Warning Letter	None
3	Warning Letter	None
4	Written Notice	\$200
5	Written Notice	\$300
Each Additional Alarm	Written Notice	\$400

Staff time to monitor false alarm repeat offenders can easily be accessed through our RIMS database where invoices can be generated by the Town's Finance Department. It is estimated that staff time related to the reviewing and processing of false alarm violations to be approximately 25 hours per month. This time will be easily absorbed into normal duty hours and responsibilities. The staff time equates to about \$1,000 per month.

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False Alarm Responses
July 18, 2018

as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer), and regional elected officials.

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- Civic Center Advisory Committee (meets as needed)
- Environmental Programs Committee (meets every other month)
- Park and Recreation Committee (meets each month)
- Planning Commission (meets each month)
- Rail Committee (meets every other month)
- Transportation Committee (meets every other month)
- Tree Committee (meets each month)

ATTACHMENTS

- ATTACHMENT 1 – Sample – False Alarm Warning Letter
- ATTACHMENT 2 – Sample – Second Warning Letter
- ATTACHMENT 3 – Sample – Third Warning Letter
- ATTACHMENT 4 – Amended Alarm Ordinance
- ATTACHMENT 5 – Resolution 18-

Dear Resident:

This letter is to notify you that officers responded to your home on the following alarm activation:

Alarm Type: Audible

Date of occurrence:

Upon arriving, it was determined to be a false alarm.

False alarm responses limit police resources and can impact officer safety. Your help and cooperation are needed to assist our officers with mitigating false alarms. Please ensure that you, your family members, staff and employees, are all very familiar with the operation of your alarm system.

Should your alarm be activated accidentally, it is important for you to call our dispatch center immediately at (650) 688-6500, in order to report the activation and stop a police response to your residence.

Additionally, please contact the Atherton Police Department at your earliest convenience to confirm that our records show accurate information for your premises. Having the most updated information enables us to contact you, or someone who can locate you, in the event of an emergency at your home.

Sincerely,

Steven D. McCulley

Steven D. McCulley
Chief of Police

ATTACHMENT 2

Date

Resident Name
Address
Atherton, CA 94027

Dear Resident:

On **DATE** our officers responded to a second report of a Panic/Residential/Audible alarm at your address. The alarm was determined to be false. This letter serves as notice of the Town's Alarm Ordinance with specific information regarding false alarm responses. A copy of the updated ordinance is attached for your review and education. Should we respond to your address for additional false alarms in the one year period, the following are the fees that will be imposed: 4th false alarm @ \$200; 5th false alarm @ \$300; and \$400 for each additional false alarm after the 5th alarm.

False alarm response impacts limited police resources and can impact officer safety. In 2016, our police officers responded to approximately 500 false alarms. On a very low-end time estimate, the 500 false alarm responses equal 500 patrol hours. This is almost 4 months of one full time police officer doing nothing but responding to false alarms at an approximate cost of over \$33,000. In the last 10 years, our officers responded to 9 alarms which were true alarms resulting in a burglary investigation. The last real alarm our officers responded to was in July 2015.

Your help and cooperation are needed to assist our officers by mitigating false alarms. Please ensure you, your family members, and staff/employees are very familiar with the operation of your alarm system.

Should your alarm be accidentally activated, it is important for you to call our dispatch center immediately at 650-688-6500 in order to report the activation and stop a police response to your residence.

Sincerely,

Steven D McCulley
Chief of Police

ATTACHMENT 3

Date

Resident Name
Address
Atherton, CA 94027

Dear Resident:

On **DATE** our officers responded to a third report of a Panic/Residential/Audible alarm at your address. The alarm was determined to be false. This letter serves as notice of the Town's Alarm Ordinance with specific information regarding false alarm responses. A copy of the updated ordinance is attached for your review and education. Should we respond to your address for additional false alarms in the one year period, the following are the fees that will be imposed: 4th false alarm @ \$200; 5th false alarm @ \$300; and \$400 for each additional false alarm after the 5th alarm.

False alarm response impacts limited police resources and can impact officer safety. In 2016, our police officers responded to approximately 500 false alarms. On a very low-end time estimate, the 500 false alarm responses equal 500 patrol hours. This is almost 4 months of one full time police officer doing nothing but responding to false alarms at an approximate cost of over \$33,000. In the last 10 years, our officers responded to 9 alarms which were true alarms resulting in a burglary investigation. The last real alarm our officers responded to was in July 2015.

