

CHAPTER 90: ALARM SYSTEMS, SMOKE DETECTORS AND THE LIKE

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ALARM SYSTEMS

§ 90.01 PURPOSE.

The purpose of this subchapter is to establish required fees, encourage registration of alarm systems and to provide penalties for violations of this subchapter and to encourage security alarm users and businesses that sell, install, service and/or monitoring alarm systems to maintain the operational reliability and the proper use of alarm systems, limiting of unnecessary responses to alarms by the public safety agencies.

(Ord. 44-1998, passed 4-6-98)

§ 90.02 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALARM NOTIFICATION. A notification intended to summon a Public Safety Agency, which is designed either to be initiated purposely by a person or by an alarm system that responds to an unlawful entry, attempted entry or any other unauthorized intrusion.

ALARM SYSTEM. Any device used for the detection of an unauthorized entry or attempted entry into a building, structure, facility or grounds or for alerting others of the commission of a notification to be made directly or indirectly to a public safety agency.

FALSE ALARM NOTIFICATION. Any alarm notification, whether direct or indirect, to a public safety agency, when the responding officer finds no evidence of a criminal offense or attempted offense.

(Ord. 44-1998, passed 4-6-98)

§ 90.03 EXEMPTIONS.

(A) An alarm system or an alarm broadcast shall be considered exempt from the requirements of this subchapter if:

(1) The alarm system is installed on a motor vehicle;

(2) The alarm system is installed upon premises occupied by an agency of the United States, the state or any political subdivision thereof;

(3) The alarm system signals or alerts only the occupants of the premises protected by the alarm system;

(4) The alarm broadcast occurs during an electrical storms, tornado, blizzards or other extreme weather condition that cause the alarm to broadcast; and

(5) Circumstances not reasonably under the control of the alarm user, installer or maintainer.

(B) The responsibility to show causation is that of the alarm system owner, user, installer or maintainer.

(Ord. 44-1998, passed 4-6-98)

§ 90.04 REGISTRATION.

All alarm systems in use within the town shall be registered with the Police Department in accordance with the following rules.

(A) Registrations shall be on the form provided by the Police Department and registration shall remain on file with the Department only.

(B) There is no fee for the issuance of an alarm registration.

(C) An alarm system registration shall be valid for a term of two years commencing from the date of issuance.

(D) An alarm system registration shall be personal to the registration holder for a specific location and is not transferable.

(Ord. 44-1998, passed 4-6-98)

§ 90.05 VIOLATIONS; FINES AND PENALTIES.

(A) It shall be a violation of this subchapter for a person who owns or controls property on which an alarm system is installed to broadcast, cause to be broadcast, false alarm notifications. This section shall not apply to an alarm system which broadcasts a false alarm within 30 days after installation of the alarm system.

(B) (1) Fines and penalties will be based on the number of violations in a calendar year as follows:

	<i>Registered</i>	<i>Unregistered</i>
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First two non-exempt false alarms	Written warning	Written warning
Third non-exempt false alarm	\$15	\$25
Fourth non-exempt false alarm	\$30	\$50
Fifth non-exempt false alarm	\$60	\$80
Sixth or greater non-exempt false alarm	\$90	\$100

(2) In addition to the penalties provided for in this section, any act or any person, firm or corporation who continuously, knowingly and intentionally violates any provisions of this subchapter is hereby declared to be a nuisance and all remedies applicable to a nuisance, both public and private, including, but not limited to injunctions and damages, are hereby preserved.

(Ord. 44-1998, passed 4-6-98) Penalty, see § 10.99

§ 90.06 CITATIONS AND TICKETS; RESPONSIBILITY.

(A) It shall be the responsibility of the Police Department to issue citations/tickets for violations of this subchapter.

(B) Citations or tickets that are issued for violations of this subchapter shall be administered through the Ordinance Violations Bureau, subject to the rules that apply to the Bureau.

(Ord. 44-1998, passed 4-6-98)

SMOKE DETECTORS

§ 90.20 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALARM SIGNAL. An audible signal indicating the detection of visible or invisible particles or products of combustion other than heat.

APPROVED. Approval by the Fire Chief or Building Inspector.

FAMILY DWELLING UNIT.

(1) Any building area, room or combination of rooms in which a family or individual lives.

(2) This is meant to cover living area only and not common usage areas in multi-family buildings such as corridors, lobbies, basements and the like.

LABELED. When pertaining to equipment or materials, an attached label, symbol or other identifying mark of an approved organization.

LISTED. When pertaining to equipment or materials, inclusion on a list, published by an approved organization, indicating that a product meets appropriate standards or has been tested and found suitable for use in a specified manner.

NFPA 74. Standard 74, Household Fire Warning Equipment-1989, published by the National Fire Protection Association, Batterymarch Park, Quincy, MA 02269.

RENTAL AGENT. Any person, partnership or corporation, who rents, subleases, lets or otherwise grants, for a consideration, the right to occupy premises not owned by the occupant. This term shall not be construed to mean a real estate agent who is employed for the sole purpose of selling residential units.

SEPARATE SLEEPING AREA. Any area within a family dwelling unit in which bedrooms or sleeping rooms are located.

SMOKE DETECTOR. A device which detects visible or invisible particles or products of combustion.

