

COPY

BILL NO. 22

ORDINANCE 4 (1987)
ORDINANCE NO. 21

AN ORDINANCE REQUIRING OWNERS AND OCCUPANTS OF PREMISES TO MAINTAIN AUTOMATIC FIRE ALARM, FIRE DETECTION, OR SPRINKLER SYSTEMS IN SUCH CONDITION THAT SUCH SYSTEM SHALL NOT TRANSMIT FALSE FIRE ALARMS;
REQUIRING OWNERS AND OCCUPANTS OF PREMISES IN WHICH SUCH SYSTEMS ARE INSTALLED TO COMPLY WITH ALL ORDERS OF THE FIRE CHIEF, THE FIRE MARSHALL, OR THEIR DESIGNATED REPRESENTATIVE TO PREVENT THE TRANSMISSION OF SUCH FALSE FIRE ALARMS;
DEFINING CERTAIN TERMS THEREIN;
AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

WHEREAS, pursuant to a certain Act of the 64th General Assembly, which is found in Section 321.600, provides that for the purposes of providing fire protection to the property within the District and, on its behalf, the Board shall have the power, among others, to adopt and amend fire protection ordinances, and any other rules and regulations not in conflict with the constitution and laws of this state, necessary for the carrying on of the business, objects and affairs of the Board and of the District, and refer to the proper Authorities for prosecuting of any infraction thereof detrimental to the District, and

WHEREAS, the Board of Directors of the Eureka Fire Protection District of St. Louis County, Missouri, finds that the District has received numerous false alarms generated by automatic fire alarm, fire detection and sprinkler systems, and

WHEREAS, the Board of Directors deems such false alarms to be detrimental to the health, safety and welfare of persons within the District and to the protection of property within the District because such false fire alarms interfere with and hinder the personnel of the District in the suppression and prevention of fires.

NOW, THEREFORE, be it ordained by the Eureka Fire Protection District of St. Louis County, Missouri as follows:

Section 1. Definitions.

(1) ALARM SYSTEM means any mechanical or electrical device

which is designed to be actuated manually or automatically upon the detection of fire or smoke in the protected building, structure, facility, or premises through the emission of a sound or transmission of a signal or message.

(2) FALSE ALARM means any activation of an Alarm System intentionally or by inadvertence, negligence, or unintentional act to which the District responds, including activation caused by the malfunction of the Alarm System, except that the following shall not be considered false alarms:

- (a) When the Fire Marshal determines that an alarm has been caused by the malfunction of the indicators at Central County Fire Alarm Service;
- (b) When the Fire Marshal determines that an alarm has been caused by damage, testing or repair of telephone equipment or lines by the telephone company, provided that such incidents are promptly reported to the telephone company;
- (c) When an alarm is intentionally caused by an occupant or resident acting under a reasonable belief that a need exists to call the District; and

Section 2. Every person, corporation, firm, or other entity owning or occupying any premises within the boundaries of the Eureka Fire Protection District, in or on which premises are installed an automatic fire alarm, fire detection or sprinkler system, shall maintain such system in such operating condition that the alarm system shall not transmit to Central County Fire Alarm Service any false alarm.

Section 3. It shall be unlawful for any owner or occupant to reduce the effectiveness of the protection so required or so installed; except this shall not prohibit the owner or occupant from temporarily reducing or discontinuing the protection where necessary to make tests, repairs, alterations, or additions. The Fire Marshal shall be notified before such tests, repairs, alterations, or additions are to be effected and upon its completion, and shall be advised of the extent of any such work for additional requirements.

Whenever an alarm system is to be shut off for repairs, it shall be the owner's or occupant's responsibility to determine that the serviceman performing such repairs has notified the District of the pending shut off prior to such action. When an alarm system has central station supervision, the company providing this service shall also be notified of said action. Failure to notify the

Central County Alarm organization of a system shut-off, and the repairs result in an unnecessary alarm being transmitted to the District, will subject the owner or occupant to a fine of One Hundred Dollars (\$100.00) for each alarm received.

Section 4. Should any such alarm system transmit any false fire alarm to the Eureka Fire Protection District, either directly or through a central dispatching service, or should inspection of such systems by any officer of the Eureka Fire Protection District reveal that such a system is in a state of maintenance or disrepair that such system is likely to transmit a false fire alarm, the owner or occupant of the premises shall take such remedial action as necessary, and shall make or cause to be made such adjustments and repairs to the alarm system that the Fire Marshal shall order, in order to abate the condition causing the transmission or likelihood of transmission of false fire alarms.

Section 5. Any person, firm, corporation or other entity given an order by the Fire Marshal, pursuant to Section 4 herein, shall comply within twenty-four (24) hours after such order has been given. Any person, firm, corporation or other entity shall be fined One Hundred Dollars (\$100.00) for each and every day that such violation shall occur or continue to occur.

Section 6. All false alarms to which the District responds shall result in the following service charges to the alarm system's owner or occupant.

- (1) A warning for the first false alarm in any calendar year.
- (2) A Twenty Five Dollar (\$25.00) service charge for the second false alarm in any calendar year.
- (3) A Fifty Dollar (\$50.00) service charge for the third and any subsequent false alarm in any calendar year.

Upon determination by the Fire Marshal that a false alarm has occurred, the District shall send a notice to the alarm user, notifying the alarm user of the determination and directing payment within thirty (30) days of any service charge that may be due.

The District may cancel any notice or service charge upon satisfactory proof by the alarm user that a particular alarm falls within the exceptions enumerated in Section 1 (2).

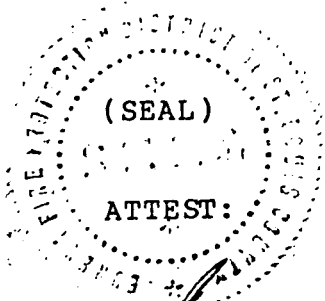
Willful refusal to pay any such service charge within thirty (30) days of notice shall constitute a violation of this Ordinance,

but in prosecuting of any violation of this Ordinance, the District shall prove, in addition to the willful refusal to pay, that the service charge was properly imposed.

Passed and approved this 2 day of July, 1985.

Francis B. Oberkramer

FRANCIS B. OBERKRAMER
Chairman of the
Board of Directors



James C. Scheer
JAMES C. SCHEER, Secretary.