Proposed Ordinance Changes: Burglar Alarms, Panic Alarms and Similar Alarm Systems

Regulation and Neighborhood Affairs Committee

February 21, 2019
Current State and City Law

- City of Houston alarm systems are governed by:
  - Local Government Code (LGC) 214 Subchapter F
  - Chapter 11, Article III Burglar Alarms, Panic Alarms and Other Similar Alarm Systems

- City and State laws regulate and establish responsibilities for people who:
  - Purchase, rent, operate or use an alarm system.
  - Sell, lease, rent, install, maintain, or monitor an alarm system.

- Alarm system means an alarm device or equipment designed to or that emits or transmits an alarm signal that is designed or intended to produce an alarm notification.
  - Mechanical
  - Electrical
  - Electronic
  - Radio-controlled

- Alarm systems include but not limited to:
  - Audible
  - Burglar
  - Panic
  - Holdup
  - Silent
## Burglar Alarm Facts

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Number</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Burglar and Panic*</td>
<td>73,946</td>
<td>62.1%</td>
</tr>
<tr>
<td>Residential Burglar*</td>
<td>18,500</td>
<td>15.5%</td>
</tr>
<tr>
<td>Non-Residential Burglar and Panic</td>
<td>13,553</td>
<td>11.4%</td>
</tr>
<tr>
<td>Non-Residential Burglar</td>
<td>11,723</td>
<td>9.8%</td>
</tr>
<tr>
<td>Non-Residential Panic</td>
<td>890</td>
<td>0.7%</td>
</tr>
<tr>
<td>Exempt</td>
<td>557</td>
<td>0.5%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>119,169</td>
<td>100%</td>
</tr>
</tbody>
</table>

* Effective February 1, 2019 the Residential Burglar & Panic Permit was renamed Residential Burglar Alarm Permit (no panic) and the existing Residential Burglar Alarm permit expired per Ordinance 2017-960.
Burglar Alarm Quick Facts
(No Fees Are Being Increased)

Permit Types

- Residential Burglar and Panic: 890
- Residential Burglar: 559
- Non-Residential Burglar and Panic: 11723
- Non-Residential Burglar: 13,553
- Non-Residential Panic: 18,500
- Exempt: 73,946

Permit Fees

- Residential
  - $40.86 Burglar
  - $50.00 Burglar and Panic

- Non-Residential
  - $116.75 Burglar
  - $116.75 Panic
  - $233.50 Burglar and Panic

Permit Fees effective 2/1/2019

- Residential
  - $40.86 Burglar (Expired)
  - $50.00 Burglar (Renamed)
Legislative Background

- Prior to September 2015
  - Local Government Code (LGC) 214 Municipal Regulation of Housing and Other Structures, Subchapter F governed burglar alarm systems.

- In September 2015
  - State legislators approved HB 2162 which created the new Subchapter F-1.
    - Subchapter F remains and applies to municipalities whose population is less than 100,000 located entirely in a county with a population of less than 500,000.
    - Subchapter F-1 applies to larger municipalities like Houston located entirely or partially in large counties.
Proposed Amendments to Implement 2015 State Law Changes

- **Update False Alarm Definition**
  - HPD responds to an alarm notification within a “reasonable” amount of time and determines the alarm was false.

- **Exclude Alarm Signal/Impose Penalty for Response**
  - Allow alarm system owners to exclude HPD from receiving an alarm signal – i.e. if a subdivision is paying for constable patrol, they may not want HPD response
  - This would allow residents to forego purchasing a permit.
  - $250 penalty will be assessed if HPD response is requested from an excluded alarm location
  *Implement January 1, 2020

- **Require Alarm Company Responsibilities**
  - Distribute information:
    - Alarm permit requirement
    - Alarm system operation
    - False alarm penalty and revocation
  - Train alarm system owners:
    - Proper use of the alarm system including burglar and panic alarms
    - Prevent false alarms
Additional Proposed Amendments

- **Include Video within definition of alarm system**
  - Many of today’s alarm systems include video images as part of their technology.

- **Remove from Alarm Application**
  - Social Security Number
  - Occupant list

- **Revise Alarm Hearing Submissions**
  - Appeal of a false alarm or non-permitted penalty requires timely submission of hearing request and supporting documentation.
  - Failure to submit timely request will result in notice and imposed penalty as final.