(Ord. 1-1992, passed 1-20-92)

§ 90.21 BASIC REQUIREMENTS.

All family dwelling units within the corporate limits of the town shall be equipped with a minimum of one functional, properly located, labeled and listed smoke detector or its equivalent or better, as described in NFPA 74.

(Ord. 1-1992, passed 1-20-92)

§ 90.22 INSTALLATION; LOCATION.

(A) All smoke detectors shall be installed according to the manufacturer's instructions and subject to the approval of the Fire Chief or Building Inspector.

(B) A smoke detector shall be installed outside of each sleeping area in the immediate vicinity of the bedrooms.

(C) All smoke detectors shall be installed on or near the ceiling, not less than four inches from any wall, or on a wall not less than four inches nor more than 12 inches from the ceiling. Any installation shall be subject to approval by the Fire Chief or Building Inspector.

(D) All smoke detectors shall be accessible for servicing and testing.

(E) Smoke detectors may receive their primary power from the building wiring system or batteries as described in NFPA 74. Connection to a building wire shall be in compliance with the electrical code in effect in the state.

(Ord. 1-1992, passed 1-20-92)

§ 90.23 MAINTENANCE; TESTING.

(A) It shall be unlawful for any person to tamper with or remove any smoke detector, except when it is necessary for maintenance or inspection purposes.

(B) Any smoke detector removed for repair or replacement shall be reinstalled or replaced so that it is operable and in place during normal sleeping hours.

(1) *Rented family dwelling units.* Each smoke detector may be tested in accordance with manufacturer's recommendations, but shall be tested at not more than six-month intervals in every rented family dwelling unit, and maintained as necessary, to ensure it is in operable condition. At any change of tenancy, smoke detectors shall be tested and be in operable condition before the unit is re-occupied.

(2) *Owner-occupied family dwelling units.* Each smoke detector may be tested in accordance with manufacturer's recommendations, but shall be tested at not more than six-month intervals, and maintained as necessary, to ensure it is in operable condition.

(Ord. 1-1992, passed 1-20-92) Penalty, see § 10.99

§ 90.24 DUTY OF OWNER, MANAGER OR RENTAL AGENT.

Every owner, or the manager or rental agent of the owner, of any family dwelling unit shall be responsible for the installation and maintenance of required smoke detectors. It is the responsibility of the tenant to maintain in good working order, to include

replacement of batteries as needed, any battery powered smoke detector provided by the owner. The maintenance of any smoke detector connected to the building wiring system shall be the responsibility of the owner, manager or rental agent of the property.

(Ord. 1-1992, passed 1-20-92)

§ 90.25 ENFORCEMENT.

The Fire Chief or Building Inspector is authorized and is hereby directed to enforce the provisions of this subchapter.

(Ord. 1-1992, passed 1-20-92)

KEY AND DATA STORAGE BOXES

§ 90.35 INSTALLATION AND MAINTENANCE.

Subject to provisions of § 90.36, a key box and/or data storage box designed for emergency access, compatible with the emergency access system utilized by the Fire Department, must be properly installed and maintained on any building, that:

- (A) Is protected by an automatic sprinkler system equipped with a local or transmitted water-flow, valve tamper or pumper running alarms;
- (B) Has any fire alarm system equipped with an outside audible/visual signaling device; or
- (C) Is provided with any fire alarm system where the alarm is transmitted to an off-site location or to the fire alarm center servicing the Fire Department.

(Ord. 8-1998, passed 4-6-98)

§ 90.36 BUILDING SUBJECT TO REQUIREMENTS.

Buildings subject to the requirements of § 90.35 include:

- (A) All newly constructed commercial and industrial buildings;
- (B) All existing commercial and industrial buildings when:
 - (1) There is a change in building use or occupancy requiring a construction design release from the state; or
 - (2) Remodeling that requires a building permit from the town is done to the building.
- (C) Any building where the owners, tenants or agents of either, cannot be expected to be available on site within a few minutes of any alarm sounding or emergency occurring at the building site; and
- (D) Any building where the owners, tenants or agents of either have requested that the Fire Department hold keys or maintain information on the building to use in emergency situations.

(Ord. 8-1998, passed 4-6-98)

§ 90.37 RESPONSIBILITY.

The acquisition, installation and maintenance of key boxes and data storage boxes is the joint responsibility of the owners and tenants of buildings, the failure of any owner or tenant to fulfill its responsibility does not relieve others of that responsibility.

(Ord. 8-1998, passed 4-6-98)

§ 90.38 APPLICATION.

An application for the installation of a key box and/or data storage box, on the form provided by the Fire Department, shall be completed and submitted to the Department before its installation.

(Ord. 8-1998, passed 4-6-98)

§ 90.39 APPROVAL BY FIRE DEPARTMENT.

All key boxes and/or data storage boxes shall be installed at a location on the building that has been approved by the Fire Department.

(Ord. 8-1998, passed 4-6-98)

§ 90.40 NUMBER OF BOXES.

(A) Key boxes shall contain keys necessary to access all protected areas of the building.

(B) One key box may be sufficient for a building with more than one tenant, as long as the building owner or one tenant, specifically identified, assumes responsibility for insuring that all keys required for building access are kept in the box.

(Ord. 8-1998, passed 4-6-98)