

AGENDA	Monday, March 29, 2010	
Informational		4:00 p.m. a
t Carnegie Town Hall		
Sioux Falls City Council		235 West 10th
Street		

1. Call To Order

2. City Council Staff Report
 - A. Debra A. Owen, City Clerk / Chief of Council Operations

3. Mayor Munson

4. Audit Committee

5. Fiscal Committee

6. Land Use Committee

7. Public Services Committee

8. City Council Open Discussion

9. Presentations
 - A. Monthly Financial Report by Eugene Rowenhorst, Director of Finance

Document: Monthly Report for February, 2010

Document: Monthly Report for March, 2010. Recd. 03/30/10

- B. Proposed Ordinance regarding False Alarms by Doug Barthel, Chief of Police; Greg Schmit, Officer; and Keith Allenstein, Assistant City Attorney

Document: Proposed Ordinance - 'clean' version

Document: Proposed Ordinance - Overstruck/underscored version

C. 2009 Auditor's Report from Eide Bailly with introductions by Rich Oksol,
Lead Internal Auditor: David Stene and Dean Buckneberg, CPA's and Partners
for Eide Bailly

10. Executive Session

A. Contract Negotiations

11. Adjournment

Date: 2010-03-29
SIRE Meeting ID: 897
Meeting Type: Informational Meeting

YouTube:<https://youtu.be/aQPkF5QUkIY>
Agenda Item: Not Assigned
Item ID: 39737

The following document(s) are public records obtained from the
City of Sioux Falls.

City of Sioux Falls Monthly Financial Status Report

(Unaudited)

February 28, 2010

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SUMMARY

The General Fund, Special Fund, and other non-restricted enterprise funds in this monthly report are presented on an **unreserved fund balance** basis. This is the balance that is anticipated to be available if actual revenues are as budgeted. In addition to the budget, budgeted changes in certain revenues such as interest and debt service also impact the unreserved balance. Budgeted changes in revenues are shown when they can be reasonably estimated.

Funds also contain a cash breakdown to identify available unrestricted or designated cash balances. A cash flow statement for the cash breakdown has been replaced with a breakdown of assets and liabilities as the basis for the funds is not current spendable resources but rather a long-term reimbursement to the City's investment in the projects supported by these funds.

The internal service and enterprise funds in this monthly financial report are presented on a cash flow basis. These funds are driven by service level budgets. These funds must have the necessary cash resources that they can meet the demand for services as well as infrastructure expansion.

cash flow as

General Fund Summary

1

The General Fund is the City's primary operating fund. The primary revenues are the first penny sales tax and property taxes. Other revenues include the federal tax licenses and permits, federal state and city shared revenues and charges for goods and services. Expenditures are used to fund operating activities including personnel, equipment, and benefits, professional services, repair and maintenance, supplies and materials, and other non-capital costs.

In addition to providing a current budget to actual expenditures comparison, the report also measures performance to the City target established by the City Council. The first is a comparison of the estimated unreserved fund balance to budgeted expenditures with a target for the unreserved fund balance to budget at year end. The second City target is a cash balance to budget.

Sales & Use Tax Summary

2

The Sales & Use Tax Fund is a special revenue fund that accounts for capital purchases and debt service funded by the second penny sales tax in addition to sales tax revenues in the special assessments and state and federal grants. Expenditures include purchases of land, construction, building infrastructure and other capital improvements and capital equipment purchases.

Large construction projects are awarded and paid through the year and into the years encompassed. They have been added to the actual budget comparison to provide a more accurate picture of remaining budget balances. The long-term nature of the contracts and agreements is the reason for the obligated fund balances to identify the estimated remaining revenues that may be programmed for capital projects. This summary also includes a breakdown of monies being received by the specific project funding the construction contracts.

Municipal Sales & Use Tax Receipts

3

This report provides the detail of the sales tax receipts that are collected and remitted to the City by the State Data Department. These first and second penny sales taxes are collected on a monthly basis and are described above. The entertainment taxes collected on bingo, gambling, beer and dining tax, and a ticket also administered the entertainment taxes used to fund operating and capital activities related to the operation of the Denton Center and Winthrop Park as well as pay a portion of the debt service of the construction of the facilities. The bingo taxes collected on overnight stays with the entire amount collected being remitted to the Denton and Winthrop Park projects of the City.

Copilation of Other Funds

4

Special Revenue Funds are used to account for the proceeds of special revenues other than special assessments, expendable trust or map capital projects that are legally restricted to expenditure for specified purposes. Additional Special Revenue Funds include the Entertainment Tax Fund, Special Construction Fund, Community Development Fund, Transit Fund, Storm Drainage Fund, and Other Environmental Fund.

Capital Project Funds account for financial resources used for the acquisition of construction of capital facilities other than those financed by proprietary funds and trust funds. This fund type includes the Social Security Bond Construction Fund, IF Fund, Special Fund Construction Fund, and the Social Security Bond Construction Fund. Certain funds within this category are on a reimbursement basis and will carry negative balances within available cash as they await reimbursement from trust funds or other sources.

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Permanent Funds - acct b res that are bly ricted to the extent that only earnings principal may be ad b ppe that ppr pefic prams this type incl the library fund and on fund.

Internal Service Funds . 6

The internal service funds are ad to effectively accmte and abate cts internally amog the City's various internal service funds ad to the City's fund health plan, workers compensation, liability insurance, technology equipment (general relng fund) and fleet management services. These services are provided to other departments of the City on a cost reimbursement basis. The enterprise funds the internal service funds are driven by service fees and are not appropriated. A change in cash position is reported to these funds to indicate balances available to meet the demands of service within these funds.

Enterprise Fund Summary of Cash Flow . 7

The Enterprise Funds - acct b the business type activities of the government. The City of Sioux Falls enterprise funds account for the activities of the electric light, public parking, sanitary landfill, water, and water reclamation operations. Demands of services determine the amount of resources necessary to provide the established service levels. The funds are not appropriated. A detailed cash statement is reported to these funds as it provides the most information in monitoring the status of each fund and their ability to fund operating and capital needs.

CIRRM

Capital Project Report (C) P Fund Department Summary . 8

This summary is organized on a fund and departmental basis. It provides a general overview of the status of the various capital projects in the current budget balances of the City by department.

Capital Project Report (C) P Projects Summary . 92

This report presents each individual project within the capital program. Each project may include several funds. The projects are organized by the primary department to which the project is being completed. Project budgets are balanced on a project-by-project basis. The report also contains a table to define the status of each project. The codes are: n - not started; b - in bid process - contract signed; d - in design; i - in construction; c - complete.

Other Capital Expenditures Report (O) Summary . 135

The O report details the City's capital equipment program by fund and department. Equipment budgets are balanced on a departmental basis on an item-by-item basis.

Due to the uncertainty within the current economic environment, highlighting has been added to both the O and C reports to indicate projects and equipment that have been placed on hold back to a date that the City does not expect to proceed with this tax.

B

Outstanding Authorized Debt . 16

This page is a detail of the City's current outstanding and authorized debt. It is meant as informational only and does not replace the debt intercostal schedule or the ability that each issuer has to repay the obligation. The ability to repay is shown in detail in the comprehensive annual financial report each year. This report summarizes each debt that is outstanding that has been approved but not yet issued, the general purpose of each debt issuance, the issuer, the repayment, and the interest rates of each. The report is organized into broad categories: governmental and business type, to indicate the funding source being used to repay the obligation.

BB

Budget Appropriation Adjustments . 179

The appropriation and budget adjustment report summarizes budgetary actions that have occurred since the budget was initially adopted. The report is organized to show budget actions on a fund basis. The details of the supplement changes are presented by month on the final page of this section to show specific actions and the reason for each supplement.

City of Sioux Falls
 Monthly Financial Report
 February 28, 2010

General Fund Summary - Fund 100 (12 months year lapsed)

Unreserved Fund Balance & Cash Status:			
	Current Bdg't	Actual	Current Cash Balance
Unreserved Fund Balance at 1/1	\$ 4,17201	\$ 4,17201	\$ 0
Revenues	\$ 0	\$ 0	\$ 0
Expenditures	\$ 0	\$ 0	\$ 0
Change in Fund Balance	\$ 0	\$ 0	\$ 0
Unreserved Fund Balance Ending	\$ 508,22	\$ 508,20	\$ 30,04
		29% Unreserved Fund Balance to Bdg't (25% Policy Target)	22% Unrestricted Cash Balance to Bdg't (11% Policy Target)

Bdg't Status			
Revenue	Current Bdg't	Actual Revenue	% of Bdg't
Taxes			
Property Tax	\$ 0	\$ 0	0%
Sales Tax	\$ 0	\$ 0	0%
Franchise Tax	\$ 0	\$ 0	0%
Business Tax	\$ 0	\$ 0	0%
Amusement Tax	\$ 0	\$ 0	0%
Penalties and Interests	\$ 0	\$ 0	0%
Total Taxes	\$ 0	\$ 0	0%
Licenses and Fees	\$ 4,52	\$ 0	0%
Intergovernmental Revenue			
Federal Grants	\$ 0	\$ 0	0%
Bank Franchise Tax	\$ 0	\$ 0	0%
Local Sales Tax	\$ 0	\$ 0	0%
Vehicle Licenses	\$ 0	\$ 0	0%
Wheel Tax	\$ 0	\$ 0	0%
Other	\$ 0	\$ 0	0%
Total Intergovernmental Revenue	\$ 8,92,28	\$ 2,07,36	23%
Charges for Goods and Services	\$ 582	\$ 606	104%
Fines and Forfeitures	\$ 1,120,200	\$ 160	0%
Investment Revenue	\$ 1,02,500	\$ 18,028	18%
Other Revenue	\$ 1,02,3	\$ 10,788	10%
Total General Fund Revenue	\$ 11,78,23	\$ 11,82,16	10%
Expenditures by Department	Current Bdg't	Actual Expenditures	% Expended
0 City	\$ 0	\$ 0	0%
0 Finance	\$ 0	\$ 0	0%
0 Public Safety	\$ 0	\$ 0	0%
0 City Council	\$ 0	\$ 0	0%
0 Finance	\$ 0	\$ 0	0%
1 Facilities Management	\$ 0	\$ 0	0%
6 Central Services	\$ 0	\$ 0	0%
2 Public Works	\$ 0	\$ 0	0%
0 General Government Services (transfer)	\$ 0	\$ 0	0%
Total General Government	\$ 1,02,28	\$ 2,028	2%
5 Fire	\$ 0	\$ 0	0%
2 Police	\$ 0	\$ 0	0%
Total Public Safety	\$ 8,92,03	\$ 8,928	1%
4 Engineering	\$ 0	\$ 0	0%
0 Public Works	\$ 0	\$ 0	0%
3 Street	\$ 0	\$ 0	0%
Total Highways & Streets	\$ 21,5,201	\$ 4,025	1%
18 Health	\$ 8,69,281	\$ 0	0%
2 Health	\$ 0	\$ 0	0%
2 Library	\$ 0	\$ 0	0%
6 Parks & Recreation	\$ 0	\$ 0	0%
Total Culture & Recreation	\$ 21,3,45	\$ 2,16,2	10%
2 Planning Services	\$ 0	\$ 0	0%
0 Economic Development	\$ 0	\$ 0	0%
Total Urban Economic Development	\$ 5,222	\$ 0	0%
Total General Fund Expenditures	\$ 122,86,2	\$ 17,036	1%

City of Sioux Falls
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Sales/Use Tax Fund Summary - Fund 25 (1 year lapsed)

Unreserved Fund Balance & Cash Status:			
	<u>Current Bdg't</u>		
Unreserved Fund Balance January 1	\$ 0	Beginning Cash Balance January 1	\$ 0
Project Carry Forwards	0		
Adjusted Beginning Unobligated Fund Balance	0	Change in Cash Balance	0
Budgeted Change in Fund Balance	-	Total Cash Balance	0
Budgeted Payments (net)	-	Less: Delegated Cash	0
		Less: Restricted Cash	0
Budgeted Net Change in Fund Balance	-	Less: in TR	0
Unobligated Fund Balance Ending	\$ 1,2716	Ending Available Cash Balance	\$ 12,322

*Identified contingency

Bdgt Status:					
Revenue	General Capital (2 penny)		Aerial Streets (08 penny)		Total
	Current Bdgt	Actual	Actual		
Taxes	0	\$ 0	\$ 0		\$ 0
Federal State Grants	0	0	-		0
Interest Earned on Investments	0	0	-		0
Social Security Payments	0	0	0		0
Distribution	0	0	-		0
Total Sales/Use Tax Fund Revenue	\$ 0,85	\$ 0,10	\$ 0,0		\$ 0,6
Expenditures by Department					
	Current Bdgt	Expended	Encumbered	Balance	
1 Facilities Management	0	\$ 0	\$ 0	0	\$ 0
6 Central Services	0	-	-	-	0
2 Public Services	0	0	0	0	0
Total General Government	88,289	99	1,24		88,6
5 Fire	0	0	0	0	0
2 Police	0	0	0	0	0
Total Public Safety	2,015	204	9,39		1,882
4 Engineering	0	0	0	0	0
3 Street	0	0	0	0	0
2 Storm Drainage	0	0	0	0	0
Total Highways Streets	0,42	1,94	10,211,25		2,003
18 Health	0	0	-		0
2 Arena	0	0	-		0
2 Library	0	0	0		0
6 Parks/Recreation	0	0	0		0
Total Culture & Recreation	1,023	0	1,885		12,027
2 Planning Services	0	0	-		0
6 Transit (capital match)	0	-	-		0
Total Urban & Economic Development	0,209	10,200	-		8,009
5 Debt Service	1,304	1,002,0	-		12,801,89
Total Sales/Use Tax Fund Exp.	\$ 8,0,186	\$ 1,008	\$ 1,18,5		\$ 12,806

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Municipal SalesUse Tax Receipts

	SalesUse Tax		Capital Improvement Tax		Entertainment Tax		Hotel Tax	
	2010 1%	2009 1%	2010 0.2% ²	2009 0.2% ²	2010 1%	2009 1%	2010 1%	2009 1%
January	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
February	0	0	0	0	0	0	0	0
March		0		0		0		0
April		0		0		0		0
May		0		0		0		0
June		0		0		0		0
July		0		0		0		0
August		0		0		0		0
September		0		0		0		0
October		0		0		0		0
November		0		0		0		0
December		0		0		0		0
Refund (2009)		0		0				
Total ¹	0	0	0	0	0	0	0	0
Bdgt	0	0	0	0	0	0	0	0
Actual to date prior year		0		0		0		0
Unrealized Bdgt Balance	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Percent of Bdgt	%	%	%	%	%	%	%	%
Percent 2010 receipts Exceeds 2009 receipts	%		%		%		%	

¹ Total prior year include the same months as the current year for comparison purposes

² Capital Improvement Tax has been removed because it is not in the current budget and prior year actuals

Monthly Sales Tax receipts reflected on this report are based on standard remittance periods by the budget records receipts based on the date of receipt or remittance period.

**City of Sioux Falls
Monthly Financial Report
February 28, 2010**

Compilation of Other Funds (17 months year lapsed)

REVENUE FUNDS (26)						
Description: Revenue from the one penny city entertainment tax provides funding for the within city and the Convention Center.						
		<u>Current Budget</u>	<u>Actual</u>	<u>% Budget</u>	<u>Current Cash Balance</u>	
Beginning budgeted Fund Balance, annual	y 1	\$ 0	\$ 0		Total	\$ 0
Revenues		0	0	0%	Designated	0
Expenditures		0	0		Total	0
Entertainment Tax Debt Service		0	-	0%	Available	\$,11,837
Convention Center Operating Capital		0	0	0%		
Gain into Paid Operating Capital		0	0	0%		
Expenditures		0	0	0%		
Net Change in Fund Balance		(0)	0			
Estimated Change in Reserve (Debt Service)		(0)	(0)			
Ending budgeted Fund Balance		\$ 0	\$ 0			

REVENUE FUNDS (25)						
Description: Federally funded downtown railroad relocation project.						
		<u>Current Budget</u>	<u>Actual</u>	<u>% Budget</u>	<u>Current Cash Balance</u>	
Beginning budgeted Fund Balance, annual	y 1	\$ (0)	\$ (0)		Total	\$ (0)
Revenues		0	-		Available	\$ (10,000) *
Expenditures		0	-	0%		
Net Change in Fund Balance		-	-			
Ending budgeted Fund Balance		\$ 0	\$ 0			

COMMUNITY FUNDS (26)						
Description: Federal and local funding for affordable housing and other loan benefit program						
		<u>Current Budget</u>	<u>Actual</u>	<u>% Budget</u>	<u>Current Cash Balance</u>	
Beginning budgeted Fund Balance, annual	y 1	\$ 0	\$ 0		Total	\$ 0
Revenues		0	0	0%	Designated	0
Expenditures		0	0	0%	Restricted	0
Net Change in Fund Balance		-	0		Available	\$ 0.00
Ending budgeted Fund Balance		\$ 0	\$ 0			

TRANSIT FUNDS (26)						
Description: Accounts for the activities of the City's transit and paratransit system funded by Federal and General Fund revenues.						
		<u>Current Budget</u>	<u>Actual</u>	<u>% Budget</u>	<u>Current Cash Balance</u>	
Beginning budgeted Fund Balance, annual	y 1	\$ 0	\$ 0		Total	\$ 0
Revenues		0	0		Available	\$ 0.00
Fares		0	0	0%		
City Operating (General Fund Transfers)		0	0	0%		
State Operating		0	0	0%		
Federal Operating		0	-	0%		
Federal Capital		0	-	0%		
Other		-	6			
Total Revenues		0	6	0%		
Expenditures		0	0	0%		
Operating		0	0	0%		
Capital		0	-	0%		
Total Expenditures		0	0	0%		
Net Change in Fund Balance		(0)	(0)			
Ending budgeted Fund Balance		\$ 0	\$ 0			

**City of Sioux Falls
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Compilation of Other Funds (17 year lapsed)

SDM FUND (22)

Description: The City's storm drainage systems funded by a combination of frontage taxes and development fees.