Your help and cooperation are needed to assist our officers by mitigating false alarms. Please ensure you, your family members, and staff/employees are very familiar with the operation of your alarm system.

Should your alarm be accidentally activated, it is important for you to call our dispatch center immediately at 650-688-6500 in order to report the activation and stop a police response to your residence.

Sincerely,

Steven D McCulley
Chief of Police

ATTACHMENT

ORDINANCE ____

AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
AMENDING CHAPTER 8.04, ALARM SYSTEMS

WHEREAS, current Chapter 8.04 of the Atherton Municipal Code establishes a system of regulation of Alarm Systems in private properties; and

WHEREAS, that Chapter is outdated and requires revision and amendment; and

WHEREAS, staff recommends adoption of the following revised sections of Chapter 8.04 as set forth below.

NOW, THEREFORE, THE CITY COUNCIL OF THE TOWN OF ATHERTON DOES ORDAIN AS FOLLOWS:

SECTION 1: Current sections of Chapter 8.04, ALARM SYSTEMS, are revised as set forth following:

A. The title of current section 8.04.020 is revised to read as follows: "8.04.020 Business license required for Alarm System businesses."

B. The title of current section 8.04.070 False alarms is amended to read as follows: "8.04.070 False alarms and fees."

C. Section 8.04.070 A. is amended to read as follows: "A. In the event of a false alarm received on any alarm system monitored by the Police Department, the Department shall issue a warning letter for the first and second false alarm responses, and a false alarm response fee for each additional false alarm received in a 1 year period as set forth in Section 8.04.070 C. shall be charged."

D. Section 8.04.070 B. is amended to read as follows: "B. The term "false alarm" is defined as when an alarm signal is activated intentionally or inadvertently which results in a Police response when there is no need for such response. If the alarm system owner contacts the Police Department prior to the arrival at the location of the alarm by a dispatched unit, the alarm system response shall not count as a false alarm."

E. Section 8.04.070 C is deleted in its entirety, and a new section C. is added to read as follows: "C. The first, second, and third false alarms within a 1 year period shall result in a warning letter, but shall not incur any fee or charge for the response. Any

fourth or subsequent false alarm within a 1 year period shall result in assessment of a fee as set forth by resolution of the City Council.

F. Sections 8.04.070 C., D, E, are deleted.

G. Section 8.04.070 F is renumbered 8.04.070G. and is amended to read as follows: "G:. Appeals. Any determination of a false alarm may be appealed by the alarm owner to the Chief of Police. Within five days of receipt of a written appeal, the Chief of Police or his authorized deputy shall set the time and place for the hearing of the appeal and give the appellant written notice thereof by United States mail, postage prepaid, to the address given in the appeal. The owner of the alarm system may appear at such hearing and testify if he or she desires. An appeal for financial hardship in paying accrued false alarm fees shall be part of the appeal process. The decision of the Chief of Police on the appeal shall be final, and the alarm owner shall be notified of the decision by regular United States mail, postage prepaid.

G. Section 8.04.070 G. is renumbered 8.04.070 C. and is amended to read as follows: "C. Excessive false alarms. In the event of receipt of more than 12 false alarm activations in a 1 year period, such alarm system monitoring shall be suspended and the owner notified that the Town will not continue to monitor their alarm system although the Police Department will continue to respond to outside monitoring calls for response or direct calls for service; however, false alarm fees in such cases will still be charged."

SECTION 2: Remaining provisions of Chapter 8.04 shall remain in full force and effect.

Introduced this _____ day of _____, 2018.

Passed and adopted as an Ordinance of the Town of Atherton at a regular meeting thereof held on the _____ day of _____, 2018, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Cary Wiest, Mayor

ATTEST:

Theresa DellaSanta, Deputy City Clerk

APPROVED AS TO FORM:

William B. Conners, City Attorney

ATTACHMENT 5

RESOLUTION 18-

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON AMENDING THE TOWN'S MASTER FEE SCHEDULE TO ADD AN ANNUAL ALARM PERMIT FEE AND OTHER FEES ASSOCIATED WITH FALSE ALARM

WHEREAS, the Atherton Municipal Code authorizes the City Council to establish fees for alarm systems by resolution; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ATHERTON THAT:

SECTION 1. The City Council of the Town of Atherton in the State of California hereby establishes the following alarm system fees:

