

Submitted by: Chair of the Assembly at
the Request of the Mayor

Prepared by: Department of Law

For reading: March 29, 2011

CLERK'S OFFICE

APPROVED

Date:

4-12-11

Anchorage, Alaska

AO No. 2011-46

1 AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING
2 ANCHORAGE MUNICIPAL CODE SECTIONS 8.40.030 AND 8.40.040
3 REGARDING REGISTRATION OF ALARMS ANNUALLY; AND AMENDING
4 SECTIONS 8.40.060 AND 14.60.030 TO PROVIDE JURISDICTION TO THE
5 MUNICIPAL ADMINISTRATIVE HEARING OFFICER OVER CIVIL CITATIONS
6 FOR FALSE ALARMS AND ALARM REGISTRATION VIOLATIONS.
7

8
9 THE ANCHORAGE ASSEMBLY ORDAINS:

10
11 **Section 1:** Anchorage Municipal Code section 8.40.030 is hereby amended to
12 read as follows:

13
14 **8.40.030 Alarm registration.**

15
16 A person who owns or possesses an alarm shall register immediately
17 certain information required by the chief of police, including, without
18 limitation, the identity of the owner, the location of the alarm, and the
19 name and telephone number of a responsible individual for that alarm. An
20 owner is under a continuing obligation to keep the information on his
21 registration current by reporting any change to the chief of police within
22 ten days. The police department shall charge an annual fee of \$25.00 for
23 [THE INITIAL] registration. Alarms owned or possessed by the municipality
24 or Anchorage School District are exempt from payment of fees, charges
25 and penalties imposed by this chapter, but shall register.
26

27 (AO No. 80-18; AO No. 98-59(S), § 1, 5-19-98; AO No. 2010-81(S-1), § 1,
28 12-7-10)
29

30 **Section 2:** Anchorage Municipal Code section 8.40.040 is hereby amended to
31 read as follows (*the remainder of the section is not affected and therefore not set*
32 *out*):
33

34 **8.40.040 False alarm charges.**

35
36 A. Except as otherwise provided in this chapter, the owner of an alarm
37 shall pay a charge in accordance with this section for each false
38 alarm to which the police or fire department are dispatched:
39

40 *** **

1 3. A single identifiable location that has 12 false alarms in any
2 consecutive 12-month period shall have its alarm registration
3 automatically revoked by the chief of police, and the owner
4 shall have the alarm disconnected, disabled or rendered
5 inoperable. After such revocation, the alarm at that location
6 cannot re-register until the owner presents proof to the chief
7 of police the mechanical or personnel issues causing the
8 frequent false alarms have been resolved. Immediately
9 f[following the chief of police's [SAID] approval, the owner
10 [OF A REVOKED PERMIT] shall re-register the alarm in
11 accordance with section 8.40.030 and pay the applicable
12 annual fee regardless of whether an annual fee was paid
13 within the previous twelve months [AS IF IT WERE AN INITIAL
14 REGISTRATION].

15 *** **

16 (AO No. 80-18; AO No. 98-59(S), § 1, 5-19-98; AO No. 99-157, § 1, 3-7-
17 00; AO No. 2001-145(S-1), § 3, 12-11-01; AO No. 2010-81(S-1), § 2, 12-
18 7-10)

19
20
21 **Section 3:** Anchorage Municipal Code section 8.40.060 is hereby amended to
22 read as follows:

23
24 **8.40.060** **Penalty.**

25
26 A. In addition to any other remedy or penalty provided by this chapter,
27 a person who knowingly violates a provision of this chapter shall be
28 subject to a civil penalty of not more than \$2,000.00 for each
29 offense, or injunctive relief to restrain the person from continuing
30 the violation or threat of the violation, or both such civil penalty and
31 injunctive relief. Upon application by the municipality for injunctive
32 relief and a finding that a person is violating or threatening to violate
33 a provision of this chapter, the superior court shall grant injunctive
34 relief to restrain the violation.

35
36 B. Each day during which a violation described in this section occurs
37 shall constitute a separate offense.

38
39 C. As an alternative to the remedies, procedures and penalties
40 provided in this section and Section 1.45.010, a violation of section
41 8.40.020 may be charged as a civil violation, subject to and
42 prosecuted in accordance with Title 14 and shall be punishable by
43 a civil penalty in accordance with Chapter 14.60.