	Current Budget	Actual	% Budget	Current Cash Balance
Beginning Balance, January 1	\$ 0	\$ 0		Total \$ 0
Revenues	0	0	%	Designated 0
Expenditures				Available <u>\$ 0,26</u>
Operating	0	0	%	
Capital	0	0	%	
Debt Service	0	0	%	
Other Expenditures	0	0	%	
Net Change in Fund Balance	(0)	(0)		
Ending Balance	\$ 0	\$ 0		

URCSEFUND (26)

Description: Accounts for the acquisition and subsequent resale of blighted properties for redevelopment within designated core neighborhoods.

	Current Budget	Actual	Assets	Actual
Beginning Balance, January 1	\$ 0	\$ 0	Debt and Debt Payments Receivable and @ 0	\$ 0
Revenues	0	-	Liabilities	0
Expenditures	0	-	Commissions	-
Net Change in Fund Balance	-	-	Interest Payable	0
Ending Balance	\$ 0	\$ 0	Net Payable	0
* Other appropriation per Finance			Ending Fund Balance	\$ 0

SDM TRUST FUND (281)

Description: Established from the levy of an environmental fine, these funds are restricted to pollution control projects within the City.

	Current Budget	Actual	Current Cash Balance
Beginning Balance, January 1	\$ 0	\$ 0	Total \$ 0
Revenues	-	-	Restricted 0
Expenditures	-	-	Available <u>\$ -</u>
Net Change in Fund Balance	-	-	
Ending Balance	\$ 0	\$ 0	

RAYM FUND (82)

Description: Accounts for the use of private contributions and donations to support library activities.

	Current Budget	Actual	% Budget	Current Cash Balance
Beginning Balance, January 1	\$ 0	\$ 0		Total \$ 0
Revenues	0	0		Restricted 0
Expenditures	0	0	%	Available <u>\$ 6,85</u>
Net Change in Fund Balance	(0)	(0)		
Ending Balance	\$ 0	\$ 0		

CM M FUND (86)

Description: As a bequest from the Cottage State, interest from this Fund is used to recognize meritorious or heroic service.

	Current Budget	Actual	% Budget	Current Cash Balance
Beginning Balance, January 1	\$ 0	\$ 0		Total \$ 0
Revenues	0	-		Restricted 0
Expenditures	0	-	%	Available <u>\$ 36</u>
Net Change in Fund Balance	(0)	-		
Ending Balance	\$ 0	\$ 0		

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Copilation of Other Funds (17% year lapsed)

F. BRCTC SRUCFUN (0)						
Description: projects funded by increase Financing.						
		Current Bd get	Actual	%d get	Current Cash Balance	
B ginning breered Fad Balance, anar	y 1	\$ 0	\$ 0		bal	\$ 0
Revenues		0	0	%	Restricted	0
Expenditures		0	0	%	Unrestricted	0
Net Change in Fad Balance		-	0		Available	\$ -
Ending breered Fad Balance		\$ 0	\$ 0			

SDX FUND (0)						
Description: Funding to upgrade the flood control system around the City being completed by the Corps of Engineers.						
		Current Bd get	Actual	%d get	Current Cash Balance	
B ginning breered Fad Balance, anar	y 1	\$ 0	\$ 0		bal	\$ 0
Revenues					Restricted	-
Inter governmental					Unrestricted	0
Interest		0	5		Available	\$ 8,326
Bd Proceeds		-	-			
Balances		0	5	%		
Expenditures		0	0	%		
Net Change in Fad Balance		(0)	(5)			
Ending breered Fad Balance		\$ 0	\$ 5			

CUDRE SRUCFUN (9)						
Description: Accounts for Parks Recreation and Library by capital projects funded by bond proceeds.						
		Current Bd get	Actual	%d get	Current Cash Balance	
B ginning breered Fad Balance, anar	y 1	\$ 0	\$ 0		bal	\$ 0
Revenues		0	5	%	Unrestricted	0
Expenditures					Available	\$ 8,708
Library		0	3	0%		
Parks and Recreation		0	0	2%		
Balances		0	0	%		
Net Change in Fad Balance		(0)	(0)			
Ending breered Fad Balance		\$ 0	\$ 0			

RESERVE FUNDS				
		Balance, Jan 1	Balance, February 28	Increase (Decrease)
Feet Eng Fad 0		\$ 0	\$ 0	\$ 0
City Health Benefit Fad 0		0	0	0
Water Operation Fad 0		0	0	0
Technical Eng Fad 0		0	0	0
Finance Liability Fad 0		0	0	0

City of Sioux Falls
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Enterprise Fund Summary of Cash Flow (Yartote)

	2009	2008	2007	2006	2005
Operating Revenue	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Operating Expenses	0	0	0	0	0
Operating Income	0	0	0	0	0
Adjustment to Operating Income for:					
Add back depreciation and adjustments in receivables and payables	0	0	0	0	0
CASH FLOW FROM OPERATING ACTIVITIES	2,022	10,514	1,000	15,321	0,083
Capital and Related Financing Activities					
Capital Activities	0	-	0	0	0
Transfers	-	-	-	-	0
Financing Debt Activities	-	-	0,000	9,000	0,000
CASH FLOW FROM CAPITAL AND RELATED FINANCING ACTIVITIES	(2,200)	-	700	(9,334)	(1,30,200)
CASH FLOW FROM INVESTING ACTIVITIES	2,82	14	308	5,0	10,5
Net Increase (Decrease) in Cash During the Period	0	0	0	0	0
Cash and Cash Equivalents Beginning 1/1	0	0	0	0	0
Cash and Cash Equivalents Ending	0	0	0	0	0
Restricted cash and cash equivalents	0	0	0	0	0
Dedicated cash and cash equivalents	-	0	-	0	-
CASH CASH	\$ 2,000	\$ 1,000	\$ 2,000	\$ 2,000	\$ 2,000

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Capital Program 2010 Capital Programs Fund and Department Summary

Fund/Department	Current Bldgt	Expensed	Encumbered	Balance
Entertainment Tax				
Total	\$ 0	\$ 0	\$ 0	\$ 0
Sanitation				
Facilities Management	0	0	0	0
Arena	0	0	-	0
Engineering	0	0	0	0
Fire	0	0	0	0
Hazardous Waste	0	-	-	0
Police	0	-	-	0
Planning Services	0	0	-	0
Library	0	-	0	0
Street	0	0	0	0
Recreation	0	0	0	0
Storm Drainage	0	0	0	0
Total	0	0	0	0
Sanitation Plan	0	-	0	0
Sanitary	0	-	0	0
Storm Drainage	0	0	0	0
Water				
Engineering	0	0	0	0
Electric Light	850	-	-	850
Storm Drainage	0	-	-	0
Water	0	-	0	0
Water Reclamation	0	-	0	0
Total	0	0	0	0
Recreation				
Library	0	0	0	0
Recreation	0	0	0	0
Total	0	0	0	0
Electric Light	0	0	0	0
Public Parking	0	-	-	0
Sanitary Landfill	0	0	0	0
Water	0	0	0	0
Water Reclamation	0	0	0	0
Fleet	0	0	0	0
Total CP	\$ 19,802,83	\$ 12,256	\$ 12,92	\$ 14,85

City of Sioux Falls
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Capital Program Projects Summary

Highlighted Projects have Salaries & Bids Identified to be Held Back (for a complete listing of holdbacks see page 12)

Project #	Project Description	Project Status	Current Bldg	Expensed	Encumbered	Balance
Facilities Management						
0	WATER TREATMENT	C	\$ 5.0	\$ -	\$ -	\$ 5.0
0	WATER TREATMENT	I	3.8	6.8	9.9	3.3
0	WATER TREATMENT	I	5.6	-	-	5.6
Pena						
0	ADMINISTRATIVE	I	2.6	5.8	-	2.8
0	ADMINISTRATIVE	I	0.8	0.8	-	-
Engineering						
0	ADMINISTRATIVE	I	7.8	-	-	7.8
0	ADMINISTRATIVE	C	0	-	0	-
0	ADMINISTRATIVE	I	8.7	2.8	2.9	8.8
0	ADMINISTRATIVE	S	6.2	3.8	6.8	2.8
0	ADMINISTRATIVE	C	2	-	.4	1
0	ADMINISTRATIVE	I	0.2	6.8	8.8	0.8
0	ADMINISTRATIVE	C	9.2	-	9.2	-
0	ADMINISTRATIVE	D	0.8	8.9	9	5.8
0	ADMINISTRATIVE	I	9.9	8.8	3.8	0.8
0	ADMINISTRATIVE	B	2.8	9.8	2.8	2.8
0	ADMINISTRATIVE	C	7.9	-	7.9	-
0	ADMINISTRATIVE	C	2.2	-	2.2	1
0	ADMINISTRATIVE	N	8.0	-	-	8.0
0	ADMINISTRATIVE	I	9.2	2.8	7.8	1.2
0	ADMINISTRATIVE	C	0	-	0	1
0	ADMINISTRATIVE	D	0.8	-	0	0.9
0	ADMINISTRATIVE	C	4.8	2.8	1.2	-
0	ADMINISTRATIVE	C	8.8	5.8	8.9	8.4
0	ADMINISTRATIVE	S	1.0	-	1.8	2.8
0	ADMINISTRATIVE	C	1	-	-	1
0	ADMINISTRATIVE	N	0.0	-	-	0.0
0	ADMINISTRATIVE	N	1	-	-	1
0	ADMINISTRATIVE	I	0	-	0	0
0	ADMINISTRATIVE	D	0.0	-	0.9	2
0	ADMINISTRATIVE	B	9.0	8.8	1.7	0.0
0	ADMINISTRATIVE	N	0.0	-	-	0.0
0	ADMINISTRATIVE	C	1.8	-	1.8	-
0	ADMINISTRATIVE	D	4.9	-	1.8	3.9
0	ADMINISTRATIVE	N	0.0	-	-	0.0
0	ADMINISTRATIVE	D	9.2	-	9.9	6.8
0	ADMINISTRATIVE	D	0.8	-	9.8	0.8
0	ADMINISTRATIVE	D	2.8	3.8	6.8	2.8
0	ADMINISTRATIVE	B	8.8	-	5.8	8.8
0	ADMINISTRATIVE	D	0.0	-	3.8	5.8
0	ADMINISTRATIVE	C	5	-	5	-
0	ADMINISTRATIVE	N	1	-	-	1
0	ADMINISTRATIVE	B	0.0	-	-	0.0
0	ADMINISTRATIVE	D	3.2	-	9.8	6.8
0	ADMINISTRATIVE	D	9.8	7.8	8.8	2.8
0	ADMINISTRATIVE	D	8.8	-	5	8.8
0	ADMINISTRATIVE	D	3.8	6	1.1	3.8
0	ADMINISTRATIVE	N	0.0	-	-	0.0
0	ADMINISTRATIVE	D	2.0	-	1.8	8.8
0	ADMINISTRATIVE	B	0.8	8.8	3.9	3.9
0	ADMINISTRATIVE	I	3.8	1.8	8.8	8.8
0	ADMINISTRATIVE	D	3.8	8.8	8.8	2.5
0	ADMINISTRATIVE	C	2.8	-	2.8	1
0	ADMINISTRATIVE	D	3.2	4.9	8.8	3.0
0	ADMINISTRATIVE	D	8.4	8.4	-	-
0	ADMINISTRATIVE	N	0.0	-	2.6	2.8
Fire						
0	ADMINISTRATIVE	N	0.0	-	-	0.0
0	ADMINISTRATIVE	N	6.0	-	-	6.0
0	ADMINISTRATIVE	I	3.8	-	2.9	8.8
0	ADMINISTRATIVE	B	0.8	1.8	8.7	8.8
0	ADMINISTRATIVE	N	0.0	-	-	0.0
0	ADMINISTRATIVE	I	5.9	-	3.4	2.6
Health						
0	ADMINISTRATIVE	N	0.0	-	-	0.0
0	ADMINISTRATIVE	N	8.8	-	-	8.8
0	ADMINISTRATIVE	N	8.0	-	-	8.0

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Capital Program Capital Projects Summary

Highlighted Projects have Salaries & Bldg Identified to be Held Back (for a complete listing of holdback see page 12)

Project #	Project Description	Obj Status	Current Bldg	Expensed	Encumbered	Balance
Police						
0	Police Services	N	0	-	-	0
Planning & Building Services						
0	Development	I	0.0	5.0	-	2.0
0	Library	C	5.0	5.0	-	-
0	Police	N	0.0	-	6.0	0.0
0	Police	I	2,000.0	3,000.0	1,000.0	1,000.0
0	Police	N	0.0	-	-	0.0
0	Police	N	4,000.0	-	-	4,000.0
Street						
0	Police	D	0.0	-	6.0	0.0
0	Police	N	9.0	-	-	9.0
0	Police	B	6,500.0	0.0	0.0	6,500.0
0	Police	N	0.0	-	-	0.0
Fleet						
0	Fleet	N	0.0	-	-	0.0
0	Fleet	S	0.0	8.0	1.0	2.0
0	Fleet	N	6.0	-	-	6.0
Electric Lgt						
0	Police	I	0.0	2.0	8.0	0.0
0	Police	D	2.0	-	-	2.0
0	Police	I	0.0	8.0	2.0	0.0
0	Police	I	0.0	-	5.0	4.0
Park & Recreation						
0	Park & Recreation	D	1,200.0	3,000.0	0.0	1,600.0
0	Park & Recreation	D	2.0	5.0	5.0	0.0
0	Park & Recreation	B	2,000.0	0.0	0.0	2,000.0
0	Park & Recreation	D	0.0	-	0.0	0.0
0	Park & Recreation	I	0.0	1.0	2.0	4.0
0	Park & Recreation	I	2.0	-	6.0	0.0
0	Park & Recreation	N	9.0	-	-	9.0
0	Park & Recreation	C	4.0	3.0	-	3.0
0	Park & Recreation	C	0.0	-	0.0	0.0
0	Park & Recreation	C	9.0	-	0.0	9.0
0	Park & Recreation	I	0.0	6.0	0.0	0.0
0	Park & Recreation	C	3.0	-	3.0	-
0	Park & Recreation	C	9.0	-	-	9.0
0	Park & Recreation	C	0.0	-	0.0	0.0
0	Park & Recreation	D	2.0	-	-	2.0
0	Park & Recreation	C	5.0	-	-	5.0
0	Park & Recreation	C	3.0	-	3.0	-
0	Park & Recreation	C	2.9	1.7	1.5	-
0	Park & Recreation	I	5,000.0	6,000.0	0.0	4,000.0
0	Park & Recreation	D	1.0	-	-	1.0
0	Park & Recreation	C	6.0	-	-	6.0
0	Park & Recreation	D	0.0	-	-	0.0
0	Park & Recreation	N	5.0	-	-	5.0
0	Park & Recreation	I	0.0	2.4	0.0	0.0
0	Park & Recreation	I	0.0	-	0.0	0.0
0	Park & Recreation	C	0.0	-	2.0	2.0
0	Park & Recreation	N	0.0	-	-	0.0
0	Park & Recreation	S	0.0	-	-	0.0
0	Park & Recreation	D	0.0	-	5.0	0.0
0	Park & Recreation	C	4.0	-	-	4.0
0	Park & Recreation	D	0.0	-	6.0	0.0
0	Park & Recreation	I	0.0	1.0	6.0	0.0
0	Park & Recreation	D	8.7	-	8.0	0.0
0	Park & Recreation	D	5,000.0	9,000.0	0.0	4,000.0
0	Park & Recreation	I	2.0	5.0	2.0	0.0
0	Park & Recreation	D	8.0	-	-	8.0
0	Park & Recreation	C	4.0	-	-	4.0
0	Park & Recreation	N	0.0	-	-	0.0
0	Park & Recreation	C	0.0	-	0.0	0.0
0	Park & Recreation	I	7.0	6.0	1.0	6.0
0	Park & Recreation	C	0.0	-	-	0.0
0	Park & Recreation	C	0.0	-	-	0.0
0	Park & Recreation	D	9.0	-	9.0	-
0	Park & Recreation	I	4,000.0	5,000.0	0.0	3,000.0

