

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1981-59

No. 684 **AN ORDINANCE** ESTABLISHING A FEE FOR CONNECTION OF MASTER FIRE ALARM SYSTEM WITH CITY'S FIRE ALARM SYSTEM, AS AMENDED.

Approved November 27, 1981

Be it ordained by the City of Providence:

WHEREAS, numerous firms, corporations, churches, schools, hospitals and nursing homes have heretofore been permitted, without charge, to connect their privately-owned Master Fire Alarm Boxes to the fire alarm system, and

WHEREAS, Other firms or corporations may be required to connect their privately-owned Master Fire Alarm Systems with the fire alarm system in the future, and

WHEREAS, The increasing costs of equipment and construction and maintenance of such connecting lines have risen appreciably and the City government should not be called upon to provide such free fire alarm service and because such facts make uniform rules and regulations imperative, and

WHEREAS, The public safety, health and general welfare will better be served by uniform rules and regulations,

NOW, THEREFORE, be it ordained by the City Council of the City of Providence:

SECTION 1. That all firms corporations, hospitals, schools, churches or other qualified structures who wish to secure themselves better fire protection by connecting their privately-owned Master Box Fire Alarm Systems with the City's fire alarm system, and those who are required by the Rhode Island Fire Safety Code to connect, are currently connected to the City's fire alarm system without charge or obligation to them, shall hereafter be governed by the following uniform rules and regulations in regard to such matter:

(1). Any firm, corporation, etc., desiring to connect its privately-owned Master Box Fire Alarm system with the City's fire alarm system shall make application for such service to the Director of Communications on an application form provided by the Communications Department Office, and which shall generally provide the name of the applicant, type and location of the applicant's private fire alarm system, deposit of required yearly fee as provided below, agreement to pay all necessary costs which shall be thereafter estimated by the Director of Communications, agree to make regular tests of the system and other regulations which the Director of Communications deems necessary according to standards governing such installations as required by the Rhode Island Fire Safety Code, and the City of Providence.

No.

CHAPTER

AN ORDINANCE

(2). After such application has been presented to the Director of Communications, he, or one of his duly authorized representatives shall inspect the applicant's premises and his fire alarm system to assure compliance with standards set by the Rhode Island Fire Safety Code and the City of Providence. The representative shall determine a cost estimate of labor and materials necessary to connect the private system to the nearest usable municipal connection, this in turn will be presented to the applicant for payment. If payment is not made within ten (10) days of receipt of this estimate, his application shall be considered withdrawn.

(3). Detailed plans of the system must be submitted both to the Communications Department and to the Electrical Inspection Department for approval, and necessary permits must be obtained prior to start of work. Any portion of the work that is necessary to effect the connection to the municipal circuits must be done by or under the direction of the Communications Department.

SECTION 2. The applicant for this service shall attach to his application a check in the amount of THREE HUNDRED DOLLARS (\$300.00) payable to the Treasurer of the City of Providence, this being the yearly fee required for the privilege of connecting the applicant's system to the City's fire alarm system. Such fee shall be due and payable in full on or before the first day of January of each year thereafter, but provided that if the service is applied for during the year, the applicant shall pay only that portion of the fee which the unexpired portion of the year bears to the full fee of \$300.00.

SECTION 3. Any owners who heretofore had their privately owned fire alarm systems connected to the City's fire alarm system, shall be given thirty (30) days after the passage of this ordinance, to either accept a continuation of the service by filing the required application and paying the required fee, or to reject said service by an instrument in writing, but provided that if neither an acceptance nor a written rejection is received within the said thirty (30) days' period, the City shall forthwith disconnect such privately owned system from the City's system and shall not be liable for any damages ensuing to said individual, firm, or corporation, regardless of their nature.

SECTION 4. The City of Providence shall not be responsible or liable and no cause of action shall arise or be asserted against said City as a result of any losses, damages or injuries of any type whatsoever, to life or property, which may arise or occur to the applicant, his heirs, successors or assigns as a result of the failure of the applicant's fire alarm system to function properly or of the City's fire alarm system to function properly, whether considered jointly or severally and further the City shall in no way be held liable or responsible for any damages, losses or injuries to persons or property, which may be occasioned or arise by reason of the applicant's fire alarm system being connected to the City's fire alarm system, and in any such event the City shall be held harmless.

SECTION 5. This Ordinance applies equally to manually operated Private Fire Boxes as well as Master Boxes Connected through a local Repeater.

SECTION 6. There shall be a total of four disconnects and reconnects in one year at a No Charge Basis. Any additional disconnects and reconnects will be done at a Twenty-Five Dollar (\$25.00) charge per request payable to the City Treasurer.

