



MEETING OF JUNE 6, 2023

TO: Mayor Jordan and City Council
THRU:
FROM: Mike Reynolds, Police Chief
DATE:
SUBJECT: Alarm Ordinance Change Request

RECOMMENDATION:

Staff recommends the City Council approval of the City Attorney drafted amendments to Fayetteville City Ordinance §130.23 False Alarm Reduction.

BACKGROUND:

The current False Alarm Reduction Ordinance was passed unanimously by the Fayetteville City Council on November 20, 2007. The purpose of the ordinance was to improve public safety by reducing the number of police responses to false alarms and encouraging users to properly use and maintain the operational effectiveness of their alarm systems.

After the passage of the ordinance, a Request For Proposals (RFP) was sought to pick a company to register alarm users, track, bill, and collect fines associated with the ordinance. The selection committee chose AOT Public Safety Corporation, d.b.a. Cry Wolfe. On October 7, 2008, the Fayetteville City Council approved Resolution 181-08 to contract for false alarm reduction administrative services with AOT Public Safety Corporation.

AOT Public Safety has been sold, and is now owned by Central Square Technologies. This contract was 15-years old, the performance of Central Square Technologies had deteriorated, and the police department liaison was receiving multiple complaints about Central Square Technologies. On February 10, 2023, the City notified Central Square of its intent to terminate its contract for false alarm administrative services sixty days from the date of the notice.

City Attorney Kit Williams and the Fayetteville Police Department met to discuss several suggested changes, clarifications and improvements to the current ordinance.

DISCUSSION:

Once the ordinance changes are discussed and finalized, the police department will seek a new RFP from companies wishing to contract with the City to register alarm users, track, bill, and collect fines associated with the ordinance.

BUDGET/STAFF IMPACT:

There will be no cost to the city with these ordinance changes. The fees collected under this ordinance will be

Mailing address:

113 W. Mountain Street
Fayetteville, AR 72701

www.fayetteville-ar.gov

split between the City and the company selected from the RFP in accordance with a cost-share proposal included in the RFP.

ATTACHMENTS: SRF - 2023 Alarm Ordinance, Proposed Alarm Ordinance



City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Legislation Text

File #: 2023-746

Alarm Ordinance Change Request

AN ORDINANCE TO AMEND §130.23 FALSE ALARM REDUCTION OF THE FAYETTEVILLE CODE TO SIMPLIFY AND CLARIFY CERTAIN PROVISIONS AND REDUCE SOME FEES FOR SERVICE

WHEREAS, on November 20, 2007, the City Council enacted the **False Alarm Reduction** code section in an attempt to reduce the number of false alarms that our police department responds to; and

WHEREAS, the **False Alarm Reduction** code section has succeeded in reducing the number of false alarms for police response by about 50%; and

WHEREAS, the City of Fayetteville was sued (as was Hot Springs and Little Rock) by a law firm which sought class action status, for an injunction against the **False Alarm Reduction** code section and significant damages and attorney's fees; and

WHEREAS, Hot Springs settled and paid many thousands of dollars for damages and attorney's fees; and

WHEREAS, the City of Fayetteville refused to settle and defended our successful **False Alarm Reduction** code section and prevailed with our Summary Judgment Motion such that the Washington County Circuit Court dismissed plaintiff's Complaint and claims with prejudice; and

WHEREAS, there are some minor changes that would make the **False Alarm Reduction** code section even simpler, clearer and fairer which the Fayetteville Police Department and City Attorney's Office recommend to the City Council.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby amends §130.23 **False Alarm Reduction** (A) *Definitions* by repealing the definition of *Alarm Administrator* and enacting the following definition:

"*Alarm Administrator* means an employee of the Fayetteville Police Department appointed or designated by the Chief of Police to administrator, control and review false alarm reduction efforts and administer the provision of this section."

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby amends §130.23 (c) *Permit Required; Application, Transferability; False Statements* by repealing subsections (2) and (9) and appropriately renumbering the remaining subsections.

Section 3. That the City Council of the City of Fayetteville, Arkansas hereby amends §130.23 (F) *Fees for Services* (1) by reducing the fee for service amounts as follows:

“Number of False Alarms	Fee for Service
1. No Fee	
2. No Fee	
3. \$50.00	
4. \$75.00	
5. \$100.00	
6. \$125.00	
7 or more	\$150.00”

Section 4. That the City Council of the City of Fayetteville, Arkansas hereby amends §130.23 (F)(2) by repealing the second sentence and enacting a new second sentence as follows: “The \$250.00 fee for operating an alarm system without proper registration shall be waived if the operator submits to the Police Department a proper and complete application for the alarm permit within ten (10) business days after notification for such violation.”

Section 5. That the City Council of the City of Fayetteville, Arkansas hereby repeals §130.23 (G) and reletters the remaining subsections.

Section 6. That the City Council of the City of Fayetteville, Arkansas hereby amends §130.23 (J) *Appeals* (3)(a) by removing the cost of an appeal by deleting the following phrase: “paying an appeal fee of \$25.00, and” as well as repealing the last sentence.

Section 7. That the City Council of the City of Fayetteville, Arkansas hereby amends §130.23 (J)(3)(b) by repealing it and enacting the following:

“(b) The False Alarm Appeals Panel shall be comprised of three (3) Fayetteville citizens appointed by the Mayor to serve staggered three year terms.”

Section 8. That the City Council of the City of Fayetteville, Arkansas hereby amends §130.23 (J)(5) by enacting a fifth reason that the False Alarm Appeals Panel may reduce or eliminate any fee for service amount assessed against the owner/operator as follows:

“(5)(e) Other good and sufficient reason not to assess a fee for one or more false alarms.”