



COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Kathie G. Brooks, Interim City Manager

DATE: March 13, 2013

SUBJECT: **REFERRAL TO THE FINANCE & CITYWIDE PROJECTS COMMITTEE A DISCUSSION REGARDING FINE SCHEDULES AND ENFORCEMENT OF THE CITY OF MIAMI BEACH CODE PROVISIONS FOR POLICE AND FIRE FALSE ALARMS, IMPLEMENTING ADDITIONAL FINES FOR FALSE ALARMS, AND CONTRACTING WITH AN OUTSIDE ENTITY FOR BILLING AND COLLECTION SERVICES FOR FALSE ALARM FEES.**

ADMINISTRATION RECOMMENDATION

Refer the item.

BACKGROUND

The Miami Beach City Code outlines the regulations and enforcement of false alarms by both the Miami Beach Police (MBPD) and Fire (MBFD) departments; however, both departments have identified the need for discussion and policy direction with regards to false alarm fees and their collection.

The City Code already establishes a fee schedule for false burglar alarms; however, the department would like to pursue amending the fee schedule and enforcement provisions to mirror the Miami-Dade County false alarm provisions. During the budget process for Fiscal Year 2012/13, MBPD presented an initiative to increase only commercial false burglar alarms to the City Commission; however, in proceeding with the required ordinance amendment, the City Attorney's Office opined that this would be considered discriminatory, unless a specific public safety need could be established. As such, the increase in commercial false burglar alarms fees has not been implemented. In addition, due to the limited number of administrative support staff within the department, the department would like to outsource the billing and collection function for false alarm fees.

Conversely, there is no fee schedule established in the City Code for fire false alarms at this time. In order to promote compliance and improve overall safety, the MBFD would like to discuss establishing a fee schedule for fire false alarms, as is in place in Miami-Dade County and neighboring cities.

The Administration proposes that amendments to current false alarm regulations and fee schedules for both the Miami Beach Police and Fire departments be presented to the Finance & Citywide Projects Committee for discussion and policy direction.

KGB/RAM/MNO/DM

Agenda Item C46

Date 3-13-13

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