

ORDINANCE NO. 1997

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

✓
gjs
CODIFIED
Date 11/11

WHEREAS, the City regulates Fire Alarm Systems installed in businesses in HRMC Chapter 8.32;

WHEREAS, when the City Fire Department responds to multiple false alarms in a 12-month period at the same business, it takes the department out of service for other emergency calls;

WHEREAS, in an effort to curb fire alarm systems from malfunctioning on a recurring basis, HRMC Chapter 8.32 sets out a penalty clause for recurring false alarms;

WHEREAS, the City maintains a schedule of fees to be adopted and updated by resolution as needed;

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 [additions in underline and deletions in strikeout]:

CHAPTER 8.32 - FIRE ALARM SYSTEMS

Legislative History: Ord 1450 (1979); Ord 1812 (2001)

SECTIONS:

- 8.32.010 Definitions
- 8.32.020 Automatic Dialing Device - Interconnections Prohibited
- 8.32.025 False Alarms
- 8.32.030 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 lightning;
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 ballasts 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.

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.

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~~ three false alarms in any given twelve (12) month period. Each false alarm after the ~~fourth~~ third 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.~~

B. Upon the receipt by the city of the third false alarm from any fire alarm system in a twelve (12) month period, the Fire Department 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. C.~~ Upon receipt by the city of the ~~fourth~~ fourth and subsequent false alarms from any fire alarm system in a twelve (12) month period, the Fire ~~Marshal~~ Department 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. D.~~ If a user contests the Fire ~~Marshal's Department's~~ Department's determination that an alarm is a false alarm, the user must provide evidence satisfactory to the Fire ~~Marshal~~ Department 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 Violation — Penalty Fines. ~~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 for the fifth false alarm, \$125 for the sixth false alarm, \$200 for the seventh false alarm, and \$300 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 and a maximum fine of \$500. The amount of the fines assessed pursuant to Section 8.32.020 and 8.32.025 shall be set by resolution of the City Council.~~

Read for the first time: June 27 2011

Read for the second time and passed: July 11 2011, to become effective thirty (30) days hence..

Signed July 11, 2011

Arthur Babitz
Arthur Babitz, Mayor

ATTEST:

Jennifer Gray
Jennifer Gray, City Recorder