

FILE

ORDINANCE NO. 17-06

AMENDMENT TO ORDINANCE ESTABLISHING A
SCHEDULE OF FINES FOR FALSE FIRE ALARMS

WHEREAS, the Warrenville Fire Protection District is a fire protection district duly organized under the laws of the State of Illinois; and

WHEREAS, the Board of Trustees of the District has express power pursuant to 70 ILCS 705/11, to adopt and enforce fire prevention codes and standards parallel to national standards to promote fire prevention; and

WHEREAS, the Board of Trustees of the District also has full power pursuant to 70 ILCS 705/11, to pass all necessary ordinances and rules and regulations for the proper management and conduct of the business of the Board of Trustees of the District for carrying into effect the objects for which the District was formed; and

WHEREAS, a number of homes, business establishments and public buildings within the District are equipped with automatic detection devices and signaling devices that transmit alarms of signals of a fire or medical emergency to the District via DuComm 911; and

WHEREAS, the District finds that a high incidence of False Alarms and/or Nuisance Fire Alarms causes a significant misuse of manpower and resources of the District by causing the dispatch of emergency resources to the scene of a Nuisance Fire Alarm or false alarm, which renders them out of service and unavailable to respond to legitimate emergency situations; and

WHEREAS, the District desires to create a schedule of fines for false alarms in order that the District may be adequately compensated for the cost of responding to false alarms and to provide incentives to building owners within the District to maintain their fire alarm systems in good working order and repair, while penalizing those who fail to do so.

NOW, THEREFORE, Be It Ordained by the Board of Trustees of the Warrenville Fire Protection District as Follows:

Section One: Purpose

- A) The purpose of this Ordinance is to encourage Owners and Fire Alarm Businesses to properly use and maintain the operational effectiveness of the Fire Alarm Systems in order to improve the reliability of the Fire Alarm System and reduce or eliminate False Fire Alarms and Nuisance Fire Alarms
- B) This Ordinance governs Fire Alarm Systems intended to summon the District and requires the registration, assessment of fees for excessive False Fire Alarms, Malicious Fire Alarms and Nuisance Fire Alarms.

Section Two: Definitions

As used in this Ordinance, the following words and terms shall have the meanings ascribed to them.

- A) **District** refers to the Warrenville Fire Protection District
- B) **Adopted Code(s)** means codes adopted by the District and in the absence of an adopted code, the National Fire Protection Association National Fire Alarm Code 72 (NFPA 72 - 2016) and the National Fire Protection Association Life Safety Code 101 (NFPA 101) IBC, IFC 2015. Life Safety Code 2016. This includes any and all amended codes and ordinances.
- C) **False Fire Alarm** means the activation of any Fire Alarm System which results in a response by the District and which is caused by a malfunction, negligence, malicious or intentional false activation of the Fire Alarm System by the owner, its employees, agents or any other activation of the Fire Alarm System not caused by heat, smoke or fire. It shall include alarms resulting from any of the following causes;
 - 1. Telephone line malfunction. The premises has options to not use the public telephone system, for the transmission of an alarm, upgrade to AES radio.
 - 2. Electrical service interruption. All fire alarm systems must have back up power, which must be maintained for as long as the public electrical system is out of service.
- D) **Fire Alarm System** means a system or portion of a combination system consisting of components and circuits arranged to monitor and/or exterior annunciate the status of a fire alarm or supervisory signal-initiating devices and to initiate the appropriate response to those signals.
- E) **Fire Watch** means a person, or persons assigned to the premises for the purpose of protecting the occupants from fire or similar emergencies. A Fire Watch may involve some special action beyond normal staffing, such as assigning additional security guard(s) to walk the premises, who have been trained in fire prevention, the use of fire extinguishers, in notifying 911, how to activate the Fire Alarm System and in understanding the particular fire safety situation.
- F) **Owner** defined as the owner of the property from which the false alarm originated and any individual, partnership, corporation, organization or other entity occupying or on the property with the permission of the owner.
- G) **Nuisance Fire Alarm** means the activation of any Fire Alarm System which results in the response by the District, caused by mechanical failure, improper installation, lack of proper maintenance or any other response for which the Fire Crews are unable to determine the cause of the Fire Alarm System activation.
- H) **Malicious Fire Alarm** means the activation of any Fire Alarm System which results in the response by the District, caused by the deliberate activation of the fire alarm system by, but not limited to, any of the following;
 - 1. By activating a pull station or call box
 - 2. Tampering with a heat or smoke detector
 - 3. Intentional activation of any part of the automatic sprinkler system
 - 4. Intentional activation of any part of a Hood and Duct extinguisher system

