Public Safety Subcommittee
WEDNESDAY
January 9, 2019

In Attendance:
□ Judy Tuohy, Chair
□ Brenda Stonecipher
□ Liz Vogeli
□ Lyle Ryan
□ Deb Williams
□ Mayor Franklin
□ Jim Iles
□ Dan Templeman
□ Dave DeMarco
□ Greg Lineberry

AGENDA

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Introductions

1. [Council Bill 1811-58](#) – The Proposed Ordinance revising Regulations Concerning Burglary and Robbery Alarms, amending Ordinance 494-78, as amended (Chp. 9.10 EMC).

2. Gang Update

3. Fire Update

Adjourn
Public Safety Subcommittee  
WEDNESDAY  
January 9, 2019  5:15 P.M.  

Location: City Council Chambers  
Council member Stonecipher, Chair, Council member Vogeli, Vice President Tuohy, Lyle Ryan, Fire Chief DeMarco, Police Chief Templeman, Capt. Lineberry.

1. Council Bill 1811-58 — Handouts provided including a revenue model. The Proposed Ordinance revising Regulations Concerning Burglary and Robbery Alarms, amending Ordinance 494-78, as amended (Chp. 9.10 EMC).

Capt. Lineberry provided an overview and the history of false alarm fee and responded to citizens’ concerns raised at Council. He provided a False Alarm Permit and Fees Comparison. After much discussion, Chair Stonecipher stated the committee had more questions:

We should look at other government agencies and the school district. How do we levy fines against those agencies? When new government building or school sited, is there a possibility of collecting a fee in lieu of those alarm fees put in an escrow account used to pay the other 45 percent of those false alarm calls? Cpt. Lineberry will check with planning. Alternative to registering alarms, why not charge a steep false alarm fee? How to manage the development of the bureaucracy and do we want to do that. What other cities abandoned this type of service? Is it a combination of changing our response protocol and changing how we would do this? Would like to see the financial information around who to contract with and how that worked out with other governmental agencies. Thoughts about how to structure the alarm ordinance in a different way and how that may work? Please bring back other options. Chief Templeman stated they did look at the approach and chose what is more of an industry standard but as Police are going through updated strategic planning process, discussion around should we respond to every 911 call.

2. Gang Update — Hand out provided. Chief Templeman provided an Executive Summary on Gangs, Firearms and Juvenile Violence in the past year. Impressive results show a decrease in several areas including Juvenile Firearm related crimes, shots fired, gang related cases, stolen firearms and crimes against persons. Gang Response unit up as of October. That unit includes 1 FTE from Boys and Girls Club of Snohomish County working with our Prevention/Intervention officer. PIVOT still meeting with Stakeholders, hope to launch sometime in the first quarter of 2019. PAY program up and running, which among other things, provides incentives for good behavior. 3 families at Explorer Middle School went through the Strengthening Families portion of PAY last quarter. Some of those youth participated in Shop with Cop and other positive programs. 4 more families in Strengthening Families program starting next week. 1 student came to the Police and asked to participate. EPD has provided 200 free gunlocks to community members. That number may be much higher. Information fliers provided in English and Spanish. 2 firearms ordinances passed by City Council last year.
3. Fire Update – **Handout provided.** Chief DeMarco provided high-level overview. Settled collective bargaining agreement without arbitration. Changed the deployment model moving away from Fire Engine 3 and added additional Aid unit on the street. Redesigned organizational chart. Still in the early phases. Redevelopment of financial models and responsibilities. Division Chiefs responsible for line items and accounting for them. Mission Vision Values statement rewritten. Redefining new strategic goals. Redefining who they are as an organization and their values. Expected to be complete in June. Mayor and Council will have an opportunity to provide input. Contracted for new statistical and analytic tools to provide better information on what to respond and to, neighborhood by neighborhood breakdown. Community Risk Assessment and Standard of Cover work done in house and hopefully by the end of the year. Need to look at what we can deploy on 911 calls. Need to do a better way of handling non-emergent 911 calls. Need to connect better to the community in non-emergent ways. Battalion chiefs try to attend neighborhood meetings. Command team members as well. Better reporting on customer service, how the fire department might be able to track that. Council members commended Chief on the job done.

Adjourn
EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

PROJECT TITLE:
An Ordinance establishing regulations for Alarm Systems for Law Enforcement response, repealing Ordinances 494-78 and 865-82 (Chapter 9.10 EMC)

COUNCIL BILL # CB 1811-58
Originating Depart. Police
Contact Person Dan Templeman
Phone Number 425-257-8460
FOR AGENDA OF November 21, 2018

DETAILED SUMMARY STATEMENT:
The current City burglary and alarm ordinance was adopted in 1978. It requires alarm users to notify the Everett Police Department (EPD) of any alarm system and imposes fines for multiple false alarms in a six-month period. The ordinance was enforced through 1991 and false alarm charges were billed monthly. Billings then ceased with the installation of a dispatch software system that did not support false alarm tracking. However, the dispatch center now has new software allowing tracking of false alarm responses by law enforcement.

Studies indicate that alarm calls can account for 10 to 25 percent of all police calls and that between 90 to 99 percent of alarm calls are false. A Seattle study indicated that 97% of their alarm responses were false. The most effective means of reducing false alarms is by requiring alarm permits, requiring registration for all alarm companies, requiring procedures for alarm monitoring companies to verify alarms before calling police, offering false alarm awareness and education, and charges for false alarm responses. The proposed ordinance updates the current Burglary and Robbery Alarm ordinance to accomplish these goals.

