

CHAPTER 5.59

FIRE ALARM SYSTEMS

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Section 5.59.010 Purpose.

The purpose of this chapter is to establish standards and controls to reduce the incidents of false fire alarm calls responded to by the Fire Department. The most effective alarm management is through user and alarm industry accountability. (Ord. 6977 § 1, 2008)

Section 5.59.020 Definitions.

For the purpose of this chapter, the following definitions shall apply:

"City" means the City of Riverside.

"False Fire Alarm" means the activation of a Fire Alarm System resulting in a response by the Fire Department and which is caused by the negligence or intentional misuse of the Fire Alarm System by owner, its employees, agents or any other activation of a Fire Alarm System not caused by heat, smoke or fire, exclusive of a nuisance fire alarm.

"Fire Alarm Agent" means any person who is self-employed or employed either directly or indirectly by a Fire Alarm Business whose duties include any of the following: selling, maintaining, leasing, servicing, repairing, altering, replacing, moving or installing a Fire Alarm System in or on any building, place or premises.

"Fire Alarm Business" means any person conducting or engaged in the business of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, installing, or monitoring a Fire Alarm System in or on any building, place or premises.

"Fire Alarm Device" means a device or alarm that is designed to respond either manually or automatically to smoke, fire, or activation of a fire suppression system.

"Fire Alarm Monitoring Company" means a person in the business of providing monitoring services.

"Fire Alarm System" means a combination of approved compatible devices with the necessary electrical interconnection and energy to produce an alarm signal in the event of a fire or emergency medical situation or both, and when activated, emits a sound or transmits a signal to indicate that an emergency situation exists.

"Fire Alarm User" means any person responsible for operating a Fire Alarm System at any premises in the city.

"Fire Department" means any employee of the Fire Department.

"Person" means any individual, partnership, corporation or other business entity. (Ord. 6977 § 1, 2008)

Section 5.59.030 Government Immunity.

Any alarm liability and consequential damage resulting from the failure to respond to an alarm is hereby disclaimed and governmental immunity as provided by law is retained. By installing a Fire Alarm System, the Alarm User acknowledges that a response may be influenced by factors such as: availability of fire units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history. (Ord. 6977 § 1, 2008)

Section 5.59.040 Duties of Fire Alarm Business, Fire Alarm Agent, and Fire Alarm Monitoring Company.

The duties shall be as follows:

A. To install a Fire Alarm or Fire Alarm System in accordance with nationally recognized standards within the perimeters of the alarm activating devices and be available to maintain the Fire Alarm System in good working order, and to take reasonable measures to prevent the occurrence of False Fire Alarms.

B. To provide each purchaser and Fire Alarm User with a copy of the provisions of this article relating to Alarm User duties, False Fire Alarm assessments and appeal procedures, within sixty (60) calendar days of the adoption of this ordinance.

C. To provide accurate and complete instruction to the Alarm User in the proper use and operation of said Alarm System. Specific emphasis shall be placed on the avoidance of False Alarms. All businesses which sell Alarm Systems, but which are not an Alarm Business as defined in this Article, are similarly responsible for instructing the buyer of the Alarm System in the proper use of said system.

D. To maintain records of the location of these Alarm Systems, devices or services and the name and telephone number of the person and two alternates to be notified whenever an alarm is activated, and to readily report such information to the Fire Department upon request. (Ord. 6977 § 1, 2008)

Section 5.59.050 Contesting False Fire Alarm Response Reports.

Following fire response to the activation of an alarm which investigation by the Fire Department determines to be false and upon notification of said fact by the Fire Department, the Fire Alarm User shall notify the Fire Department and file a report with the Fire Department within seventy-two (72) hours if they have reason to believe the False Alarm Response Report was issued in error. Such report shall contain all information pertaining to the false alarm that occurred. If an alarm did not occur, the Alarm User may submit a written letter providing the details to the Riverside Fire Department. (Ord. 6977 § 1, 2008)

Section 5.59.060 Nuisance Alarms.

The Fire Department may declare an Alarm System at a specific location to be a nuisance if such Fire Alarm System activates excessive False Fire Alarms. The City Council hereby finds and determines that three False Fire Alarms within a 365-day period is excessive and thereby constitutes a public nuisance. The Fire Department may not consider any False Fire Alarm in this computation of nuisance alarms if such was generated by earthquakes, high intensity winds, or unusual acts of nature. Nuisance alarms shall be considered that are the result of the negligence of the Fire Alarm User, the agents or employees of the Fire Alarm User or a defect in the Fire Alarm System. After six False Fire Alarms within a 365 day period, the fire alarm system will be required to be certified per Chapter 26 of NFPA 72, the National Fire Alarm Code. (Ord. 7341 § 4, 2016; Ord. 6977 § 1, 2008)

Section 5.59.070 False Fire Alarm Response Penalties.

A False Fire Alarm response penalty shall be paid to the City Manager - Finance

Division upon the occurrence of three False Fire Alarms received from any one source or from any one Fire Alarm System within a 365-day Period. The False Fire Alarm response penalty shall be in such amount as established by resolution of the City Council of City. A higher False Fire Alarm response penalty may be established for each additional False Fire Alarm within the 365-day period. (Ord. 6977 § 1, 2008)

Section 5.59.080 Penalties Assessed.

A. No penalty shall be assessed for the first and second False Alarms from a Fire Alarm System during the 365-day period. Thereafter, the Fire Alarm User shall pay a penalty as established by resolution of the City Council of City for each subsequent False Fire Alarm during the 365-day period. The provisions of this paragraph shall not apply to facilities occupied or operated by the state, county, school districts, or other local public agency. (Ord. 6977 § 1, 2008)

B. The fire alarm company will be subject to a penalty as established by resolution of the City Council of City if the firefighter responding to the False Fire Alarm determines that the fire alarm company or fire sprinkler company directly caused the False Fire Alarm. In this situation, the False Fire Alarm will not be counted against the Fire Alarm User. (Ord. 6977 § 1, 2008)

Section 5.59.090 Appeals.

If the Fire Department assesses a penalty, the Fire Department shall send written notice of the action and a statement of the right to an appeal to the affected Person or Fire Alarm User. Appeals shall be heard by the City Manager or his designee. The decision of the City Manager or designee shall be final. (Ord. 6977 § 1, 2008)