

RESOLUTION NUMBER R- 306996

# 1516

DATE OF FINAL PASSAGE SEP 28 2011

9/2/11

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE FIRE-RESCUE  
DEPARTMENT FEE SCHEDULE FOR FISCAL YEAR 2012  
FOR THE FIRE AND HARMFUL GAS ALARM PERMITTING  
AND FALSE ALARM FEES, AND AMENDING THE CITY OF  
SAN DIEGO RATEBOOK

WHEREAS, over the past three years, the San Diego Fire-Rescue Department (SDFD) has averaged 6,281 responses to false alarms per year, resulting in approximately 1,977 hours of effort at a cost to \$541,679 to the City of San Diego (City); and

WHEREAS, most false alarm responses are due to ringing alarms, including those in high-rise buildings; and

WHEREAS, if the SDFD has committed resources to unknowingly respond to a false alarm, those resources are unable to respond to other legitimate calls for service; and

WHEREAS, the intention of this proposal is to motivate the owners of malfunctioning fire and harmful gas alarm systems to take corrective actions to ensure SDFD resources are available for genuine emergencies; and

WHEREAS, the SDFD plans to partner with the San Diego Police Department (SDPD) to incorporate fire alarm responses into the existing burglary, robbery, and emergency alarm permitting and penalty system run by the SDPD beginning November 1, 2011; and

WHEREAS, permits will be issued for combination fire and harmful gas alarm systems as well as just fire or harmful gas systems; and

WHEREAS, if a permitted fire or harmful gas alarm system causes enough false alarms, the permit will be revoked and penalties will be assessed; and

WHEREAS, responses to false alarms of unpermitted alarm systems will also be penalized; and

WHEREAS, it is the policy of the City of San Diego (City) to establish fees to recover the costs of providing services in accordance with the San Diego Administrative Regulation 95.25; and

WHEREAS, San Diego Administrative Regulation 95.25 encourages transferring specific fee schedules listed in the San Diego Municipal Code (SDMC) and San Diego Resolutions to the standardized rate book maintained by the City Clerk; and

WHEREAS, the City has adopted a User Fee Policy dated March 20, 2009; and

WHEREAS, the authority to create this alarm permitting and false alarm penalty program for fire and harmful gas alarm systems is granted by San Diego Municipal Code, Chapter 5, Article 5, Division 51; and

WHEREAS, this fee is exempted from the restrictions placed on new and existing fees by the California Constitution article XIII A; NOW, THEREFORE,

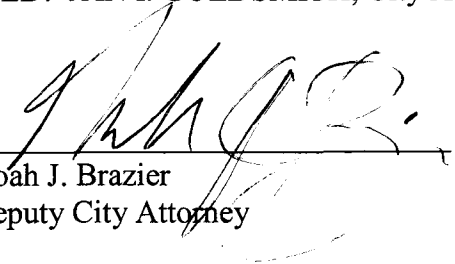
BE IT RESOLVED, that the City Treasurer, or other designated City Departments, are authorized to issue permits and assess the penalties, effective November 1, 2011, as reflected in Attachment One of this resolution and as codified in the San Diego Municipal Code, Chapter 5, Article 5, Division 51.

BE IT FURTHER RESOLVED, that the City Council of the City of San Diego authorizes the Mayor or his designee to establish fees for permits and penalties related to the

San Diego Fire-Rescue Department's false alarm program as reflected in Attachment One of this resolution.

BE IT FURTHER RESOLVED, that the City Council of the City of San Diego authorizes the City Clerk to amend the City Clerk's fee rate book to reflect the new permit and penalty rates as stated in Attachment One of this resolution.

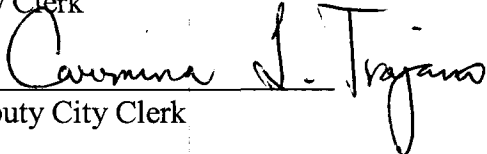
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Noah J. Brazier  
Deputy City Attorney

NJB:jdf  
08/31/11  
Or.Dept:Fire  
Doc. No.: 202985

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~SEP 12 2011~~

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 9-28-11  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

ATTACHMENT ONE

<b>COSTS AND PENALTIES</b>	<b>PROPOSED RATE STRUCTURE FY2012</b>
Addition of fire/harmful gas alarm to current SDPD permitted alarm system (24 months)	SDPD rate + \$18.00
2 <sup>nd</sup> permit revocation penalty	\$220.00
4 <sup>th</sup> and any subsequent revocations penalty	\$2,200.00