

**CHAPTER 2016-16**

**No. 152    AN ORDINANCE AMENDING CHAPTER 9, SECTION 9-94, ENTITLED,  
"EXCESSIVE AVOIDABLE FALSE FIRE ALARM FEES"**

**Approved April 29, 2016**

*Be it ordained by the City of Providence:*

SECTION 1. Chapter 9, Section 9-94, "Excessive avoidable false fire alarm fees," is hereby amended as follows:

Sec. 9-94. - Excessive avoidable false fire alarm fees.

(a) 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.
- (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.

(b) Definitions.

- (1) *Avoidable false alarm* mean 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.
- (2) *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.

(c) 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, and fines for avoidable false alarms and avoidable false alarm malfunctions will be assessed to the owner of the premises according to the following fine schedule:

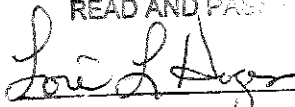
Incidents	Fees
0-3	\$0.00
4-10	\$150.00
10-30	200.00 per incident
In excess of 50	300.00 per incident



(d) After three avoidable false alarms or avoidable false alarm malfunctions in one twelve month period, the owner of the premises will be notified via first class mail that subsequent avoidable false alarms will cause the owner to be assessed fines according to the fine schedule included in this section.

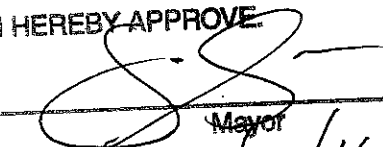
(e) A grievance board will be formed consisting of two members of the city police department designated by the chief of police, two members of the city fire department designated by the Fire Chief, one member of the city council designated by the president of the council, and two members of the Alarm Association of Rhode Island designated by the Alarm Association, to review any appeals related to the enforcement of false alarms. If an alarm user has a grievance with the city police or fire departments, the user must have his or her alarm servicing company transmit a letter to the grievance board verifying that the alarm company is making every effort to resolve the false alarm problem. The board shall have the authority to promulgate rules and regulations as needed.

(f) The provisions of this section shall not apply to alarm systems owned and/or operated by any governmental agencies.

SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL  
APR 07 2016  
FIRST READING  
READ AND PASSED  
 CLERK

IN CITY  
COUNCIL  
APR 21 2016  
FINAL READING  
READ AND PASSED  
 PRESIDENT  
 CLERK

I HEREBY APPROVE  
  
Mayor  
Date: 4/29/16