44
45 (AO No. 80-18; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-
46 22-03)

Section 4: Anchorage Municipal Code section 14.60.030 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

14.60.030 Fine schedule.

The fine schedule under this chapter is as follows:

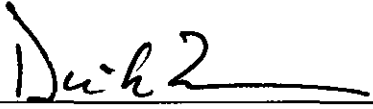
TABLE INSET:

Code Section	Offense	Penalty/Fine
*** *** ***		
<u>8.40.020</u>	<u>False alarm and alarm registration violations.</u>	<u>\$100.00</u>
*** *** ***		

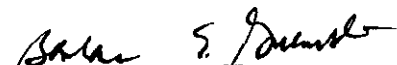
(AO No. 93-167(S-1), § 1, 4-13-94; AO No. 94-108, § 1, 10-5-94; AO No. 94-134, § 2, 9-8-94; AO No. 95-42, § 2, 3-23-95; AO No. 95-67(S), § 9, 7-1-95; AO No. 95-102, § 1, 4-26-95; AO No. 95-118, § 3, 9-1-95; AO No. 95-163(S), § 21, 8-8-95; AO No. 95-195(S-1), 1-1-96; AO No. 96-51(S-1), § 2, 8-1-96; AO No. 96-96(S-1), § 2, 2-1-97; AO No. 96-126(S), § 3, 10-1-96; AO No. 96-137(S), § 9, 1-2-97; AO No. 97-88, § 3, 6-3-97; AO No. 97-107, § 3, 11-17-97; AO No. 97-133(S), § 1, 11-11-97; AO No. 98-27(S-1), § 2, 11-11-97; AO No. 98-160, § 2, 12-8-98; AO No. 99-13(S), 2-9-99; AO No. 99-91(S), § 4, 7-13-99; AO No. 2000-64, § 1, 4-18-00; AO No. 2000-116(S), § 4, 7-18-00; AO No. 2000-127(S), § 2, 10-14-00; AO No. 2000-129(S), § 26, 11-21-00; AO No. 2001-48, § 1, 3-13-01; AO No. 2001-74(S), § 2, 4-17-01; AO No. 2001-4, § 2, 2-6-01; AO No. 2001-145(S-1), § 11, 12-11-01; AO No. 2003-68, § 1, 9-30-03; AO No. 2003-97, § 4, 9-30-03; AO No. 2003-117, § 2, 1-28-03; AO No. 2003-130, § 8, 10-7-03; AO No. 2003-152S, § 10, 1-1-04; AO No. 2004-1, § 2, 1-1-03; AO No. 2004-99, § 2, 6-22-04; AO No. 2004-100(S-1), § 6, 1-1-05; AO No. 2004-171, § 1, 1-11-05; AO No. 2005-160, § 9, 11-1-05; AO No. 2005-84(S), § 3, 1-1-06; AO No. 2005-185(S), § 35, 2-28-06; AO No. 2005-124(S-1A), § 33, 4-18-06; AO No. 2006-39, § 6, 4-11-06; AO No. 2006-54, § 1, 5-2-06; AO No. 2006-80, § 1, 6-6-06; AO No. 2007-50, § 4, 4-10-07; AO No. 2007-60, § 4, 11-1-07; AO No. 2007-70, § 3, 5-15-07; AO No. 2008-84(S), § 5, 7-15-08; AO No. 2009-61, § 3, 7-7-09; AO No. 2009-82, § 5, 7-7-09; AO No. 2009-40(S), § 3, 7-21-09; AO No. 2009-112, § 4, 10-13-09; AO No. 2009-122, § 2, 12-17-09; AO-2010-35(S), § 4, 5-11-10; AO No. 2010-39, § 2, 5-11-10)

1 **Section 5:** This ordinance shall become effective immediately on passage and
2 approval.

3
4 PASSED AND APPROVED by the Anchorage Assembly this 12th day of
5 April, 2011.

6
7
8 
9 _____
10 Chair of the Assembly

11
12 ATTEST:

13
14 
15 _____
16 Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2011-46

Title: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS 8.40.030 AND 8.40.040 REGARDING REGISTRATION OF ALARMS ANNUALLY; AND AMENDING SECTIONS 8.40.060 AND 14.60.030 TO PROVIDE JURISDICTION TO THE MUNICIPAL ADMINISTRATIVE HEARING OFFICER OVER CIVIL CITATIONS FOR FALSE ALARMS AND OTHER ALARM VIOLATIONS.

Sponsor: **MAYOR**
 Preparing Agency: Office of Management and Budget
 Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:					
(In Thousands of Dollars)					
	FY11	FY12	FY13	FY14	FY15
Operating Expenditures					
1000 Personal Services					
2000 Non-Labor					
3900 Contributions					
4000 Debt Service					
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -
REVENUES:	*	*	*	*	*
CAPITAL:					
POSITIONS: FT/PT and Temp					

PUBLIC SECTOR ECONOMIC EFFECTS:

*The \$100 fee will generate some revenue but the police department is unable to predict the amount. Imposition of a fine after the second false alarm response may serve as an incentive for alarm owners to keep their alarms properly adjusted. This will reduce the time required for police officers to respond to false alarms, thereby freeing them up to patrol and respond to other calls.

