

City of St. Charles, Illinois

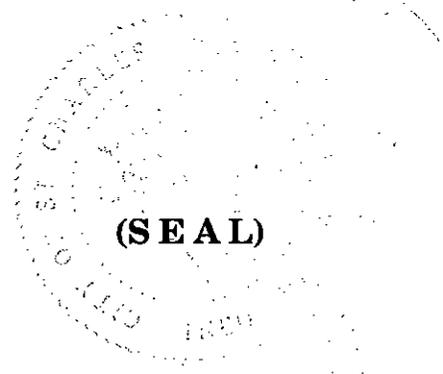
Ordinance No. 2003-M-11

**An Ordinance Amending Title 15,
Chapter 15.28, "Fire Prevention Code,"
Section 15.28.210, "Fire Alarm Systems"
of the St. Charles Municipal Code**

**Adopted by the
City Council
of the
City of St. Charles
February 3, 2003**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, February 7, 2003**


City Clerk





ORDINANCE NO. 2003-M- 11

REFER TO:
MINUTES <u>2/3/03</u>
PAGE _____

**AN ORDINANCE AMENDING TITLE 15,
CHAPTER 15.28, "FIRE PREVENTION CODE"
SECTION 15.28.210 "FIRE ALARM SYSTEMS
OF THE ST. CHARLES MUNICIPAL CODE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST.
CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS AS FOLLOWS:**

1. That Title 15, Chapter 15.28 "Fire Prevention Code", Section 15.28.210 "Fire Alarm Systems" be amended by adding the following paragraph:

c. False Fire Alarm Service Charge

1. Definitions

A. *False Fire Alarm*: An alarm signal which indicates the existence of a fire emergency when, in fact, no such emergency exists, and shall include any alarm signal generated by any fire protection system by whatever means but shall not include alarms resulting from any of the following causes:

- 1) Flooding to the protected premises.
- 2) Lightning causing physical damage to the protected premises.
- 3) Plumbing or electrical malfunctions unrelated to the fire protection system.
- 4) Physical Damage to the property caused by high winds
- 5) Physical Damage to the property caused by earthquake.
- 6) The alarm system was newly installed within the last 30 days in full compliance with the Fire Prevention Code.
- 7) Maliciously false alarm, except that a person caught maliciously activating any fire alarm system will be prosecuted within the limits of the law and charged according to the established fire department fee schedule.
- 8) Telephone line malfunction due to service interruption, verified to the Fire Marshal by an authorized telephone company supervisor, within seven days of the occurrence.

B. *Fire Alarm User*: The person(s), firm, partnership, association, corporation, company or organization of any kind in control of any building, structure or facility or portion thereof wherein a fire protection system is maintained.

C. *Fire Protection System*: A system including devices and equipment to detect a fire, activate an alarm or suppress or control a fire, or any combination thereof.

D. *Fire Suppression System*: A mechanical system designed and equipped to detect a fire, activate an alarm and suppress a fire.

E. *Fire Marshal*: The Fire Marshal for the City of St. Charles, or his designee.

2. **Installation, operation, and maintenance standards**: The installation, operation, maintenance and inspection of any fire protection equipment shall be pursuant to the terms of the Fire Prevention Code.
3. **False fire alarm service charge**: Any alarm user who has more than three false alarms within one calendar year at a single protected location will be charged a service fee of \$75 for each false alarm occurring thereafter if the false alarm is due to or caused by a lack of required maintenance as specified in the BOCA National Fire Prevention Code, or resulting from any test, repair, alteration, installation or addition to the fire protection system without prior notification thereof to the St. Charles Fire Department or the Tri-Com 9-1-1 Center. All false alarm service charges shall be remitted to the city by the alarm user upon receipt of the statement for such service charge.
4. **Notification**: The Fire Marshal shall notify the Alarm User via US Mail of each instance wherein a False Alarm was recorded. In the case of a third recorded False Fire Alarm within any one calendar year, the notice shall further inform the Alarm User that any additional False Alarms shall result in the imposition of the service charge as set forth herein. In the case of additional False Fire Alarms, the written notice shall indicate the imposition of the service charge set forth herein.
5. **Waiver of Service Charge**: The Fire Marshal is hereby authorized to waive any and all fees due from a person, business, or entity under this Ordinance. This may be done by an administrative regulation or on an individual basis as the circumstances warrant.
6. **No Liability of City**: The city assumes no liability for:
 - a. Any defects in the operation of an alarm system.

- b. Failure or neglect of any person in connection with the installation, operation, or maintenance of an alarm system.
2. That after adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.
3. This Ordinance shall be in full force and effect from and after its passage by a vote of the majority of the corporate authorities now holding office and approval in the manner provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois this 3rd day of February, 2003.

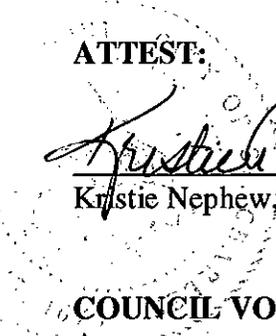
PASSED by the City Council of the City of St. Charles, Illinois this 3rd day of February, 2003.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 3rd day of February, 2003.



Susan Klinkhamer, Mayor

ATTEST:


Kristie Nephew
Kristie Nephew, City Clerk

COUNCIL VOTE:

Ayes: 9
Nays: 0
Absent: 1

APPROVED AS TO FORM:

Timothy D. O'Neil
Timothy D. O'Neil, City Attorney

Date: 2/3/03

State of Illinois)
)
) ss.
Counties of Kane and DuPage)

Certificate

I, KRISTIE A. NEPHEW, certify that I am the duly elected and acting municipal clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on February 3, 2003, the Corporate Authorities of such municipality passed and approved Ordinance No. 2003-M-11, entitled

"An Ordinance Amending Title 15,
Chapter 15.28, "Fire Prevention Code,"
Section 15.28.210, "Fire Alarm Systems"
of the St. Charles Municipal Code,"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2003-M-11, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on February 7, 2003, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 3rd day of February, 2003.



Municipal Clerk

(SEAL)