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Capital Program Capital Projects Summary

Highlighted Projects have Salaries & Bldg Identified to be Held Back (for a complete listing of holdbacks see page 12)

Project #	Project Description	Project Status	Current Bldg	Expensed	Encumbered	Balance
Public Works						
0	Sanitary Landfill	I	2.0	-	-	2.0
0	Sanitary Landfill	D	9.0	-	0.0	9.0
0	Sanitary Landfill	N	0.0	-	-	0.0
0	Sanitary Landfill	I	13.6	2.9	6.9	13.8
0	Sanitary Landfill	I	2.8	2.8	0.0	0.0
0	Sanitary Landfill	I	5.9	-	3.6	2.3
0	Sanitary Landfill	I	2.9	-	-	2.9
0	Sanitary Landfill	I	2.8	-	1.0	1.8
0	Sanitary Landfill	I	3.6	-	7.0	3.4
0	Sanitary Landfill	I	1.0	2.2	0.8	1.0
0	Sanitary Landfill	I	2.0	2.0	2.2	0.0
Transportation						
0	Transportation	D	6.0	-	-	6.0
0	Transportation	N	0.0	-	-	0.0
0	Transportation	D	7.0	-	5.0	2.0
Washington Union						
0	Washington Union	C	0.0	-	-	0.0
0	Washington Union	I	0.0	6.0	0.0	6.0
0	Washington Union	D	0.6	0.0	0.0	0.6
Storm Drainage						
0	Storm Drainage	C	5.0	-	5.9	0.1
0	Storm Drainage	I	1.0	-	1.0	0.0
0	Storm Drainage	I	3.0	-	3.0	0.0
0	Storm Drainage	D	5.7	2.0	6.0	1.7
0	Storm Drainage	D	2.0	-	6.0	4.0
0	Storm Drainage	D	0.0	-	-	0.0
0	Storm Drainage	I	1.0	7.0	6.0	2.0
0	Storm Drainage	C	0.0	-	0.0	0.0
0	Storm Drainage	D	3.0	-	2.7	0.3
0	Storm Drainage	D	0.0	-	-	0.0
0	Storm Drainage	D	9.0	4.0	5.0	0.0
0	Storm Drainage	D	0.0	-	-	0.0
0	Storm Drainage	D	0.0	1.0	0.0	1.0
0	Storm Drainage	D	0.0	-	0.0	0.0
Water						
0	Water	S	1.2	-	3.4	2.2
0	Water	D	2.0	-	-	2.0
0	Water	D	2.0	3.9	2.0	0.1
0	Water	D	6.0	3.0	5.0	4.0
0	Water	S	1.0	8.0	1.3	0.7
0	Water	I	0.3	5.9	8.0	2.4
0	Water	S	0.0	-	-	0.0
0	Water	S	2.0	2.0	1.9	0.1
0	Water	C	0.0	-	0.0	0.0
0	Water	I	9.4	3.9	4.0	1.5
0	Water	I	3.9	3.0	0.0	0.9
0	Water	C	9.0	-	9.0	0.0
0	Water	S	1.0	8.0	1.0	0.0
Water Reclamation						
0	Water Reclamation	S	3.9	3.9	6.0	0.0
0	Water Reclamation	D	9.0	6.0	5.0	8.0
0	Water Reclamation	D	6.0	-	-	6.0
0	Water Reclamation	D	6.0	8.0	2.0	0.0
0	Water Reclamation	B	0.0	8.0	2.0	0.0
0	Water Reclamation	I	2.0	-	6.0	4.0
0	Water Reclamation	N	0.0	-	-	0.0
0	Water Reclamation	S	9.0	3.9	7.0	2.1
0	Water Reclamation	S	4.0	6.0	6.0	2.0
0	Water Reclamation	I	3.0	9.0	0.0	0.0
0	Water Reclamation	N	0.0	4.0	-	4.0
0	Water Reclamation	I	8.0	2.0	6.0	0.0
0	Water Reclamation	C	3.0	-	-	3.0
0	Water Reclamation	I	0.0	2.0	0.0	2.0
0	Water Reclamation	D	2.0	-	7.0	3.0
0	Water Reclamation	I	6.0	4.0	6.0	0.0

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Capital Program Projects Summary

Project #	Project Description	Project Status	Current Bdg	Expensed	Encumbered	Balance
0	REPAIR	I	5.7	-	1.8	6.9
0	REPAIR	S	1,809	1.8	1,800	2.2
0	REPAIR, FEDERAL	D	7.8	-	7.8	0.0
0	REPAIR	N	7.0	-	-	7.0
0	REPAIR	N	8.0	-	-	8.0
			\$ 19,802.03	\$ 12,286	\$ 12,922	\$ 14,855

Project #	Project Description	Project Bdg	Holdback	Adjusted Bdg	Adjusted Balance
2010 Holdback Summary (Sales Tax CP)					
Facilities Management					
0	REPAIR	\$ 5.8	\$ 6.2	\$ 9.8	\$ 9.2
Engineering					
0	REPAIR	0	0	0	0
0	REPAIR - REPAIR	0	0	0	0
0	REPAIR	2	0	2	2
Fire					
0	REPAIR	3,600	2,000	0	5.8
Planning Building Services					
0	REPAIR	0.0	0.0	0.0	0.0
Parks & Recreation					
0	REPAIR	0.9	0.0	0.9	3.9
0	REPAIR	1,200	3.0	1,900	1,000
0	REPAIR	2,807	0.0	2,807	1,906
0	REPAIR	9.0	9.0	-	-
0	REPAIR	9.8	9.0	0.8	9.9
0	REPAIR	5.6	5.6	-	-
0	REPAIR	3.6	9.2	5.3	2.8
Total Capital Improvements Holdback			4,822.27		
Total Holdback			29.89		
Total 2010 Sales Tax Fund Holdbacks (CP and OP)			\$ 5,282.16		

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Capital Program 2010 Other Capital Expenditures Program, Department, and Projects Summary

Highlighted Projects have Sal	es	ix Bdg	t Identified to be	ld back (for a com	lete list of holdback see pag 15)				
Item #	Description					Current Budget	Expensed	Encumbered	Balance
Sales Tax Fund									
0	City of Dam					\$ 0	\$ 0	\$ -	\$ 1
	Total					20,16	20,16	-	1
Fire									
0	Web site					0	0	-	0
0	Parade r					0	-	-	0
0	Fire truck					0	-	0	0
0	Fire truck					0	-	-	0
0	Edan					0	-	-	0
0	Truck					0	-	-	0
0	Truck					0	-	2	0
	Total					800	89	2,38	220
Central Services									
0	Bag Fee book					0	-	-	0
0	Fire Warnings					0	-	-	0
0	Bag					0	-	-	0
0	Bag					0	-	-	0
0	Order					0	-	-	0
0	Web connectio					0	-	-	0
	Total					1016	-	-	1016
Health									
0	Med					0	-	-	0
0	Med					0	-	-	0
0	Med					0	2	-	2
0	Med					0	-	-	0
	Total					2,89	26	-	2,25
Police									
0	Web site					0	-	-	0
0	Digital					0	-	-	0
0	W/ kh Free					0	3	3	0
0	Electro					0	-	0	0
0	Motorcycle					0	-	-	0
0	Patrol					0	-	0	0
0	Edan					0	-	0	0
0	Pick					0	-	0	0
0	Edan					0	-	0	0
0	Trailer					0	-	0	0
	Total					98,02	1,81	996	93
Media Services									
0	Video					0	0	0	-
0	Printing					0	-	-	0
0	Printing					0	-	-	0
	Total					0	0	0	0
Planning & Building									
0	Edan					0	-	-	0
0	Pick					0	-	-	0
	Total					2,80	-	-	2,80
Library									
0	Office					1	-	-	1
0	Library Print and					0	0	-	-
0	Video					1	-	-	1
0	Bible					0	-	-	0
0	Library Print					0	0	0	0
	Total					800	11,39	99	22,3
Street									
0	Bag					0	-	-	0
0	Sw					0	-	-	0
0	Truncated					0	-	0	0
	Total					0,0	-	910	6,0
Park & Recreation									
0	Per					0	-	-	0
0	Per					0	-	-	0
0	Zamboi					0	-	-	0
0	Prayer					0	-	-	0
0	Truck					0	-	-	0
0	Truck					0	-	0	0
0	Pick					0	-	0	0
0	Platform					0	-	-	0
0	Project					0	-	-	0
0	Public Address					0	-	-	0
0	Trucks					0	-	-	0
0	Truck					0	-	-	0
0	Truck					0	-	-	0
0	Truck					0	-	-	0

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Capital Program 2010 Other Capital Expenditures Program Fund, Department, and Projects Summary

Highlighted Projects have Sal	es	Bdgt Identified to be	Holdback (for a complete list of holdback see pag 15)	Current Budget	Expensed	Encumbered	Balance
00	Utility			0	-	-	0
00	Utility			0	-	5	5
00	Utility Vehicle			0	-	-	0
	Total			0,00	-	15,04	820,224
00	Paratransit			0	-	-	0
	Total			88,0	-	-	88,0
	Total Sales Tax Fund			40,882	188,9	1,8,0	2,0,323
Entertainment Tax Fund							
Convention Center							
0	Printer			0	-	-	0
0	Printer			0	-	5	5
0	Printer			0	-	-	0
0	Printer			0	-	-	0
0	Printer			0	-	0	0
	Total			4,60	-	5,85	9,6
Washington Union							
0	Printer			0	-	-	0
0	Printer			0	-	-	0
0	Printer			0	-	5	5
0	Printer			0	-	-	0
0	Printer			0	-	-	0
0	Printer			0	-	-	0
0	Printer			0	-	-	0
0	Printer			0	-	-	0
0	Printer			0	-	-	0
	Total			5,4	-	5,85	82,85
	Total Entertainment Tax Fund			9,4	-	10,3,09	82,85
Electric Light Fund							
0	Light Meters			0	-	-	0
0	Electrical Meter			0	-	-	0
0	Electrical Meter			0	-	-	0
	Total Electric Light Fund			21,96	-	-	21,96
Transit Fund							
00	Paratransit			0	-	-	0
0	Paratransit (imbedding)			0	-	0	0
0	Fareboxes (imbedding)			0	-	0	0
	Total Transit Fund			2,010,85	-	1,8,08	8,17
Public Works Fund							
00	Edan			2	-	2	-
	Total Public Works Fund			2,24	-	2,24	-
Sanitary Landfill Fund							
0	Electric Utility Vehicle			5	-	-	5
0	Electric Utility Vehicle			0	-	-	0
0	Electric Utility Vehicle			0	-	-	0
0	Electric Utility Vehicle			0	-	-	0
0	Electric Utility Vehicle			0	-	-	0
	Total Sanitary Landfill Fund			220,8	-	-	220,8
Water Fund							
00	Particulate Matter			0	-	-	0
0	Particulate Matter			0	0	-	0
0	Particulate Matter			0	-	-	0
0	Particulate Matter			0	-	-	0
0	Particulate Matter			0	-	-	0
0	Particulate Matter			0	0	-	0
00	Water Pump			0	-	-	0
	Total Water Fund			1,29	9,9	-	1,16,8
Water Reclamation Fund							
0	Compressor			0	-	-	0
0	Pump			0	-	-	0
0	Belonging			0	-	-	0
0	Hybrid			0	-	-	0
0	Belonging			0	-	-	0
	Total Water Reclamation Fund			1,06	-	-	1,06
Fleet Maintenance Reclamation Fund							
0	Truck			0	-	-	0
0	Truck			0	-	-	0
0	Pickup			0	5	-	1
0	Pickup			0	-	-	0
0	Truck			0	-	-	0
0	Pickup			0	-	-	0
0	Truck			0	-	-	0
0	Truck			0	-	-	0

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Capital Program 2010 Other Capital Expenditures Program Fund, Department, and Projects Summary

Highlighted Projects have Sales Tax Budget Identified to be Held Back (for a complete list of holdback see page 15)	Item #	Description	Current Budget	Expensed	Encumbered	Balance
	0	Tire	0	-	-	0
	0	Chain	0	-	0	0
	0	Compact	0	-	-	0
	00	Under, Front End	0	-	-	0
	0	Blade	0	-	-	0
	0	Blade	0	-	-	0
	0	Blade	0	-	-	0
	00	Pick Up	0	-	0	0
	00	Trailer	0	-	-	0
	0	Edan	0	-	3	3
	00	Cooper	0	-	0	0
	00	Tire	0	-	-	0
	0	Trench	0	-	-	0
	00	Tire Dump	0	-	-	0
	00	Tire	0	-	-	0
	00	Van	0	-	0	0
Total Fleet Maintenance Program Fund			3,12	5	3,06	3,5
General Services Program Fund						
	0	Printer	0	-	-	0
	0	Gymnasium	0	-	-	0
	0	Printer	0	-	-	0
	0	Phone	0	-	-	0
	0	Printer	0	-	-	0
	0	Printer	0	-	-	0
	0	Phone	0	-	-	0
	0	Phone	-	0	-	0
Total General Services Program Fund			0,800	0	-	3,09
Grand Total			\$ 1,31,228	\$ 5	\$ 3,0,06	\$ 8,85

2009 Holdback Summary (Sales Tax OP)

Item #	Description	Project Budget	Holdback	Adjusted Budget	Adjusted Balance
Fire					
0	Machine	0	0	-	-
0	Tire	0	0	-	-
Central Services					
0	Mag	0	0	0	0
0	Web	0	0	-	-
Police					
0	Web	0	0	0	0
Media Services					
0	Printing	0	0	0	0
Library					
0	Library Print Materials	0	0	0	0
Total Holdback			232		
Total Capital Projects Holdback			82,27		
Total Sales Tax Fund Holdback (Grand OP)			\$ 82,16		

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Total Debt - Outstanding or Authorized