Description	Fee
Initial Alarm Set up Fee	\$100
Annual Alarm System Service Fee (Jan. 1)	\$100

False Alarm Fee Service Charge – One year period (12 months).	Fee
4	\$200
5	\$300
Subsequent alarms after 5	\$400

SECTION 2. That this resolution shall become effective thirty (30) days after passage and shall take effect on October 19, 2018.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on this 19th day of September 2018, by the following vote:

AYES: Council Members:
 NOES: Council Members:
 ABSENT: Council Members:
 ABSTAIN: Council Members:

 Cary Wiest, Mayor
 Town of Atherton

ATTEST:

Theresa DellaSanta, City Clerk

APPROVED AS TO FORM:

William Conners, City Attorney

ORDINANCE 635

**AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
AMENDING CHAPTER 8.04, ALARM SYSTEMS**

WHEREAS, current Chapter 8.04 of the Atherton Municipal Code establishes a system of regulation of Alarm Systems in private properties; and

WHEREAS, that Chapter is outdated and requires revision and amendment; and

WHEREAS, staff recommends adoption of the following revised sections of Chapter 8.04 as set forth below.

NOW, THEREFORE, THE CITY COUNCIL OF THE TOWN OF ATHERTON DOES ORDAIN AS FOLLOWS:

SECTION 1: Current sections of Chapter 8.04, ALARM SYSTEMS, are revised as set forth following:

A. The title of current section 8.04.020 is revised to read as follows: "8.04.020 Business license required for Alarm System businesses."

B. Section 8.04.050 is revised to read as follows: "8.04.050 Installation Permit and Fee Required; Annual Renewal.

Each person installing an alarm system in any premises or building in the Town shall obtain an appropriate permit from the Building Department and pay an installation fee in an amount established by Resolution of the City Council. Additionally, each permit shall be renewed annually on its anniversary of installation and a fee paid to the Police Department in an amount established by Resolution of the City Council."

C. Section 8.04.060 is deleted in its entirety.

D. The title of current section 8.04.070 False alarms is amended to read as follows: "8.04.070 False alarms and fees."

E. Section 8.04.070 A. is amended to read as follows: "A. The first through third false alarms within a 12 month period shall result in a warning letter, but shall not incur any fee or charge for the response. Any fourth false alarm within the 12 month period shall result in assessment of a fee as set forth by resolution of the City Council. A fifth false alarm within the 12 month period shall result in assessment of a fee as set forth by resolution of the City Council. Any subsequent false alarm in excess of five shall result in assessment of a fee for each additional false alarm as set forth by resolution of the City Council."

F. Section 8.04.070 B. is amended to read as follows: "B. The term "false alarm" is defined as when an alarm signal is activated intentionally or inadvertently which results in a Police response when there is no need for such response. If the alarm system owner contacts the Police Department prior to the arrival at the location of the alarm by a dispatched unit, the alarm system response shall not count as a false alarm."

G. Existing Section 8.04.070 D deleted, and in its place a new section C is added as follows: "C:. Appeals. Any determination of a false alarm may be appealed by the alarm owner to the Chief of Police. Within five days of receipt of a written appeal, the Chief of Police or his authorized deputy shall set the time and place for the hearing of the appeal and give the appellant written notice thereof by United States mail, postage prepaid, to the address given in the appeal. The owner of the alarm system may appear at such hearing and testify if he or she desires. An appeal for financial hardship in paying accrued false alarm fees shall be part of the appeal process. The decision of the Chief of Police on the appeal shall be final, and the alarm owner shall be notified of the decision by regular United States mail, postage prepaid. There shall be a 30-Day grace period before termination of the alarm monitoring or non-response to privately monitored alarm."

H. Sections 8.04.070 E and F are deleted.

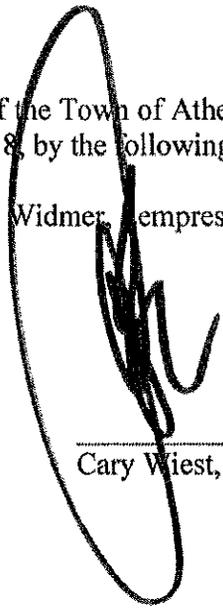
I. Section 8.04.070 G. is renumbered 8.04.070 D. and is amended to read as follows: "D. Excessive false alarms. In the event of receipt of more than 12 false alarm activations in a 1 year period, such alarm system monitoring shall be suspended and the owner notified that the Town will not continue to monitor their alarm system although the Police Department will continue to respond to outside monitoring calls for response or direct calls for service; however, additional false alarm fees in such cases will still be charged."

