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	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 469, City Hall (396-4941)		
	SUBJECT	City Council CCB 12-0171 – Environmental and Civil Citations - Burglar Alarm Registration		

DATE:

March 4, 2013

TO

Honorable President and
 Members of the City Council
 C/O Karen Randle
 Room 409, City Hall

This CCB 12-0171 – Environmental and Civil Citations - Burglar Alarm Registration is for the purpose of setting the amount of the fine collectable through environmental and civil citations for failure to pay a false alarm fee.

Analysis

This bill will amend Subtitle 40 of Article 1 of the Baltimore City Code, dealing with the Environmental Control Board. Specifically, sections 40-14 and 41-14 are amended to include all of Subtitle 8, *Burglar Alarms – Registration and Regulation*, of Article 19, *Police Ordinances*, of the City Code.

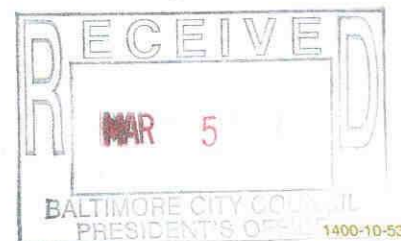
Fiscal Impact

This bill will not affect the current structure of fees for false alarms, which was recently added to Article 19 of the City Code. Additionally, this bill does not alter the language related to the criminal penalties under Section 8-18 of Article 19, over which the Environmental Control Board (ECB) already had authority.

Rather, this bill would place all of Article 19, Subtitle 8 under the authority of the ECB. Additionally, this bill provides specific penalties for the failure to pay false alarm fees issued under Section 8-8. These false alarm fees are currently unsupported by any type of enforcement tool other than criminal penalties, and many go unpaid. This bill would place unpaid false alarm fees within the scope of ECB, allowing the ECB to issue civil citations that could result in liens being placed on the property if the ECB penalties go unpaid.

So far in Fiscal Year 2013, the Baltimore City Housing Department reports that they have logged 10,218 false alarms and issued fees in 2,584 cases, totaling \$631,900 in false alarm fees. To date, \$231,920 of those fees have been paid.

For Fiscal Year 2012, a total of 16,932 false alarms were logged, resulting in \$1,471,900 in fees being issued in 5,460 separate cases. To date the City has collected \$375,458 of those fees.



Many of these false alarms are occurring repeatedly at the same properties. As such, it is important to note that the total value of false alarm fees may not directly result in an equal value of ECB penalties.

For example, a non-residential property that had been the subject of 20 false alarms would have incurred \$17,300 in false alarm fees. However, that property owner will only be subject to a \$500 penalty for every false alarm fee issued that remained unpaid on the effective date of the legislation. If all 19 fees were unpaid, this would total \$9,500 in citations. Once these citations were paid, it is unlikely that citations could be reissued on those same fees.

Furthermore, per the schedule of false alarm fees for non-residential users, the fees for the 12th, 13th and 14th false alarms are \$1,000 per incident and the 15th false alarm and above incur a fee of \$2,000 per incident. As such, once a non-residential property owner has incurred 11 false alarm fees, this legislation would make it cost effective to not pay the false alarm fee and instead pay the citation for failing to pay the false alarm fee, which will only be \$500. While the fees themselves will remain unpaid, the City cannot place liens on the property based on these fees, and the property owner saves money by not paying them, and avoids a lien by paying the reduced amount of the citation.

The collection of citation penalties will amount in some initial revenue generation. However, it is highly likely that the unpaid fees themselves will remain unpaid. Additionally, while this initial bump in revenue will be minimal, the overall effect could be to reduce the total number of false alarms, which is the ultimate goal of the program.

Recommendation

The Finance Department supports CC Bill 12-0171.

CC: Harry Black
William Voorhees
Angela Gibson