

Coenfeld
AS ✓

ORDINANCE NO. 1812

(An ordinance amending Chapter 8.32 of the Hood River Municipal Code
- Fire Alarm Systems)

WHEREAS, the City is updating its Fire Alarm Systems code to provide continuity and consistency;

WHEREAS, Chapter 8.42, False Alarms, and Chapter 8.32, Fire Alarm Systems, address the same issues and should be combined to eliminate confusion;

WHEREAS, false fire alarms will be addressed in the revisions to Chapter 8.32, Fire Alarm Systems;

NOW, THEREFORE, THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

Chapter 8.32 of the Hood River Municipal Code is amended to read as follows:

CHAPTER 8.32 - FIRE ALARM SYSTEMS

Sections:

- 8.32.010 Definitions
- 8.32.020 Automatic dialing device--Interconnections prohibited
- 8.32.025 False Alarms
- 8.32.030 ~~Enforcement by civil or criminal action~~
- 8.32.040 Violation—Penalty

8.32.010 Definitions. As used in this chapter, the following terms are defined as follows:

"Alarm system" means any assembly of equipment, mechanical or electrical, arranged to signal the presence of smoke or of a rapid rise of temperature or other activity requiring urgent attention and to which the fire department resources of the city are expected to respond.

“Alarm User” means the natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them, which owns, occupies or controls any building, structure or facility wherein an alarm system is operated.

"Automatic dialing device" means a device which is interconnected to a telephone line and is programmed to transmit by voice, message or code signal a selected telephone number indicating a need for an emergency response.

"City fire lines" are all telephone lines used by the city serving the city fire department or to any of its offices.

“Dispatch Center” means the county 911 dispatch center used to receive emergency and general information from the public and to dispatch the appropriate service department.

“False Alarm” means an alarm system signal to which city resources respond with any personnel and/or equipment when a situation requiring such a response does not in fact exist, and which signal is caused by the inadvertence, negligence, intentional act or omission of an alarm user, a malfunction of the alarm system, or a malicious act. The following shall not be considered a false alarm:

1. Alarms caused by the testing, repair or malfunction of telephone or electrical equipment or lines not under the direct control of the alarm user;
2. Alarms caused by a natural act, including earthquakes, floods, windstorms, thunder, and lightening;
3. Alarms caused by an unauthorized entry or attempted unauthorized entry of which there is visible evidence, verified by the City Police Department.
4. Alarms caused from unintentional and/or unexpected mechanical system malfunctions (for example: steam pipes breaking, first time turning furnace on, etc.);
5. Alarms caused by possible emergent situations that have self-extinguished (for example: light balasts burning out, electric motors burning out, commercial cooking fires extinguished by employees, etc.).

"Interconnect" means to connect an alarm system including any automatic dialing device to a telephone line either directly or through a mechanical device that utilizes a telephone for the purpose of using the city fire lines to transmit a message upon the activation of the alarm system. (Ord. 1450 §1, 1979).

8.32.020 Automatic dialing device--Interconnections prohibited. A. It is unlawful for any person to program an automatic dialing device to any city fire line.

B. All existing automatic dialing devices programmed or connected to city fire lines shall be disconnected lines. (Ord. 1450 §2, 1979).

8.32.025 False Alarms. A. It is unlawful for any person to own, operate, control, maintain, lease, rent or use an alarm system which generates more than four false alarms in any given twelve (12) month period. Each false alarm after the fourth is a separate violation of this section.

B. Upon the receipt by the city of the first and second false alarms from any fire alarm system in a twelve (12) month period, the Fire Marshal shall notify the alarm user of that system that a false alarm occurred at a particular date and time and that only four false alarms are allowed during any twelve (12) month period.

C. Upon the receipt by the city of the third and fourth false alarms from any fire alarm system in a twelve (12) month period, the Fire Marshal shall notify the alarm user of that system, in writing, that a false alarm occurred at a particular date and time and that continued false alarms will result in fines being assessed.

D. Upon receipt by the city of the fifth and subsequent false alarms from any fire alarm system in a twelve (12) month period, the Fire Marshal shall notify the alarm user of that system, in writing, that a false alarm has occurred at a particular date and time and that a specified fine, as outlined in Section 8.32.030, is due to the city within 30 days.

E. If a user contests the Fire Marshal's determination that an alarm is a false alarm, the user must provide evidence satisfactory to the Fire Marshal within ten calendar days of the date of the notice of false alarm that the alarm was in fact not a false alarm. Failure to contest the determination in the required time period results in the conclusive presumption for all purposes that the alarm was a false alarm.

~~8.32.030 Enforcement by civil or criminal action. Enforcement of this chapter may be by civil action as provided by ORS 30.315 or by criminal prosecution for violation of this chapter. (Ord. 1450 §4(1), 1979).~~

~~8.32.040 030 Violation--Penalty. Violation of this chapter shall be punished upon conviction by a fine of not more than five hundred dollars. (Ord. 1450 §4(2), 1979). Violations of the provisions of this Chapter are declared civil violations and such violations may, in addition to or in lieu of other remedies or enforcement measures provided by State law or this title, be enforced under the provisions of Chapter 1.12 of this code. In addition to any costs, assessments or restitution the court may impose, violations shall be subject to a fine of \$75.00 for the fifth false alarm, \$125.00 for the sixth false alarm, \$200.00 for the seventh false alarm, and \$300.00 per alarm for eight or more false alarms. A violation of the "Automatic dialing device—~~

Interconnections prohibited” section of this chapter shall be punishable by a minimum fine of \$300.00 and a maximum fine of \$500.00.

Read for the first time: February 12, 2001.

Read for the second time and passed: February 26, 2001, to become effective thirty (30) days hence.



Paul G. Cummings, Mayor

ATTEST:



Anita R. Smith, City Recorder