

ALLENDALE CHARTER TOWNSHIP

FALSE ALARM ORDINANCE

Ordinance 2014-6

THE CHARTER TOWNSHIP OF ALLENDALE, COUTNY OF OTTAWA, AND THE STATE OF MICHIGAN
ORDAINS:

Section 1. Purpose: The purpose of this ordinance is to encourage Alarm Users and Fire Alarm Contractors to properly install, use and maintain Fire Alarm Systems in order to improve the reliability of such Systems and thereby reduce or eliminate False Fire Alarms. This ordinance governs the use of Fire Alarm Systems intended to summon the Allendale Charter Township Fire Department; requires registration of such Systems; allows for the assessment of Service Fees; and provides for civil penalties.

Section 2. Definitions: For the purpose of their use in this Ordinance, the following words and terms are hereinafter defined. Any word or term not defined herein shall be considered to be defined in accordance with its common or standard definition.

- (A) Adopted Code(s) means the 2012 International Fire Code as amended by Allendale Charter Township.
- (B) Alarm User means any person; whether owner, occupant, or tenant, upon whose premises a Fire Alarm System is maintained or operated within the Allendale Charter Township.
- (C) Department means the Allendale Charter Township Fire Department.
- (D) Enforcement Official means the Allendale Charter Township Fire Chief or his/her designated representative.
- (E) False Fire Alarm means the activation of any Fire Alarm System not caused by heat, smoke or fire, resulting in response by the Department. A False Fire Alarm includes, but is not limited to activation of a Fire Alarm System through any of the following:
 - (1) Negligent or intentional use or misuse of the System;
 - (2) Mechanical failure;
 - (3) Malfunction; or
 - (4) Improper installation.

A False Fire Alarm does not include an alarm caused by naturally occurring weather, seismic or other condition; interruption of electrical or telephone service to the Alarm User; or malicious or criminal activity by a third party who is not an agent or employee of the alarm user.

- (F) Fire Alarm Contractor means any individual, partnership, corporation or other entity appropriately licensed as a Fire Alarm Contractor by the State of Michigan, State Electrical Administrative Board.
- (G) Fire Alarm Registration means the documentation required by the Department to register a Fire Alarm System.

- (H) Fire Alarm System means any device or equipment designed to signal visibly, audibly, electronically, mechanically or by any combination of these methods the presence of a heat, smoke or fire hazard to which the Department is trained to respond. The term Fire Alarm System does not include an alarm designed to alert only the inhabitants of a Premises.
- (I) Letter for Excessive False Fire Alarms means a notification provided to an Alarm User by the Department for three (3) or more False Fire Alarms. This warning notice will require that the Fire Alarm System be inspected and/or serviced within fifteen (15) days, and that written documentation be submitted to the Department certifying that the Fire Alarm System is in working order. Failure to provide this written documentation will result in a Service Fee for excessive False Fire Alarms.
- (J) Premises means: any building, structure or combination of buildings and structures, in which a Fire Alarm System is installed.
- (K) Qualified Fire Alarm Technician means any person who inspects, installs, repairs or performs maintenance on Fire Alarm Systems and is factory trained and licensed by the State of Michigan.
- (L) Record of Completion means the form required to be filed with the Department pursuant to the National Fire Protection Association's National Fire Alarm Code (NFPA 72).
- (M) Service Fee means the monetary charge payable to Allendale Charter Township to defray the expenses of implementing the purposes of this ordinance.
- (N) Report of Service/Repair means the appropriate documentation in a format acceptable to the Enforcement Official that verifies proper repairs or maintenance have been performed by both the Fire Alarm Contractor and the Alarm User.

Section 3. Registration of Fire Alarm System.