Fund (Repay Source)	Purpose	Outstanding Interest Rate	Maturity Date	Authorized Not Issued Amount	Issue Amount	Amount Outstanding	Total Outstanding or Authorized
GENERAL							
Revenue Bonds							
Series 2001	* Public Safety	5%	2010	\$ -	\$ -	\$ -	\$ -
Series 2001	* Library & Parks	5%	2010	-	-	0	0
Series 2001	* Urban Drainage	5%	2010	-	-	0	0
Series 2001	* Library & Parks	5%	2010	-	-	0	0
Series 2001	* FH Drb	5%	2010	-	-	0	0
State Bonds	* System Improvement	5%	2010	-	-	0	0
State Bonds	* System Improvement	5%	2010	-	-	0	0
State Purchase Obligations	City of Sioux Falls	5%	2010	-	-	5	5
Total				0	0	5	5
Entertainment Bonds							
Series 2001	* Entertainment Bds	5%	2010	-	-	0	0
Urban Drainage							
State Bonds	System Drainage	5%	2010	-	-	0	0
State Bonds	System Drainage	5%	2010	-	-	5	5
State Bonds	System Drainage	5%	2010	-	-	5	5
Total				0	0	10	10
IF District Obligations	Grappa Place	5%	2010	-	-	0	0
Total Debt General Activities				0	0	12,700	13,700
BUSINESS							
Revenue Bonds							
Landfill							
State Bonds	Landfill Improvement	5%	2010	-	-	0	0
State Bonds	Landfill Improvement	5%	2010	-	-	0	0
State Bonds	Landfill Improvement	5%	2010	0	5	5	5
State Purchase Obligations	Graspers	5%	2010	-	-	0	0
State Purchase Obligations	Der r	3%	2010	-	2,000	2,000	2,000
Total				0	2,000	2,000	2,000
Water							
Series 2001	* Water Prepa	5%	2010	-	-	0	0
State Bonds	System Improvement	5%	2010	-	-	5	5
State Bonds	System Improvement	5%	2010	-	-	5	5
State Bonds	System Improvement	5%	2010	-	-	0	0
State Bonds	System Improvement	5%	2010	-	-	5	5
State Bonds	System Improvement	5%	2010	-	-	5	5
State Bonds	System Improvement	5%	2010	-	-	5	5
State Bonds	System Improvement	5%	2010	0	0	0	0
State Bonds	System Improvement	5%	2010	5	0	0	5
State Bonds	System Improvement	5%	2010	5	0	0	5
Total				0	0	30	30
Water Reclamation							
State Bonds	* System Improvement	5%	2010	-	-	0	0
State Bonds	System Improvement	5%	2010	-	-	5	5
State Bonds	System Improvement	5%	2010	-	-	5	5
State Bonds	System Improvement	5%	2010	-	-	5	5
State Bonds	System Improvement	5%	2010	-	-	5	5
State Bonds	System Improvement	5%	2010	-	-	5	5
State Bonds	System Improvement	5%	2010	0	0	0	0
State Bonds	System Improvement	5%	2010	5	0	0	5
State Bonds	System Improvement	5%	2010	5	0	0	5
State Bonds	System Improvement	5%	2010	5	0	0	5
State Bonds	System Improvement	5%	2010	5	0	0	5
Total				0	0	30	30
Water Treatment							
State Purchase Obligations	Water Treatment	5%	2010	-	-	5	5
Total Debt Business-type Activities				0	5	18,700	18,700
Total Debt				\$ 0	\$ 5	\$ 23,000	\$ 23,000

* Secured by pledged the second penny absent a tax
 * Secured by pledged the second penny absent a tax and entertainment tax
 * Secured by pledged the first penny absent a tax

City of Sioux Falls
 Monthly Financial Report
 February 28, 2010

Budget Appropriation Adjustments

Fund	Supplement	Carry-forward (CP)	Carry-forward (OP)	Carryover Encumbrances (CP)	Carryover Encumbrances (OP)	Bdgt
REVENUE:						
General Fund Original						\$ 122,882
Adjustments	\$ -	\$ -	\$ -	\$ -	\$ -	-
General Fund Adjusted	-	-	-	-	-	122,882
Entertainment Tax Original						8,109
Adjustments	-	0	0	0	-	0
Entertainment Tax Adjusted	-	0	0	0	-	8,109
Sales/Use Tax Original						516,222
Adjustments	-	-	-	-	-	-
Facilities Management	-	0	-	0	-	0
Arts	-	-	-	0	0	0
Engineering	-	0	-	0	-	0
Fire	-	0	0	0	0	0
Central Services	-	-	0	-	-	0
Health	-	0	0	-	-	0
Police	-	0	0	-	0	0
Public Services	-	-	-	-	0	0
Planning Services	-	0	0	-	-	0
Library	-	2	0	0	-	2
Street	-	0	0	0	-	0
Electric Light	-	-	-	-	-	-
General Government	-	-	-	-	-	-
Parks/Recreation	-	975,000	975,000	975,000	-	975,000
Transit	-	-	0	-	-	0
Storm Drainage	-	-	-	0	-	0
Sales/Use Tax Adjusted	-	0	0	0	0	516,222
Rail Relocation Plan						-
Adjustments	-	0	-	0	-	0
Rail Relocation Plan Adjusted	-	0	-	0	-	0
Community Development						80,715
Adjustments	-	-	-	-	-	-
Community Development Adjusted	-	-	-	-	-	80,715
Transit Original						7,923
Adjustments	-	0	0	-	0	0
Transit Adjusted	-	0	0	-	0	7,923
Storm Drainage Original						11,877
Adjustments	-	0	-	0	-	0
Storm Drainage Adjusted	-	0	-	0	-	11,877
Neighborhood Revitalization Original						28,000
Adjustments	-	-	-	-	-	-
Neighborhood Revitalization Adjusted	-	-	-	-	-	28,000
Library Memorial						500
Adjustments	-	-	-	-	-	-
Library Memorial Adjusted	-	-	-	-	-	500
Cottar Memorial						0
Adjustments	-	-	-	-	-	-
Cottar Memorial Adjusted	-	-	-	-	-	0
Band Construction Original						122,813
Adjustments	-	-	-	-	-	-
Band Construction Adjusted	-	-	-	-	-	122,813

City of Sioux Falls
 Monthly Financial Report
 February 28, 2010

Budget Appropriation Adjustments

Fund	Supplement	Carry-forward (CP)	Carry-forward (OP)	Carryover Encumbrances (CP)	Carryover Encumbrances (OP)	Bdgt
Sioux Falls Flood Control Original						8,000
Engineering	-	0	-	0	-	0
Electric lgt	-	0	-	-	-	0
Storm Drainage	-	0	-	-	-	0
Water	-	0	-	-	-	0
Water Reclamation	-	0	-	-	-	0
Sioux Falls Flood Control Adjusted	-	0	-	0	-	28,707
Culture Recreation Bond Construction Original						8,00,000
Library	-	0	-	0	-	0
Parks Recreation	-	0	-	0	-	0
Culture Recreation Bond Construction Adjusted	-	0	-	0	-	170,0
REVENUES:						
Electric lgt Original						785
Payments	-	0	0	0	-	0
Electric lgt Adjusted	-	0	0	0	-	8,020
Public Works Original						1,82,83
Payments	-	-	-	-	2	2
Public Works Adjusted	-	-	-	-	2	1,80,80
Sanitary Landfill Original						10,6,13
Payments	-	0	0	0	-	0
Sanitary Landfill Adjusted	-	0	0	0	-	11,2,35
Water Original						320,66
Payments	-	0	0	0	-	0
Water Adjusted	-	0	0	0	-	30,64
Water Reclamation Original						2,9,80
Payments	-	0	0	0	-	0
Water Reclamation Adjusted	-	0	0	0	-	4,0,0
Fleet Rebuilding Original						51,782
Payments	-	2	0	0	0	0
Fleet Rebuilding Adjusted	-	2	0	0	0	601,0
Health Life Benefit	-	-	-	-	-	1,35
Workers' Compensation	-	-	-	-	-	0
General Services Rebuilding Original						1,27,86
Payments	-	-	0	-	-	0
General Services Rebuilding Adjusted	-	-	0	-	-	1,66
Insurance Liability	-	-	-	-	-	1,2,213
Fiduciary Funds	-	-	-	-	-	19,70
Original Bdgt (All Funds)						0
Payments	\$ -	\$ 102,88,0	\$ 310,5	\$ 18,013	\$ 2,201,29	0
Total Adjusted Bdgt (All Funds)						\$ 66,40

City of Sioux Falls
 Monthly Financial Report
 February 28, 2010

Budget Appropriation Adjustments

Fund	Supplement	Carry-forward (CP)	Carry-forward (OP)	Carryover Encumbrances (CP)	Carryover Encumbrances (OP)	Bdgt
Supplement Detail:						
Total Effective Supplements						\$ -

Date: 2010-03-29
SIRE Meeting ID: 897
Meeting Type: Informational Meeting

YouTube:<https://youtu.be/aQPkF5QUkIY>
Agenda Item: Not Assigned
Item ID: 39738

The following document(s) are public records obtained from the
City of Sioux Falls.

**CITY OF SIOUX FALLS
COMPARIBLE MUNICIPAL SALES/USE TAX RECEIPTS
March 31, 2010**

	Sales/Use Tax		Capital Improvement Tax		Entertainment Tax		Lodging Tax	
	2010 1%	2009 1%	2010 0.92% ²	2009 0.92% ²	2010 1%	2009 1%	2010 1%	2009 1%
January	\$ 2,957,702	\$ 2,837,907	\$ 2,721,086	\$ 2,610,878	\$ 238,218	\$ 273,613	\$ 20,104	\$ 16,332
February	3,626,008	3,391,319	3,335,933	3,120,047	359,252	376,795	31,818	36,176
March	3,773,115	3,896,775	3,471,266	3,585,035	514,925	496,543	41,868	50,002
April		2,810,791		2,586,144		316,418		46,289
May		4,087,405		3,760,673		442,293		34,547
June		1,824,178		1,678,294		244,272		31,850
July		5,302,578		4,878,373		672,785		81,580
August		3,252,667		2,992,673		371,261		60,700
September		3,485,002		3,206,202		481,920		65,626
October		4,086,086		3,759,244		489,813		50,664
November		3,065,589		2,820,342		373,939		44,090
December		4,569,211		4,203,674		536,335		57,897
Refund (ORD 42-05)		(56,072)		(54,552)				
Total YTD¹	10,356,825	10,126,001	9,528,285	9,315,960	1,112,395	1,146,951	93,790	102,510
Budget	47,926,630	50,373,786	44,092,500	46,343,884	5,652,541	5,077,879	583,617	524,064
Actual 12-month total for previous year		42,553,434		39,147,029		5,075,988		575,752
Unrealized Budget Balance	\$ (37,569,805)	\$ (40,247,785)	\$ (34,564,215)	\$ (37,027,924)	\$ (4,540,146)	\$ (3,930,928)	\$ (489,827)	\$ (421,554)
Percent of Budget YTD	21.6%	20.1%	21.6%	20.1%	19.7%	22.6%	16.1%	19.6%
Percent 2010 receipts Exceeds 2009 receipts	2.3%		2.3%		-3.0%		-8.5%	

¹ YTD totals for prior year include the same months as the current year for comparison purposes.

² .08% Capital Improvement Tax has been removed for accurate comparison to the current budget and prior year actuals.

Monthly Sales Tax receipts reflected on this report are based upon standard remittance periods, the City Ledger records receipts based on the date of receipt not remittance period.

Date: 2010-03-29
SIRE Meeting ID: 897
Meeting Type: Informational Meeting

YouTube:<https://youtu.be/aQPkF5QUkIY>
Agenda Item: Not Assigned
Item ID: 39740

The following document(s) are public records obtained from the
City of Sioux Falls.

1st Reading: _____
2nd Reading: _____
Date Adopted: _____
Date Published: _____
Effective Date: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING ARTICLE II OF CHAPTER 23, AND ARTICLE VII OF CHAPTER 26 OF THE *REVISED ORDINANCES OF SIOUX FALLS, SD*.

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That Section 23-26, Article II, of Chapter 23 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 23-26. Licenses issued by police department.

The following licenses shall be issued by the police department:

- (1) Vehicle for hire driver (city transit drivers are exempt from this requirement).
Annual fee (to be collected every twelve (12) months following the original date of purchase).\$35.00
- (2) Airport authority security officer.
Annual fee.....50.00
- (3) Alarm installation and/or monitoring company.
Application fee.....75.00
Annual fee.....35.00

Section 2. That Section 26-130, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-130. Purpose.

- A. The purpose of this article is to encourage alarm users and alarm companies to properly use and maintain the operational effectiveness of alarm systems in order to improve the reliability of alarm systems and reduce or eliminate false alarms.
- B. This article governs alarm systems intended to summon law enforcement response, and requires permits, establishes fees, provides for civil penalties for violations, establishes a

system of administration, and sets conditions for suspension of police response or revocation of permit.

Section 3. That Section 26-131, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-131. Administration.

- A. Responsibility for administration of this article is vested with the chief of police.
- B. The chief of police shall designate an alarm administrator to carry out the duties and functions described in this article.
- C. The alarm administrator may conduct an annual evaluation and analysis of the effectiveness of this article, and may identify and implement system improvements, as warranted.

Section 4. That Section 26-132, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-132. Definitions.

In this article, the following terms and phrases shall have the following meanings:

Alarm administrator means a person or persons designated by the chief of police to administer, control, and review false alarm reduction efforts and administer the provisions of this article.

Alarm dispatch request means a notification to a law enforcement agency that an alarm, either manual or automatic, has been activated at a particular alarm site.

Alarm installation company means a person in the business of selling, providing, maintaining, servicing, repairing, altering, replacing, moving, or installing an alarm system in an alarm site. This definition shall also include individuals or firms that install and service the alarm systems that will be used in their private or proprietary facilities. This does not include persons doing installation or repair work where such work is performed without compensation of any kind (i.e., “do-it-yourselfers”).

Alarm permit means authorization granted by the alarm administrator to an alarm user to operate an alarm system.

Alarm response manager (ARM) means a person designated by an alarm installation company to handle alarm issues for the company, and act as the primary point of contact for the jurisdiction’s alarm administrator.

Alarm site means a single fixed premises or location served by an alarm system or systems. Each unit, if served by a separate alarm system in a multi-unit building or complex, shall be considered a separate alarm site.

Alarm system means a device or series of devices, including, but not limited to, hardwired systems and systems interconnected with a radio frequency method such as cellular or private

radio signals, which emit or transmit a remote or local audible, visual, or electronic signal indicating an alarm condition and intended to summon law enforcement response, including local alarm systems. Alarm system does not include an alarm installed in a vehicle or on someone's person unless the vehicle or the personal alarm is permanently located at a site.

Alarm user means any person, who (which) has contracted for monitoring, repair, installation, or maintenance service from an alarm installation company or monitoring company for an alarm system, or who (which) owns or operates an alarm system which is not monitored, maintained, or repaired under contract.

Alarm user awareness class means a class conducted for the purpose of educating alarm users about the responsible use, operation, and maintenance of alarm systems, and the problems created by false alarms.

Arming station means a device from which the alarm system is turned "on" (armed) and "off" (disarmed).

Audio verification means the transfer of sounds from the protected premises to the monitoring company, as a result of activation of one (1) or more devices, to confirm or deny the validity of the alarm signal.

Automatic voice dialer means any electrical, electronic, mechanical, or other device capable of being programmed to send a prerecorded voice message, when activated, over a telephone line, radio, or other communication system to a law enforcement, public safety, or emergency services agency requesting dispatch.

Cancellation means the process where response is terminated when a monitoring company (designated by the alarm user) for the alarm site notifies the responding law enforcement agency that there is not an existing situation at the alarm site requiring law enforcement agency response after an alarm dispatch request.

Chief of police means the chief of police of the city or his/her designee.

Conversion means the transaction or process by which one (1) alarm installation company or monitoring company begins the servicing and/or monitoring of a previously unmonitored alarm system or an alarm system previously serviced and/or monitored by another alarm company.

Duress alarm means a silent alarm system signal generated by the entry of a designated code into an arming station in order to signal that the alarm user is being forced to turn off the system and requires law enforcement response.

Enhanced call verification (ECV) is a monitoring procedure requiring that a minimum of two (2) calls be made prior to making an alarm dispatch request. The two (2) calls must be made to different phone numbers where a responsible party can typically be reached.

False alarm means an alarm dispatch request to a law enforcement agency, when the responding law enforcement officer finds no evidence of a criminal offense or attempted criminal offense after having completed a timely investigation of the alarm site.

Government facility means any alarmed location where the primary owner, operator, renter, or lessee is the city of Sioux Falls, county of Minnehaha, state of South Dakota, or agency of the United States government.

Holdup alarm means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress, or immediately after it has occurred.

Law enforcement authority means the chief of police, director, or other authorized representative of a law enforcement agency.

License means a license issued by the city of Sioux Falls to an alarm installation company and monitoring company to sell, install, monitor, repair, or replace alarm systems.

Local alarm system means any alarm system, which is not monitored, that annunciates an alarm only at the alarm site.

Monitoring means the process by which a monitoring company receives signals from an alarm system and relays an alarm dispatch request to the municipality for the purpose of summoning law enforcement to the alarm site.

Monitoring company means a person in the business of providing monitoring services.

One plus duress alarm means the manual activation of a silent alarm signal by entering a code at an arming station that adds one (1) number higher to the **last** digit of the normal arm/disarm code (e.g., normal code = 1234, one plus duress code = 1235).

Other electronic means is the real-time audio/video surveillance of an alarm site by the monitoring company by means of devices that permit either the direct, live listening-in, or viewing of an alarm site or portions thereof.

Panic alarm means an audible alarm system signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring law enforcement response.

Person means an individual, corporation, partnership, association, organization, or similar entity.

Responder means an individual capable of reaching and having access to the alarm site, the code to the alarm system, and the authority to approve repairs to the alarm system.

Robbery alarm—See holdup alarm.

