

RESOLUTION NUMBER R- 307291

DATE OF FINAL PASSAGE MAR 14 2012

A RESOLUTION RENAMING ESTABLISHED FEES FOR
FIRE-RESCUE FALSE ALARM RESPONSES AND
AUTHORIZING THE CITY CLERK TO CORRECT THE CITY
CLERK’S FEE RATE BOOK REGARDING THESE FEES

WHEREAS, in November 2011 the San Diego Fire-Rescue Department (SDFD) partnered with the San Diego Police Department’s Permits and Licensing Section to implement a program to permit and track SDFD responses to false alarms from fire/harmful gas alarm systems, and

WHEREAS, since November 2011, SDFD has registered 8,467 fire/harmful gas alarm systems and collected \$126,519 in permit revenue; and

WHEREAS, during the development of the penalty assessment portion of the program, it was noted that the titles for the penalty fees in the attachment to Resolution R-306996 did not accurately represent the fee titles as described in the “Ratebook Change Memo” or the presentation made before the City Council on September 12, 2011; and

WHEREAS, the intention of this City Council action is to correct this inconsistency and authorize the amendment of the City Clerk’s fee rate book to accurately identify the penalty fees associated with fire/harmful gas alarm system false alarms; and

WHEREAS, there is no request to change the amount of the fees; and

WHEREAS, the incorrect fee names from the attachment to Resolution R-306996 will be changed per Attachment One of this resolution as follows:

- (i) “1st Permit Revocation Penalty” becomes “Excessive Fire-Rescue False Alarm Response Penalty Fee (First Offence)”

- (ii) “2nd Permit Revocation Penalty” becomes “Excessive Fire-Rescue False Alarm Response Penalty Fee (Second Offence)”
- (iii) “3rd Permit Revocation Penalty” becomes “Excessive Fire-Rescue False Alarm Response Penalty Fee (Third Offence)”
- (iv) “4th and Subsequent Permit Revocations Penalty” becomes “Excessive Fire-Rescue False Alarm Response Penalty Fee (More than Three Offences)”; and

WHEREAS, the City’s Fiscal Year 2012 Adopted Budget includes a revenue projection of \$910,000 for the collection of alarm related permit and penalty revenues, assuming a start date of December 1, 2011; and

WHEREAS, SDFD was able to implement the program beginning November 1, 2011; and

WHEREAS, based on this new date, the revenue projection was increased to \$1,084,008, accounting for eight months of collection in Fiscal Year 2012; and

WHEREAS, the subsequent year’s annual revenue is projected at \$1,626,008; and

WHEREAS, these revenue projections were calculated based on fee rates which included charging escalating penalties for non-permitted fire/harmful gas alarm systems with false alarms; and

WHEREAS, if the City is unable to collect escalating penalties for unpermitted systems, as originally proposed, revenue projections would need to be adjusted down to \$331,000 in Fiscal Year 2012; and

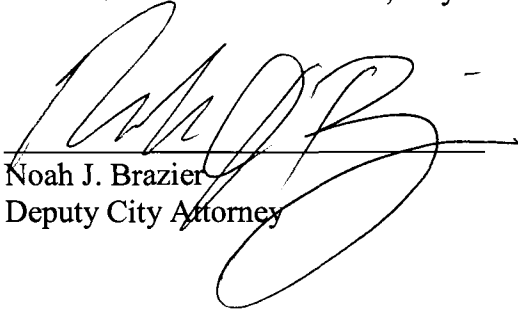
WHEREAS, approving this resolution would correct the penalty fee naming inconsistency, and ensure that the system is able to assess penalties for non-permitted systems, as

originally intended, in order to encourage permitting and proper maintenance of fire/harmful gas alarm systems; NOW, THEREFORE,

BE IT RESOLVED, that Attachment One of this resolution corrects and replaces the names of the fire-rescue false alarm fees listed in the attachment to Resolution R-306996.

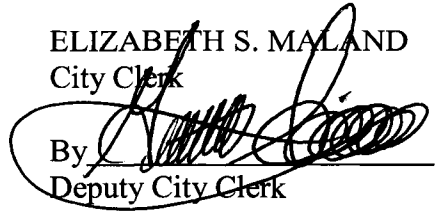
BE IT FURTHER RESOLVED, that the City Clerk is authorized to amend the City Clerk's fee rate book to reflect the corrected penalty fee names as stated in Attachment One to this resolution.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Noah J. Brazier
Deputy City Attorney

NJB:jdf
02/07/2012
Or.Dept:Fire
Doc.No.:316485

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 28 2012.

ELIZABETH S. MALAND
City Clerk
By 
Deputy City Clerk

Approved: 3.14.12
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

ATTACHMENT ONE

COSTS AND PENALTIES	PROPOSED RATE STRUCTURE FY2012
Fire/harmful gas permit only (24 months)	\$18.00
Addition of fire/harmful gas alarm to current SDPD permitted alarm system (24 months)	SDPD rate + \$18.00
Excessive Fire-Rescue False Alarm Response Penalty Fee (First Offence)	\$110.00
Excessive Fire-Rescue False Alarm Response Penalty Fee (Second Offence)	\$220.00
Excessive Fire-Rescue False Alarm Response Penalty Fee (Third Offence)	\$440.00
Excessive Fire-Rescue False Alarm Response Penalty Fee (More than Three Offences)	\$2,200.00
Unpermitted fire/harmful gas alarm penalty	\$85