RECOMMENDATION (Exact action requested of Council):
Adopt an Ordinance establishing regulations for Alarm Systems for Law Enforcement response, repealing Ordinances 494-78 and 865-82 (Chapter 9.10 EMC).
An Ordinance establishing regulations for Alarm Systems for Law Enforcement Response, repealing Ordinances 494-78 and 865-82 (Chapter 9.10 EMC)

Whereas, the City’s current burglary and alarm ordinance was adopted in 1978. It essentially required alarm users to notify the Everett Police Department of any alarm system and imposed fines for multiple false alarms in a six-month period; and

Whereas, the ordinance was enforced through 1991 with false alarm charges billed monthly. Billings ceased with the installation of a dispatch software system that did not support false alarm tracking. However, new software is in place allowing tracking of false alarm responses by law enforcement; and

Whereas, data from 2017 and 2018 indicates that on average the Everett Police Department responds to about 335 confirmed false alarm calls each month. 87% of all premise alarms involving an Everett police response are reported by the responding officers to be false or unfounded, and less than 1% of those alarms resulted in a police report documenting a criminal act. Studies indicate that in some jurisdictions alarm calls can account for 10 to 25 percent of all police calls and that between 90 to 99 percent of alarm calls are false; and

Whereas, responding to alarms often involves police vehicles using lights and sirens leading to greater risks to officers and the public; and

Whereas, excessive false alarms unduly burdens the City’s limited law enforcement resources; and

Whereas, an effective alarm system for the City is necessary to reduce false alarms by requiring such things as alarm permits, requiring registration for alarm companies, requiring procedures for alarm monitoring companies to verify alarms before calling police, offering false alarm awareness and education, and charges for false alarm responses; and

Whereas, the City’s alarm regulations for law enforcement are dated and in the interest of the general public health, safety and welfare of the community, they need to be updated as reflected below;

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:

Section 1. Purpose.

A. The purpose of this Ordinance is to improve the reliability and effectiveness of alarm systems, encourage alarm owners and alarm companies to properly use and maintain alarm systems, encourage accurate alarm user contact information, reduce the number of false alarms occurring within the City and the resultant waste of City resources, and to provide for corrective measures when necessary.
B. This Ordinance governs alarm systems intended to summon law enforcement response. This Ordinance requires alarm systems registration, establishes fees, provides for penalties for violations, establishes a system of administration, and sets conditions for suspension of police response or revocation of registration.

Section 2. Definitions.

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them, except where the context clearly indicates a different meaning:

A. *“Alarm Activation”* means an alarm system has transmitted an alarm signal to an alarm company.

B. *“Alarm Administrator”* means a person or persons designated by the Chief of Police to administer, control and review false alarm reduction efforts and administer the provisions of this Ordinance. All or part of the duties assigned to the alarm administrator may be assigned to a private third-party person and/or company.

C. *“Alarm Company”* means a person and/or company in the business of selling, leasing, installing, maintaining, servicing, or monitoring an alarm system at an alarm site within the City.

D. *“Alarm Dispatch Request”* means a notification to a 911 Emergency Call Center that an alarm, either manual or automatic, has been activated at a particular alarm site.

E. *“Alarm Manager”* means either the alarm user in the case of a local alarm system, or the alarm company in the case of an alarm site that is monitored by an alarm company and the alarm company is acting on behalf of the alarm user to obtain, renew, and remit fees for the alarm permit on behalf of the alarm user.

F. *“Alarm Officer”* means a person or persons designated by the Chief of Police to hear and decide internal reviews related to service fees, fines, and registration suspensions pursuant to this Ordinance.

G. *“Alarm Permit”* means a permit issued by the City allowing the operation of an alarm system at an alarm site within the City.

H. *“Alarm Responder”* means those persons capable of reaching and having access to the alarm site, that know the code for arming and disarming the alarm system, and that the monitoring company maintains contact information for to verify an alarm activation and/or to request a response to the alarm site when requested by law enforcement officers.

I. *“Alarm Site”* means a single fixed premises or location served by an alarm system or systems. Each unit, if served by a separate alarm system in a multi-unit building or complex, shall be considered a separate alarm site.
J. "Alarm System" means any device(s) designed to detect and/or alert: unauthorized and/or illegal entry to an alarm site, other illegal activity, or an emergency requiring a law enforcement response; that upon such detection emits or transmits an alarm signal which is intended to summon a law enforcement response. Alarm system includes any systems monitored by an alarm company and/or alarm user, and local alarm systems that transmit an alarm signal at the alarm site either audibly or visually. The term does not include vehicle or vessel alarms, fire alarms, alarms for medical responses, flooding alarms, gas detection alarms, personal alarms, or those local alarm systems that are intended to solely alert the occupants of an alarm site and/or the alarm user and which will not emit an alarm signal that can be received, heard, or seen outside of the alarm site premise(s).

K. "Alarm User" means any person, corporation, partnership, proprietorship, governmental or educational entity owning, leasing, contracting, responsible for, or operating an alarm system, or on whose premises an alarm system is maintained.

L. "Alarm User Awareness Class" means a class conducted for the purpose of educating alarm users about the responsible use, operation, and maintenance of alarm systems and the problems created by false alarms.

M. "Cancellation" means an alarm company makes an alarm dispatch request and then later terminates the police response to the alarm site by completing a notification to the Police 911 Emergency Call Center that there is not a situation at the alarm site that requires a response by the Everett Police Department. An alarm dispatch request cannot be cancelled once law enforcement personnel have arrived at the alarm site.

N. "City" means the city of Everett, Washington, or its agent.

O. "Duress Alarm" means a silent alarm system signal generated by the entry of a designated code into an alarm system in order to signal that the individual entering the code is being forced to turn off the system and requires law enforcement response.

P. "Enhanced Call Verification (ECV)" means an attempt by telephone made by the monitoring company to contact an alarm responder following an alarm activation to determine if the alarm activation is valid before making an alarm dispatch request. The alarm company, at a minimum, will make a second call to a different number if the first attempted call fails to reach an alarm responder who can properly identify themselves and determine whether the alarm signal requires an alarm dispatch request.

Q. "Actual Call Verification (ACV)" means the transfer and monitoring of real-time audio or video from the alarm site to the monitoring company, as a result of activation of one or more devices, to confirm or deny the validity of the alarm signal.