SECTION 2: Remaining provisions of Chapter 8.04 shall remain in full force and effect.

Introduced this 18th day of July, 2018.

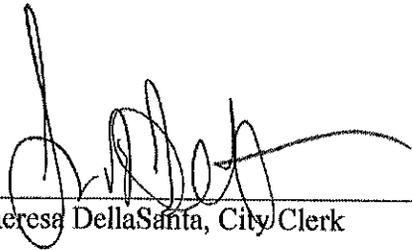
Passed and adopted as an Ordinance of the Town of Atherton at a regular meeting thereof held on the 19th day of September, 2018, by the following vote:

AYES: 5	COUNCILMEMBERS: Wiest, Widmer, Kempres, Lewis, DeGolia
NOES: 0	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:



Cary Wiest, Mayor

ATTEST:



Theresa DellaSanta, City Clerk

APPROVED AS TO FORM:



William B. Connors, City Attorney

RESOLUTION 18-23

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
AMENDING THE TOWN'S MASTER FEE SCHEDULE TO ADD AN ANNUAL
ALARM PERMIT FEE AND OTHER FEES ASSOCIATED WITH FALSE ALARM**

WHEREAS, the Atherton Municipal Code authorizes the City Council to establish fees for alarm systems by resolution; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ATHERTON THAT:

SECTION 1. The City Council of the Town of Atherton in the State of California hereby establishes the following alarm system fees:

Description	Fee
Initial Alarm Set up Fee	\$100
Annual Alarm System Service Fee (Jan. 1)	\$50

False Alarm Fee Service Charge – One year period (12 months).	Fee
4	\$200
5	\$300
Subsequent alarms after 5	\$400

SECTION 2. That this resolution shall become effective thirty (30) days after passage and shall take effect on October 17, 2018.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on this 19th day of September 2018, by the following vote:

AYES: 5 Council Members: Wiest, Widmer, Lewis, Lempres, DeGolia
 NOES: 0 Council Members:
 ABSENT: Council Members:
 ABSTAIN: Council Members:

 Cary Wiest, Mayor
 Town of Atherton

Chapter 8.04 ALARM SYSTEMS

Sections:

- 8.04.010 Prohibited phone device.**
- 8.04.020 Business license required for alarm system businesses.**
- 8.04.030 Secondary telephone line—Permit application.**
- 8.04.040 Secondary telephone line—Costs and charges.**
- 8.04.050 Installation permit and fee required—Annual renewal.**
- 8.04.070 False alarms and fees.**
- 8.04.080 Audible alarm regulations.**

8.04.010 Prohibited phone device.

No person shall use or cause to be used any telephone device or telephone attachment on the primary telephone trunk line of the police department which reproduces any prerecorded message. (Ord. 328 § 1, 1974)

8.04.020 Business license required for alarm system businesses.

Any person engaged in the business of selling or leasing alarms in the town shall pay a yearly license fee as provided in Section [5.12.150](#)(1) of this code. (Ord. 635 § 1(A), 2018; Ord. 492 § 1(A), 1996; Ord. 328 § 2, 1974)

8.04.030 Secondary telephone line—Permit application.

Any persons wishing to obtain a private secondary phone line terminating at the police dispatching center shall submit an application

in writing to the chief of police. Such application shall contain an agreement to comply with the conditions of this chapter. The chief of police shall approve such application if the following conditions are met:

- A. The termination of the secondary phone line constitutes no hinderance to regular town activities.

B. All costs of installation and maintenance of such telephone lines shall be borne by the person requesting the terminating phone line.

C. The person requesting the terminating phone line shall maintain adequate equipment and service personnel to maintain or otherwise service alarms sold or leased by him.

