

ORDINANCE # 2018-1

AN ORDINANCE PROVIDING FOR REGULATIONS OF THE INSTALLATION, USE AND OPERATION OF EMERGENCY REPORTING EQUIPMENT, FIRE ALARM SYSTEMS, TELEPHONIC DEVICES AND ANY ELECTRIC OR ELECTRONIC DEVICES, OR SYSTEMS WHICH UTILIZE WIRE SERVICE, TELEPHONE WIRES, RADIO WAVE LENGTHS OR ANY OTHER MEANS WHEREBY CONTACT OR COMMUNICATION IS MADE TO AUTHORIZED FIRE REPORTING SYSTEMS, RADIOS OR TELEPHONES.

WHEREAS, it is the experience of the Mokena Fire Protection District in the past years with recorded messages and fire alarms sent by automatic protection devices, that the need exists for regulation of the use of various types of emergency reporting equipment that are now being used to report emergencies to the Mokena Fire Protection District communications center and Laraway Communications Center, and

WHEREAS, it is in the best interest of the citizens and residents of the Mokena Fire Protection District that an Ordinance be enacted regulating the use, installation, operation and maintenance of said emergency reporting systems and that such an Ordinance will promote health, safety, and welfare to all residents of the community.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE MOKENA FIRE PROTECTION DISTRICT, WILL AND COOK COUNTIES, ILLINOIS:

SECTION I DEFINITIONS

- 1.1 Alarm Equipment Installer: Any licensed person, firm or corporation that sells or leases, installs and/or maintains automatic protection devices.
- 1.2 Automatic Protection Device: An electrically operated instrument composed of sensory apparatus and related hardware that is listed under Underwriters Laboratory, which automatically sends over regular telephone lines, leased telephone lines or radio transceiver an alarm signal upon receipt of a stimulus from the sensory apparatus that, has detected a physical force or condition inherently characteristic of fire.
- 1.3 Communications Center: The communications center located at the Mokena Fire Protection District fire station.
- 1.4 Dedicated Circuit: A supervised leased telephone line exclusively for transmitting the automatic protection device located at sprinklered and/or multi tenant buildings to the Mokena Fire Protection District Communications Center.
- 1.5 Direct Connection: An approved supervised radio transceiver exclusively for transmitting the automatic protection device to the Mokena Fire Protection District remote receiving station at the communications center of the fire department.

- 1.6 Digital Alarm: Digital Alarm Communicator system used for automatic protection device signaling over public switched telephone network.
- 1.7 Dialer Alarm: An alarm communicator that directly dials an emergency number being used by the public to report emergencies to the communications center and/or the Laraway Communications Center for the purpose of transmitting a pre-recorded message.
- 1.8 False Fire / Nuisance or Intentional Alarm: The activation of an alarm system which elicits a fire department response where the situation requiring such a response does not in fact exist. False fire alarms shall not include alarms activated by:
1. Fire causing damage to structures or contents of a protected premises when verified by the Fire District.
 2. Earthquake causing structural damage to the protected premises and/or the fire alarm equipment.
 3. Hurricane or tornado winds causing structural damage to the protected premises.
 4. Flooding of the protected premises due to overflow of natural drainage.
 5. Lightning causing physical damage to the protected premises and/or the fire alarm equipment.
 6. Telephone line malfunction verified to the Fire District by an authorized telephone company supervisor within seven days of the occurrence.
- 1.9 Fire Alarm: A signal initiated to the fire alarm control panel by a device or system designed to detect the presence of a hostile fire. These devices are to include but not be limited to pull stations, smoke detectors, heat detectors, sprinkler systems, and kitchen hood systems.
- 1.10 Laraway Communications Center: The center to which the fire department subscribes for its emergency dispatching and fire inter-communications.
- 1.11 Trouble Alarm: A signal initiated to the fire alarm control panel indicating a disarrangement of the protective signaling of the fire alarm system.
- 1.12 Fire Official: It shall be the duty and responsibility of the Chief of the Fire Protection District or the Fire Prevention Bureau to enforce the provisions of the Ordinance.

