

City of Pawtucket

CHAPTER
3229
APPROVED
8/6/2020

AN ORDINANCE IN AMENDMENT OF CHAPTERS 210 AND 104 OF THE CODE OF ORDINANCES OF THE CITY OF PAWTUCKET, 1996, ENTITLED, "FIRE PREVENTION" AND "ALARM SYSTEMS" (False Alarms) Substitute A

Be it ordained by the city of Pawtucket as follows:

SECTION I: Sections 210-34 and 210-35 of Chapter 210 of the Code of Ordinances of the City of Pawtucket, entitled "Fire Prevention," shall be amended to read as follows:

210-34. Alarms connected to Fire Department; fees for false fire alarms; exception for City.

A. All fire alarm systems connected to the Fire Department shall be maintained in good operating condition at all times.

B. If a fire alarm system connected to the Fire Department transmits an alarm signal condition to the Fire Department through a mechanical failure, malfunction, improper installation or negligence of the user, his employees or agents, the Fire Chief shall assess the owner a false alarm service fee for each false alarm in excess of two false alarms occurring within a calendar year. All fees assessed hereunder shall be paid to the Treasurer of the City.

C. False fire alarms caused by acts of God, including but not limited to power outages, hurricanes, tornadoes, earthquakes, thunderstorms or adverse weather or atmospheric disturbances shall not be deemed to be a false fire alarm.

D. False alarm incidents shall be cumulative. The following fees shall be assessed for false alarms per annum:

Incidents	Fees
0 to 2	\$0
3 to 5	\$50 per incident
6 to 10	\$100 per incident
In excess of 10	\$200 per incident

<u>Incidents</u>	<u>Fees</u>
0 to 2	\$0
3 to 5	\$150 per incident
6 to 10	\$200 per incident
In excess of 10	\$300 per incident

E. The provisions of this section shall not apply to fire alarm systems owned and/or operated by agencies of the City of Pawtucket.

§ 210-35. Local alarms; fees for false alarms; exception for City.

A. All fire alarm systems shall be maintained in a good operating condition at all times.

B. If a fire alarm system transmits an alarm signal through a mechanical failure, malfunction, improper installation or negligence of the user, his employees or agents, which results in notification to and/or the dispatching of Fire Department personnel to the scene of the alarm, the Fire Chief shall assess the premises owner a false alarm service fee for each false alarm in excess of two false alarms occurring within a calendar year. All fees assessed hereunder shall be paid to the Treasurer of the City.

C. False fire alarms caused by acts of God, including but not limited to power outages, hurricanes, tornadoes, earthquakes, thunderstorms or adverse weather or atmospheric disturbances shall not be deemed to be a false fire alarm.

D. False alarms resulting from notifications by a nonowner of the premises where no alarm ever transmitted shall not be deemed to be a false fire alarm.

E. False alarm incidents shall be cumulative. The following fees shall be assessed for false alarms per annum:

Incidents	Fees
0 to 2	\$0
3 to 5	\$50 per incident
6 to 10	\$100 per incident
In excess of 10	\$200 per incident

<u>Incidents</u>	<u>Fees</u>
0 to 2	\$0
3 to 5	\$150 per incident
6 to 10	\$200 per incident
In excess of 10	\$300 per incident

F. The provisions of this section shall not apply to fire alarm systems owned and/or operated by agencies of the City of Pawtucket.

SECTION 2: Sections 104-4, 104-5, 104-7, 104-8, 104-9, 104-10 and 104-11 of Chapter 104 of the Code of Ordinances of the City of Pawtucket, entitled "Alarm Systems," shall be amended to read as follows:

§ 104-4 Application for alarm permit; emergency notification; reporting service information.

A. Applications. Applications for alarm permits shall be made ~~on forms provided by the Police Division~~ via an on-line form accessed through the police department website. Each application shall state the name, address and telephone number of the applicant's property to be serviced by the alarm and the name, address and telephone number of the applicant's residence, if different. If the applicant's alarm is serviced by an alarm company, the application shall also include the name, address and telephone number of that company. Each permit shall be valid until the 30th day of September of each year.

- B. Emergency notification. Each application shall list an emergency telephone number, including a cell phone number, of the user or his or her representative to permit prompt notification of alarm calls and facilities assisting the police in the inspection of the property. Changes in emergency telephone or cell phone numbers shall be kept current, and failure to provide updated information may constitute grounds for revocation of the permit.
- C. Reporting service information. Each holder of an alarm user permit shall immediately notify the Police Division ~~in writing~~ by email or phone call of any and all changes in the information file with the City regarding such permit. Failure to do so shall constitute grounds for revocation of the permit.

~~§ 104-5 Issuance of permit decals.~~

~~A decal with the alarm user's permit number, name and permit address will be issued with the alarm user permit. This decal should be prominently posted on or near the front entrance to the premises so that the information provided on the decal is visible from the outside of the structure. If the alarm user does not wish to display a decal, then the alarm user has the option of using his/her address as the mode of identification for the permit. The alarm user shall signify this on his/her permit.~~

§ 104-7 Alarm information list.

