
2010 BUDGET BRIEFING NOTE

Charges for Nuisance and Malicious False Alarms Do Not Apply to Calls from Citizens Concerned About a Perceived Threat from Fire, Smoke, or Emergency Hazards

Issue/Background:

This briefing note addresses the concerns raised by the media, at the Budget Committee meeting on February 16, 2010, over the proposed change in the False Alarm By-law to allow Fire Services to charge for attendance at all nuisance and malicious false alarms. There is the incorrect perception that citizens will be charged if they call 911 to report a potential fire hazard.

Key Points:

- Citizens that call for Toronto Fire Services will not be charged a fee for fire trucks dispatched to their homes or businesses when they perceive that they are in danger from fire or other hazards.
- It is critical for all citizens to be aware that it is imperative that they continue to call 911 when they perceive that they require emergency assistance.

Proposal for only charging nuisance and malicious false alarms, not perceived threat or accidental alarms:

- The proposed fee for false alarms pertains to two categories of nuisance and malicious false alarms:
 - 1) Automatic fire alarm systems that are triggered because of malfunctions or neglect; and
 - 2) Alarms that are set off inappropriately with malicious intent.

The definitions are as follows:

Malicious: Means the negligent or intentional misuse of a fire alarm system resulting in the activations of the system, but does not include the activation of a fire alarm system under circumstances that would have caused a careful or prudent person to believe that a fire related emergency was in progress at the owner's building or in circumstances where the owner has notified the Fire Department in advance of work being done on the fire alarm system that could cause a false fire alarm.

Nuisance: Means the activation of a fire alarm system through a mechanical failure, equipment malfunction or improper maintenance or installation of the system, but does not include the activation of a fire alarm system where the activation occurred as a result of accidental damage to the system.

- Fire Fighters determine, at the site, if the false alarm call is malicious or nuisance based on the definition.

Data on number of nuisance and malicious false alarms:

- In 2008, Fire Services attended approximately 33,029 false alarms and out of these calls 14,932 were categorized as nuisance or malicious (with an approximate ratio of 75% to 25% respectively).
- The balance of the calls, 18,097 were categorized as either a perceived threat or accidental and as a result will not be impacted by the proposed by-law change.
- To date, Fire Services has been levying a fee on the second and subsequent nuisance and malicious alarms for an address resulting in charges for 4,720 incidents; the proposed by-law change will now eliminate the first exemption resulting in charges for the remaining 10,212 incidents.
- The administration fee is \$350.00 per vehicle dispatched with a normal first alarm response of three fire apparatus for a total of \$1,050.00 per nuisance or malicious false alarm.

Life safety and reduction of nuisance and malicious false alarms:

- The proposed false alarm bylaw fee is intended to persuade the property owner to take corrective action to ensure fire alarm systems are maintained in operational readiness. Nuisance false alarms in many situations are a direct result of improper maintenance and inspection of the fire alarm system.
- Property owners should be diligent in maintaining fire alarm systems in accordance with the Ontario Fire Code in the interest of fire life safety. Building owners can take precautions to guard against malicious false alarms and can reduce or eliminate the occurrence through enhanced security such as protective covers on fire alarms.
- Malicious and nuisance false alarms create a risk to tenants of the buildings and to firefighters. Tenants begin to get complacent to the continuous false alarms being sounded and therefore may not respond appropriately to protect themselves.
- Fire crews will be available for real fires
- Police Service currently charges for first false alarm.

Reimbursement for correcting false alarm equipment to maximum of 90%:

- The By-law also has a remediation clause which allows owners to apply for a reimbursement of the funds paid out in fines, up to a maximum of 90% based on the invoiced fee by Toronto Fire Services within the previous 12-month period.

- The funds being spent for reimbursement must be directed at reducing false alarms and approved by the Toronto Fire Services. When application for reimbursement and an invoice for devices installed are received, they will be validated and a member of the inspection staff will verify the installation before reimbursement is made.
- Written questions or phone calls concerning any invoices or the false alarm by-law are investigated by intake staff and responded to by senior staff.

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