

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~ of Tannersville.....
~~Town~~
Village

Local Law No.3..... of the year 19 91.....

A local law AUTOMATIC FIRE ALARM (AMENDED).....
(insert title)

Be it enacted by the Village Board of the
(Name of Legislative Body)

~~County~~
~~City~~ of Tannersville as follows:
~~Town~~
Village

AUTOMATIC FIRE ALARMS - LOCAL LAW NO. 2 OF 1990

- 1. TITLE: This law shall be known and cited as the Automatic Fire Alarm Law of the Village of Tannersville.
- 2. LEGISLATIVE INTENT:

The Village of Tannersville recognizing the need for a volunteer fire department has established the same which fire department responds to calls within the Village of Tannersville and within the Town of Hunter Fire Protection District No. 1 encompassing the Village of Tannersville and areas of the Town of Hunter adjoining the Village. The Tannersville Volunteer Fire Department and its members are an invaluable asset to the community. As with any volunteer fire department, the members selflessly leave their homes, jobs and businesses at all hours of the day and night to respond to fire alarms. At those times that they are responding to fire alarms either to the firehouse or to the scene of a fire or alarm, the members of the Fire Department as well as their families and the rest of the community are aware of the risks associated with responding to and fighting fires. The State of New York recognizing that to turn in a false alarm exposes members of the Fire Department as well as the general public to harm by creating a false sense of emergency has made it a crime to turn in false alarms. (See Penal Law sections 240.50, 240.55 and 240.60). As the Village of Tannersville and the surrounding area of the Town of Hunter is populated by many part-time residents who maintain residences on a part-time basis and there are many second homes within the community, a number of homes are protected by automatic fire alarm systems which utilize sensors and other devices to determine if and when a fire is in existence and to transmit an automatic alarm to the fire dispatcher. On occasion, automatic fire alarms transmit automatic calls to the fire dispatcher indicating that there is a fire at a premises or residence when in fact no such fire exists. These unintentional false alarms are no different from intentional false alarms in the reaction that they cause by the volunteer fire department and the community and the

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risks associated with such, an emergency exists while the volunteer fire department members respond to the fire alarm. The Village of Tannersville and the Tannersville Volunteer Fire Department are concerned about an increasing number of false automatic fire alarms. To protect the health, safety and welfare of the community as well as the members of the Volunteer Fire Department, the Village Board of the Village of Tannersville deems it appropriate to enact legislation to prevent the issuance of false automatic fire alarms.

3. DEFINITIONS:

For the purpose of this Local Law, the following definitions shall apply:

A. Automatic Fire Alarm: Any system, device, machine or detector installed on a premises for the purposes of detecting fire or smoke and upon detecting the existence of fire or smoke transmitting or causing to be transmitted a signal or alarm automatically either over telephone or cable lines or by radio, microwave or other signal directly to any fire dispatcher, police dispatcher or other persons whose job it is to issue a fire alarm signal upon the receipt of the automatic fire alarm signal.

B. False Alarms: Any automatic fire alarm issued by an automatic fire alarm system to the fire dispatcher indicating that a fire exists when in fact no such fire exists on the premises.

C. Premises: Any building, dwelling, residence, hotel, motel, multiple dwelling, commercial establishment or other structure into which an automatic fire alarm system has been installed.

D. Owner: The lawful owner of the premises including the titled owner of record and any tenant or resident of said premises.

E. Automatic Fire Alarm Company: Any natural person, corporation, partnership, company or other entity which owns, installs, maintains, sells or is otherwise engaged in the sale, rental, installation or maintenance of automatic fire alarm systems, hereinafter sometimes referred to as the company.

F. Dispatcher: Any fire dispatcher, police dispatcher or other public or private person or entity responsible to issue or transmit a fire alarm signal to the fire company upon receipt of an automatic fire alarm signal.

G. Fire Department: Tannersville Volunteer Fire Department serving Town of Hunter Fire Protection District No. 1.

4. REGISTRATION OF AUTOMATIC FIRE ALARM SYSTEMS:

A. It shall be unlawful for any person to install an automatic fire alarm system or to own, have, rent or maintain the same on a premises without registering the same with the Fire Department within seven (7) days after the installation of said fire alarm system. Said registration shall provide the following information:

Name, home address and telephone number of the owner(s);

Business address and telephone numbers of the owner(s);

Name, address and telephone number of any person living within the Town of Hunter who shall be deemed to be a caretaker, handy man or person watching the premises for the owner, if there be any such person;

Name, address and telephone number of the company which owns, leases, rents, installs and/or maintains the automatic fire alarm system;

If said company is not a natural person, the name, address and home telephone numbers of all shareholders, partners or owners;

Name, make, model serial number and specifications of said automatic fire alarm system.

B. It shall be unlawful for any person not to maintain said automatic fire alarm system with regular on-site inspections at least every six (6) months and upon conducting said inspection to fail make any modifications, alterations or repairs as necessary. Upon the conducting of said maintenance or service check and within one week thereafter the company shall file a written report as to the condition of the system with the Fire Department indicating the current condition of the automatic fire alarm system, whether any repairs were necessary and if so when they were made.

5. FALSE ALARMS:

A. Within seven (7) days of the occurrence of the first false alarm issued by an automatic fire alarm system from a premises the chief of the fire department shall notify, in writing by regular mail, the owner and company of the issuance of a false alarm by the automatic fire alarm system at the premises.

B. Within fourteen (14) days of the date of said written notice of said false alarm the owner and company shall cause an inspection of the premises and the automatic fire alarm system to occur and to cause whatever maintenance or repairs to prevent future false alarms. Within one (1) week of making said inspection and repairs, if necessary, the company shall notify, in writing, the fire department of whatever actions have been taken as well as why a false alarm, in the company's opinion, occurred. It shall be the obligation of the owner to cause any and all repairs or maintenance to occur as needed.

C. Second or subsequent false alarms: In the event that there occurs a second or subsequent false alarm from the automatic fire alarm system following the notice required in section 5A above, within any twelve (12) month period the owner shall be guilty of a violation of this local law.

6. PENALTIES:

A. A violation of section 4 pertaining to registration, inspection and inspection following false alarm shall be an offense punishable by a fine of not more than \$100.00.

B. A violation of section 5B pertaining to the occurrence of a second or subsequent false alarm shall be an offense punishable by a fine of not more than \$250.00 for each occurrence.

7. SEPARABILITY CLAUSE:

Should any section or provision of this Law, as contained herein or as hereafter amended, be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Law as a whole or of any part thereof other than the part so declared to be invalid.

8. EFFECTIVE DATE:

This Local law shall take effect upon its enactment and filing with the Secretary of State.