- A. There shall be a list known as the "alarm information list" which will consist of the following information for each security alarm system signal:
 - (1) The street address, apartment number, if any, office, suite number or the exact location of the security alarm system.
 - (2) The name of the person, firm, partnership, association, corporation, company or organization of any kind protected by the alarm system.
 - (3) The entire name, street address, city/town and state of the subscriber as well as the area code and the telephone number.
 - (4) The entire names, street addresses, cities/towns and states as well as the area codes and the telephone numbers of at least two separate individuals [aside from the subscriber as indicated in Subsection A(3) of this section] who can be reached 24 hours a day and who are authorized to respond to an alarm signal and who have access into the premises or location in which the alarm is located.
 - (5) Any additional pertinent information to include a cell phone number the site contact representative, e-mail address for the site-contact representative, gate access code, direction to business if in a large building, main point of entry, surveillance cameras on property, etc...
- B. Within 90 days of the effective date of this article, every individual, partnership, corporation or other entity doing business in the City of Pawtucket as an alarm service shall provide the Director of Public Safety, or his or her designee, with an alarm information list, setting forth all of their Pawtucket security alarm subscribers.
- C. Further, said companies shall notify the Director of Public Safety, or his or her designee, by ~~certified mail~~ e-mail or phone call, of any change in status or additions or deletions to the alarm information list within five working days.
- D. On January 1 of each year, said mentioned companies doing business in the City of Pawtucket shall file a notice with the Director of Public Safety, or his or her designee, certifying the accuracy of the alarm information list.

- E. All information obtained and maintained by the City of Pawtucket pursuant to this section shall be confidential, a matter of public safety and shall not be subject to disclosure to a third party unless specifically authorized in writing by the applicant or the Director of Public Safety, or his or her designee, for good cause shown or order of a court of competent jurisdiction.

§ 104-8 Testing of equipment.

Every security alarm user must notify the Director of Public Safety, or his or her designee, ~~in writing by e-mail or phone call~~ at least two days but not more than 15 days in advance of testing of security alarm equipment. Failure to notify the Director of Public Safety, or his or her designee, in advance of a testing, as established, shall constitute a false alarm and be subject to the assessment schedule contained herein in § 104-10.

§ 104-9 Determination of false alarm.

- A. Whenever an alarm is activated in the City, thereby requiring an emergency response to the location by the Police Division, and the Police Division does respond, a police officer on the scene of the activated alarm system shall inspect the area protected by the system and shall determine whether the emergency response was in fact required as indicated by the alarm system or whether in some way the alarm system malfunctioned and thereby activated a false alarm.
- B. If the police officer at the scene of the activated alarm system determines the alarm to be false, said officer shall make a report of the false alarm, a notification of which shall be mailed, e-mailed or delivered to the alarm user, at the address or e-mail address of said alarm system installation location, advising the alarm user of the false alarm.
- C. The Chief of Police, or his or her designee, shall have the right to inspect any alarm system on the premises to which a response has been made, and he or she may cause an inspection of such system to be made at any reasonable time thereafter to determine whether it is being used in conformity with the terms of this article.

104-10. False alarm assessment schedule.

A. After the Director of Public Safety, or his or her designee, has recorded ~~three~~ two separate false alarms from a security alarm system, then the alarm user will be notified by the Director of Public Safety, or his or her designee, via first class mail, of such facts, and the alarm user shall be required to submit within 10 working days a report describing the alarm user's efforts to discover and eliminate the cause or causes of the false alarms. This notice shall contain the dates and times of each alleged false alarm.

B. In the event that the Director of Public Safety, or his or her designee, determines that a report submitted in accordance with the preceding Subsection A is unsatisfactory or that the alarm user has failed to show by the report that reasonable steps have been taken to eliminate or reduce false alarms, then the Director of Public Safety, or his or her designee, will inform the alarm user that subsequent false alarms will cause the alarm user to be assessed annual monetary charges as follows:

- ~~(1) — Seventy-five dollars for the fourth false alarm in a twelve-month period~~
- ~~(2) — One hundred fifty dollars for each subsequent false alarm thereafter in a twelve-month period.~~

<u>Incidents</u>	<u>Fees</u>
<u>0 to 2</u>	<u>\$0</u>
<u>3 to 5</u>	<u>\$150 per incident</u>
<u>6 to 10</u>	<u>\$200 per incident</u>
<u>In excess of 10</u>	<u>\$300 per incident</u>

~~(3)~~ In addition, an alarm user shall also be assessed a monetary charge of fifty dollars for failure to obtain and maintain a valid alarm permit within seven days subsequent to written notification by the Director of Public Safety or his/her designee.

C. All charges assessed hereunder shall be made payable to the City of Pawtucket for deposit into the general fund.

D. If the alarm user submits a report as required, the Director of Public Safety, or his or her designee, shall determine if the action taken or to be taken within reasonable time constraints will substantially reduce the likelihood of false alarms. If so, then the Director of Public Safety, or his or her designee, shall notify the alarm user, in writing, that no assessment will be made at the time. The alarm user will, however, be subject to assessment procedures on the next false alarm signal transmitted.

E. The provisions of this section shall not apply to security alarm systems owned and/or operated by agencies of the City of Pawtucket.

§ 104-11 Appeals procedure; penalties.

A. Any alarm user who is aggrieved by a decision of the Director of Public Safety, or his or her designee, may, within five working days of notice receipt, appeal in writing to the Director of Public Safety, or his or her designee, for consideration to be waived from the assessment. The Director of Public Safety or his/her designee (see definition in § 104-2) will review the appeal with the requested consideration of waiver. If still unsatisfied, the alarm user may, within 30 days of the final decision of the Director of Public Safety, or his or her designee, appeal to the Pawtucket Municipal Court.

B. Failure to pay any monetary charge under § 104-10 or to file an appeal to the Municipal Court following 30 days of the final decision of the Director of Public Safety, or his or her designee, shall constitute a violation of this article punishable by fines of two times the amount of the monetary charge.

SECTION 3: Chapter 104 of the Code of Ordinances of the City of Pawtucket, entitled "Alarm Systems," shall be amended to read as follows:

Sections 104-6 through 104-17 shall be amended to read Sections 104-5 through 104-16.

SECTION 4: This ordinance shall take effect upon final passage.