- **Remove False Alarm Penalty from City Fee Ordinance**
  - The Fee Ordinance requires annual increases. Penalties should not be in the fee ordinance. Instead we will move penalty fees to the Burglar Alarm Ordinance and remove them from the City Fee Schedule. It will also stop the annual increases from occurring.
  - Payment arrangement must be made within 30 days of invoice date unless a hearing has been timely requested.
## Burglar Alarm Revenue

<table>
<thead>
<tr>
<th>REVENUE</th>
<th>FY 2018</th>
<th>FY 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>PERMITS</td>
<td>$8,766,464.11</td>
<td>$9,178,958.02</td>
</tr>
<tr>
<td>FALSE ALARM PENALTIES</td>
<td>$1,673,329.65</td>
<td>$1,972,817.63</td>
</tr>
<tr>
<td>ADMINISTRATION FEES</td>
<td>$718,252.96</td>
<td>$714,846.17</td>
</tr>
<tr>
<td>TOTAL REVENUE</td>
<td>$11,158,046.72</td>
<td>$11,866,621.82</td>
</tr>
</tbody>
</table>
Burglar Alarm Quick Facts

2018 Alarms by Type

Based on 2018 data, HPD responded to 67,669 alarm incidents.
• 96% were FALSE
• 2% were TRUE

Most Common Causes of False Alarms
• User error
• Improper alarm system installation or activation
• Alarm system malfunction
• Accidental
• Weather
# 2019 False Alarm Penalties
(No Change in Penalty Charges)

<table>
<thead>
<tr>
<th>ALARM TYPE</th>
<th>INCIDENT #</th>
<th>RESIDENTIAL</th>
<th>NON-RESIDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BURGLAR</strong></td>
<td>1st</td>
<td>FREE</td>
<td>FREE</td>
</tr>
<tr>
<td></td>
<td>2nd</td>
<td>FREE</td>
<td>FREE</td>
</tr>
<tr>
<td></td>
<td>3rd</td>
<td>FREE</td>
<td>FREE</td>
</tr>
<tr>
<td></td>
<td>4th</td>
<td>$50.00</td>
<td>$50.00</td>
</tr>
<tr>
<td></td>
<td>5th</td>
<td>$50.00</td>
<td>$50.00</td>
</tr>
<tr>
<td></td>
<td>6th</td>
<td>$75.00</td>
<td>$75.00</td>
</tr>
<tr>
<td></td>
<td>7th</td>
<td>$75.00</td>
<td>$75.00</td>
</tr>
<tr>
<td></td>
<td>8th +</td>
<td>$100.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>Non-Permitted Burglar</td>
<td>Each Incident</td>
<td>$116.75</td>
<td>$233.50</td>
</tr>
<tr>
<td><strong>PANIC</strong></td>
<td>1st</td>
<td>FREE</td>
<td>FREE</td>
</tr>
<tr>
<td></td>
<td>2nd</td>
<td>$140.09</td>
<td>$280.20</td>
</tr>
<tr>
<td></td>
<td>3rd</td>
<td>$280.20</td>
<td>$560.39</td>
</tr>
<tr>
<td></td>
<td>4th</td>
<td>$420.29</td>
<td>$700.50</td>
</tr>
<tr>
<td></td>
<td>5th +</td>
<td>$560.39</td>
<td>$700.50</td>
</tr>
<tr>
<td>Non-Permitted Panic</td>
<td>Each Incident</td>
<td>$308.21</td>
<td>$490.34</td>
</tr>
</tbody>
</table>
Stakeholder Input

- Houston Police Department, HPD
- Houston Gulf Coast Alarm Association-HGCAA
- Houston Apartment Association-HAA
- Houston Association of Realtors-HAR
- Building Owners and Management Association-BOMA
Questions?
# Texas Cities

<table>
<thead>
<tr>
<th></th>
<th>HOUSTON</th>
<th>SAN ANTONIO</th>
<th>DALLAS</th>
<th>AUSTIN</th>
<th>FORT WORTH</th>
<th>EL PASO</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Population</strong></td>
<td>2,303,428</td>
<td>1,492,510</td>
<td>1,317,929</td>
<td>947,890</td>
<td>854,113</td>
<td>683,080</td>
</tr>
<tr>
<td><strong>Square Miles</strong></td>
<td>627</td>
<td>465</td>
<td>386</td>
<td>272</td>
<td>473</td>
<td>256</td>
</tr>
<tr>
<td><strong>Permit Holders</strong></td>
<td>119,161</td>
<td>56,294</td>
<td>69,773</td>
<td>7,977</td>
<td>6,468</td>
<td>Not available</td>
</tr>
<tr>
<td><strong>Discount/Exempt/Waiver on Permit Fee</strong></td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No*</td>
</tr>
<tr>
<td><strong>Alarm Penalty Exception</strong></td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No*</td>
</tr>
<tr>
<td><strong>Reinstatement Fee</strong></td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td><strong>Payment Plan</strong></td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>% of False Alarms</strong></td>
<td>96%</td>
<td>91% *</td>
<td>Not available</td>
<td>98%</td>
<td>98%</td>
<td>99%</td>
</tr>
</tbody>
</table>

* 2015 data