R. "False Alarm"

1. A false alarm means and requires the following:
   
a. Everett Police officers were dispatched to the alarm site in response to an alarm dispatch request; and
b. The investigation of the alarm site by Everett Police officers found no evidence that the alarm activation was the result of the commission of or attempted commission of a criminal offense, or that a law enforcement related emergency occurred or was occurring at the alarm site.

2. A false alarm specifically does not include:

a. An alarm activation which can reasonably be determined to have been caused by abnormal conditions of nature or circumstance, such as wind storms, electrical surges, power outages lasting longer than four (4) hours; or

b. An alarm activation caused by extraordinary circumstances not reasonably subject to control by the alarm user; or

c. Intentional activation of an alarm system because of the reasonable, but mistaken, belief that a crime was being or about to be committed, or that a law enforcement emergency was occurring or about to occur; or

d. The alarm company or alarm user completed a cancellation of the alarm dispatch request with the Police 911 Emergency Call Center before law enforcement officers were dispatched to the alarm site; or

e. Law enforcement officers responding to the alarm cancel the response to the alarm site at their discretion.

S. "Hearing Examiner" means the City's Violations Hearing Examiner and the office thereof.

T. "Holdup Alarm" or "Robbery Alarm" means an alarm, typically silent, generated by the manual activation of a device intended to signal a robbery in progress or immediately after it has occurred.

U. "Local Alarm System" means any alarm system, which is not monitored, that annunciates an alarm only at the alarm site.

V. "Monitoring" means the process by which an alarm company and/or alarm user receives signals from an alarm system and relays an alarm dispatch request to the Police 911 Emergency Call Center for the purpose of summoning law enforcement to the alarm site.

W. "Panic Alarm" means an alarm system signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring law enforcement response.

X. "Personal Alarm" means an alarm system that is intended for personal wear on the body, that is typically a panic alarm, and that is not fixed at an alarm site or associated to a specific alarm site.

Y. "Police 911 Emergency Call Center" means the Public Safety Answering Point or call center responsible for answering calls to an emergency telephone number and dispatching law enforcement officers from the Everett Police Department.

Z. "Runaway Alarm" means an alarm system that produces repeated alarm signals that do not appear to be caused by separate human action or that produces three separate false alarm signals within a 24-hour period.

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AA. "Unregistered Alarm Site" means a site that has not complied with permit requirements as defined in this alarm Ordinance and that does not have a valid alarm permit, or that had a valid alarm permit but the permit is expired by more than sixty (60) days.

BB. "Violator" means any alarm user or alarm company that violates any provisions under this Ordinance including but not limited to any alarm user on whose property a false alarm occurs.

Section 3. Authority - Funds.

A. Responsibility for administration of this Ordinance is vested with the Chief of Police. The Chief of Police is authorized to promulgate rules, policies and procedures in his/her administration of this Ordinance.

B. The Chief of Police shall designate an alarm administrator and an alarm officer to carry out the administrative duties and functions described in this Ordinance.

C. Monies generated by this Ordinance shall be deposited into the appropriate City of Everett general fund account.

D. The Chief of Police has the authority to review and recommend to the City Council modifying fees set forth in this Ordinance.

Section 4. Alarm permit.

A. Permit Required. No person shall own, lease, or operate an alarm system without first obtaining a permit for such alarm system from the City. A fee will be required for the alarm permit. Each alarm permit shall be assigned a unique permit number, and the alarm user or alarm company may be required to provide the permit number to facilitate law enforcement dispatch and enforcement of this Ordinance. Permits must be renewed annually.

B. Application. The permit shall be requested on an application form provided by the City or in the manner proscribed by the City. An alarm manager has the duty to obtain an application from the City.

C. Transfer of Possession. When the possession of the premises at which an alarm system is maintained is transferred, the person (user) obtaining possession of the property or the alarm manager shall file a new application for an alarm permit within 30 days of obtaining possession of the property. Alarm permits are not transferable.

D. Reporting Updated Information. Whenever the information provided on the alarm permit application changes, the alarm manager shall provide correct information to the City within 30 days of the change.

E. Multiple Alarm Systems. If an alarm user has one or more alarm systems protecting two or more separate structures having different addresses and/or tenants, a separate permit shall be required for each structure and/or tenant.

F. Failure to Register/Update Information. Failure to obtain a permit under this Ordinance or report any updated information within 30 days of change shall result in a civil penalty.

G. Permit Fees. The fees for an alarm permit are as follows:
1. Registration fee: $30.00 residential, $50.00 business or other entities.

2. Reduced fee rate for residential alarm sites: senior citizens, 65 years of age or older, and individuals with a permanent disability: $15.00.

3. Residential Reduced Fee Rate Qualification. In order to qualify for the reduced fee rate for senior citizens, applicant must provide proof of age, be listed as the property owner or lessee, and must have the permitted alarm in their name. In order to qualify as an individual with a permanent disability the individual must provide proof of permanent disability. Proof may be in the form of a U.S. Department of Veterans Affairs identification card or documentation showing at least 30 percent permanent disability, a Washington Department of Licensing parking placard issued for permanent disability under RCW 46.16.381, or any means the Chief of Police deems an appropriate proof of permanent disability.

4. Reduced fee rate for other alarm sites: registered non-profits: $25.00.

5. Fees for permits obtained after June 30th will be reduced by 50%.

6. Permit fees are non-refundable.

Section 5. Alarm permit duration and renewal.

A. Permits are valid for the calendar year in which they were issued and must be renewed annually. An application is not required to renew an existing permit, but the information on the alarm permit must be updated at the time of renewal. The alarm administrator shall notify each alarm manager of the need to renew the alarm permit sixty (60) days prior to the expiration of the permit, and permit renewals may be made within that sixty (60) day period.

B. All fines and fees owed by an alarm user must be paid before an alarm permit may be issued or renewed. A permit that is suspended or revoked cannot be renewed until the suspension or revocation is removed.

