

Ordinance No. 07-11

Fire Alarms

Section 1. Purpose

- A) The primary purpose of this ordinance is to reduce or eliminate the incidents of false fire alarms in the city of Alexander City, Alabama. While alarm systems provide a vital service to residents, businesses and the entire city of Alexander City, false alarms pose a safety hazard. They divert municipal employees from useful duties, creating a waste of municipal manpower and services, and increase the likelihood of injury while responding to an alarm.
- B) The further purpose of this ordinance is to encourage alarm users and alarm businesses (sales, installations, customer service and/or monitoring) to properly maintain and operate alarm systems within the city by limiting unnecessary municipal response to false alarms.
- C) This ordinance promotes the health, safety and welfare of both the residents and visitors of the city of Alexander City, Alabama by decreasing the number of false alarms thus increasing the time available for fire personnel to respond to justified fire calls.

Section 2. Definitions

- A) **Alarm Business** means the business by any person or any authorized designated agents engaged in selling, leasing, maintaining, monitoring, servicing, repairing, altering, replacing, moving or installing any fire alarm system in or on any building, structure or facility in the city of Alexander City, Alabama.
- B) **Alarm System** means a device or system that emits, transmits or relays a signal intended to summon, or that would reasonably be expected to summon fire services of the city. The above definition shall not include:
 - 1. An alarm installed in a vehicle, or
 - 2. A smoke detector not connected to an alarm system installed in a single-family or two-family structure.
- C) **Alarm Business Agent or Employee** means any person who is employed by an alarm business responsible for selling, leasing, maintaining, monitoring, servicing, repairing, altering, replacing, moving or installing any fire alarm system in or on any building, structure or facility in the city of Alexander City, Alabama.
- D) **Alarm User or User** means the person, firm, partnership, association, corporation, company or organization of any kind in control of any building, structure or facility where an alarm system is used or maintained.
- E) **Contact Person** means that individual or individuals that will be utilized as being responsible for contact to be made by the Fire Department when the need arises.
- F) **Audible Alarm** means an alarm system that emits an audible signal that may be heard by persons outside the protected building, structure or facility.
- G) **Automatic, Telephone Dialing Device or Digital Alarm Communicator Alarm System** means an alarm system which is activated by a signal or message and which automatically sends a pre-recorded message or coded signal by microwave, telephone or other mode of transmittal directly to the central station or monitoring company, indicating the existence of an emergency situation that the alarm system is designed to detect.

H) **False Alarm** means the activation of an alarm system when a situation requiring fire response does not actually exist. Such activation may be caused by malfunction or failure of alarm equipment, error, and/or negligence by the alarm user or his agents or employees, improper alarm installation or error on the part of alarm business agent or employee. For the purpose of interpretation, multiple false alarms occurring at an alarm business prior to the notification of the alarm user shall be considered as one false alarm.

Exception: Alarms resulting from the following conditions shall not be construed as false alarms:

1. Violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm business or alarm user, or
2. Earthquake causing structural damage to the protected premises, or
3. Lightning bolt causing physical damage to the protected premises, or
4. Telephone line malfunction verified in writing to the city of Alexander City by at least a first line telephone company supervisor or by municipal personnel on the scene of an alarm, or
5. Notification of the Fire Department before a unit is dispatched to investigate that the alarm does not require a response. This notification must be made by calling the Communication Center for the city of Alexander City on the E-911 recorded line.

I) **Premises** means any building or structure or portion thereof protected by an alarm system. In the case of two or more buildings or structures or portions thereof on the same property under the same ownership protected by alarm systems that are not connected to a single control system, each building or structure or portion thereof shall be deemed to be separate and distinct premises.

J) **Alarm Room or Communication Center** means the Fire Department facility used to receive emergency general information from the general public to be dispatched to municipal personnel.

K) **Municipal Administrator** means the Fire Chief, Fire Marshal or designated representatives whose duties shall be to promulgate rules and regulations for the implementation of the terms and condition of this article, or such other person as the Mayor may designate.