- 1.13 Permit Holder: Any person, firm, corporation or authorized agent to which a permit has been granted for the connection of an automatic protection device to the communications center of the fire department.
- 1.14 Radio Transceiver: A radio transmitter/receiver network used as a medium for transmitting the automatic protection device of a protected premise to the Mokena Fire Protection District communications center.
- 1.15 Out of Service Alarm: Any time an alarm is taken out of service due to some type of malfunction causing the alarm not to transmit signals properly or not reset; business is placed on a 9-1-1 call in response only. Some businesses may require a Fire Watch.
- 1.16 Limited Service Alarm (also known as Full Fire Only): Any time an alarm is taken from a full-service status due to a problem with alarm, and alarm is still able to send Fire Signal.

SECTION II CONNECTIONS TO THE COMMUNICATIONS CENTER

- 2.1 Permit Required: A permit shall be required for the automatic protection systems that are to be connected to the communications center. It shall be the duty of the property owner or the authorized representative of the property owner to obtain the permit from the fire official.
- 2.2 New Installations: All automatic protection devices installed after the effective date hereof, shall be connected directly to the communications center located at the Mokena Fire Protection District Station-1 via an approved radio transceiver.
- 2.3 Dialer Alarms: All Dialer Alarms are hereby prohibited to be directly connected to the communications center and Laraway Communications Center.
- 2.4 Digital Alarms: All Digital Alarms are hereby prohibited to be directly connected to the communications center and Laraway Communications Center.
- 2.5 Dedicated Circuit Alarms: All Dedicated Circuit Alarms are hereby prohibited to be directly connected to the communications center and Laraway Communications Center.
- 2.6 Any existing central station, digital or dedicated fire alarm systems that have been disconnected for any length of time or reason shall be converted to an approved radio transceiver prior to reconnection to the communications center as defined in section 1.3.

SECTION III EQUIPMENT INSTALLER

- 3.1 License Required: All alarm equipment installers must, upon request, present a copy of their *current* license that was issued to them by the State of Illinois (Fire Alarm Contractor License) or City of Chicago (Electrical Contractor License) to the fire official prior to installation of any automatic protection devices. This shall include any fire alarm contractor performing any type of work on a fire alarm system including but not limited to: design, installation, maintenance and/or any activity involving relocation or elimination of any existing device(s).

SECTION IV FALSE / NUISANCE ALARMS

- 4.1 No permit holder shall permit, allow or suffer the alarm system to communicate or transmit a false fire / nuisance alarm. For the first two (2) false fire / nuisance alarms within a twelve (12) month period, there shall be no fee; however a warning in writing may be issued. For the third false fire / nuisance alarm within a twelve (12) month period, the permit holder of the protected premises shall pay a fine of \$200.00 with each charge increasing by \$100.00 for each additional false fire / nuisance alarm within a twelve (12) month period not to exceed \$1,000.00 per occurrence. All fines are to be paid to the Mokena Fire Protection District.
If the false fire / nuisance alarm is an intentional alarm, then an additional fine of \$1,000.00 shall be added to the fine listed above.
- 4.2 Trouble alarm conditions shall be corrected as soon as practicably possible. For the first two (2) trouble / nuisance alarms within a twelve (12) month period there shall be no fee; however a warning in writing may be issued. For the third trouble / nuisance alarm within a twelve (12) month period, the permit holder of the protected premises shall pay a fine of \$100.00 with each charge increasing by \$100.00 for each additional trouble / nuisance alarm not to exceed \$1,000.00 per occurrence. All fines are to be paid to the Mokena Fire Protection District.
- 4.3 At the discretion of the Fire Official, a fine will ensue if at any time an alarm is taken out of service due to some type of malfunction causing the alarm not to transmit signals properly; or an alarm is taken from a full-service status due to a problem with alarm, and the alarm is still able to send Fire Signal.

