

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

ordinance/falsair

CHAPTER 1997-75

No. 661 **AN ORDINANCE** PERTAINING TO THE
ASSESSMENT OF FEES TO REDUCE EXCESSIVE
AVOIDABLE FALSE FIRE ALARMS, AS AMENDED

Approved November 26, 1997

Be it ordained by the City of Providence:

SECTION 1. Section 9-94 of the Code of Ordinances is hereby repealed and the following is substituted therefor:

Section 2. Section 9-94. Excessive avoidable false fire alarm fees.

Section 3. Findings.

(1) The City Council finds that high incidence of false alarms and/or malfunctions causes a significant diversion of the manpower and resources of the fire department by causing the dispatch of units to the scene of a false alarm or alarm malfunction which renders them out of service and unavailable to respond to legitimate emergency situations.

(2) The City Council finds that the continued high incidence of false alarms and/or malfunctions are a threat to the health, safety and welfare of the citizens of the City of Providence.

(3) The City Council finds that a revision of the procedures to control excessive multiple false alarms and alarm malfunctions would serve the public health, safety and welfare.

Section 4. Definitions.

(1) Avoidable false alarm means the activation of any alarm which results in the response of the fire department and is caused by the negligence or intentional misuse (including such activation caused by heat smoke or fire) of the system by the owner or his/her/its employees, servants, agents, or guests or any other activation including activation caused by heat, smoke or fire, but shall exclude a false alarm malfunction as defined below.

No.

CHAPTER

AN ORDINANCE pertaining to
the assessment of fees to
reduce excessive avoidable
fire alarms, as amended

THE COMMITTEE ON

Recommends

Continued

Barbara L. Farris
Clerk

10/7/97

**THE COMMITTEE ON
ORDINANCES**

**Approves Passage
The Within Ordinance**

As Amended

Barbara L. Farris
Clerk

10/21/97

(b) Avoidable fire alarm malfunction means the activation of any alarm which results in the response of the fire department and such activation is caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance; and for any other response for which the fire department personnel are unable to gain access to the premises for any reason, or are unable to determine, after reasonable inquiry, the apparent cause of the alarm activation .

Section 5. The owner of any premises shall be responsible for any avoidable false alarms and avoidable false alarm malfunctions occurring at those premises. Incidents shall be cumulative for all realty held in that name. The following fees shall be assessed for avoidable false alarms and avoidable false alarm malfunctions, per annum:

Incidents:	Fees:
0 - 10	\$0
11 - 20	\$50.00 per incident
21 - 50	\$200.00 per incident
in excess of 50	\$300.00 per incident

Section 6. The Director of Communications shall notify by registered mail, return receipt requested, and by regular mail, the owner of any premises at which the maximum number of exempted avoidable false alarms and avoidable false alarm malfunctions has occurred.

Section 7. A written order assessing said fees due in accordance with the provisions of this Ordinance shall be mailed to the owner of the subject premises by the Director of Communications or his or her designee within fifteen (15) days of that assessment.

Section 8. The owner shall be entitled to appeal the order of the Director of Communications or his or her designee. Said appeal shall be in writing within ten (10) days after the date of said order to the Commissioner of Public Safety or his or her designee in writing, stating the reasons why the order should be withdrawn. The Commissioner of Public Safety shall review the facts and circumstances of the order and shall determine (a) whether the owner has shown good cause that the order should be vacated or modified or (b) whether the order assessing the fee should be affirmed.

Section 9. The Director of Communications and the Commissioner of Public Safety are authorized to promulgate rules and regulations necessary to effect this Ordinance.

SECTION 2. This ordinance shall take effect upon its passage.

IN CITY COUNCIL
NOV 6 1997
FIRST READING
READ AND PASSED
Michael X. Clement CLERK

IN CITY
COUNCIL
NOV 20 1997
FINAL READING
READ AND PASSED
Evelyn V. Fargnoli PRESIDENT
Michael X. Clement CLERK

APPROVED
NOV 26 1997
Vincent A. Cianci
MAYOR