Section Three: Fee Schedule

The Owner shall be fined for False Fire Alarms as follows:

- A) The first Two (2) False Fire Alarms within twelve (12) months in a calendar year is tracked by the District and/or a billing company, is free of charge
- B) The Third (3rd) False Fire Alarm within twelve (12) months in a calendar year, will be billed at \$ 200.00
- C) The Fourth (4th) False Fire Alarm within twelve (12) months in a calendar year, will be billed at \$ 350.00
- D) The Fifth (5th) and above False Fire Alarms within twelve (12) months in a calendar year, will be billed at \$500.00 per event, not to exceed \$1,000.00 per calendar day.
- E) Out of Service Fire Alarm: If a Fire Alarm System gives three (3) or more False Fire Alarms within a twenty four (24) hour period, The District reserves the right to place the Fire Alarm System, Out Of Service. The District personnel may request that a Fire Watch be started. If the property has no personnel available to be on Fire Watch, the owner can request that District personnel serve as the Fire Watch, with the understanding that the owner will be charged for the actual cost of District personnel and equipment required to staff the Fire Watch. Any Fire Alarm System placed Out Of Service under this section, must be repaired and placed back in service as soon as possible. The Fire Alarm System must be tested in the presence of the District's Fire Marshal, or his designee.

Section Four: Collections

In addition to the fine(s) set forth in this ordinance for any False Fire Alarm, if the Owner refuses to pay within 60 days of the invoice being issued, the Owner will be deemed to have further violated this ordinance and will incur an additional fine of not less than \$50.00, nor more than \$500.00 for each offense, plus all legal fees and costs caused by the enforcement of this ordinance. Such fees and costs shall include, but not limited to, staff costs of inspection or re-inspection, legal fees and staff costs for enforcement. A separate offense shall be deemed committed for each day on which a violation occurs or continues. Failure to pay any fine which is reduced to judgement, may result in a lien filed against the owner's property.

Section Five: Fire Chief

The Fire Chief is hereby authorized to waive any or all of the fines due under this Ordinance. He may do so by policy or on an individual basis.

Section Six:

Nothing in this Ordinance shall authorize the District to refuse to provide any service to any person, business or other entity that has not paid for services previously provided.

Section Seven:


That this Ordinance shall supersede any Ordinances or motions or parts of Ordinances or motions in conflict with any part herein and any such Ordinances or motions or parts of Ordinances or motions are hereby repealed. If any section, paragraph or provision of this Ordinance shall be held invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect any of the remaining provisions in this Ordinance.

Section Eight:

That the Secretary of the Warrenville Fire Protection District is hereby directed to publish this ordinance in full at least once in a newspaper published in the District. Publication shall take place at least ten (10) days prior to implementation of this Ordinance. The Provisions of this Ordinance shall be in full force and effect ten (10) days after publication as provided by law.

ADOPTED this 15th Day of November, 2017, by the following roll call vote:

AYES: 3
NAY: 0
ABSENT: 0



President Kathleen A. Perkins
Board of Trustees
Warrenville Fire Protection District

ATTEST:


Jeff Cartens, Secretary
Board of Trustees
Warrenville Fire Protection District