SIA/ANSI control panel standard CP-01 means the SIA—Security Industry Association, American National Standard Institute approved—SIA CP-01 control panel standard, as may be updated from time to time, that details recommended design features for security system control panels and their associated arming and disarming devices, to reduce the incidence of false alarms. Control panels built and tested to this standard by Underwriters Laboratory (UL), or other nationally recognized testing organizations, will be marked to state: “Design evaluated in accordance with SIA CP-01 control panel standard features for false alarm reduction.”

Suspension of response means the termination of police response to alarms at a specified alarm site as a result of false alarms or other violation of the alarm article.

Take over means the transaction or process by which an alarm user takes over control of an existing alarm system, which was previously controlled by another alarm user.

Telephone verification—See verify.

Unregistered alarm site means a site that has not complied with a jurisdiction’s permit requirements as defined in the alarm article.

Verify means an attempt by the monitoring company to determine the validity of an alarm signal prior to initiating an alarm dispatch request.

Video verification means the transfer of video images to the monitoring company reflecting conditions existing at the protected premises at the time an alarm was activated through the use of video technology.

Zone means the capability of an alarm system to separate and report incidents or alarms by area. (Example: zone 1—front door contact; zone 2—front entry motion detector).

Section 5. That Section 26-133, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-133. Permit required; application; fee; transferability; false statements.

- A. No alarm user shall operate, or cause to be operated, an alarm system at its alarm site without a valid alarm permit. A separate alarm permit is required for each alarm site.
- B. The fee for an alarm permit, or an alarm permit renewal, is set forth below and shall be paid by the alarm user. No refund of a permit or permit renewal fee will be made. The initial alarm permit fee must be submitted to the city of Sioux Falls within fifteen (15) days after the alarm system installation or alarm system take over.

1. Annual permit fees:

Residential.....	\$25.00
Commercial.....	35.00

2. Renewal fees:

Residential.....	25.00
Commercial.....	35.00

- C. Upon receipt of a completed alarm permit application form and the alarm permit fee, the alarm administrator shall register the applicant unless the applicant has:

- 1. Failed to pay a civil penalty assessed under Section 26-139.
- 2. Had an alarm permit for the alarm site suspended or revoked, and the violation causing the suspension or revocation has not been corrected.

3. Failed to abide by any other requirements under the alarm article which the alarm administrator deems as just cause for the denial of an alarm permit.

D. Each alarm permit application must include the following information:

1. The name, complete address (including apartment/suite number), and telephone numbers of the person who will be the permit holder, and be responsible for the proper maintenance and operation of the alarm system and payment of fees assessed under this article.
2. The classification of the alarm site as either residential (includes apartment, condo, mobile home, etc.) or commercial.
3. For each alarm system located at the alarm site, the classification of the alarm system (i.e., burglary, holdup, duress, panic alarms, or other) and for each classification whether such alarm is audible or silent.
4. Mailing address, if different from the address of the alarm site.
5. Any dangerous or special conditions present at the alarm site.
6. Names and telephone numbers of at least two (2) individuals who are able and have agreed to: (a) receive notification of an alarm system activation at any time; (b) respond to the alarm site immediately; and (c) upon request, can grant access to the alarm site and deactivate the alarm system if necessary.
7. Type of business conducted at a commercial alarm site.
8. Signed certification from the alarm user stating the following:
 - a. The date of installation, conversion, or take over of the alarm system, whichever is applicable.
 - b. The name, address, and telephone number of the alarm installation company or companies performing the alarm system installation, conversion, or take over and of the alarm installation company responsible for providing repair service to the alarm system.
 - c. The name, address, and telephone number of the monitoring company, if different from the alarm installation company.
 - d. That a set of written operating instructions for the alarm system, including written guidelines on how to avoid false alarms, have been left with the applicant by the alarm installation company.
 - e. That the alarm installation company has trained the applicant in proper use of the alarm system, including instructions on how to avoid false alarms.

9. That law enforcement response may be influenced by factors including, but not limited to, the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels, etc.
- E. Any false statement of a material fact made by an applicant for the purpose of obtaining an alarm permit shall be sufficient cause for refusal to issue a permit.
- F. An alarm permit cannot be transferred to another person or alarm site. An alarm user shall inform the alarm administrator of any change that alters any of the information listed on the alarm permit application within five (5) business days of such change.
- G. All civil penalties and fees owed by an applicant must be paid before an alarm permit may be issued or renewed.

Section 6. That Section 26-134, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-134. Alarm permit duration and renewal.

An alarm permit shall expire one (1) year from the date of issuance, and must be renewed annually by submitting an updated application and a permit renewal fee. It is the responsibility of the alarm user to submit an application prior to the permit expiration date. Failure to renew will be classified as use of a nonregistered alarm site, and citations and civil penalties shall be assessed without waiver. A \$25.00 late fee may be assessed if the renewal is more than thirty (30) days late.

Section 7. That Section 26-135, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-135. Duties of the alarm user.

- A. An alarm user shall:
 1. Obtain and maintain an alarm permit for the alarm system as required in Sections 26-133 and 26-134.
 2. Maintain the alarm site and the alarm system in a manner that will minimize or eliminate false alarms.
 3. Make every reasonable effort to have a responder to the alarm system's location immediately when requested by the law enforcement agency in order to:
 - a. Deactivate an alarm system.
 - b. Provide access to the alarm site.
 - c. Provide alternative security for the alarm site.
 4. Not activate an alarm system for any reason other than an occurrence of an event that the alarm system was intended to report.

- B. An alarm user shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal audible on the exterior of an alarm site will sound for no longer than ten (10) minutes after being activated.
- C. An alarm user shall have a licensed alarm installation company inspect the alarm system after two (2) false alarms in a one (1)-year period. The alarm administrator may waive a required inspection if it determines that a false alarm(s) could not have been related to a defect or malfunction in the alarm system. After four (4) false alarms within a one- (1) year period, the alarm user must have a licensed alarm installation company modify the alarm system to be more false alarm-resistant and provide additional user training as appropriate.
- D. An alarm user shall not use automatic voice dialers.
- E. An alarm user shall maintain, at each alarm site, a set of written operating instructions for each alarm system.
- F. All alarm users shall agree with their alarm installation company and/or monitoring company to go through an “acclimation period” for the first seven (7) days after installation of an alarm system, during which time the alarm installation company and/or monitoring company will have no obligation to, and will not respond to any alarm signal from the alarm site, excluding panic, duress, and holdup signals, and will not make an alarm dispatch request to law enforcement, even if the alarm signal is the result of an actual alarm event.
- G. This section applies to all individuals and firms who have installed and/or monitor their own alarm system.

Section 8. That Section 26-136, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-136. Duties of alarm installation company and monitoring company.

- A. The alarm installation company shall provide written and oral instructions to each of its alarm users in the proper use and operation of their alarm systems. Such instructions will specifically include all instructions necessary to turn the alarm system on and off, and to avoid false alarms.
- B. Upon the effective date of this article, alarm installation companies shall not program alarm systems so that they are capable of sending one plus duress alarms. The alarm installation company shall remove the one plus duress alarm feature from alarm systems whenever an alarm technician is at the alarm site or otherwise accessing the panel for reprogramming purposes.
- C. Upon the effective date of this article, alarm installation companies shall not install a device to activate a holdup alarm, which is a single-action, nonrecessed button.
- D. Upon enactment of this article, the alarm installation companies shall use only SIA/ANSI control panel standard CP-01-listed alarm control panels on all new installations and panel replacements or upgrades.

- E. An alarm installation or monitoring company shall not use automatic voice dialers.
- F. After completion of the installation of an alarm system, an alarm installation company employee shall review with the alarm user a customer false alarm prevention checklist, or an equivalent checklist, approved by the alarm administrator.
- G. The monitoring company shall not make an alarm dispatch request of a law enforcement agency in response to a burglar alarm signal, excluding panic, duress, and holdup signals during the first seven (7) days following an alarm system installation. The alarm administrator may grant an alarm user's request for an exemption from this waiting period based upon a determination that special circumstances substantiate the need for the exemption.
- H. A monitoring company shall:
 - 1. Report alarm signals by using telephone numbers designated by the alarm administrator.
 - 2. Verify, by means of enhanced call verification, every alarm signal, except a duress or holdup alarm activation before initiating an alarm dispatch request.
 - 3. Communicate alarm dispatch requests in a manner and form determined by the alarm administrator.
 - 4. Communicate cancellations in a manner and form determined by the alarm administrator.
 - 5. Ensure that all alarm users of alarm systems equipped with a duress, holdup, or panic alarm are given adequate training as to the proper use of the duress, holdup, or panic alarm.
 - 6. Communicate any available information (north, south, front, back, floor, etc.) about the location on all alarm signals related to the alarm dispatch request.
 - 7. Communicate nature of alarm (i.e., burglary, robbery, panic, duress, silent, audible, interior, or perimeter).
 - 8. Provide an alarm user permit number when requesting law enforcement dispatch.
 - 9. After an alarm dispatch request, promptly advise the law enforcement agency if the monitoring company knows that the alarm user or the responder is on the way to the alarm site.
 - 10. Attempt to contact the alarm user or responder within twenty-four (24) hours via mail, fax, telephone, or other electronic means when an alarm dispatch request is made.
 - 11. Upon the effective date of this article, monitoring companies must maintain for a period of at least one (1) year from the date of the alarm dispatch request, records relating to alarm dispatch requests. Records must include the name, address, and

telephone number of the alarm user, the alarm system zone(s) activated, the time of alarm dispatch request, and evidence of an attempt to verify. The alarm administrator may request copies of such records for individually named alarm users. If the request is made within sixty (60) days of an alarm dispatch request, the monitoring company shall furnish requested records within three (3) business days of receiving the request. If the records are requested between sixty (60) days to one (1) year after an alarm dispatch request, the monitoring company shall furnish the requested records within thirty (30) days of receiving the request.

- I. An alarm installation company and/or monitoring company, that purchases alarm system accounts from another person, shall notify the alarm administrator of such purchase and provide details as may be reasonably requested by the alarm administrator.
- J. Each alarm installation company and alarm monitoring company must designate one (1) individual as the alarm response manager (ARM) for the company who will manage alarm-related issues and act as the point of contact for the alarm administrator. The appointed individual must be knowledgeable of the general provisions of the article, as well as have the knowledge and authority to deal with false alarm issues and respond to requests from the alarm administrator. The name, phone number, and email address of the designated ARM must be provided to the alarm administrator.
- K. An alarm installation company and/or monitoring company shall provide the alarm administrator with a customer list in a format acceptable to the alarm administrator, upon request, to assist the alarm administrator with creating the law enforcement's tracking data. This requirement is contingent upon state or local law that protects this customer information as confidential.
- L. Alarm installation companies shall obtain the initial alarm permit and permit fee from the alarm user and submit it to the city of Sioux Falls within fifteen (15) days of the activation of an alarm system.
- M. Alarm installation companies shall provide timely training and continuing education requirements, if applicable, for alarm company employees which would include training on false alarm prevention.

Section 9. That Section 26-137, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-137. License or licensing.

- A. All alarm installation companies and monitoring companies shall obtain, and thereafter maintain, a valid and unexpired license as established in Chapter 23 of the *Revised Ordinances of Sioux Falls, SD*.
- B. All alarm installation companies and monitoring companies shall obtain from the alarm administrator a license which authorizes the company to install and monitor alarm systems.

C. The initial application fee for a license and annual renewal fee for the license shall be in the amount as set forth in Chapter 23, Article II, of the *Revised Ordinances of Sioux Falls, SD*. The annual renewal date, and the date upon which the annual renewal fee is due, shall be December 31 of each year, regardless of when the company originally registered. By November 1 of each year, the alarm administrator shall send a letter to all companies notifying them that the renewal fee is due. The original license fee and renewal license fee being charged shall be used in part to help defray expenses for mailings, notices, registrations, forms, and other costs associated with the administration of the licensing. Payment of all license fees and renewals shall be submitted to the alarm administrator and be made payable to the city of Sioux Falls and be deposited into the general fund of the city of Sioux Falls.

D. Application for license:

All applications for a license required by this article shall be made on forms designated by the alarm administrator and shall include at least the following information:

1. The full name and address of the alarm installation company or monitoring company.
2. The full name, business address, and home address of the manager or person to be contacted at the company.
3. A telephone number at which the Sioux Falls Police Department and other law enforcement agencies can notify personnel of the company of a need for assistance at any time.
4. The names and addresses of all alarm agents employed by the company.

E. A minimum of \$10,000.00 surety bond, in a form approved by the city of Sioux Falls, guaranteeing the faithful and honest conduct of business under the license running in favor of the city and customers of the applicant.

F. A company shall promptly notify the alarm administrator, in writing, of any change in the information contained in the registration form.

G. It is a violation of this chapter for any company, who is otherwise required to obtain a license, to knowingly install or monitor an alarm system without obtaining such a license.

H. Penalty for violation of this section:

A company, or other person, or entity violating this section shall be subject to a civil penalty as provided in Section 26-139.

I. A company's license shall be personal to the company holding the license and is not transferable.

J. Issuance: Denial of license:

1. The alarm administrator will issue a license provided for by this article to an applicant, or renew a license, if applicable, when the following conditions of the applicable licensing provisions have been fully satisfied:
 - a. All application requirements have been met, including any criminal history background checks.
 - b. All fees have been paid in full.
 - c. No grounds for denial listed in this section exist.
2. The alarm administrator may deny a license or deny the renewal of a license if, at the time of the filing of an original application or a request for renewal, the licensing authority has reasonable grounds to believe that an applicant, licensee, or person employed by an alarm dealer to install, service, sell, or otherwise deal with alarms:
 - a. Has had a preliminary criminal history check reveal that an applicant, licensee, or person employed by an alarm dealer to install, service, sell, or otherwise deal with alarms, has been convicted of any felony, or any offense not constituting a felony but which, because of its nature, would render the installer a security risk, or any offense involving moral turpitude within the last five (5)-year period as determined by the chief of police or his/her designee.
 - b. Has prepared or filed an application or request for renewal which contains any false or misleading information, submitted false or misleading information in support of such application or request, or failed or refused to make full disclosure of all information required by this article.
 - c. Has had a license relating to alarm businesses or agents, as applicable, or a license of similar character issued by the authority of another city, suspended, canceled, or revoked within the five (5)-year period immediately preceding the date of the filing of the application.
 - d. Has violated an applicable provision of this article, code, city ordinance, rule, or regulation, or state law, or has committed any act which, if committed by a licensee, would be grounds for the denial or revocation of a license pursuant to this article.
3. Notice shall be given of any denial of a license application, or a request for renewal, in writing, and either by hand delivery or by mail, to the address of record. The notice shall include the reasons for denial of the license or license renewal. If a license is denied, the applicant may appeal through the procedures established by the administrative code provisions of this code.

- K. The provisions of Chapter 23, insofar as the provisions may be applicable and not in conflict, shall apply to and govern the issuance of any license under the provisions of this article.

Section 10. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-138. Duties and authority of the alarm administrator.

- A. The alarm administrator shall:
1. Designate a manner, form, and telephone numbers for the communication of alarm dispatch requests.
 2. Establish a procedure to accept cancellation of alarm dispatch requests.
- B. The alarm administrator shall establish a procedure to record information obtained by the city on alarm dispatch requests necessary to permit the alarm administrator to maintain records, including, but not limited to, the information listed below:
1. Identification of the permit number for the alarm site.
 2. Identification of the alarm site.
 3. Date and time alarm dispatch request was received, including the name of the monitoring company and the monitoring operator name or number.
 4. Date and time of law enforcement officer arrival at the alarm site.
 5. Zone and zone description, if available.
 6. Weather conditions.
 7. Name of alarm user's representative at alarm site, if any.
 8. Identification of the responsible alarm installation company or monitoring company.
 9. Whether law enforcement officer was unable to locate the address of the alarm site.
 10. Cause of alarm signal, if known.
- C. The alarm administrator shall establish a procedure for the notification to the alarm user of a false alarm. The notice shall include the following information:
1. The date and time of law enforcement response to the false alarm.
 2. The identification number of the responding law enforcement officer.
 3. A statement urging the alarm user to ensure that the alarm system is properly operated, inspected, and serviced in order to avoid false alarms and resulting civil penalties.