C. It is the responsibility of the alarm manager to complete the renewal prior to the alarm permit expiration date. A late fee of $15.00 will be assessed for an alarm user to renew an alarm site permit if the permit has expired for more than thirty (30) days.

D. Failure to renew the permit within sixty (60) days of expiration will result in the alarm system being classified as an unregistered alarm site and subject to citations and fines as an unregistered alarm site without waiver. A late fee of $25.00 will be assessed for an alarm user to renew an alarm site permit if the permit has expired for more than sixty (60) days.

Section 6. Duties of the alarm user.

An alarm user shall:

A. Comply with all sections of this Ordinance;
B. Maintain the premises and the alarm system in a manner that will reduce or eliminate false alarms, and set any exterior audible alarm so that it will activate for no more than fifteen (15) minutes in case of an alarm activation;

C. Provide the alarm company, if used for monitoring, the permit number (the number should be provided to the communications center by the alarm company to facilitate dispatch);

D. Provide the alarm company, if used for monitoring, with current contact information and update that information as it changes for a minimum of two individuals, including the alarm user, to act as alarm responders with access to the alarm site, that know the code for arming and disarming the alarm system, that can be contacted for verification of an alarm activation, and that can routinely be available to respond to the alarm site if requested by law enforcement. The contact list should be updated when alarm responders will not be available for extended periods of time such as vacation;

E. Only activate the alarm for the occurrence of an event or a reason that the alarm system was intended to report;

F. Obtain a new permit and pay any associated fees if there is a change in address or ownership of a business or residence, and renew permits as necessary. Permits are not transferable. The alarm user must update any other changes to information on an alarm application within 30 days of the change; and

G. Failure of alarm user to comply with the duties of this Ordinance may result in a civil penalty.

Section 7. Duties of the alarm responder.

An alarm responder shall:

A. Routinely be available for phone contact by the alarm company as needed for enhanced call verification;

B. Be able to access the alarm site and know the code to arm and disarm the alarm system; and

C. Make every reasonable effort to respond to the alarm site within 30 minutes when requested by the Everett Police Department to provide access to the alarm site, disarm the alarm system, and secure the alarm site or arrange for security of the site if the alarm system cannot be rearmed or if there is damage to the premise that prevents the site from being secured.

Section 8. Duties of the alarm company.

A. Any alarm company engaged in business in the City shall comply with the following:

1. Obtain and maintain the required state, county and/or City license(s);

2. Maintain current phone contact information for the alarm user and alarm responders who can be called in an emergency, 24 hours a day, who will be requested to respond to the alarm site immediately if necessary;
3. Upon direction of the Alarm Administrator, utilize the National Law Enforcement Telecommunications System (NLETS) Automated Secure Alarm Protocol (ASAP) to electronically transmit alarm dispatch requests, alarm updates, and alarm cancellations between the alarm company and the Police 911 Emergency Call Center;

4. When initiating an alarm dispatch request, the alarm company must differentiate between residential and business alarm users, intrusion alarm activations and robbery/hold-up/panic/duress activations; and silent or audible alarms at the alarm site. The alarm company will report where the activation occurred at the alarm site and activations from different zones/locations within the alarm site when they occur; and

5. In the case of an alarm company providing monitoring service, the alarm company will, at the direction of the alarm administrator:

a. Act as the alarm manager for the alarm user accounts the alarm company monitors and pay to the City all fees that are due for alarm permits and alarm permit renewals for those accounts;

b. Provide the City a list of all monitored alarm sites in the City to include the name and address of the alarm user, alarm site address, and type of alarm at the alarm site (residential or business, intrusion, panic, duress, holdup and/or robbery), and provide monthly updates to the alarm manager noting the alarm sites added and deleted.

B. Ninety days after the effective date of this Ordinance, alarm companies shall, on all new and upgraded installations:

1. Use only alarm control panels which meet current industry standards;

2. Eliminate the use of duress codes that add a single digit to a normal alarm code. Duress codes, if programmed, must be a separate code that is unique and does not resemble any normal alarm code;

3. Eliminate the use of single action and/or non-recessed holdup alarm and robbery alarm activation buttons; and

4. Disable use of automatic voice dialers that call the Police 911 Emergency Call Centers and play messages requesting a response to an alarm activation.

C. Prior to activation of the alarm system, the alarm company must provide:

1. Written and oral instructions to the alarm user explaining the proper operation of the alarm system, to include turning the system on and off and how to avoid false alarms; and

2. Written information of how to obtain service from the alarm company for the alarm system.

D. An alarm company performing monitoring services shall, upon receiving an alarm activation:

1. Use enhanced call verification to attempt to verify a valid alarm before initiating the alarm dispatch request by calling the alarm site, the alarm user, and/or an alarm responder by telephone. The alarm company, at a minimum, will make a second call to a different number if
the first attempted call fails to reach an alarm responder who can properly identify themselves and determine whether the alarm signal requires an alarm dispatch request. Enhanced call verification is not required in the case of a duress alarm, holdup or robbery alarm, panic alarm, or personal alarm activations. Enhanced call verification is also not required when an alarm has been confirmed by actual call verification through audio or video monitoring of the alarm site;

2. Provide address and alarm user registration number to the Police 911 Emergency Call Center to facilitate dispatch and/or cancellations;

3. Communicate any available information about the location and nature of the alarm to include where the alarm activation originated from and how many activations have occurred;

4. Communicate a cancellation to the law enforcement communications center as soon as possible following a determination that a law enforcement response is unnecessary;

5. Upon the request of the Everett Police Department, provide the most current name, address, and telephone number and other available information for the alarm user and provide the most current names and telephone numbers of alarm responders available to immediately respond to the alarm site if necessary;

6. Direct the alarm user or alarm responder go to the alarm site if requested by law enforcement, and communicate to law enforcement if the alarm company is aware that the alarm user or alarm responder is self-dispatching to the alarm site; and

7. Within 24 hours of an alarm dispatch request the alarm company will notify the alarm user by mail, fax, or electronic means of the alarm dispatch request.

