

AMENDMENT TO ALARM SERVICES BYLAW 31M95

EXECUTIVE SUMMARY

The Alarm Services Bylaw 31M95 is a shared bylaw between Calgary Police Service (CPS) and Calgary Community Standards (CCS). Specifically, CPS administers the sections of the bylaw that address alarm system permits and impose penalties for false alarms. CCS is responsible for the licensing of alarm agencies and agents. A review of the bylaw, specifically in terms of cost recovery, shows that the penalty structure for false alarms should be amended. In the interest of enhancing accountability for alarm agencies and permit holders, Administration is recommending an escalating penalty structure which discourages false alarms received by CPS. This change has been reviewed and endorsed by the Calgary Police Commission; however, due to the shared nature of the bylaw, this amendment also requires three readings by Council. In addition, amendments which would re-organize the existing provisions regarding alarm system permits and false alarms are also proposed.

ADMINISTRATION RECOMMENDATION(S)

That the SPC on Community and Protective Services recommend that Council give three readings to the proposed Bylaw to amend the Alarm Services Bylaw 31M95 (Attachment 1).

PREVIOUS COUNCIL DIRECTION / POLICY

None

BACKGROUND

The Alarm Services Bylaw 31M95 licenses and regulates businesses that supply, monitor, repair and respond to intrusion alarm systems – useful instruments in deterring crime and in providing peace of mind for the users of such systems. In the bylaw, authority is given to the Chief of Police and the Chief Licence Inspector for specific provisions. In particular, the Chief of Police has authority to issue and administer alarm system permits pursuant to section 25 and to impose false alarm penalties. The false alarm penalty has not been amended since 1999.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

In 2015, CPS attended over 16,000 alarm calls for service, 96 per cent of which were false alarms. Currently the Alarm Services Bylaw 31M95 includes a static penalty of \$75 for every false alarm, with no mechanism to charge higher fines for establishments that experience multiple false alarm occurrences. The current penalty does not cover the cost of CPS attendance, nor does it act as a deterrent to permit holders to properly manage their alarm systems.

Early in 2015, an inquiry by the Calgary Police Commission was raised with CPS Executive, regarding a review of the Alarm Services Bylaw, specifically in terms of effective cost recovery. CPS approached CCS (including Calgary 9-1-1) as well as The City of Calgary Law Department to collaborate on this review, due to the shared nature of the bylaw. A working group identified several initiatives to enhance efficiency and cost recovery for both The City and CPS, most of which are being addressed by internal policy in the Alarm Bylaw Unit in CPS. These include changes to police dispatch criteria and charging fees for residential and commercial alarm system permits, which will require annual renewal. The group also identified that an escalating false alarm penalty structure would hold permit holders and alarm agencies more accountable for repeat false alarms. The proposed penalty structure allows for a premises to have no fine

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associated with the first false alarm. Subsequent false alarms result in fines starting at \$75 and increasing by \$75 for each additional false alarm in any 12 month period. The fines will be charged to the alarm agency. This change requires an amendment to the Alarm Services Bylaw 31M95, as proposed in Attachment 1. A discussion document showing the proposed changes to the existing bylaw is provided in Attachment 2 and a summary of the amendments to the bylaw is provided in Attachment 3.

Research on jurisdictions across Canada and the U.S. shows that the proposed penalty schedule amendment to the Alarm Services Bylaw is aligned with other municipalities. For example, the Edmonton and Vancouver models allow for an escalating penalty (to a set limit) to be administered to a permit holder, while Durham and York's model allows them to charge alarm companies an unlimited number of times with a set fine. A comparison of these Canadian cities is provided in Attachment 4.

Approximately 25 per cent of current alarmed premises have more than one false alarm each year. The penalty amendments are intended to reduce recurrent false alarms. The escalating penalty structure should encourage permit holders and alarm agencies to reduce the number of false alarms, which will lead to more efficient use of CPS and Calgary 9-1-1 resources and will better align Calgary with how other major police services across North America respond to alarm calls. The amendments also allow for more effective cost recovery in the Alarm Bylaw Unit at CPS.

In order to align the bylaw with current CPS practice, a new rule is being proposed, which requires alarm agencies to register with the Chief of Police. In addition to this and the penalty structure amendments, the sequence of the bylaw is also being changed. Sections 25 and 26.1 of the bylaw, in particular, have been reorganized to improve clarity. Despite the reorganization of those sections and some slight changes to the wording, the rules in those sections have not changed in a significant way. Overall, the amendments improve readability and cohesion and are also included in Attachment 1.

Stakeholder Engagement, Research and Communication

Significant internal engagement between CPS, CCS (including Calgary 9-1-1), Law and Customer Service & Communications (CSC) has occurred throughout 2015 and 2016. Alarm agencies and permit holders were informed on 2016 April 21 that a new penalty structure for recurrent false alarms is proposed, to hold permit holders and alarm agencies more accountable when police are asked to attend calls.

Strategic Alignment

This report aligns with Calgary City Council's Priorities 2015-2018: a well-run city; specifically strategic action W2, "Be as efficient and effective as possible, reducing costs and focusing on value-for-money."

Social, Environmental, Economic (External)

The proposed amendment to the penalty structure supports the economic efficiency of both CPS and Calgary 9-1-1 by using a cost recovery model that encourages alarm permit holders to reduce the number of calls for service for false alarms. In social terms, without having to

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respond to false alarms, members of CPS will be available to respond to other calls. CPS anticipates that call response times overall will improve, with a focus on responses to valid alarm activations and priority calls, with no increased risk to the public.

Financial Capacity

Current and Future Operating Budget:

At this time no adjustments to future budgets are required. The penalty structure proposed is intended to result in fewer dispatched calls to police through Calgary 9-1-1 for false alarms, making better use of CPS and CCS resources. The proposed amendments to the false alarm penalty will allow CPS to better achieve cost recovery within the Alarm Bylaw Unit.

Current and Future Capital Budget:

There are no capital budget implications associated with this report.

Risk Assessment

There may be financial implications for permit holders who experience false alarms. This is mitigated through the escalating penalty structure where the first false alarm is free, and fines increase per false alarm in a 12 month period. An escalating penalty structure encourages alarm agencies and permit holders to maintain and manage their alarm systems. There is also risk in not adopting the proposed amendments, as CPS and Calgary 9-1-1 would continue to experience higher volumes of calls for service.

REASON(S) FOR RECOMMENDATION(S):

A review of the Alarm Services Bylaw shows that the penalty structure for false alarms should be amended. In the interest of enhancing the accountability of alarm agencies and permit holders, Administration is recommending an escalating penalty structure which discourages false alarms received by the Calgary Police Service. In addition, amendments which would re-organize the existing provisions regarding alarm system permits and false alarms are also proposed. These changes have been reviewed and endorsed by the Calgary Police Commission.

ATTACHMENT(S)

1. Text of a Proposed Bylaw to Amend Bylaw 31M95, The Alarm Services Bylaw
2. Discussion Document: Proposed Changes to the Alarm Services Bylaw
3. Summary of Amendments to Bylaw 31M95, The Alarm Services Bylaw
4. False Alarm Penalty - Municipal Comparison