- D. The alarm administrator may require a conference, with an alarm user and the alarm installation company and/or monitoring company responsible for the repair or monitoring of the alarm system, to review the circumstances of each false alarm. For these purposes, the alarm company must have a designated contact on record with the alarm administrator. (See alarm response manager.)
- E. The alarm administrator may create and implement an alarm user awareness class. The alarm administrator may request the assistance of associations, alarm companies, and law enforcement agencies in developing and implementing the class. The class shall inform alarm users of the problems created by false alarms and teach alarm users how to avoid generating false alarms.
- F. The alarm administrator may require an alarm user to remove a holdup alarm device that is a single-action, nonrecessed button, or have it replaced with an acceptable dual-action or recessed device after the occurrence of a false holdup alarm.
- G. The alarm administrator may require an alarm user to remove the duress or panic alarm capability from their alarm system after the occurrence of a false alarm.
- H. The alarm administrator will make a copy of this article and/or an article summary sheet available to the alarm user.

Section 11. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-139. Civil penalties.

- A. An alarm user shall be subject to civil penalties, depending on the number of false alarms within a consecutive twelve (12)-month period, based on the following schedule:

- 1. False alarm civil penalties:

Description	Civil penalty
1st false alarm	\$0.00
2nd false alarm	\$0.00
3rd false alarm	\$100.00
4th false alarm or subsequent	\$200.00

- B. In addition, any person operating an unregistered alarm, or any monitoring company continuing alarm dispatch requests to an unregistered alarm site after notification by alarm administrator that the permit has been revoked, will be subject to a civil penalty of \$100.00 for each false alarm in addition to any other penalties. The alarm administrator may waive this additional civil penalty for an unregistered alarm system if the alarm user submits an application for alarm permit within ten (10) days of notification of such violation.
- C. An alarm user may have the option of attending an alarm user awareness class, if applicable, in lieu of paying one (1) prescribed civil penalty.

- D. If cancellation of an alarm dispatch request occurs prior to law enforcement arriving at the scene, no false alarm will be assessed.
- E. The alarm installation company shall be assessed a civil penalty of \$100.00 if the officer responding to the false alarm determines that an on-site employee of the alarm installation company directly caused the false alarm. In this situation, the false alarm will not be counted against the alarm user.
- F. The monitoring company shall be issued a civil penalty of \$100.00 for each failure to verify alarm system signals as specified in Section 26-136.H.2.
- G. The alarm installation company shall be issued a civil penalty of \$200.00 if the alarm administrator determines that an alarm installation company employee knowingly made a false statement concerning the inspection of an alarm site or the performance of an alarm system.
- H. The alarm installation company and/or monitoring company shall be assessed a civil penalty of \$100.00 for the first offense, and \$200.00 for each subsequent offense, for operating without a license as required by Section 26-137.B.
- I. Notice of the right of appeal under this article will be included with any civil penalty.

Section 12. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-140. Notification.

The alarm administrator shall notify the alarm user, in writing, after the third or subsequent false alarm. The notification shall include the amount of the civil penalty for the false alarm, notice that the alarm user can attend, if applicable, an alarm user awareness class to waive a civil penalty, the fact that response may be suspended after six (6) false alarms, excluding duress, holdup, and panic alarms, and a description of the appeals procedure available to the alarm user.

The alarm administrator will notify the alarm user and the alarm installation company or monitoring company in writing thirty (30) days before the alarm response is to be suspended. This notice of suspension will also include the amount of the civil penalty for each false alarm, and a description of the appeals procedure available to the alarm user and the alarm installation company or monitoring company.

Section 13. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-141. Suspension of response.

- A. The alarm administrator may suspend law enforcement response to an alarm site by revoking the alarm permit if it is determined that:
 - 1. The alarm user has six (6) or more false alarms in a twelve (12)-month period.

2. There is a statement of a material fact known to be false in the application for a permit.
 3. The alarm user has failed to make timely payment of a civil penalty assessed under Section 26-139 or fee assessed under Section 26-133.
 4. The alarm user has failed to submit a written certification from an alarm installation company that complies with the requirements of this article stating that the alarm system has been inspected and repaired (if necessary), and/or additional training has been conducted by the alarm installation company.
 5. The alarm user has failed to comply with any other duties as set forth in Section 26-135.
 6. The alarm user, alarm installation company, or monitoring company may appeal assessment of a civil penalty or the revocation of an alarm permit according to the procedure set forth in the Revised Ordinances of Sioux Falls, SD, Chapter 2, Article VI, Section 2-60 et. Sequence of this code.
- B. A person commits an offense if he/she operates an alarm system during the period in which the alarm permit is revoked and is subject to enforcement and civil penalties set in Sections 26-139 and 26-144. A monitoring company commits an offense if it continues alarm dispatch requests to an alarm site after notification by the alarm administrator that the permit has been revoked and the monitoring company is subject to enforcement and civil penalties set forth in Section 26-139.
- C. Unless there is separate indication that there is a crime in progress, the law enforcement authority may refuse law enforcement response to an alarm dispatch request at an alarm site for which the alarm permit is revoked.
- D. If the alarm permit is reinstated pursuant to Section 26-142, the alarm administrator may again suspend law enforcement response to the alarm site by again revoking the alarm permit if it is determined that three (3) false alarms have occurred within ninety (90) days after the reinstatement date.

Section 14. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-142. Appeals.

- A. If the alarm administrator assesses a civil penalty or denies the issuance, renewal, or reinstatement of an alarm permit, the alarm administrator shall send written notice of the action, and a statement of the right to an appeal, to either the affected applicant or alarm user and the alarm installation company and/or monitoring company.
- B. The alarm user, alarm installation company, or monitoring company may appeal assessment of a civil penalty or the revocation of an alarm permit through the procedures established by the administrative code provisions of this code according to the procedure set forth in the Revised Ordinances of Sioux Falls, SD, Chapter 2, Article VI, Section 2-60 et sequence of this code.

- C. Filing of a request for appeal shall stay the action by the alarm administrator revoking an alarm permit or requiring payment of a civil penalty while the appeal is pending.
- D. The alarm administrator, board, or hearing examiner may adjust the count of false alarms based on:
 - 1. Evidence that a false alarm was caused by circumstances beyond the control of the alarm user.
 - 2. Evidence that a false alarm was caused by action of the telephone company.
 - 3. Evidence that a false alarm was caused by a power outage lasting longer than four (4) hours.
 - 4. Evidence that the alarm dispatch request was not a false alarm.
 - 5. Evidence that the law enforcement officer response was not completed in a timely fashion.
 - 6. In determining the number of false alarms, multiple alarms occurring in any twenty-four (24)-hour period shall be counted as one (1) false alarm to allow the alarm user time to take corrective action unless the false alarms are directly caused by the alarm user.
- E. With respect to civil penalties of an alarm installation company or monitoring company, the alarm administrator, board, or hearing examiner may take into consideration whether the alarm company had engaged in a consistent pattern of violations.

Section 15. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-143. Reinstatement.

- A. A person whose alarm permit has been revoked may, at the discretion of the board or hearing examiner, have the alarm permit reinstated by the alarm administrator if the person:
 - 1. Pays a reinstatement fee of \$50.00.
 - 2. Pays, or otherwise resolves, all outstanding citations and civil penalties.
 - 3. Provides satisfactory evidence to the alarm administrator that the alarm system has been inspected and repaired (if necessary) by the alarm installation company; and/or that additional training in the proper use of the alarm system was provided by the alarm installation company for all alarm users.
- B. In addition, the board or hearing examiner may require one (1) or more of the following as a condition to reinstatement:

1. Proof that an employee of the alarm installation company or monitoring company caused the false alarm.
2. A certificate showing that the alarm user has successfully completed the alarm user awareness class as provided under Section 26-138.E.
3. Upgrade the alarm control panel to meet SIA/ANSI control panel standard CP-01.
4. A written statement from an independent inspector designated by the board or hearing examiner that the alarm system has been inspected and is in good working order.
5. Confirmation that all motion detectors are the “dual-technology” type.
6. Confirmation that the monitoring company will not make an alarm dispatch request unless the need for law enforcement is confirmed by audio or video verification.
7. Confirmation that the monitoring company will not make an alarm dispatch request unless the need for law enforcement is confirmed by a person at the alarm site.

Section 16. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-144. Exceptions.

- A. The provisions of this chapter shall not apply to temporary alarm systems used by the department or other public law enforcement agencies for investigative or protective purposes.
- B. Government facilities.
 1. Government facilities, as defined in Section 26-132, are subject to the following special rules:
 - a. Fee structure:
 - (1) Government facilities are subject to annual registration rules (i.e., providing contact information for the alarm system), but are exempt from payment of the annual permit fees described in Section 26-133.
 - (2) No cost recovery fees shall be charged for police response(s) to false alarms at government facilities.
 - b. Government facilities are exempt from having police response suspended.
 2. To qualify for the special rules and exemptions under this section, an alarm site must meet the following criteria:
 - a. The site is located within the municipal boundaries of the city of Sioux Falls.
 - b. The site meets the criteria as defined in Section 26-132, government facility.

3. Upon four (4) responses to a false alarm in any calendar year, a responsible party for the government alarm site shall meet with the alarm administrator and present a false alarm abatement plan.
4. The alarm administrator may make any other special rules and exceptions as are deemed necessary to ensure that appropriate protection and accountability is maintained at government sites.

Section 17. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-145. Special rules applicable to public schools.

- A. Public schools are subject to the following special rules:
 1. Public schools are subject to annual registration rules (i.e., providing information on the alarm system and contact information), but are exempt from paying the annual permit fees, as described in Section 26-133.B.
 2. Public school sites are exempt from registration fees or suspension.
- B. To qualify for the special rules and exemptions under this section, an alarm site must meet the following criteria:
 1. The site is located within the municipal boundaries of the city of Sioux Falls.
 2. The site is a public school serving children in one (1) or more of grades K–12.
- C. The alarm administrator may make any other special rules and exceptions as are deemed necessary to ensure that appropriate protection and accountability is maintained at public schools.

Section 18. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-146. Confidentiality.

In the interest of public safety, all information contained in, and gathered through the alarm permit application records relating to alarm dispatch requests, and applications for appeals shall be held in confidence by all employees or representatives of the municipality and by any third-party administrator or employees of a third-party administrator with access to such information.

Section 19. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-147. Government immunity.

An alarm permit is not intended to, nor will it, create a contract, duty, or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By applying for an alarm permit, the alarm user acknowledges that law enforcement response may be influenced by factors such as the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels, and prior response history.

Section 20. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-148. Severability.

The provisions of this article are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid, or that the application of any part of the provision to any person or circumstance is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

Date adopted: _____.

Mayor

ATTEST:

City Clerk

Date: 2010-03-29
SIRE Meeting ID: 897
Meeting Type: Informational Meeting

YouTube:<https://youtu.be/aQPkF5QUkIY>
Agenda Item: Not Assigned
Item ID: 39741

The following document(s) are public records obtained from the
City of Sioux Falls.

1st Reading: _____
2nd Reading: _____
Date Adopted: _____
Date Published: _____
Effective Date: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING ARTICLE II OF CHAPTER 23, AND ARTICLE VII OF CHAPTER 26 OF THE *REVISED ORDINANCES OF SIOUX FALLS, SD*.

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That Section 23-26, Article II, of Chapter 23 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 23-26. Licenses issued by police department.

The following licenses shall be issued by the police department:

- (1) Vehicle for hire driver (city transit drivers are exempt from this requirement).
Annual fee (to be collected every twelve (12) months following the original date of purchase)\$35.00
- (2) Airport authority security officer.
Annual fee50.00
- (3) Alarm installation and/or monitoring company.
Application fee.....75.00
Annual fee.....35.00

Section 2. That Section 26-130, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-130. DefinitionsPurpose.

~~[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]~~

~~Alarm system monitoring company means any person that monitors security alarm systems and reports activation of alarm systems to the police.~~

~~Alarm user means any person that owns or leases a security alarm system or on whose premises a security alarm system is maintained.~~

~~Automatic dialing telephone alarm means a security alarm system with a device that automatically dials the police department emergency assistance telephone lines without human activation of the device by the alarm user.~~

~~Chief of police means the chief of police of the city.~~

~~Department means the Sioux Falls Police Department.~~

~~Dispatch or response means a discretionary decision whether to direct police units to a location where there has been a request, made by whatever means, for police assistance or investigation. There is no duty to dispatch under any circumstances, including to answer an alarm signal, and all dispatch decisions are made subject to competing priorities and available police resources.~~

~~False alarm means an alarm signal causing notice to and response by the police when there is no evidence of a crime or other activity that warrants a call for immediate police assistance. It also means that no person who was on or near the property or has viewed a video communication from the property called for the police dispatch or confirmed the need for police assistance. "False alarm" does not include an alarm signal caused by weather or other causes beyond the control of the alarm user.~~

~~Security alarm system means any device for the detection and reporting of any unauthorized entry or attempted entry or property damage upon premises protected by the system that may be activated by sensors or other techniques and, when activated, automatically transmits a telephone message or emits an audible, visible, or electronic signal that can be heard, seen, or received by persons outside of the protected premises and is intended to summon police assistance.~~

~~Verification process means an independent method for determining that a signal from a security alarm system requires immediate police response.~~

- A. The purpose of this article is to encourage alarm users and alarm companies to properly use and maintain the operational effectiveness of alarm systems in order to improve the reliability of alarm systems and reduce or eliminate false alarms.
- B. This article governs alarm systems intended to summon law enforcement response, and requires permits, establishes fees, provides for civil penalties for violations, establishes a system of administration, and sets conditions for suspension of police response or revocation of permit.

Section 3. That Section 26-131, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-131. ~~Audible alarm standards, nonconforming uses~~Administration.

~~A security alarm system that emits an audible signal that may be heard outside of the protected premises shall automatically discontinue emitting the audible sound within ten minutes after activation of the alarm. All security alarm systems in the city shall comply with this requirement not later than January 1, 2003.~~

- A. Responsibility for administration of this article is vested with the chief of police.
- B. The chief of police shall designate an alarm administrator to carry out the duties and functions described in this article.
- C. The alarm administrator may conduct an annual evaluation and analysis of the effectiveness of this article, and may identify and implement system improvements, as warranted.

Section 4. That Section 26-132, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-132. ~~Automatic dialing telephone systems prohibited~~Definitions.

~~No person shall install, maintain, operate or assist in the operation of any alarm system with an automatic dialing or digital alarm feature that automatically calls the police in the event of an alarm.~~

In this article, the following terms and phrases shall have the following meanings:

Alarm administrator means a person or persons designated by the chief of police to administer, control, and review false alarm reduction efforts and administer the provisions of this article.

Alarm dispatch request means a notification to a law enforcement agency that an alarm, either manual or automatic, has been activated at a particular alarm site.

Alarm installation company means a person in the business of selling, providing, maintaining, servicing, repairing, altering, replacing, moving, or installing an alarm system in an alarm site. This definition shall also include individuals or firms that install and service the alarm systems that will be used in their private or proprietary facilities. This does not include persons doing installation or repair work where such work is performed without compensation of any kind (i.e., “do-it-yourselfers”).

Alarm permit means authorization granted by the alarm administrator to an alarm user to operate an alarm system.

Alarm response manager (ARM) means a person designated by an alarm installation company to handle alarm issues for the company, and act as the primary point of contact for the jurisdiction’s alarm administrator.

Alarm site means a single fixed premises or location served by an alarm system or systems. Each unit, if served by a separate alarm system in a multi-unit building or complex, shall be considered a separate alarm site.

Alarm system means a device or series of devices, including, but not limited to, hardwired systems and systems interconnected with a radio frequency method such as cellular or private radio signals, which emit or transmit a remote or local audible, visual, or electronic signal indicating an alarm condition and intended to summon law enforcement response, including local alarm systems. Alarm system does not include an alarm installed in a vehicle or on someone's person unless the vehicle or the personal alarm is permanently located at a site.

Alarm user means any person, who (which) has contracted for monitoring, repair, installation, or maintenance service from an alarm installation company or monitoring company for an alarm system, or who (which) owns or operates an alarm system which is not monitored, maintained, or repaired under contract.

Alarm user awareness class means a class conducted for the purpose of educating alarm users about the responsible use, operation, and maintenance of alarm systems, and the problems created by false alarms.

Arming station means a device from which the alarm system is turned "on" (armed) and "off" (disarmed).

Audio verification means the transfer of sounds from the protected premises to the monitoring company, as a result of activation of one (1) or more devices, to confirm or deny the validity of the alarm signal.

Automatic voice dialer means any electrical, electronic, mechanical, or other device capable of being programmed to send a prerecorded voice message, when activated, over a telephone line, radio, or other communication system to a law enforcement, public safety, or emergency services agency requesting dispatch.

Cancellation means the process where response is terminated when a monitoring company (designated by the alarm user) for the alarm site notifies the responding law enforcement agency that there is not an existing situation at the alarm site requiring law enforcement agency response after an alarm dispatch request.