E. Maintain for a period of at least one (1) year from the date of any alarm dispatch request all records relating to the request to include the alarm user name, address, phone number, date and time(s) of alarm zones activated, specific alarm zone(s) activated, and attempted enhanced call verification contacts. The alarm administrator may request copies of such records for individually named alarm users. If the request is made within sixty (60) days of an alarm dispatch request, the alarm company shall furnish requested records within three (3) business days of receiving the request. If the records are requested between sixty (60) days to one (1) year after an alarm dispatch request, the alarm company shall furnish the requested records within thirty (30) days of receiving the request.

F. Failure of an alarm company to comply with the duties under this Ordinance may result in a civil penalty.

Section 9. Violations.

A. It shall be a violation of this Ordinance for an alarm user to:

1. Have a false alarm occur on the alarm user's property;

2. Install, maintain, or use an audible alarm system which can sound continually for more than 15 minutes;
3. Install, maintain, or use an automatic dial protection device that reports, or causes to be reported, any recorded message to the Everett Police Department or the Police 911 Emergency Call Center;

4. Fail to obtain a permit for an alarm system or to renew the permit when expired, or to have an unregistered alarm site; or

5. Fail to comply with any other requirement of this Ordinance applicable to alarm users.

B. The alarm user will be responsible for violations under this Ordinance whether or not s/he or it individually caused the violation to occur.

C. It shall be a violation of this Ordinance for an alarm company to violate any requirements of this Ordinance applicable to said companies.

Section 10. Enforcement/penalties.

A. False Alarms. Civil penalties for false alarms may be assessed against an alarm user for any false alarms occurring in a twelve (12) month period as follows:

1. First false panic/duress/robbery/holdup/silent alarm: $200.00;

2. Each subsequent false panic/duress/robbery/holdup/silent alarm: $200.00;

3. First false alarm, other alarms: $100.00;

4. Each subsequent alarm, other alarms: $100.00;

B. Unregistered Alarm Sites. Civil penalties for false alarms at unregistered alarm sites will be doubled, and the alarm user will be required to obtain an alarm permit for the alarm site in conjunction with the assessed penalty.

C. Other Civil Penalty(ies). Any other violation of this Ordinance will be enforced through the assessment of civil penalty(ies) in the amount of $100.00 per violation, except that the penalty assessed against an alarm company for failure to utilize enhanced call verification when required will be in the amount of $250.00 per violation.

D. Alarm User Awareness Class. The City may create and implement an alarm user awareness class. The class would inform alarm users of the problems created by false alarms and instruct alarm users how to help reduce false alarms. At the City’s discretion as determined by the alarm officer, the City may grant the option of attending a class or viewing a class online in lieu of the first false alarm fee.

E. Notice of Violation and Civil Penalty(ies) (Notice of Civil Penalties). Violators of this Ordinance shall be notified in writing of their violation(s) and penalty. The notice of civil penalty shall include the following:

1. The name and address of the person responsible for the violation;

2. The street address or description sufficient for identification of the building, structure, premises, or land upon or within which the alarm violation has occurred or is occurring;
3. A description of the violation and a reference to the provision(s) of the City regulation which has been violated;

4. The required penalty amount due, the manner and means of payment, and a demand that the penalty must be paid within 30 days of service of the notice after which the City may seek collection of funds (including the costs of collection) unless the violator requests an internal review or subsequent to an internal review, files an appeal;

5. The monetary penalty constitutes a personal obligation of the violator;

6. The right to ask for internal review of the notice of civil penalty or request a fee waiver to the Everett Police Department’s alarm officer within 15 days after the date of notice of civil penalty(ies) as described in subsection H of this section; and

7. The right to file an appeal with the City’s Violations Hearing Examiner within 15 days of the date of the department alarm officer’s written final determination of the internal review/request for fee waiver.

F. Service of Notice. The notice of civil penalty(ies) can be served by sending it to the violator’s registered mailing address on the alarm permit. The notice shall be sent by first class mail. Alternatively, the notice of civil penalty can be personally served on the violator. Proof of service shall be made by a written declaration under penalty of perjury executed by the person effecting the service.

G. Discontinuance of Law Enforcement Response. The Chief of Police, or designee, may in his/her discretion discontinue police responses to alarm signals from what appears to be a runaway alarm, or an alarm site that has accrued six (6) or more false alarms in the past year, or the failure of an alarm user to make payment of any civil penalty(ies) assessed under this Ordinance as required until payment is received.

H. Civil Noncriminal Violation. A violation of any of the provisions of this Ordinance shall be a civil violation and shall not constitute a misdemeanor.

I. Internal Review of Notice of Civil Penalties or Request for Waiver of False Alarm Fee.

1. If the violator believes the violation did not occur and/or where in the interest of justice imposing a fee is not appropriate, the violator may submit a written request for internal review to the notice of civil penalty to the alarm officer within 15 days of the date of the notice of civil penalty. The request shall state all reasons for disputing the notice of civil penalty.

2. The alarm officer shall consider the information and respond in writing to the violator within 15 days of receipt of the request stating whether the notice of civil penalty has been withdrawn or upheld and the reasons supporting the decision. If the alarm officer upholds the notice of civil penalty, the alarm officer shall notify the violator:

   a. Of the right to appeal the notice of violation by requesting a hearing before a hearing examiner within 15 days of the date of the alarm officer’s decision as provided in this section;

   b. That the notice of appeal shall explain the reasons supporting the appeal;
c. Of the obligation to pay the civil penalty within 30 days of the alarm officer’s written
decision if no appeal is filed; and

d. The address at which to file the appeal.

3. The City will send the alarm officer’s decision to the violator at its address on file with the
alarm administrator.

J. Monetary Penalty. The monetary penalty must be paid to the City in the manner designated in the
notice of penalty. The City Attorney or designee is authorized to take appropriate action to collect the
monetary penalty. The violator will be responsible for the costs of collection in addition to the monetary
penalty.