First Notice:	Warning Letter with fifteen (15) days to comply
Second Notice:	\$200 fine and fifteen (15) days to comply
Third Notice:	\$500 additional fine and seven (7) days to comply OR optional Vendor Meeting
Fourth Notice:	\$550 additional fine and seven (7) days to comply
Fifth & subsequent:	Fine increased by \$50 for each additional seven (7) days until alarm is repaired

- 4.4 Fee for resetting or silencing of the fire alarm and/or trouble alarm prior to the arrival of the Mokena Fire Protection District, shall result in fines. For the first two (2) offenses within a twelve (12) month period there shall be no fee; however a warning in writing may be issued. For the third offense within a twelve (12) month period, the permit holder of the protected premises shall pay a fine of \$500.00 (in addition to any other appropriate fines); with each subsequent offense fee increasing by double the previous fee (in addition to any other appropriate fines). All fines are to be paid to the Mokena Fire Protection District.
- 4.5 Any permit holder shall be fined \$1,000.00 per alarm to be paid to the Mokena Fire Protection District; for any alarm equipment installer, person, firm, corporation or authorized representative found by the fire official to have caused a false alarm through negligence.

SECTION V PENALTY FOR VIOLATIONS

- 5.1 Any permit holder violating the provisions of this Ordinance or failing to comply with any order issued pursuant to any section thereof, shall be fined \$500.00 per violation for each day that such violation continues, to be paid to the Mokena Fire Protection District.
- 5.2 In addition to the fines set forth in Section IV, if any permit holder refuses to pay or fails to pay within 60 days of notice of the fine, the permit holder will be deemed to have further violated this Ordinance and will incur an additional penalty of \$250 for each offense plus all legal fees and all costs caused by enforcement. Such fees and costs shall include, but not be limited to, staff costs of inspection or re-inspection, legal fees, collection fees and staff cost of enforcement. A separate offense shall be deemed committed for each day on which a violation occurs or continues.
- 5.3 Failure to pay any fine or penalty imposed by this Ordinance will result in the imposition of judicial proceedings to collect said fine or penalty. In the event it is necessary to seek judicial relief, the District shall be entitled to collect any and all attorneys' fees, witness fees and other court costs incurred by virtue of the court proceedings.

SECTION VI LIABILITY OF COMMUNICATIONS CENTER AND LARAWAY COMMUNICATIONS CENTER

The Communications Center and Laraway Communications Center shall take every reasonable precaution to assure that alarm signals and pre recorded alarm messages received by the Communications Center and Laraway Communications Center are given appropriate attention and are acted upon with dispatch. Nevertheless, the Communications Center and Laraway Communications Center shall not be liable for any defects in operation of any alarm type of system, for any neglect to respond appropriately upon receipt of an alarm, for the installation and operation of equipment, the transmission of alarm signals and messages. The Communications Center and Laraway Communications Center shall not be liable for

interruptions of service due to strikes, riots, floods, fires or acts of God or any cause beyond the control of the Communication Center or Laraway Communications Center. In the event that the Mokena Fire Protection District, Communications Center, or Laraway Communications Center finds it necessary to disconnect a defective automatic protection device, then neither the Mokena Fire Protection District nor the Communications Center or Laraway Communications Center shall incur any liability for such action.

The Mokena Fire Protection District assumes no liability for:

1. Any defects in the operation of a System;
2. For failure or neglect to respond appropriately upon receipt of an alarm;
3. For failure or neglect of any person in connection with the installation, operation or maintenance of any System; or
4. The transmission of alarm signals, pre-recorded alarm messages, or the relaying of such signals and messages.

SECTION VII REPEAL OF CONFLICTING ORDINANCES

- 6.1 All former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance hereby adopted are hereby repealed to the extent of such conflict or in consistency with Ordinance 2016-4 is hereby specifically repealed in its entirety.

SECTION VIII VALIDITY

- 7.1 The Board of Trustees for the Mokena Fire Protection District hereby declares that should any section, paragraph, sentence or word of this Ordinance hereby be adopted be declared for any reason to be invalid, it is the intent of said Board of Trustees that it would have passed all other portions of this Ordinance independent of the elimination here from any such portion as may be declared invalid.

SECTION IX DATE OF EFFECT

This Ordinance shall take effect and be in full force from and after its passage, approval and publication as required by law.

Passed this 9th day of January, 2018 by a roll call vote of the Board of Trustees of the Mokena Fire Protection District as follows:

Ayes 4

Nays 0

Pass 0

Approved by the President of the Board of Trustees of the Mokena Fire Protection District this
9th day of January, 2018.



President, Board of Trustees
Mokena Fire Protection District

Attest:



Secretary, Board of Trustees
Mokena Fire Protection District

Published _____