SECTION 7. This Ordinance shall take effect upon its Passage.

IN CITY COUNCIL
NOV 5 1981
FIRST READING
READ AND PASSED, *as amended*

Greg M. Mendonca CLERK

IN CITY COUNCIL
NOV 19 1981

FINAL READING
READ AND PASSED

Louis R. Stavato
PRESIDENT
Greg M. Mendonca
CLERK

Vincent A. Cianci, Jr.
MAYOR

NOV 27 1981

IN CITY COUNCIL
April 17, 1980
FIRST READING
REFERRED TO COMMITTEE ON FINANCE

Jose M. Mendonca
CLERK

THE COMMITTEE ON
FINANCE
Recommends *Be Continued*

Jose M. Mendonca
Clerk

August 18, 1980
Sept. 10, 1981

THE COMMITTEE ON
FINANCE

Approved Passage of
The Within Ordinance, as amended

Jose M. Mendonca
Chairman

October 13, 1981

Councilman Mansuillo (By Request)

TO: Director of Communications
Providence, Rhode Island

SUBJECT: Application to Connect Privately Owned Manual or
Automatic Fire Alarm System to Fire Alarm System
of the City of Providence

Date _____

APPLICANT _____

LOCATION OF PRIVATE FIRE ALARM SYSTEM _____

It is understood by the applicant that there is a yearly fee of TWO HUNDRED SEVENTY-FIVE (\$275.00) DOLLARS required for the privilege of connecting the above-mentioned privately-owned fire alarm system to the fire alarm system of the CITY OF PROVIDENCE, such fee being payable thereafter on or before JULY 1ST of each year the service is continued. If the service is applied for during the year, the applicant shall pay that portion of the yearly fee which the unexpired portion of the year bears to the full fee or \$275.00. Checks for this fee shall be made payable to the Treasurer of the City of Providence, and attached to this application.

In addition to the yearly fee of \$275.00, as required in Ordinance No. _____, the applicant agrees to pay all costs required for materials and labor necessary to extend the applicant's private fire alarm system to the master fire alarm box, the cost of the master alarm box, if one is needed and further necessary costs for labor and materials, to extend the existing lines of the City's fire alarm system to the master fire alarm box, if such extension is necessary.

The applicant furthermore agrees to make regular tests of the system and such other regulations which the Director of Communications of the City of Providence and the Rhode Island Fire Safety Code deems necessary according to the standards of the Communications Department and/or the Fire Department.

(SIGNATURE OF APPLICANT)

(DATE)

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: August 19, 1980

TO: Alfred Mello, Director of Communications

SUBJECT: ATTACHED COPY OF ORDINANCE AND APPLICATION

CONSIDERED BY: Councilwoman Carolyn F. Brassil, Chairwoman-Committee on Finance

DISPOSITION: The above named Committee is desirous of a response,
in writing, relative to the attached:

1. How many homeowners are connected to the Fire Alarm System?
2. How many in private industry, churches, schools, hospitals and nursing homes are connected?
3. Your opinion as to the passage of the Ordinance.

Rose M. Mendonca

City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: August 19, 1980

TO: City Solicitor Ronald H. Glantz

SUBJECT: ATTACHED COPY OF ORDINANCE AND APPLICATION

CONSIDERED BY: Councilwoman Carolyn F. Brassil, Chairwoman-Committee on Finance

DISPOSITION: An opinion is requested, in writing, as to legal obligation with respect to any person, firm or organization already connected to the fire alarm system has any recourse for suit if this Ordinance were implemented.

Rose M. Mendonca
City Clerk

CITY SOLICITOR
RONALD H. GLANTZ



MAYOR
VINCENT A. CIANCI, JR.

LAW DEPARTMENT

September 3, 1980

To: Councilwoman Carolyn F. Brassil - Chairwoman, Committee on Finance

Subject: Attached copy of Ordinance and Application

Considered by: Ronald H. Glantz, City Solicitor

Disposition: Legal Opinion

OPINION

The requirements and standards for the installation of the alarms are set out in R.I.G.L. 1956 (1979 Reenactment) §23-28.25 et seq. Specifically, section 23-28.25-4 deals with the connection of the Master Fire Alarm System with a Municipal Alarm System.

Whether the building owner is required to install an alarm by this statute or does so voluntarily, he or she must bear the cost of the system. This is true even though the method and type of equipment are subject to the approval of the authority having jurisdiction. Similarly, the building owner can be required to bear the cost of the connection to the municipal alarm system and of its subsequent use. In Providence, the Director of Communications and the Bureau of Fire Prevention have jurisdiction. Code of Ordinances, §§2-124; 9-25, 9-26.