Section 11. Appeals.

A. Procedure. A violator may, within 15 days of the date of the Department’s alarm officer’s written
final determination of the internal review/request for fee waiver, appeal such final decision by filing an
appeal in writing with the City’s Violations Hearing Examiner. The violator shall be notified of the
date, time and place of the hearing within 10 days from the date of the notice of appeal. The Hearing
Examiner shall conduct a hearing on the notice of civil penalty in accordance with the provision of
Chapter 1.20 EMC (Enforcement Procedures) and the Hearing Examiner rules of procedure. To the
extent a provision of Chapter 1.20 EMC or the Hearing Examiner rules of procedure conflict with a
provision of this Ordinance, this Ordinance will control. The Chief of Police or designee and the
violator to whom the notice of civil penalty was directed may participate as parties in the hearing. The
City shall have the burden of proof to show by a preponderance of the evidence that there was a
violation under this Ordinance and that the penalty is reasonable. Copies of police reports, dispatch logs,
and alarm company alarm response request records shall be admissible in such actions.

B. Decision of Hearing Examiner.

1. The Hearing Examiner shall affirm, vacate, or modify the City’s decisions regarding the
alleged violation and penalty and mail a copy of the decision to the violator and to the Chief of
Police.

2. The Hearing Examiner shall issue an order to the violator for the violation which contains the
following information:

   a. The decision regarding the alleged violation including findings of fact and conclusions
      based thereon in support of the decision;

   b. The monetary penalty assessed; and

   c. The date and time by which the penalty shall be completed or paid and the manner and
      means of payment after which the City may seek collection of funds.

C. Failure to Appear. If the violator to whom the notice of civil penalty was issued fails to appear at the
scheduled hearing, the Hearing Examiner will enter an order finding the violation as stated in the notice
of civil penalty, and ordering the appropriate monetary penalty. The City will carry out the Hearing
Examiner’s order and recover the monetary penalty.
D.  **Appeal to Superior Court.** An appeal of the decision of the Hearing Examiner must be filed with superior court within 20 calendar days from the date the Hearing Examiner’s decision was mailed to the violator to whom the notice of civil penalty was directed, or is thereafter barred.

E.  **Collection of Monetary Penalty.** The monetary penalty constitutes a personal obligation of the person to whom the notice of civil violation is directed. Any monetary penalty assessed must be paid to the City within 30 calendar days from the date of mailing of the Hearing Examiner’s decision or a notice from the City that penalties are due. The City Attorney or designee is authorized to take appropriate action to collect the monetary penalty. The violator will be responsible for the costs of collection in addition to the monetary penalty.

**Section 12.  Chapter exemption.**

The federal government, its departments and institutions; the state of Washington, its departments or institutions; Snohomish County and its departments; and the City of Everett and its departments shall be exempt from this Ordinance. The Everett School District and the Mukilteo School District shall be exempt only from the monetary obligations under this chapter.

**Section 13.  Confidentiality.**

In the interest of public safety, all information contained in and gathered through the alarm registration applications, no-response records, applications for appeals and any other alarm records shall be held in confidence by all employees and/or representatives of the City except as otherwise required by Chapter 42.56 RCW.

**Section 14.  Government Immunity.**

Alarm registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By applying for an alarm registration, the alarm user acknowledges that the Everett Police Department response may be influenced by factors such as the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.

**Section 15.  Severability.**

Should any section, subsection, paragraph, sentence, clause, phrase, or portion of this Ordinance or its application to any person or situation, be declared unconstitutional, invalid for any reason, or preempted by state or federal law or regulations, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any other persons or situations. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, paragraph, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, phrases, or portions be declared unconstitutional, invalid, or preempted.

**Section 16.  Repealer.**

Ordinances 494-78 and 865-82 (Chapter 9.10 EMC) are hereby repealed.
Section 17. Codification.

Sections 1-13 of this Ordinance are to be codified in Chapter 9.10 Everett Municipal Code.

Section 18. Corrections.

The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, Ordinance numbering, section/subsection numbers and any references thereto.

Cassie Franklin, Mayor

ATTEST:

____________________

City Clerk

Passed: ______________
Valid: ______________
Effective: ____________
Published: ____________
Everett Police Department
Summary for Police Alarm Responses
2017
In 2017, Everett PD responded to 4,966 alarm calls.

<table>
<thead>
<tr>
<th>Type of Call</th>
<th>Total Number</th>
<th>Percent of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Audible Alarm</td>
<td>4322</td>
<td>87%</td>
</tr>
<tr>
<td>Duress/Holdup/Robbery</td>
<td>336</td>
<td>7%</td>
</tr>
<tr>
<td>Silent Alarm</td>
<td>306</td>
<td>6%</td>
</tr>
<tr>
<td>Other (Lojack)</td>
<td>2</td>
<td>&lt;1%</td>
</tr>
</tbody>
</table>

Of these alarms, the overwhelming majority were false or unfounded. The disposition of an alarm call is sorted as either being cancelled by a person responsible for the alarm prior to police arrival, settled with a report documenting a valid alarm involving a crime or attempted crime, or a false or unfounded alarm. False or unfounded includes officer dispositions of: False, Unfounded, Settled by Contact, Patrol Information, or Warning.

