

# Chapter 23

## TOWN OF DECATUR

### **False Alarm Ordinance-Juda Fire District**

WHEREAS, 1983 Wisconsin Act 532 authorizes Towns to charge persons, or property owners, a portion or all of the costs of fire department response, and

WHEREAS, it is in the public interest of the Town of Decatur to charge the costs of repeated false alarms to property owners or persons,

NOW THEREFORE, the supervisors of the Town of Decatur do ordain as follows:

**Section 1 – State Authority** – Pursuant to section 60.55, 60.555, and 60.557 of Wisconsin Statutes the Town of Decatur hereby establishes the following policy and procedure for the payment of fire department response to repeated false alarms in the Juda Fire District, in the Town of Decatur.

**Section 2- Declaration of Purpose** – The primary goal of this ordinance, to reduce preventable or avoidable false alarms relayed to the Juda Fire Department, is needed to insure efficient use of the Towns resources and effective response to requests for emergency aid. It is further intended that persons who cause unnecessary false alarms should bear costs of emergency services response.

#### **Section 3 - Definitions**

**ALARM SUBSCRIBER:** Any person who has an alarm system installed or maintained on his premises, including but not limited to any person who buys, leases or otherwise obtains an alarm system and thereafter contracts or hires an alarm business to monitor, maintain or service the alarm system.

**ALARM SYSTEM:** An assembly of equipment or devices which receives electrical energy and is arranged to signal a hazard requiring urgent attention which the Fire Department is expected to respond to.

**CALENDAR YEAR:** January 1 through December 31 inclusive.

**FALSE ALARMS:** Activation of an alarm system by mechanical failure, malfunction, improper installation, negligence of the owner or lessee of the alarm system, or by an undetermined cause. A false alarm includes but is not limited to the testing of the alarm system without prior notice to the Fire Department of the testing. A false alarm does not include activation of the alarm system by tornado or severe weather storm.

**FIRE ALARMS:** An alarm system designed to signal fire or smoke in the protected area which transmits an emergency signal to the Fire Department for response.

**KNOX BOX:** A secure key box of a type approved by the Fire Chief mounted on the exterior of a building containing those keys necessary for emergency services to access the building.

**PRIMARY TRUCK LINE:** A telephone line leading directly into the emergency services dispatch center for the purpose of handling emergency calls on a person-to-person basis and which is identified as such by a specific number included among the emergency numbers listed in the telephone directory or members in sequence therewith.

**FIRE DEPARTMENT RESPONSE:** Coming to the scene of a fire or hazardous materials incident or hazardous condition, or any investigation in connection with a fire, hazardous materials incident or hazardous condition.

**HAZARDOUS CONDITION:** Any condition creating a concern for the physical welfare of persons in the immediate area of the situation requiring a fire department response.

**PERSON:** A natural person, corporation, partnership or other entity with legal capacity.

**Section 4 – Testing** No alarm business or alarm system designed to transmit emergency messages to the Fire Department shall be tested or demonstrated without prior notification and approval of the Fire Chief.

**Section 5 – Notifying the Fire Department of Alarm Systems:** A person installing an automatic alarm system shall notify the Fire Chief with the following information:

- 1) Name, address, phone number of person having an alarm system installed.
- 2) Location of the alarm in the building or area protected where alarm is installed.
- 3) The type of alarm or alarms installed.

**Section 6 – Responsibility and Liability –**

Alarms shall be maintained so as not to cause false alarms.

**Section 7 – Fees for Answering Alarms –**

1) Each false alarm requires response of Fire Department personnel, involves unnecessary expense to the Town, increases the risk of injury to persons or damage to property and dilutes the overall public safety protection to the Fire District. Such false alarms constitute a nuisance and must be abated.

2) No person shall intentionally cause the activation of a fire alarm knowing that no fire or other emergency exists on or near the premises.

3) Any person owning or maintaining an alarm shall pay a fee for false alarms to which the Fire Department responds pursuant to the following fee schedule:

- a) **First two (2) false alarms for allocation within calendar year: no charge**  
**Warning letter will be sent.**
- b) **Third false alarm per location in calendar year: two hundred dollars (\$200.00).**
- c) **Each false alarm in excess of three (3) per location in calendar year four hundred dollars (\$400.00) plus actual response costs.**

4) On default of fee payment for false alarms, the amount due may be placed on the tax roll as a special charge pursuant to section 66.60(16) of the Wisconsin Statutes.

**Section 8 – Effective Date**

This ordinance shall take effect from and after its passage and posting as provided by law.

Approved this 17<sup>th</sup> day of January, 2017

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Allen Schneider, Chairman

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Ron Schwartzlow, 1<sup>st</sup> Supervisor

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Robert A. Gadow, 2<sup>nd</sup> Supervisor

Attest:

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Ann L. Schwartz, Clerk/Treasurer