L) **Year** means twelve (12) months from January 1 through December 31.

M) **Required Fire Alarm System** means any fire alarm system, which is required as a condition for occupancy:

1. As required in the latest adopted edition of the National Fire Protection Association Life Safety Code, or
2. As required in the latest adopted edition of the Southern Building Code Congress, or
3. Any condition specified by the authority having jurisdiction, which is considered an alternative to provide a satisfactory level of life safety to a pre-existing non-conforming Life Safety Code issue.

Section 3. Permits

A) All new installations, renovations, and/or upgrades to fire alarm systems shall have plans stamped by the responsible designer. These plans shall be submitted to the Alexander City Fire Department for review prior to the installation.

Section 4. Requirements

A) Each alarm business will employ agents or employees that possess the needed skills and abilities to perform the duties required. These duties are to include proper instruction to allow the alarm user to use the alarm system properly and obtain service for the alarm at any time.

- B) All fire alarm systems are to be installed, tested, maintained and inspected in accordance with the National Fire Protection Association standards currently adopted and the manufacturers recommended instructions.
- C) Each alarm business will make sure that each alarm system that is required to be monitored by statute or rules promulgated by the Fire Department be monitored and proper notifications be made to the communications desk and the alarm user if no one is on the premises when the alarm is activated.
- D) Each monitoring agency for the alarm business will maintain a current list of at least three (3) people that can be notified for the alarm user in the event of an alarm activation.
- E) The alarm user will ensure that any employee or agent that will be given the responsibility of the operation of activating or deactivating their alarm system is properly trained to do so.
- F) The alarm user will provide a list of at least three (3) people that can serve as contact people. The contact person will be responsible for responding to the alarm location if the need arises. However, businesses which employ less than three (3) persons or single-family dwellings where less than three (3) adults reside, are only required to provide contact numbers for the actual number of employees or adult residents.
- G) The E-911 Communication Center personnel will properly record any calls that come in to the desk and dispatch fire units to investigate the alarm calls.
- H) The E-911 Communication Center and the Fire Department will maintain a record of all alarm calls and the nature of the alarms.

Section 5. Required Fire Alarm System

- A) Bids, proposals, offers or installation drawings for the fire detection fire alarm, or fire communication systems shall be stamped by the licenses authorized certificate holder for the company submitting said item.

Requirements to receive approval from the Alexander City Fire Department:

- 1) The applicant has submitted proof to the Fire Marshal that he or she has obtained and continues to hold a Level III or IV Certification by the National Institute for Certification in Engineering Technology (NICET) in the field of Fire Alarm Systems, or an equivalent certification program approved by authority having jurisdiction, or
 - 2) The applicant has submitted proof of being a professional Fire Protection Engineer registered with the state of Alabama, and
 - 3) The applicant has submitted proof of a valid comprehensive liability insurance policy for bodily injury and property damage, products liability, completed operations, and contractual liability. The minimum amount of coverage shall be one million dollars (\$1,000,000).
- B) A person shall only perform any modification or maintenance to any existing alarm system or construction of a new alarm system if they hold the minimum certification requirements. All work required to be performed by certified personnel may be performed by other personnel not so certified, provided that the uncertified personnel are supervised by a certified technician.
- C) Each person, firm or corporation shall have three (3) years from the passage of this ordinance in which to comply with the requirements set forth in this section, subsections A and B.
- D) Any newly acquired fire alarm system or existing fire alarm system which requires updating or modification following the date of the passage of this ordinance, shall be required to:

1. Be installed in accordance with the National Fire Protection Association standards currently adopted as the Fire Code of the city of Alexander City.
2. Provide emergency access to the protected facility pursuant to one of the three (3) listed criteria, as follows: (it should be noted that the business owner might choose any of the following options they deem appropriate.)
 - I. Users must provide to the central station or answering service the names and telephone number of at least (3) persons who can respond to the premises where the alarm occurred within thirty (30) minutes of being notified at any time with the keys to the premises and the alarm system. This list of names and telephone numbers shall be kept current at all times. The same information shall be supplied to the Fire Department and E-911 Communication Center upon request, or
 - II. If the alarm company agrees it must have one of its representatives respond to the premises where the alarm occurred at any time with the keys to the premises and alarm system, or
 - III. The user shall install on the outside of the premises a lock box that only the Fire Department has a key to, which also has been approved by the Fire Official. This box must contain the keys to the premises and the alarm system.