This Ordinance sets forth a set of uniform rules and regulations as to how these costs shall be determined and collected.

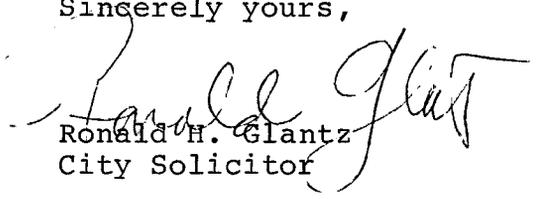
The City of Providence is within its rights to insure the payment of the cost of maintenance and use of the connection by the institution of an annual fee. Code of Ordinances, §9-26. The draft ordinance provides for new applications made in an interim period and payments when the time involved is less than a year. The imposition of the charge is not in any arbitrary or unreasonable manner.

In order to make implementation of this Ordinance equitable, the City may require applications and payments of the fee from existing connection owners. The length of time set out for notice (thirty (30) days) is sufficient and reasonable in the circumstances as the public's health, safety and general welfare are involved. For example, a similar period is stated in R.I.G.L. 1956, §39-3-10, where it provides for thirty (30) day notice when a public utility desires a rate change.

In order to further insure the propriety of implementation, provisions for publication of such notice should be included. This office suggests to the City Council that it amend draft section 3 by addition of the following: "Publication of the Ordinance and the existence of a thirty (30) day notice period in which to come into compliance shall be made in a newspaper of general circulation in the City of Providence. A letter of explanation with an accompanying application form shall be sent to all existing connection owners."

The existing connection owner can be charged a fee for the use of the connection to the municipal system to be paid on a yearly basis. In this regard, the Ordinance does not impose an undue burden that could be considered arbitrary or unreasonable and which could open the City of Providence to recourse from existing connection owners.

Sincerely yours,

A handwritten signature in cursive script that reads "Ronald H. Glantz". The signature is written in black ink and is positioned above the typed name and title.

Ronald H. Glantz
City Solicitor

/vav

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: October 14, 1981

TO: Acting City Solicitor Rotondi

SUBJECT: ATTACHED ORDINANCE

CONSIDERED BY: Councilwoman Carolyn F. Brassil, Chairwoman
Committee on Finance

DISPOSITION: VOTED: That you review copy of attached
Ordinance and submit any changes you
deem advisable.

The Committee requests a response
prior to the next City Council Meeting
scheduled to be held November 5, 1981.

Rose M. Membrino
City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 14, 1981

TO: Alfred Mello, Director of Communications

SUBJECT: ATTACHED RESOLUTION

CONSIDERED BY Councilwoman Carolyn F. Brassil, Chairwoman-Committee on Finance

DISPOSITION: VOTED: To refer copy of accompanying Ordinance relative to City's Fire Alarm System to the Director of Communications Department for an opinion in writing to the above named Committee.

Rose M. Mendenhall
City Clerk

ACTING CITY SOLICITOR
JOHN ROTONDI, JR.



MAYOR
VINCENT A. CIANCI

LAW DEPARTMENT

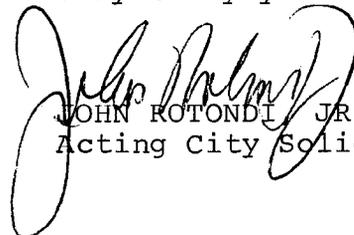
October 30, 1981

The Honorable Carolyn F. Brassil
Chairwoman
Committee on Finance
Office of the City Clerk
City Hall
Providence, Rhode Island 02903

Dear Councilwoman Brassil:

This Department has received your correspondence dated October 14, 1981 concerning the establishment of a fee for an alarm system connection. I have reviewed the proposal and have spoken with Mr. Mello, Director of Communications for the City of Providence regarding the Ordinance. I have done so because of Mr. Mello's familiarity in the area of communications. He has suggested to me that he is satisfied with the proposed ordinance as it now exists (that is, including the revisions which he has recommended). Additionally, my own review of the proposed ordinance suggests that no further revisions or amendments are legally necessary to effect the establishment of a fire alarm system connection fee.

Very truly yours,


JOHN ROTONDI, JR.
Acting City Solicitor

JRJR/vav

PHONE 421-7740 EXT. 381-382-340

55 EDDY STREET - 6TH FLOOR

PROVIDENCE, RHODE ISLAND 02903