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INTERIM FIRE CHIEF

April 1, 2014

BOARD OF FIRE COMMISSIONERS
FILE NO. 12-155R

TO: Board of Fire Commissioners
FROM: James G. Featherstone, Interim Fire Chief 
SUBJECT: FALSE FIRE ALARM FEE PROGRAM UPDATE

FINAL ACTION:	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Corrections	<input type="checkbox"/> Withdrawn
	<input type="checkbox"/> Denied	<input type="checkbox"/> Received & Filed	<input type="checkbox"/> Other

SUMMARY

As directed by the Board of Fire Commissioners, the Los Angeles Fire Department (LAFD) is providing an update for development of the False Fire Alarm Fee Program, and implementing an ordinance to register fire alarm systems, improve performance of problematic systems, and to recover the cost of emergency responses to repetitive false alarm locations.

RECOMMENDATION

That the Board:
Receive and File.

DISCUSSION

The LAFD prepared a Board Report for a False Alarm Fee Program, which was presented to the Board of Fire Commissioners on November 20, 2012. Subsequent to the Commission's discussion of the matter, the LAFD was directed to include consideration of the following in developing the program:

1. Establishing a stake holders group to assist the LAFD in finalizing the implementation plan once the ordinance is adopted.
2. Including an educationally based approach to gain compliance.
3. Including a first offense educational component free of penalty charges.
4. Including an appeal process for penalty charges.
5. Establishing penalty amounts reflecting the actual cost of responding LAFD resources.

The Los Angeles Fire Code, currently, does not permit the LAFD to bill for false fire alarms. The proposed Municipal Code amendment establishing the False Alarm Program will include provisions defining a Fire Alarm Permit, Fire Alarm Registration, and False Fire Alarm, as follows:

- A. **Fire Alarm Permit:** No person shall install or connect an alarm system without a valid Fire Alarm System Installation Permit having been issued for that purpose by the LAFD.
- B. **Fire Alarm Registration:** No person shall activate or operate an alarm system without a valid Fire Alarm Registration having been issued for that purpose by the LAFD.
- C. **False Fire Alarm:** An activated fire alarm or fire alarm signal from any alarm system, which causes response by the LAFD, but for which no emergency situation exists or where there is no evidence to indicate that there was an emergency situation as determined by the responding officer. False fire alarms, that qualify under this section includes:
 - 1. Alarm caused by improper alarm system installation or maintenance. This includes missing or depleted backup batteries; loose connections; poorly installed, or mounted smoke detectors or otherwise overly sensitive detection devices.
 - 2. Alarm caused by construction and/or demolition to the fire alarm system.
 - 3. Alarm caused by construction related activities such as painting operation or other operations that cause dust to release.
 - 4. Alarm caused by problematic or out of service fire alarm systems.
 - 5. Alarm caused by failure to provide proper notification to the responsible parties (alarm company and fire dispatch) of a fire alarm system being repaired or tested.
 - 6. Alarm caused by occupant or owner conducting a fire drill.
 - 7. A security (burglar) alarm reported as a fire alarm by an alarm company.
 - 8. Alarm for which there is no explanation. If a cause for the alarm cannot be identified - no pull station activated, smoke was not present, etc. - the alarm system will be assumed to have malfunctioned.

Due to staffing shortages and other high priority, complex projects within the Bureau of Fire Prevention and Public Safety (BFPPS), further development of the False Alarm Fee Program was held in abeyance until recently. Specifically, throughout 2013, BFPPS and City Attorney resources were focused on meeting the deadline of January 2014 for adoption of the new Los Angeles Fire Code.

The process toward adoption and implementation of the new Los Angeles Fire Code was extremely labor intensive. It required public outreach, preparing amendments to the International Code Council to reflect code requirements in the City of Los Angeles, and processing of the ordinance to the Mayor and City Council for adoption. The ordinance took effect on January 21, 2014, and training of BFPPS staff on the new Los Angeles Fire Code has been conducted.

Additionally, BFPPS was working with staff of the Information Technology Agency and LAFD Management Information Systems Division to replace the outdated Inspection Information System (IISYS) with the new Fire Prevention Application (FPA). Implementing FPA was crucial to replacing existing legacy systems (IISYS and Fire Prevention Occupancy System) and providing enhanced capabilities such as generating customized reports.

With the Los Angeles Fire Code and FPA projects completed, BFPPS staff will resume development of the False Alarm Fee Program to include the following activities:

1. Identify members for the stakeholders group by using the Cities "Nextdoor" system to outreach Neighborhood Councils, Home Owners Associations, and Building Owner and Management Association (BOMA).
2. Work with the City Attorney to finalize the draft Fire Alarm Fee ordinance, including provisions on:
 - a. Development of a permit fee structure to cover staffing costs to be deposited in the General Fund
 - b. Development of the False Fire Alarm Program Penalty Trust Fund ("Fire Alarm Fund") within the Treasury of the City of Los Angeles
 - (i) The Fire Alarm Fund shall be used for the deposit and expenditure of the penalties paid to or otherwise received by the City pursuant to the Los Angeles Municipal Code.
 - (ii) The Fire Alarm Fund shall be administered by the LAFD. Expenditures from the Fire Alarm Fund shall be authorized by the Board of Fire Commissioners to finance the cost of personnel, equipment, software, or related contracts to administer the False Fire Alarm System Program.
 - (iii) All interest and earnings on money in the Fire Alarm Fund shall be credited to the Fire Alarm Fund and used only for the purposes defined pursuant to the Municipal Code.
 - c. Develop an online educational program to train on such provisions as:
 - (i) **Alarm System User:** The alarm system user shall display on the premises the alarm system registration number and the telephone number of the person or representative designated to respond to the location in the event of an alarm.

- (ii) **Alarm System Notification:** All alarm system notifications to the LAFD shall include the complete address with unit or apartment number where the alarm is being sounded, the specific alarm device type and a call back telephone number. Additional information that may be required by the LAFD Dispatcher may include the fire alarm registration number and the alarm system user's name.
 - (iii) **Activation of Fire Alarm:** The alarm system user or a designee of the alarm system user is required to respond to the premises following activation of a fire alarm after being requested to do so by the LAFD. This requested response shall be made within a reasonable time and, in no event, more than thirty (30) minutes after being requested to do so by the LAFD.
 - (iv) **False Fire Alarm:** Any fire alarm user who has three false fire alarms within a calendar year at a single alarm site from a registered fire alarm system or combined security/fire alarm system will be assessed a false fire alarm penalty fee equal to the cost to operate a 4-member Engine Company for one-half hour. The false fire alarm penalty fee shall increase by for each additional false fire alarm incurred during a calendar year. These fees will be reviewed and approved by the Board of Fire Commissioners annually.
 - (v) **False Fire Alarm Appeals Process:** The False Fire Alarm Administrator shall notify the fire alarm user, in writing, of a third instance wherein the LAFD has recorded a false fire alarm. The fire alarm user shall have the opportunity within 15 days from the date of mailing to submit an appeal in writing to the False Fire Alarm Administrator for the purpose of showing cause as to whether circumstances exist to warrant voiding the false fire alarm recordation(s). A Department Hearing Officer shall review the fire alarm user's appeal and issue a written finding to the Board of Fire Commissioners as to whether or not the false alarm recordation(s) will be voided.
3. Develop a Request for Proposals for systems development for data retrieval of false alarm incidents and billing processes. Implementation of the False Alarm Fee Program is contingent on available funding, which the LAFD included in its FY 2014-15 Budget Request to the Mayor.

Board report prepared by Deputy Chief Mark Stormes, Bureau of Fire Prevention and Public Safety.