If the alarm owner chooses the third option of installing a secured lock box and the Alexander City Fire Department responds to an alarm, then the Alexander City Fire Department will immediately notify the alarm owner and advise him of entry and apparent cause of alarm, such as fire or false alarm. In the event of a false alarm, the owner will be responsible to reset all alarms as soon as possible and to secure the building.
3. All audible alarm systems shall have a sign or notice posted on or near the audible device with the name and telephone number of the person or persons responsible for service and maintenance of the system. The notice shall be conspicuously posted and readable from ground level.
5. Tools and keys required to reset alarm systems will be maintained on premises.
6. Any alarm system with a zone display panel must have a diagram posted near alarm panel describing the location of zones.
7. Every newly installed required alarm system shall be approved by the Fire Official and the installer shall furnish to the Fire Department a Fire Alarm System Certification as described in the Fire Code of the city of Alexander City (NFPA 72).

Section 6. Response to Alarms

A) Fire Alarms

1. Whenever a fire alarm is activated in the city of Alexander City thereby requiring an emergency response to the location by the Fire Department, the Fire Department personnel at the scene of the activated fire alarm system shall inspect the area protected by the system and shall determine whether the emergency response was in fact required as indicated by the alarm system or whether the alarm system was a false fire alarm pursuant to the terms of this ordinance.

2. If the Fire Department personnel at the scene of the activated fire alarm system determines the alarm to have been false, said personnel shall make a written report of the false fire alarm, a notification of which shall be delivered by certified mail or by hand delivery to the alarm user pursuant to the terms of this ordinance, advising the fire alarm user of the occurrence of a false fire alarm, with a date, time and location specified in the notice.
3. The Fire Official or duly authorized designee shall have the right to inspect any alarm system on the premises to which a response has been made at the time of the activation of the fire alarm or he may cause an inspection of such system to be made at any reasonable time thereafter, by appointment, with the owner of the property. The Fire Official shall notify the fire alarm user and any alarm business involved so a representative may be present at the time of inspection.

Section 7. Notification of Alarm

- A) Alarm signals initiated by manual fire alarm boxes, automatic fire detectors, water flow from the automatic sprinkler system, actuation of other fire extinguishing or medical emergency alerting systems shall be treated as emergency fire alarms for the purpose of this ordinance.
- B) Any monitored, proprietary or central fire alarm system shall:
 - 1) Within ninety (90) seconds re-transmit or forward such an alarm signal to the city of Alexander City's Communication Center through approved non- E-911 telephone lines so the proper emergency equipment may be dispatched.
 - 2) Notify the fire alarm user in the quickest possible manner.
- C) Monitored Alarms
 - 1) Monitoring companies shall immediately dispatch a runner to investigate trouble signal and notify the owner of the alarm of the status of the situation.
 - 2) The equipment owner shall contact an alarm service or maintenance company and have the trouble with the alarm system cleared within seventy-two (72) hours.
- D) Unmonitored Fire Alarm
 - 1) Owner shall immediately investigate cause of the trouble signal, and shall have an alarm system maintenance company repair the system, as soon as possible, but in no event shall the repair of the system take longer than seventy-two (72) hours.
- E) Trouble signals shall not be treated as a fire alarm requiring emergency response by the Alexander City Fire Department pursuant to this ordinance.
- F) For purposes of interpretation, multiple false alarms occurring at an alarm business prior to the notification of alarm user shall be considered as one false alarm.