- (A) Registration Required. All newly-installed Fire Alarm Systems shall be required to be registered at the time that a Record of Completion is prepared, in accordance with Adopted Codes. The Alarm User or his duly authorized agent shall complete and deliver the Fire Alarm Registration in the required format to the Enforcement Official before the Fire Alarm System is activated. For all existing Fire Alarm Systems as of the date of adoption of this Ordinance, Fire Alarm Registration shall occur not later than one hundred eighty (180) days after the effective date of this Chapter.
- (B) Change in Registration Information. When any information contained in the Fire Alarm Registration Form is no longer accurate for any reason, the Alarm User shall re-register the Fire Alarm System not later than fifteen (15) days after the Alarm user becomes aware of any such change, noting all necessary changes on said Registration Form.
- (C) Transferals Prohibited. Fire Alarm Registrations shall not be transferable from one Premise to another or from one Alarm User to another.
- (D) Notice to Department of Existence of System; Notice to Alarm User. Every Fire Alarm Contractor shall notify the Enforcement Official of the existence of a Fire Alarm System before the Fire Alarm System is put into operation. It is the responsibility of the installing Fire Alarm Contractor to provide the Alarm User with notice of the existence of this Chapter, a Fire Alarm Registration form and a copy of the Fire Alarm System operation instructions in accordance with Adopted Codes, as well as the manufacturer's instructions.

Section 4. Display of Fire Alarm Registration.

- (A) The Fire Alarm Registration shall be kept on the Premises serviced by the Fire Alarm System and shall be displayed upon request of the Enforcement Official or a member of the Department.

Section 5. Responsibility for Compliance; Requirement of Alarm User to Respond to Scene.

- (A) Unless otherwise stated herein, the Alarm User shall be responsible for complying with all provisions of this Chapter.
- (B) The Alarm User or any person identified on the Fire Alarm Registration Application shall appear at the Premises upon request of the Department when a Fire Alarm System has been activated.

Section 6. False Fire Alarms.

- (A) Notification to Alarm User. If the Department records three (3) or more False Fire Alarms at one (1) Premises within a twelve (12) month calendar year, a Letter for Excessive False Fire Alarms shall be mailed by first class mail to the Alarm User and any Fire Alarm Contractor. Said notice shall direct that the Alarm User submit a Report of Service/Repair within fifteen (15) calendar days of receipt of said letter stating that:
 - (1) The Fire Alarm System has been examined by a Qualified Fire Alarm Technician; and
 - (2) A bona fide attempt has been made to identify and correct any defect of design, installation or operation of the Fire Alarm System which was identified as a possible cause of the False Fire Alarm.
- (B) No Fee shall be assessed for the first two (2) False Fire Alarms at the same premises requiring response by the Department during any calendar year.
- (C) Failure of the Alarm User to return a satisfactory Report of Service/Repair to the Enforcement Official within said fifteen (15) day period shall result in the imposition of a Service Fee.
- (D) A Fire Alarm Contractor, Alarm User, or any other individual shall not conduct testing or perform repair work on any Fire Alarm System, sprinkler system or fire suppression system without first notifying the Department Dispatch Center that such testing or repair work is being performed. Violation of this subsection shall result in the imposition of a Service Fee.
- (E) False Fire Alarms activated by any components connected to the Fire Alarm System shall be included in computing the total number of False Fire Alarms for purposes of this Ordinance.
- (F) During the fifteen (15) day period after receipt of a Letter for Excessive False Fire Alarms any additional False Fire Alarms will not be counted toward the year's total False Fire Alarms, provided that the provisions of subsection (A) above have been met.

Section 7. Service Fees.

- (A) The provisions of this Ordinance shall not apply to any newly installed Fire Alarm System for a period of forty-five days (45) from the date of installation. In an existing building the forty-five (45) days begin when the installation of the new system is completed. In new construction the forty-five (45) days begin when the installation of the system is completed and an occupancy permit is issued. The provisions of this ordinance shall apply from and after the expiration of the initial forty-five (45) day period following the issuance of the occupancy permit and/or completed installation.
- (B) Should any Service Fee assessed pursuant to this Chapter remain unpaid in excess of thirty (30) days, a Late Fee shall be assessed and shall be payable in addition to the Original Service Fee.
- (C) The Service Fees established by this ordinance shall be calculated periodically based on employee labor rates, equipment costs and the Department service costs and established by appropriate township Resolution.

Section 8. Conflict with Other Township Ordinances.

If the provisions of this ordinance conflict with any ordinance or resolution previously adopted by the township, the provisions of this ordinance shall control.