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ORDINANCE NO. 07-0612

FALSE FIRE ALARM ORDINANCE

WHEREAS, the PLAINFIELD FIRE PROTECTION DISTRICT is a fire protection district duly organized under the laws of the State of Illinois; and

WHEREAS, Chapter 70 of the Illinois Compiled Statutes (Sec. 705/1) authorizes fire protection districts to enact and implement ordinances necessary to further the purposes of a fire protection district and promote fire prevention; and

WHEREAS, the PLAINFIELD FIRE PROTECTION DISTRICT desires to adopt a penalty for repeated false alarms in order that the PLAINFIELD FIRE PROTECTION DISTRICT may be adequately compensated for the cost of responding to false fire alarms and to provide incentives to the residents within the District to maintain their private fire alarm systems in good working order and repair.

NOW, THEREFORE, BE IT ORDAINED BY THE PLAINFIELD FIRE PROTECTION DISTRICT, Will and Kendall Counties, Illinois, as follows:

1. FALSE ALARM - Defined. The activation of a remote or on-premise alarm system which elicits a response from the fire department when a situation requiring such a response does not in fact exist. False alarms shall not include alarms activated by:

- a) Earthquake causing structural damage to the protected premises;
- b) Hurricane winds causing structural damage to the protected premises;
- c) Flooding of the protected premises due to overflow of natural drainage;
- d) A lightning bolt causing physical damage to the protected premises;

- e) Fire at the protected premises verified by the fire department;
- f) Telephone line malfunction;
- g) Electrical service interruption;
- h) Water service interruption or a decrease in water pressure caused by the Village of Plainfield or its agents in the operation of the Village water service system;
- i) Alarm system tests wherein the person conducting the test has taken reasonable precautions to avoid any response being made to such test by the fire departments;
- j) System malfunction within 30 days of a new installation or modification of an existing system provided that the fire department has received prior notice of the work performed.

2. The Fire Chief of the Plainfield Fire Protection District or an employee of the District designated by the Fire Chief to act as an impartial arbitrator at hearings related to the enforcement of this ordinance.

3. Whenever a remote alarm system is activated, thereby requiring an emergency response to the location by the fire department, a firefighter on the scene of the activated alarm system 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.

4. If the firefighter at the scene of the activated alarm system determines the alarm to be false, the firefighter shall make a report of the false alarm, a notification of which shall be mailed or delivered to the holder of the alarm system license advising the holder of the false alarm.

5. The fire chief or his designee shall have the right to inspect any remote alarm system on the premises to which a response to a false alarm has been made and he

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 ordinance.

6. For purposes of this ordinance, the definition of "remote alarm system" shall not include:

- a. A self-contained alarm system which incorporates only an on-premises annunciator, an audible annunciator, a visual annunciator or any combination thereof and which is designed so that the police or fire department is not notified automatically or directly by a remote annunciator, automatic dialer or an alarm system business when the alarm system is activated;
- b. An alarm system which incorporates a remote annunciator or an automatic dialer which is not installed in or connected to the police or fire department or an alarm system business.

7. FINE. The activation of two or more false fire alarms within a twelve-month period will result in a fine of \$150.00 for each false alarm activated thereafter.

8. The holder of an alarm system license who has been assessed a false alarm fee may appeal the assessment of that fee in the following manner:

- a. Within ten days of receipt of the invoice assessing the false alarm fee, the recipient of the invoice shall notify the Fire Chief or his designee, in writing, that he (she) requests a hearing to dispute the assessment of a false alarm fee, stating as completely as possible the basis for the dispute.
- b. A formal hearing before the Fire Chief or his designee shall be held within 15 days of the receipt of the written request for a hearing on the disputed false alarm fee.
- c. At the hearing, the person requesting the hearing and the Plainfield Fire Protection District's representatives shall be entitled to present all evidence that is, in the hearing officer's view, relevant and material to the dispute. The hearing officer's decision shall be final and binding.
- d. Based on the evidence presented at the hearing, the hearing

officer, within ten days of the completion of the hearing, shall issue a written decision formally resolving the dispute. The hearing officer's decision shall be final and binding.

- e. The hearing officer shall be authorized to resolve any disputed assessment of a false alarm fee.

If the hearing officer determines that the disputed false alarm fee is valid, the holder of the alarm system license shall pay such fee within ten days.


9. That within thirty days of the passage of this Ordinance, the Secretary of the PLAINFIELD FIRE PROTECTION DISTRICT shall cause this Ordinance to be published in its entirety within a paper published and distributed within the boundaries of the PLAINFIELD FIRE PROTECTION DISTRICT.

PASSED this 10<sup>th</sup> day of June, 2007.

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President, PLAINFIELD FIRE  
PROTECTION DISTRICT

Attest:

  
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Secretary