Section 8. Liabilities

The city of Alexander City assumes no responsibility or liability whatsoever for alarm systems installed or maintained by private individuals or privately operated alarm businesses nor the quality of installation, maintenance monitoring, type of equipment used for the interruption of services being provided by said alarm businesses to the alarm users.

Section 9. Enforcement

- A) Whereas after the adoption of this Resolution/Ordinance by the City Council of the City of Alexander City the number of false alarms allowed at an alarms users location will be enforced by the Alexander City Fire Department and the Enforcement Officer of the City of Alexander City, as the case may be, through the Alexander City Municipal Court.

- B) Any alarms that are ruled as false alarms at any alarm users location in excess of three (3) within a calendar year will be in violation of this ordinance.
- C) Failure to respond within thirty (30) minutes after the Alexander City Fire Department notifies a key holder shall be a violation of the ordinance and shall subject the individual responsible to a fine the amount of up to \$100.00 by the issuance of an affidavit, summons and prosecution in Municipal Court. Also be advised that if option II is taken from Section 5D2, it shall ultimately be the owners responsibility for this requirement.
- D) The Fire Marshal or Code enforcement Officer will have the responsibility to notify the user by registered mail that there have been three (3) false alarms at their location and in the event that another false alarm occurs, punishment by non-criminal penalty will be as follows:
 - 1. First Offense \$100.00
 - 2. Second Offense \$200.00
 - 3. Third Offense \$300.00
 - 4. Any offense thereafter will be a maximum penalty of \$500.00
- E) The Municipal Court of Alexander City may establish a fine schedule for violations of this ordinance in accordance with Rule 20 of the Alabama Rules of Judicial Administration.

Section 10. Grace Period – New Installations

The provisions of this article shall not apply to any new installation or modification of alarm systems for the first thirty (30) days following completion of the installation or system modification. Users installing a new system or making substantial modifications to an existing system shall be entitled to a grace period during which false alarms generated by such system shall be deemed non-false alarms. The grace period shall cease thirty (30) days after installation or modification of an alarm system. Written notice of installation or modification must be mailed or delivered to the Alexander City Fire Department, addressed to the Chief, concerning the date of installation and modification.

Section 11. Repealer

All City Code Sections and Ordinances or parts of City Code Sections and Ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 12. Severability

If any section, sentence, paragraph, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding of invalidity shall not affect the remaining portions of this ordinance, and it shall be construed to have been the intent of the City Council of Alexander City to pass this ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this ordinance shall be deemed and held to be valid as if such parts had not been included therein.

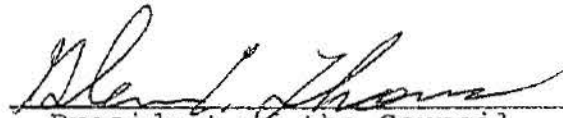
Section 13. Effect of Ordinance

This ordinance shall be in full force and effect from and after its adoption and publication as required by law. This ordinance shall be in full force and effect within the city of Alexander City and its police jurisdiction.

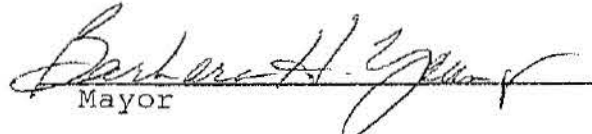
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ADOPTED this 7th day of May, 2007.


President of the Council

APPROVED this 7th day of May, 2007.


Mayor


ATTEST:


City Clerk

CERTIFICATION OF CITY CLERK

The undersigned, as Clerk of the City of Alexander City, Alabama, hereby certifies that the foregoing is a correct, and complete copy of Ordinance No. 07-11 which as duly adopted by the City Council on the 7th day of May, 2007.

WITNESS MY SIGNATURE, as Clerk of the City of Alexander City, Alabama under the seal thereof, this 7th day of May, 2007.


As Clerk of the City of
Alexander City, Alabama

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