Chief of police means the chief of police of the city or his/her designee.

Conversion means the transaction or process by which one (1) alarm installation company or monitoring company begins the servicing and/or monitoring of a previously unmonitored alarm system or an alarm system previously serviced and/or monitored by another alarm company.

Duress alarm means a silent alarm system signal generated by the entry of a designated code into an arming station in order to signal that the alarm user is being forced to turn off the system and requires law enforcement response.

Enhanced call verification (ECV) is a monitoring procedure requiring that a minimum of two (2) calls be made prior to making an alarm dispatch request. The two (2) calls must be made to different phone numbers where a responsible party can typically be reached.

False alarm means an alarm dispatch request to a law enforcement agency, when the responding law enforcement officer finds no evidence of a criminal offense or attempted criminal offense after having completed a timely investigation of the alarm site.

Government facility means any alarmed location where the primary owner, operator, renter, or lessee is the city of Sioux Falls, county of Minnehaha, state of South Dakota, or agency of the United States government.

Holdup alarm means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress, or immediately after it has occurred.

Law enforcement authority means the chief of police, director, or other authorized representative of a law enforcement agency.

License means a license issued by the city of Sioux Falls to an alarm installation company and monitoring company to sell, install, monitor, repair, or replace alarm systems.

Local alarm system means any alarm system, which is not monitored, that annunciates an alarm only at the alarm site.

Monitoring means the process by which a monitoring company receives signals from an alarm system and relays an alarm dispatch request to the municipality for the purpose of summoning law enforcement to the alarm site.

Monitoring company means a person in the business of providing monitoring services.

One plus duress alarm means the manual activation of a silent alarm signal by entering a code at an arming station that adds one (1) number higher to the **last** digit of the normal arm/disarm code (e.g., normal code = 1234, one plus duress code = 1235).

Other electronic means is the real-time audio/video surveillance of an alarm site by the monitoring company by means of devices that permit either the direct, live listening-in, or viewing of an alarm site or portions thereof.

Panic alarm means an audible alarm system signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring law enforcement response.

Person means an individual, corporation, partnership, association, organization, or similar entity.

Responder means an individual capable of reaching and having access to the alarm site, the code to the alarm system, and the authority to approve repairs to the alarm system.

Robbery alarm—See holdup alarm.

SIA/ANSI control panel standard CP-01 means the SIA—Security Industry Association, American National Standard Institute approved—SIA CP-01 control panel standard, as may be updated from time to time, that details recommended design features for security system control panels and their associated arming and disarming devices, to reduce the incidence of false alarms. Control panels built and tested to this standard by Underwriters Laboratory (UL), or other nationally recognized testing organizations, will be marked to state: “Design evaluated in accordance with SIA CP-01 control panel standard features for false alarm reduction.”

Suspension of response means the termination of police response to alarms at a specified alarm site as a result of false alarms or other violation of the alarm article.

Take over means the transaction or process by which an alarm user takes over control of an existing alarm system, which was previously controlled by another alarm user.

Telephone verification—See verify.

Unregistered alarm site means a site that has not complied with a jurisdiction’s permit requirements as defined in the alarm article.

Verify means an attempt by the monitoring company to determine the validity of an alarm signal prior to initiating an alarm dispatch request.

Video verification means the transfer of video images to the monitoring company reflecting conditions existing at the protected premises at the time an alarm was activated through the use of video technology.

Zone means the capability of an alarm system to separate and report incidents or alarms by area. (Example: zone 1—front door contact; zone 2—front entry motion detector).

Section 5. That Section 26-133, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-133. Alarm users Permit required; application; fee; transferability; false statements.

An alarm user shall:

- ~~———— (1) Maintain the premises and security alarm system in a manner that will minimize or eliminate false alarms.~~
- ~~———— (2) Review all alarm system operating instructions, including those for verification of an alarm.~~
- ~~———— (3) Notify the alarm system monitoring company of a false alarm activation as soon as the user is aware of the false alarm.~~
- ~~———— (4) Physically go to the site of the alarm when an alarm has been falsely activated and police have responded.~~

A. No alarm user shall operate, or cause to be operated, an alarm system at its alarm site without a valid alarm permit. A separate alarm permit is required for each alarm site.

B. The fee for an alarm permit, or an alarm permit renewal, is set forth below and shall be paid by the alarm user. No refund of a permit or permit renewal fee will be made. The initial alarm permit fee must be submitted to the city of Sioux Falls within fifteen (15) days after the alarm system installation or alarm system take over.

1. Annual permit fees:

<u>Residential.....</u>	<u>\$25.00</u>
<u>Commercial.....</u>	<u>35.00</u>

2. Renewal fees:

<u>Residential.....</u>	<u>25.00</u>
<u>Commercial.....</u>	<u>35.00</u>

C. Upon receipt of a completed alarm permit application form and the alarm permit fee, the alarm administrator shall register the applicant unless the applicant has:

1. Failed to pay a civil penalty assessed under Section 26-139.
2. Had an alarm permit for the alarm site suspended or revoked, and the violation causing the suspension or revocation has not been corrected.
3. Failed to abide by any other requirements under the alarm article which the alarm administrator deems as just cause for the denial of an alarm permit.

D. Each alarm permit application must include the following information:

1. The name, complete address (including apartment/suite number), and telephone numbers of the person who will be the permit holder, and be responsible for the proper maintenance and operation of the alarm system and payment of fees assessed under this article.
2. The classification of the alarm site as either residential (includes apartment, condo, mobile home, etc.) or commercial.
3. For each alarm system located at the alarm site, the classification of the alarm system (i.e., burglary, holdup, duress, panic alarms, or other) and for each classification whether such alarm is audible or silent.
4. Mailing address, if different from the address of the alarm site.
5. Any dangerous or special conditions present at the alarm site.
6. Names and telephone numbers of at least two (2) individuals who are able and have agreed to: (a) receive notification of an alarm system activation at any time; (b) respond to the alarm site immediately; and (c) upon request, can grant access to the alarm site and deactivate the alarm system if necessary.
7. Type of business conducted at a commercial alarm site.
8. Signed certification from the alarm user stating the following:
 - a. The date of installation, conversion, or take over of the alarm system, whichever is applicable.
 - b. The name, address, and telephone number of the alarm installation company or companies performing the alarm system installation, conversion, or take over and of the alarm installation company responsible for providing repair service to the alarm system.

- c. The name, address, and telephone number of the monitoring company, if different from the alarm installation company.
 - d. That a set of written operating instructions for the alarm system, including written guidelines on how to avoid false alarms, have been left with the applicant by the alarm installation company.
 - e. That the alarm installation company has trained the applicant in proper use of the alarm system, including instructions on how to avoid false alarms.
9. That law enforcement response may be influenced by factors including, but not limited to, the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels, etc.
- E. Any false statement of a material fact made by an applicant for the purpose of obtaining an alarm permit shall be sufficient cause for refusal to issue a permit.
- F. An alarm permit cannot be transferred to another person or alarm site. An alarm user shall inform the alarm administrator of any change that alters any of the information listed on the alarm permit application within five (5) business days of such change.
- G. All civil penalties and fees owed by an applicant must be paid before an alarm permit may be issued or renewed.

Section 6. That Section 26-134, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-134. ~~Alarm system monitoring companies~~ Alarm permit duration and renewal.

~~An alarm system monitoring company shall:~~

- ~~—(1) Obtain all necessary business licenses as required by the city and State of South Dakota.~~
- ~~—(2) Maintain a current record, accessible to the chief of police at all times, that includes: the names of the alarm users serviced by the company; the addresses of the protected properties; the type of alarm system, original installation date and subsequent modifications, if any, for each protected property; and a record of the false alarms at each property.~~
- ~~—(3) Provide the chief of police such information as the chief requests regarding: the nature of the company's security alarm; the company's method of monitoring the alarms; the company's program for preventing false alarms, including educational programs for alarm users; and the company's method for disconnecting audible alarms.~~
- ~~—(4) Provide each of the alarm system users with: operating instructions for the alarm system, including an explanation of the alarm company's alarm verification process; a telephone number to call for assistance in operating the system; and a summary of the~~

~~provisions of this code relating to penalties for false alarms and the possibility of no police response to alarm systems experiencing excessive false alarms.~~

- ~~—(5) Maintain a verification process for all monitored security alarm systems.~~
- ~~—(6) Communicate requests for police response to the department in a manner specified by the chief.~~
- ~~—(7) Communicate requests for cancellations of police response in a manner specified by the chief.~~
- ~~—(8) Maintain a record of all requests for police response to an alarm, including: the date and time of the alarm and request for police response; the alarm system user's name and address; evidence of the company's attempt to verify the alarm; and, to the best of its knowledge, an explanation of the cause of any false alarm.~~

An alarm permit shall expire one (1) year from the date of issuance, and must be renewed annually by submitting an updated application and a permit renewal fee. It is the responsibility of the alarm user to submit an application prior to the permit expiration date. Failure to renew will be classified as use of a nonregistered alarm site, and citations and civil penalties shall be assessed without waiver. A \$25.00 late fee may be assessed if the renewal is more than thirty (30) days late.

Section 7. That Section 26-135, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-135. ~~Security alarm verification process required~~Duties of the alarm user.

~~No person shall maintain a verification process which requires more than five minutes, calculated from the time that the alarm company receives the alarm signal until the alarm company determines whether to request a police dispatch. Verification shall be by at least one of the following:~~

- ~~—(1) The establishment of voice communications with the alarm user or a person authorized by the user at or near the premises with the alarm who may indicate whether there is an immediate need for police response.~~
- ~~—(2) A feature that permits the alarm user or a person authorized by the user to send a special signal to the alarm company that will cancel the alarm immediately after the alarm has been sent and prevent the alarm company from calling the police.~~
- ~~—(3) The installation of a video system that provides the alarm company with the ability to ascertain whether activity is occurring that warrants immediate police response when the alarm signal is received.~~
- ~~—(4) A confirmation that an alarm signal reflects a need for immediate police response from either the alarm user or a person authorized by the user or an alternate response agency made before dispatching the police.~~

~~(5) An alternate system as approved by the chief.~~

A. An alarm user shall:

1. Obtain and maintain an alarm permit for the alarm system as required in Sections 26-133 and 26-134.
2. Maintain the alarm site and the alarm system in a manner that will minimize or eliminate false alarms.
3. Make every reasonable effort to have a responder to the alarm system's location immediately when requested by the law enforcement agency in order to:
 - a. Deactivate an alarm system.
 - b. Provide access to the alarm site.
 - c. Provide alternative security for the alarm site.
4. Not activate an alarm system for any reason other than an occurrence of an event that the alarm system was intended to report.

B. An alarm user shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal audible on the exterior of an alarm site will sound for no longer than ten (10) minutes after being activated.

C. An alarm user shall have a licensed alarm installation company inspect the alarm system after two (2) false alarms in a one (1)-year period. The alarm administrator may waive a required inspection if it determines that a false alarm(s) could not have been related to a defect or malfunction in the alarm system. After four (4) false alarms within a one- (1) year period, the alarm user must have a licensed alarm installation company modify the alarm system to be more false alarm-resistant and provide additional user training as appropriate.

D. An alarm user shall not use automatic voice dialers.

E. An alarm user shall maintain, at each alarm site, a set of written operating instructions for each alarm system.

F. All alarm users shall agree with their alarm installation company and/or monitoring company to go through an "acclimation period" for the first seven (7) days after installation of an alarm system, during which time the alarm installation company and/or monitoring company will have no obligation to, and will not respond to any alarm signal from the alarm site, excluding panic, duress, and holdup signals, and will not make an alarm dispatch request to law enforcement, even if the alarm signal is the result of an actual alarm event.

G. This section applies to all individuals and firms who have installed and/or monitor their own alarm system.

Section 8. That Section 26-136, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-136. Unlawful activation or report of alarmDuties of alarm installation company and monitoring company.

- ~~—(a) No person shall activate a security alarm system for the purpose of summoning the police except in the event of an unauthorized entry, robbery, or if the person needs immediate assistance in order to avoid injury or serious bodily harm.~~
- ~~(b) Any person who shall notify the police of an activated alarm and have acknowledged that such activation was apparently caused by an electrical or other malfunction shall at the same time notify the police of the apparent malfunction~~
- A. The alarm installation company shall provide written and oral instructions to each of its alarm users in the proper use and operation of their alarm systems. Such instructions will specifically include all instructions necessary to turn the alarm system on and off, and to avoid false alarms.
- B. Upon the effective date of this article, alarm installation companies shall not program alarm systems so that they are capable of sending one plus duress alarms. The alarm installation company shall remove the one plus duress alarm feature from alarm systems whenever an alarm technician is at the alarm site or otherwise accessing the panel for reprogramming purposes.
- C. Upon the effective date of this article, alarm installation companies shall not install a device to activate a holdup alarm, which is a single-action, nonrecessed button.
- D. Upon enactment of this article, the alarm installation companies shall use only SIA/ANSI control panel standard CP-01-listed alarm control panels on all new installations and panel replacements or upgrades.
- E. An alarm installation or monitoring company shall not use automatic voice dialers.
- F. After completion of the installation of an alarm system, an alarm installation company employee shall review with the alarm user a customer false alarm prevention checklist, or an equivalent checklist, approved by the alarm administrator.
- G. The monitoring company shall not make an alarm dispatch request of a law enforcement agency in response to a burglar alarm signal, excluding panic, duress, and holdup signals during the first seven (7) days following an alarm system installation. The alarm administrator may grant an alarm user's request for an exemption from this waiting period based upon a determination that special circumstances substantiate the need for the exemption.

H. A monitoring company shall:

1. Report alarm signals by using telephone numbers designated by the alarm administrator.
2. Verify, by means of enhanced call verification, every alarm signal, except a duress or holdup alarm activation before initiating an alarm dispatch request.
3. Communicate alarm dispatch requests in a manner and form determined by the alarm administrator.
4. Communicate cancellations in a manner and form determined by the alarm administrator.
5. Ensure that all alarm users of alarm systems equipped with a duress, holdup, or panic alarm are given adequate training as to the proper use of the duress, holdup, or panic alarm.
6. Communicate any available information (north, south, front, back, floor, etc.) about the location on all alarm signals related to the alarm dispatch request.
7. Communicate nature of alarm (i.e., burglary, robbery, panic, duress, silent, audible, interior, or perimeter).
8. Provide an alarm user permit number when requesting law enforcement dispatch.
9. After an alarm dispatch request, promptly advise the law enforcement agency if the monitoring company knows that the alarm user or the responder is on the way to the alarm site.
10. Attempt to contact the alarm user or responder within twenty-four (24) hours via mail, fax, telephone, or other electronic means when an alarm dispatch request is made.
11. Upon the effective date of this article, monitoring companies must maintain for a period of at least one (1) year from the date of the alarm dispatch request, records relating to alarm dispatch requests. Records must include the name, address, and telephone number of the alarm user, the alarm system zone(s) activated, the time of alarm dispatch request, and evidence of an attempt to verify. The alarm administrator may request copies of such records for individually named alarm users. If the request is made within sixty (60) days of an alarm dispatch request, the monitoring company shall furnish requested records within three (3) business days of receiving the request. If the records are requested between sixty (60) days to one (1) year after an alarm dispatch request, the monitoring company shall furnish the requested records within thirty (30) days of receiving the request.

I. An alarm installation company and/or monitoring company, that purchases alarm system accounts from another person, shall notify the alarm administrator of such purchase and provide details as may be reasonably requested by the alarm administrator.

- J. Each alarm installation company and alarm monitoring company must designate one (1) individual as the alarm response manager (ARM) for the company who will manage alarm-related issues and act as the point of contact for the alarm administrator. The appointed individual must be knowledgeable of the general provisions of the article, as well as have the knowledge and authority to deal with false alarm issues and respond to requests from the alarm administrator. The name, phone number, and email address of the designated ARM must be provided to the alarm administrator.
- K. An alarm installation company and/or monitoring company shall provide the alarm administrator with a customer list in a format acceptable to the alarm administrator, upon request, to assist the alarm administrator with creating the law enforcement's tracking data. This requirement is contingent upon state or local law that protects this customer information as confidential.
- L. Alarm installation companies shall obtain the initial alarm permit and permit fee from the alarm user and submit it to the city of Sioux Falls within fifteen (15) days of the activation of an alarm system.
- M. Alarm installation companies shall provide timely training and continuing education requirements, if applicable, for alarm company employees which would include training on false alarm prevention.

Section 9. That Section 26-137, Article VII, of Chapter 26 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 26-137. ~~Determination of false alarm, rebuttable presumption~~ License or licensing.