D. The person requesting the terminating phone line shall make adequate provisions for testing of equipment and prevention of false alarms. (Ord. 328 § 3, 1974)

8.04.040 Secondary telephone line—Costs and charges.

All costs and recurring charges incurred in the installation and maintenance of such secondary telephone lines shall be borne by the person requesting the terminating phone line. (Ord. 328 § 4, 1974)

8.04.050 Installation permit and fee required—Annual renewal.

Each person installing an alarm system in any premises or building in the town shall obtain an appropriate permit from the building department and pay an installation fee in an amount established by resolution of the city council. Additionally, each permit shall be renewed annually on its anniversary of installation and a fee paid to the police department in an amount established by resolution of the city council. (Ord. 635 § 1(B), 2018; Ord. 492 § 1(B), 1996; Ord. 328 § 5, 1974)

8.04.070 False alarms and fees.

A. The first through third false alarms within a twelve-month period shall result in a warning letter, but shall not incur any fee or charge for the response. Any fourth false alarm within the twelve-month period shall result in assessment of a fee as set forth by resolution of the city council. A fifth false alarm within the twelve-month period shall result in assessment of a fee as set forth by resolution of the city council. Any subsequent false alarm in excess of five shall result in assessment of a fee for each additional false alarm as set forth by resolution of the city council.

B. The term "false alarm" is defined as when an alarm signal is activated intentionally or inadvertently which results in a police response when there is no need for such response. If the alarm system owner contacts the police department prior to the arrival at the location of the alarm by a dispatched unit, the alarm system response shall not count as a false alarm.

C. Appeals. Any determination of a false alarm may be appealed by the alarm owner to the chief of police. Within five days of receipt of a written appeal, the chief of police or his authorized deputy shall set the time and place for the hearing of the appeal and give the appellant written notice thereof by United States mail, postage prepaid, to the address given in the appeal. The owner of the alarm system may appear at such hearing and testify if he or she desires. An appeal for financial hardship in

paying accrued false alarm fees shall be part of the appeal process. The decision of the chief of police on the appeal shall be final, and the alarm owner shall be notified of the decision by regular United States mail, postage prepaid. There shall be a thirty-day grace period before termination of the alarm monitoring or nonresponse to privately monitored alarm.

D. Excessive False Alarms. In the event of receipt of more than twelve false alarm activations in a one-year period, such alarm system monitoring shall be suspended and the owner notified that the town will not continue to monitor their alarm system although the police department will continue to respond to outside monitoring calls for response or direct calls for service; however, additional false alarm fees in such cases will still be charged. (Ord. 635 §§ 1(D)—1(I), 2018: Ord. 527 § 1, 2001; Ord. 492 § 1(C), 1996: Ord. 432 § 2, 1987; Ord. 380, 1980; Ord. 354 (part), 1977: Ord. 328 § 7, 1974)

8.04.080 Audible alarm regulations.

A. Each audible alarm system shall be equipped with a timing device that will silence or turn off such audible signal within ten minutes of activation. After mailing of written notice of a first violation hereof, the owner of each audible alarm system that is not so equipped shall pay a service charge in an amount established by resolution of the city council for each subsequent violation.

B. It is unlawful to install or maintain any audible alarm which generates a sound similar to sirens used on authorized emergency vehicles or for civil disaster purposes.

C. "Audible alarm" means a device designed for detection of unauthorized entry on the land, building, structure or facility of any alarm owner, and which generates a sound audible outdoors when activated. (Ord. 492 § 1(D), 1996: Ord. 354 (part), 1977: Ord. 328 § 8, 1974)

The Atherton Municipal Code is current through Ordinance 639, passed October 16, 2019.

Disclaimer: The city clerk's office has the official version of the Atherton Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.ci.atherton.ca.us/>

City Telephone: (650) 752-0529

[Code Publishing Company](#)



Town of Atherton

150 Watkins Ave.

Temp Trailers

Atherton, California 94027

Phone: (650) 752-0500

Fax: (650) 688-6528

Resident Name
Address
Atherton, CA 94027

Dear Resident

In an effort to reduce the number of false alarms within the Town of Atherton, revisions to Chapter 8.04 of the Municipal Code, Alarm Systems, Section 8.04.050 were revised through the adoption of Ordinance No. 635, to include a required installation permit and fee. Each person installing an alarm system in any premises or building in the Town shall obtain an appropriate permit from the Building Department and pay a one-time installation fee of \$100.00 (Initial Alarm Set Up fee). Therefore, each alarm permit shall be renewed annually on its anniversary of installation and a renewal fee paid to the Police Department. The annual alarm permit renewal fee is \$50.00

To register your alarm in the system please bring your completed application along with your \$100.00 initial alarm set up fee to the Police Department, located in 83 Ashfield Road.

If you have already registered your alarm system and made your payment, please disregard this letter and accept our thanks for your prompt attention to this matter.

Sincere Regards,

Robert Barron III
Finance Director

Enclosures: Permit Application