<table>
<thead>
<tr>
<th>Type of Call</th>
<th>Total Number</th>
<th>Percent of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cancel Call</td>
<td>368</td>
<td>7%</td>
</tr>
<tr>
<td>False/Unfounded/Other</td>
<td>4564</td>
<td>92%</td>
</tr>
<tr>
<td>Report Involved Crime</td>
<td>66</td>
<td>1%</td>
</tr>
</tbody>
</table>

2017 Alarms by Type

2017 Alarms by Disposition
2017 Everett Police Highest False/Unfounded Alarm Response Locations

<table>
<thead>
<tr>
<th>Location</th>
<th>False/Unfounded Alarms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Famous Dave's BBQ</td>
<td>85</td>
</tr>
<tr>
<td>1st National Auto Sales/Mitsubishi</td>
<td>38</td>
</tr>
<tr>
<td>Church of Christ</td>
<td>33</td>
</tr>
<tr>
<td>Costco</td>
<td>31</td>
</tr>
<tr>
<td>Prospectors Liquidation World</td>
<td>31</td>
</tr>
<tr>
<td>Landcare Landscaping</td>
<td>24</td>
</tr>
<tr>
<td>Value Village</td>
<td>22</td>
</tr>
<tr>
<td>Dutch Brothers Coffee</td>
<td>18</td>
</tr>
<tr>
<td>Western WA Medical Building</td>
<td>18</td>
</tr>
<tr>
<td>Snohomish County Vehicle Maintenance</td>
<td>17</td>
</tr>
<tr>
<td>Hunan House Restaurant</td>
<td>17</td>
</tr>
<tr>
<td>3000 Block Belmont (residential)</td>
<td>17</td>
</tr>
<tr>
<td>Public Storage 9900 Block Evergreen</td>
<td>16</td>
</tr>
<tr>
<td>Cash America Pawn 1900 Block Broadway</td>
<td>15</td>
</tr>
<tr>
<td>Construction Site, 900 Block Broadway (ECC)</td>
<td>15</td>
</tr>
<tr>
<td>Colby Medical Center, 4300 Block Colby</td>
<td>13</td>
</tr>
<tr>
<td>500 Block Wetmore (residential)</td>
<td>13</td>
</tr>
<tr>
<td>Patty's Egg Nest</td>
<td>13</td>
</tr>
<tr>
<td>Buzz Inn Evergreen</td>
<td>13</td>
</tr>
<tr>
<td>Campbell Nissan</td>
<td>12</td>
</tr>
<tr>
<td>2500 Lombard (residential)</td>
<td>12</td>
</tr>
</tbody>
</table>

Some locations are removed from the list of repeated false alarms:

- **Police Impound Lot.** The police impound lot is an outdoor facility with a beam alarm system around the entire perimeter. It is a very sensitive detection system because the impound lot is an extension of the police evidence/property room. Evidence secured in the impound lot is required to be protected by a secure fence and alarm system in order to maintain the integrity of the evidence within the lot and protect the ability of officers and department staff to testify in court as to maintaining a secure chain of custody. Because of the unique nature of this location (outdoors), numerous factors generate alarm signals that must be verified by patrol officers to confirm whether or not a burglary is occurring. There were 5 reported burglary or burglary attempts at the impound lot in 2017, and 132 false/unfounded alarms.

- **Snohomish County Courthouse.** The Snohomish County Courthouse has numerous alarm systems, to include duress/panic alarms in courtrooms and other areas. These alarms are investigated by courthouse security officers (Snohomish County Sheriff’s Deputies). While the alarms occur in the city they typically do not involve an Everett Police response, so they are removed from the list. In 2017 the courthouse had 53 false/unfounded alarms.

- **Forest Park, Everett Parks Department.** The Forest Park area generated 34 false/unfounded alarms in 2017, but these are typically first investigated and confirmed by Everett Park’s Rangers prior to a police response, so those events are not included on the list.

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1 Responses do not include incidents when the call was cancelled prior to police arrival, when an actual crime was found to have occurred and a police report was taken, or any call referred to another agency to handle.
# Revenue Model for False Alarm Reduction Program

**City of Everett, 2019**

<table>
<thead>
<tr>
<th>Variables</th>
<th>Default</th>
<th>Input</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Permit Fee</td>
<td>$30.00</td>
<td>$30.00</td>
</tr>
<tr>
<td>Residential Reduced Rate Fee</td>
<td>$15.00</td>
<td>$15.00</td>
</tr>
<tr>
<td>Business Permit Fee</td>
<td>$50.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>Business Reduced Rate Fee (Non Profit)</td>
<td>$25.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>Residential False Alarm Fee</td>
<td>$100.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>Business False Alarm Fee</td>
<td>$200.00</td>
<td>$200.00</td>
</tr>
</tbody>
</table>

- **Percentage of residences that are expected to have alarms**: 13
- **Percentage of those residences with alarms expected eligible for reduced rate**: 20
- **Percentage of businesses that are expected to have alarms**: 20
- **Percentage of those businesses with alarms expected eligible for reduced rate**: 20
- **Expected reduction in false alarms by percentage due to ordinance**: 60
- **Percent of remaining false alarms that are expected to be billed (more than 1 in 12 mos)**: 55

### Baselines (You can adjust, but this is assumed to be fixed data)

- **Baseline- Number of Residences in City that could have/do have alarms**: 45,305
- **Baseline- Brick and Mortar Businesses in City**: 3,187
- **Baseline- False Alarms in 2017**: 5,777
- **Baseline- Percentage of False Alarms that are residential**: 77%
- **Baseline- Percentage of False Alarms that are business**: 23%

### Calculations- Don't Touch These Cells

- **Expected Residential False Alarms**: 5,777
- **Expected Business False Alarms**: 25

### Target:

At a minimum total permit revenue fully offsets expected first year program cost of $115,459, and annual permit revenue offsets expected program cost of $79,232.00 each year thereafter and into the foreseeable future. False alarm response fees should cover $50,000 in minimum police labor costs annually for false alarm response (assumes a 60% reduction in false alarm numbers).
# False Alarm Permit and Fees Comparison