~~For the purpose of this article, there is a rebuttable presumption that the following determinations made by the chief of police or by a police officer dispatched to the premises reporting an alarm signal are correct:~~

- ~~(1) There is no evidence of a crime or other activity that would warrant a call for immediate police assistance at the premises.~~
- ~~(2) No individual who is on or near the premises who has viewed a video communication from the premises called for a police dispatch or verified a need for an immediate police response.~~
- ~~(3) There is no evidence that weather or other extraordinary circumstances beyond the control of the alarm user caused the activation of the alarm.~~

A. All alarm installation companies and monitoring companies shall obtain, and thereafter maintain, a valid and unexpired license as established in Chapter 23 of the *Revised Ordinances of Sioux Falls, SD.*

B. All alarm installation companies and monitoring companies shall obtain from the alarm administrator a license which authorizes the company to install and monitor alarm systems.

C. The initial application fee for a license and annual renewal fee for the license shall be in the amount as set forth in Chapter 23, Article II, of the Revised Ordinances of Sioux Falls, SD. The annual renewal date, and the date upon which the annual renewal fee is due, shall be December 31 of each year, regardless of when the company originally registered. By November 1 of each year, the alarm administrator shall send a letter to all companies notifying them that the renewal fee is due. The original license fee and renewal license fee being charged shall be used in part to help defray expenses for mailings, notices, registrations, forms, and other costs associated with the administration of the licensing. Payment of all license fees and renewals shall be submitted to the alarm administrator and be made payable to the city of Sioux Falls and be deposited into the general fund of the city of Sioux Falls.

D. Application for license:

All applications for a license required by this article shall be made on forms designated by the alarm administrator and shall include at least the following information:

1. The full name and address of the alarm installation company or monitoring company.
2. The full name, business address, and home address of the manager or person to be contacted at the company.
3. A telephone number at which the Sioux Falls Police Department and other law enforcement agencies can notify personnel of the company of a need for assistance at any time.
4. The names and addresses of all alarm agents employed by the company.

E. A minimum of \$10,000.00 surety bond, in a form approved by the city of Sioux Falls, guaranteeing the faithful and honest conduct of business under the license running in favor of the city and customers of the applicant.

F. A company shall promptly notify the alarm administrator, in writing, of any change in the information contained in the registration form.

G. It is a violation of this chapter for any company, who is otherwise required to obtain a license, to knowingly install or monitor an alarm system without obtaining such a license.

H. Penalty for violation of this section:

A company, or other person, or entity violating this section shall be subject to a civil penalty as provided in Section 26-139.

I. A company's license shall be personal to the company holding the license and is not transferable.

J. Issuance: Denial of license:

1. The alarm administrator will issue a license provided for by this article to an applicant, or renew a license, if applicable, when the following conditions of the applicable licensing provisions have been fully satisfied:
 - a. All application requirements have been met, including any criminal history background checks.
 - b. All fees have been paid in full.
 - c. No grounds for denial listed in this section exist.
2. The alarm administrator may deny a license or deny the renewal of a license if, at the time of the filing of an original application or a request for renewal, the licensing authority has reasonable grounds to believe that an applicant, licensee, or person employed by an alarm dealer to install, service, sell, or otherwise deal with alarms:
 - a. Has had a preliminary criminal history check reveal that an applicant, licensee, or person employed by an alarm dealer to install, service, sell, or otherwise deal with alarms, has been convicted of any felony, or any offense not constituting a felony but which, because of its nature, would render the installer a security risk, or any offense involving moral turpitude within the last five (5)-year period as determined by the chief of police or his/her designee.
 - b. Has prepared or filed an application or request for renewal which contains any false or misleading information, submitted false or misleading information in support of such application or request, or failed or refused to make full disclosure of all information required by this article.
 - c. Has had a license relating to alarm businesses or agents, as applicable, or a license of similar character issued by the authority of another city, suspended, canceled, or revoked within the five (5)-year period immediately preceding the date of the filing of the application.
 - d. Has violated an applicable provision of this article, code, city ordinance, rule, or regulation, or state law, or has committed any act which, if committed by a licensee, would be grounds for the denial or revocation of a license pursuant to this article.
3. Notice shall be given of any denial of a license application, or a request for renewal, in writing, and either by hand delivery or by mail, to the address of record. The notice shall include the reasons for denial of the license or license renewal. If a license is denied, the applicant may appeal through the procedures established by the administrative code provisions of this code.

K. The provisions of Chapter 23, insofar as the provisions may be applicable and not in conflict, shall apply to and govern the issuance of any license under the provisions of this article.

Section 10. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-138. Duties and authority of the alarm administrator.

A. The alarm administrator shall:

1. Designate a manner, form, and telephone numbers for the communication of alarm dispatch requests.
2. Establish a procedure to accept cancellation of alarm dispatch requests.

B. The alarm administrator shall establish a procedure to record information obtained by the city on alarm dispatch requests necessary to permit the alarm administrator to maintain records, including, but not limited to, the information listed below:

1. Identification of the permit number for the alarm site.
2. Identification of the alarm site.
3. Date and time alarm dispatch request was received, including the name of the monitoring company and the monitoring operator name or number.
4. Date and time of law enforcement officer arrival at the alarm site.
5. Zone and zone description, if available.
6. Weather conditions.
7. Name of alarm user's representative at alarm site, if any.
8. Identification of the responsible alarm installation company or monitoring company.
9. Whether law enforcement officer was unable to locate the address of the alarm site.
10. Cause of alarm signal, if known.

C. The alarm administrator shall establish a procedure for the notification to the alarm user of a false alarm. The notice shall include the following information:

1. The date and time of law enforcement response to the false alarm.
2. The identification number of the responding law enforcement officer.
3. A statement urging the alarm user to ensure that the alarm system is properly operated, inspected, and serviced in order to avoid false alarms and resulting civil penalties.

- D. The alarm administrator may require a conference, with an alarm user and the alarm installation company and/or monitoring company responsible for the repair or monitoring of the alarm system, to review the circumstances of each false alarm. For these purposes, the alarm company must have a designated contact on record with the alarm administrator. (See alarm response manager.)
- E. The alarm administrator may create and implement an alarm user awareness class. The alarm administrator may request the assistance of associations, alarm companies, and law enforcement agencies in developing and implementing the class. The class shall inform alarm users of the problems created by false alarms and teach alarm users how to avoid generating false alarms.
- F. The alarm administrator may require an alarm user to remove a holdup alarm device that is a single-action, nonrecessed button, or have it replaced with an acceptable dual-action or recessed device after the occurrence of a false holdup alarm.
- G. The alarm administrator may require an alarm user to remove the duress or panic alarm capability from their alarm system after the occurrence of a false alarm.
- H. The alarm administrator will make a copy of this article and/or an article summary sheet available to the alarm user.

Section 11. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-139. Civil penalties.

A. An alarm user shall be subject to civil penalties, depending on the number of false alarms within a consecutive twelve (12)-month period, based on the following schedule:

1. False alarm civil penalties:

<u>Description</u>	<u>Civil penalty</u>
<u>1st false alarm</u>	<u>\$0.00</u>
<u>2nd false alarm</u>	<u>\$0.00</u>
<u>3rd false alarm</u>	<u>\$100.00</u>
<u>4th false alarm or subsequent</u>	<u>\$200.00</u>

- B. In addition, any person operating an unregistered alarm, or any monitoring company continuing alarm dispatch requests to an unregistered alarm site after notification by alarm administrator that the permit has been revoked, will be subject to a civil penalty of \$100.00 for each false alarm in addition to any other penalties. The alarm administrator may waive this additional civil penalty for an unregistered alarm system if the alarm user submits an application for alarm permit within ten (10) days of notification of such violation.
- C. An alarm user may have the option of attending an alarm user awareness class, if applicable, in lieu of paying one (1) prescribed civil penalty.

- D. If cancellation of an alarm dispatch request occurs prior to law enforcement arriving at the scene, no false alarm will be assessed.
- E. The alarm installation company shall be assessed a civil penalty of \$100.00 if the officer responding to the false alarm determines that an on-site employee of the alarm installation company directly caused the false alarm. In this situation, the false alarm will not be counted against the alarm user.
- F. The monitoring company shall be issued a civil penalty of \$100.00 for each failure to verify alarm system signals as specified in Section 26-136.H.2.
- G. The alarm installation company shall be issued a civil penalty of \$200.00 if the alarm administrator determines that an alarm installation company employee knowingly made a false statement concerning the inspection of an alarm site or the performance of an alarm system.
- H. The alarm installation company and/or monitoring company shall be assessed a civil penalty of \$100.00 for the first offense, and \$200.00 for each subsequent offense, for operating without a license as required by Section 26-137.B.
- I. Notice of the right of appeal under this article will be included with any civil penalty.

Section 12. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-140. Notification.

The alarm administrator shall notify the alarm user, in writing, after the third or subsequent false alarm. The notification shall include the amount of the civil penalty for the false alarm, notice that the alarm user can attend, if applicable, an alarm user awareness class to waive a civil penalty, the fact that response may be suspended after six (6) false alarms, excluding duress, holdup, and panic alarms, and a description of the appeals procedure available to the alarm user.

The alarm administrator will notify the alarm user and the alarm installation company or monitoring company in writing thirty (30) days before the alarm response is to be suspended. This notice of suspension will also include the amount of the civil penalty for each false alarm, and a description of the appeals procedure available to the alarm user and the alarm installation company or monitoring company.

Section 13. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-141. Suspension of response.

- A. The alarm administrator may suspend law enforcement response to an alarm site by revoking the alarm permit if it is determined that:
 - 1. The alarm user has six (6) or more false alarms in a twelve (12)-month period.

2. There is a statement of a material fact known to be false in the application for a permit.
 3. The alarm user has failed to make timely payment of a civil penalty assessed under Section 26-139 or fee assessed under Section 26-133.
 4. The alarm user has failed to submit a written certification from an alarm installation company that complies with the requirements of this article stating that the alarm system has been inspected and repaired (if necessary), and/or additional training has been conducted by the alarm installation company.
 5. The alarm user has failed to comply with any other duties as set forth in Section 26-135.
 6. The alarm user, alarm installation company, or monitoring company may appeal assessment of a civil penalty or the revocation of an alarm permit according to the procedure set forth in the Revised Ordinances of Sioux Falls, SD, Chapter 2, Article VI, Section 2-60 et. Sequence of this code.
- B. A person commits an offense if he/she operates an alarm system during the period in which the alarm permit is revoked and is subject to enforcement and civil penalties set in Sections 26-139 and 26-144. A monitoring company commits an offense if it continues alarm dispatch requests to an alarm site after notification by the alarm administrator that the permit has been revoked and the monitoring company is subject to enforcement and civil penalties set forth in Section 26-139.
- C. Unless there is separate indication that there is a crime in progress, the law enforcement authority may refuse law enforcement response to an alarm dispatch request at an alarm site for which the alarm permit is revoked.
- D. If the alarm permit is reinstated pursuant to Section 26-142, the alarm administrator may again suspend law enforcement response to the alarm site by again revoking the alarm permit if it is determined that three (3) false alarms have occurred within ninety (90) days after the reinstatement date.

Section 14. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-142. Appeals.

- A. If the alarm administrator assesses a civil penalty or denies the issuance, renewal, or reinstatement of an alarm permit, the alarm administrator shall send written notice of the action, and a statement of the right to an appeal, to either the affected applicant or alarm user and the alarm installation company and/or monitoring company.
- B. The alarm user, alarm installation company, or monitoring company may appeal assessment of a civil penalty or the revocation of an alarm permit through the procedures established by the administrative code provisions of this code according to the procedure set forth in the Revised Ordinances of Sioux Falls, SD, Chapter 2, Article VI, Section 2-60 et sequence of this code.

- C. Filing of a request for appeal shall stay the action by the alarm administrator revoking an alarm permit or requiring payment of a civil penalty while the appeal is pending.
- D. The alarm administrator, board, or hearing examiner may adjust the count of false alarms based on:
1. Evidence that a false alarm was caused by circumstances beyond the control of the alarm user.
 2. Evidence that a false alarm was caused by action of the telephone company.
 3. Evidence that a false alarm was caused by a power outage lasting longer than four (4) hours.
 4. Evidence that the alarm dispatch request was not a false alarm.
 5. Evidence that the law enforcement officer response was not completed in a timely fashion.
 6. In determining the number of false alarms, multiple alarms occurring in any twenty-four (24)-hour period shall be counted as one (1) false alarm to allow the alarm user time to take corrective action unless the false alarms are directly caused by the alarm user.
- E. With respect to civil penalties of an alarm installation company or monitoring company, the alarm administrator, board, or hearing examiner may take into consideration whether the alarm company had engaged in a consistent pattern of violations.

Section 15. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-143. Reinstatement.

- A. A person whose alarm permit has been revoked may, at the discretion of the board or hearing examiner, have the alarm permit reinstated by the alarm administrator if the person:
1. Pays a reinstatement fee of \$50.00.
 2. Pays, or otherwise resolves, all outstanding citations and civil penalties.
 3. Provides satisfactory evidence to the alarm administrator that the alarm system has been inspected and repaired (if necessary) by the alarm installation company; and/or that additional training in the proper use of the alarm system was provided by the alarm installation company for all alarm users.
- B. In addition, the board or hearing examiner may require one (1) or more of the following as a condition to reinstatement:

1. Proof that an employee of the alarm installation company or monitoring company caused the false alarm.
2. A certificate showing that the alarm user has successfully completed the alarm user awareness class as provided under Section 26-138.E.
3. Upgrade the alarm control panel to meet SIA/ANSI control panel standard CP-01.
4. A written statement from an independent inspector designated by the board or hearing examiner that the alarm system has been inspected and is in good working order.
5. Confirmation that all motion detectors are the “dual-technology” type.
6. Confirmation that the monitoring company will not make an alarm dispatch request unless the need for law enforcement is confirmed by audio or video verification.
7. Confirmation that the monitoring company will not make an alarm dispatch request unless the need for law enforcement is confirmed by a person at the alarm site.

Section 16. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-144. Exceptions.

A. The provisions of this chapter shall not apply to temporary alarm systems used by the department or other public law enforcement agencies for investigative or protective purposes.

B. Government facilities.

1. Government facilities, as defined in Section 26-132, are subject to the following special rules:
 - a. Fee structure:
 - (1) Government facilities are subject to annual registration rules (i.e., providing contact information for the alarm system), but are exempt from payment of the annual permit fees described in Section 26-133.
 - (2) No cost recovery fees shall be charged for police response(s) to false alarms at government facilities.
 - b. Government facilities are exempt from having police response suspended.
2. To qualify for the special rules and exemptions under this section, an alarm site must meet the following criteria:
 - a. The site is located within the municipal boundaries of the city of Sioux Falls.
 - b. The site meets the criteria as defined in Section 26-132, government facility.

3. Upon four (4) responses to a false alarm in any calendar year, a responsible party for the government alarm site shall meet with the alarm administrator and present a false alarm abatement plan.
4. The alarm administrator may make any other special rules and exceptions as are deemed necessary to ensure that appropriate protection and accountability is maintained at government sites.

Section 17. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-145. Special rules applicable to public schools.

- A. Public schools are subject to the following special rules:
 1. Public schools are subject to annual registration rules (i.e., providing information on the alarm system and contact information), but are exempt from paying the annual permit fees, as described in Section 26-133.B.
 2. Public school sites are exempt from registration fees or suspension.
- B. To qualify for the special rules and exemptions under this section, an alarm site must meet the following criteria:
 1. The site is located within the municipal boundaries of the city of Sioux Falls.
 2. The site is a public school serving children in one (1) or more of grades K–12.
- C. The alarm administrator may make any other special rules and exceptions as are deemed necessary to ensure that appropriate protection and accountability is maintained at public schools.

Section 18. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-146. Confidentiality.

In the interest of public safety, all information contained in, and gathered through the alarm permit application records relating to alarm dispatch requests, and applications for appeals shall be held in confidence by all employees or representatives of the municipality and by any third-party administrator or employees of a third-party administrator with access to such information.

Section 19. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-147. Government immunity.

An alarm permit is not intended to, nor will it, create a contract, duty, or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By applying for an alarm permit, the alarm user acknowledges that law enforcement response may be influenced by factors such as the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels, and prior response history.

Section 20. That Chapter 26, Article VII, of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding a new section to be numbered as follows:

Sec. 26-148. Severability.

The provisions of this article are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid, or that the application of any part of the provision to any person or circumstance is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

Date adopted: _____.

Mayor

ATTEST:

City Clerk