PRIVATE SECTOR ECONOMIC EFFECTS:

Estimated financial impact on the private sector in terms of fines paid is unknown. The impact will depend on voluntary compliance with the registration requirement and how effective the initial warning will be in impacting the behavior of owners who initially decided not to register an alarm.



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

AM No. 198-2011

Meeting Date: March 29, 2011

1 **From:** MAYOR
2

3 **Subject:** AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING
4 ANCHORAGE MUNICIPAL CODE SECTIONS 8.40.030 AND 8.40.040
5 REGARDING REGISTRATION OF ALARMS ANNUALLY; AND
6 AMENDING SECTIONS 8.40.060 AND 14.60.030 TO PROVIDE
7 JURISDICTION TO THE MUNICIPAL ADMINISTRATIVE HEARING
8 OFFICER OVER CIVIL CITATIONS FOR FALSE ALARMS AND ALARM
9 REGISTRATION VIOLATIONS.
10

11 On December 7, 2010 the Assembly passed an omnibus fees and fines ordinance, AO
12 2010-81(S-1), that included changes to how burglar alarm systems are regulated and
13 how false burglar alarms are billed. Added to law was a requirement that owners of
14 burglar alarm systems pay a per-premises \$25 initial fee to register the system(s) with
15 the police department. The new language failed to indicate it is an annual fee and to
16 address the consequences of failing to register. This ordinance corrects that oversight.
17

18 The attached ordinance provides that the police may impose a \$100 fine on the owner
19 of a site of an unregistered system. The police shall, when responding for the first time
20 to an alarm associated with an unregistered system, give the owner a warning. If the
21 matter is not corrected, subsequent alarm responses to the site of the unregistered
22 system shall each result in a \$100 fine.
23

24 The intent of the \$100 fine is to encourage compliance with the requirement to register.
25 Registration allows police to know who owns systems and how owners can be
26 contacted when there are system problems or building security concerns, and the
27 potential for registration revocation provides an incentive for owners to keep their
28 systems properly registered and adjusted. The \$25 annual fee covers the police
29 department's cost in managing the registration program.
30
31

32 Prepared by: Cheryl Frasca, OMB Director
33 Concur: Lucinda Mahoney, CFO
34 Concur: George J. Vakalis, Municipal Manager
35 Respectfully submitted: Daniel A. Sullivan, Mayor

Content ID: 009977

Type: Ordinance - AO

AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTIONS 8.40.030 AND 8.40.040 REGARDING REGISTRATION OF ALARMS ANNUALLY; AND AMENDING SECTIONS 8.40.060 AND 14.60.030 TO PROVIDE JURISDICTION TO THE MUNICIPAL ADMINISTRATIVE HEARING OFFICER OVER CIVIL CITATIONS FOR FALSE ALARMS AND ALARM REGISTRATION VIOLATIONS.

Author: maglaquijp

Initiating Dept: OMB

Date Prepared: 3/9/11 12:47 PM

Director Name: Cheryl Frasca

Assembly Meeting Date: 3/29/11

Public Hearing Date: 4/12/11

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	3/25/11 8:58 AM	Exit	Joy Maglaqui	Public	009977
MuniManager_SubWorkflow	3/25/11 8:58 AM	Approve	Joy Maglaqui	Public	009977
MuniManager_SubWorkflow	3/25/11 8:57 AM	Checkin	Joy Maglaqui	Public	009977
Legal_SubWorkflow	3/23/11 11:05 AM	Approve	Rhonda Westover	Public	009977
Finance_SubWorkflow	3/23/11 10:27 AM	Approve	Lucinda Mahoney	Public	009977
OMB_SubWorkflow	3/23/11 8:19 AM	Approve	Cheryl Frasca	Public	009977
AllOrdinanceWorkflow	3/23/11 8:17 AM	Checkin	Darlene Alano	Public	009977
OMB_SubWorkflow	3/23/11 7:51 AM	Reject	Marilyn T. Banzhaf	Public	009977
AllOrdinanceWorkflow	3/23/11 7:49 AM	Checkin	Darlene Alano	Public	009977
OMB_SubWorkflow	3/23/11 7:41 AM	Reject	Marilyn T. Banzhaf	Public	009977
AllOrdinanceWorkflow	3/14/11 10:05 AM	Checkin	Darlene Alano	Public	009977
OMB_SubWorkflow	3/10/11 2:29 PM	Reject	Marilyn T. Banzhaf	Public	009977
AllOrdinanceWorkflow	3/10/11 2:24 PM	Checkin	Darlene Alano	Public	009977
OMB_SubWorkflow	3/10/11 2:06 PM	Reject	Cheryl Frasca	Public	009977
AllOrdinanceWorkflow	3/9/11 12:52 PM	Checkin	Darlene Alano	Public	009977