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Seattle</th>
<th>Tacoma</th>
<th>Everett</th>
<th>Spokane</th>
<th>Bellevue</th>
<th>Pierce Co.</th>
<th>Auburn</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Residential Permit Fee</td>
<td>$10.00</td>
<td>$40.00</td>
<td>$30.00</td>
<td>$25.00</td>
<td>$25.00</td>
<td>$24.00</td>
<td>$24.00</td>
</tr>
<tr>
<td>Senior Annual Residential Permit Fee</td>
<td>$10.00</td>
<td>$40.00</td>
<td>$15.00</td>
<td>$25.00</td>
<td>$12.00</td>
<td>$12.00</td>
<td>$12.00</td>
</tr>
<tr>
<td>Disabled Annual Residential Permit Fee</td>
<td>$10.00</td>
<td>$40.00</td>
<td>$15.00</td>
<td>$12.50</td>
<td>$12.00</td>
<td>$12.00</td>
<td>$12.00</td>
</tr>
<tr>
<td>Business or Other Entity Annual Permit Fee</td>
<td>$10.00</td>
<td>$40.00</td>
<td>$50.00</td>
<td>$35.00</td>
<td>$25.00</td>
<td>$24.00</td>
<td>$24.00</td>
</tr>
<tr>
<td>Non-Profit Entity Annual Permit Fee</td>
<td>$10.00</td>
<td>$40.00</td>
<td>$25.00</td>
<td>$35.00</td>
<td>$25.00</td>
<td>$24.00</td>
<td>$24.00</td>
</tr>
<tr>
<td>Panic/Robbery/Duress False Alarm Fee</td>
<td>$230.00</td>
<td>$100.00</td>
<td>$200.00</td>
<td>$165.00</td>
<td>$200.00</td>
<td>$200.00</td>
<td>$200.00</td>
</tr>
<tr>
<td>Standard Audible/Residential False Alarm Fee</td>
<td>$115.00</td>
<td>$100.00</td>
<td>$100.00</td>
<td>$85.00</td>
<td>$100.00</td>
<td>$100.00</td>
<td>$100.00</td>
</tr>
</tbody>
</table>

**First False Alarm Waived**

<table>
<thead>
<tr>
<th></th>
<th>Seattle</th>
<th>Tacoma</th>
<th>Everett</th>
<th>Spokane</th>
<th>Bellevue</th>
<th>Pierce Co.</th>
<th>Auburn</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 every 7 years with class</td>
<td>No</td>
<td></td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes, with class. Rolls over every</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12 mos</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes, with class. No Rollover</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Unregistered Alarm System Penalty**

<table>
<thead>
<tr>
<th></th>
<th>Seattle</th>
<th>Tacoma</th>
<th>Everett</th>
<th>Spokane</th>
<th>Bellevue</th>
<th>Pierce Co.</th>
<th>Auburn</th>
</tr>
</thead>
<tbody>
<tr>
<td>Double</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No Response</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>$200.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Add</td>
<td>$100.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Add</td>
<td></td>
<td>$200.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
GANG RELATED CASES:

In 2018, there were 82 Gang Related Cases. This is a 39.7% (82 to 136) reduction when compared to 2017. The chart to the right illustrates that 40% of the 82 gang-related cases in 2018 were associated with Graffiti. There are eleven (11) offense categories that the FBI asks law enforcement to report on an annual basis. These offenses* are primarily more violent in nature. When analyzing these 11 FBI offenses only, there was a 71.1% decrease in 2018 when compared to 2017 (38 to 11).

SHOTS FIRED:

To qualify as a Shots Fired incident, an individual must be shot or property damaged due to the intentional discharge of a firearm, or evidence of a shooting must be present (i.e., shell casings, bullets or bullet fragments, or bullet holes). In 2018, there was a 34.6% decrease in Shots Fired incidents citywide and a 66.7% decrease in incidents classified as “Drive-By Shootings” when compared to 2017.

JUVENILE FIREARM-RELATED CRIME:

In 2018, there were 31 cases involving firearms and juveniles (age at the time of the incident) where the juvenile was classified as either a victim, witness, suspect, or other in the situation. In 2017, there were 50 such cases. This is a reduction of 38.0% over the two-year span.

STOLEN FIREARMS:

<table>
<thead>
<tr>
<th>Year</th>
<th>Local Stolen</th>
<th>Recovered - Local Stolen</th>
<th>Recovered - Outside Stolen</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>172</td>
<td>25</td>
<td>10</td>
</tr>
<tr>
<td>2018</td>
<td>124</td>
<td>16</td>
<td>11</td>
</tr>
</tbody>
</table>

For the past two years, the Everett Police have been tracking the number of firearms stolen and recovered in the City. In 2018, Everett had 124 firearms reported stolen versus 172 in 2017, a year-over-year reduction of nearly 28%.

CRIMES AGAINST PERSONS:

In 2018, there were 1630 offenses classified as a Crime Against Persons. In 2017, there were 1879 offenses in this category. This resulted in a 13.3% decrease when comparing the two years.

*FBI eleven (11) offenses: Murder, Negligent Manslaughter, Kidnapping, Robbery, Rape, Sodomy, Sexual Assault (w/ Object), Fondling, Aggravated Assault, Simple Assault, and Intimidation.
2018 Accomplishment Highlights

- Settled collective 2018-2019 bargaining agreement with IAFF Local 46.
- Settlement allowed a reorganization of daily staffing, allowing significant general fund savings.
- National searches for Fire Chief and three Assistant Fire Chiefs.
- Successful EMS levy lid lift.
- Have undertaken the redevelopment of departmental Mission, Vision, and Values (Currently in the values development process)
- Redeveloped internal financial models, controls and responsibilities.

2018-2019 Crossover Items

- Redeveloped the department organizational chart, moving from 19 chief officers to 16, allowing street level services to remain unchanged, effective Jan 1, 2019.
- 2018 dataset will be analyzed using new statistical tools, allowing far greater insight into departmental performance for 2018 and beyond.

2019 Strategic Goals

- Completion of MVV process
- Continued refinement of internal financial models and controls.
- Development of Community Risk Assessment and Standard of Cover documents.
- Re-management of non-emergent 911 requests for medical service via a variety of strategies.
- Open additional community outreach channels – Neighborhood meetings, customer service feedback processes