

Town of Andover Code of By-laws

§ 24.5. Fire alarm systems/false alarms. EN [Added 6-12-1990, Art. 60]

The following rules and regulations shall apply to the installation, operation and maintenance of fire alarm systems:

(1) Scope: Fire alarm systems shall include systems connected to Fire Headquarters by the municipal fire alarm circuit, direct wire and any systems which use exterior audible signals at the alarm location.

(2) Authority: Massachusetts General Laws Chapter 148, Sections 26A-26H, requires the installation of alarm systems in certain buildings and places responsibility for the enforcement of these provisions with the Fire Chief. This by-law is adopted to establish uniform rules and regulations and to implement a schedule of fees for the installation, operation and maintenance of said alarm systems.

(3) Alarm system installation:

a. Any current or future alarm users may contract with an alarm company of their choice for the purchase, lease, installation and servicing of an alarm system on their premises.

b. No alarm system or equipment shall be connected to the central dispatching console without prior written approval of the Fire Chief.

1. This approval shall include municipal connection, direct wire and dial-up devices.

c. The only types of systems which will be allowed to connect to central dispatch console will be systems which utilize telephone dialer transmitters or connection via the municipal fire alarm circuits, or such other type deemed compatible with the central dispatch console.

1. Existing telephone dialers using voice-type tape recorders are allowed. Such alarm systems are to use the special alarm number set up only for this purpose. No equipment, as described in Subsection (3)c1, shall use the primary reporting telephone number.

d. Actual connection to the central dispatch console will be made by the town's designated alarm contractor or Fire Alarm Division personnel. Alarm users will be required to pay the alarm contractor for this service as set forth in a contract between the contractor and the alarm user.

e. The Town accepts no liability whatsoever for conditions which prevent proper reception of signals from the user's premises.

(4) Alarm system regulations:

a. Each alarm user shall submit to the Fire Chief the names, addresses and telephone numbers of three persons who can be reached at any time, day or night, who are authorized to gain entrance into the protected premises for the purposes of silencing and resetting the alarm system. It shall be the alarm system user's responsibility to keep this information up-to-date. Each control panel shall have

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located inside its door the above information and also the name of the company and phone numbers of the company which currently services the system.

Written instructions for resetting the control panel shall be clearly visible on the control panel.

Permission to attempt a system reset must be on file with the Fire Department if user wishes the Fire Department to reset control unit. It shall be the alarm user's responsibility to keep this information up-to-date. If after three attempts a system will not reset the zone, or if necessary, the system, it will be left unrestored. In this event, attempts shall be made to contact the parties from the data given by the user. The Town assumes no liability for inability to contact listed persons.

1. In the event an alarm user's panel or zone or other protective system cannot be reset, or the contact person cannot respond to the premises within a short period of time, the Fire Department will send a fire alarm system detail to the building. The charges for this detail shall be billed to the building or complex owner who will remit payment to the Fire Department. A two-hour minimum will be charged for that service.

1.1. This regulation shall apply to all alarm systems, i.e., those connected to the central dispatch console and those equipped with exterior audible signal devices.

1.2. Any building other than a residential building of less than six units which has a fire alarm system or other fire protection system shall provide a secure key lock box installed in a location accessible to the Fire Department in case of an emergency. This key lock box shall contain keys to the fire alarm system control panel and any other keys necessary to operate or otherwise service the fire protection systems. The key lock box shall be of a type approved by the Fire Chief and shall be located and installed as instructed by the Fire Chief and/or the Fire Prevention Bureau personnel.

1.3. All premises shall have their legal street number clearly visible as per existing Town bylaws, prior to connection of the alarm systems to the central dispatch console.

b. All alarm users must notify the central dispatch center in advance of any testing of equipment. Failure to do so may constitute a false alarm and therefore be subject to fee assessment.

c. Any direct wire user who has multiple purpose alarms, i.e., fire or medical aid, or any combination thereof, must provide for individual alarm connections to the central dispatch console as required.

d.1. Alarm systems which generate false alarms in any twelve-month period shall be subject to assessment as follows ("twelve-month period" is a fiscal year, July 1 to June 30):

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Fire Alarm Systems False Alarms

Number of False Alarms Fine

Step 1: 1 through 3	None
Step 2: 4 through 5	\$200.00 each
Step 3: 6 or more	\$400.00 each

2. Definition of "false alarm": The activation of an alarm system due to mechanical failure, malfunctioning equipment, improper installation or negligence of the user of the alarm system, or his employees or agents. Excluded from this definition are activations of alarm systems caused by utility company power outages, communication receiving equipment problems at central dispatch or other acts of nature beyond the control of the alarm user.

False alarms shall include but not be limited to the following situations:

(a) The continued activations of alarms resulting from any condition where no effective effort is made to correct the condition.

(b) Detection devices reacting to a condition such as dirt, dust or any other debris or material resulting from the failure of the owner to properly maintain and clean the system.

The obligations of owners for the proper maintenance of their systems shall be set forth in 527 CMR 24.08, which is incorporated herein by reference.

(c) Detection devices reacting to a condition such as smoke, steam, etc., where such occurrences are continuous with no corrective action taken.

e. Alarm users who cannot produce a valid service agreement for the protected property shall pay an additional \$50 per step. It is the intent of this section to have systems maintained on a regular basis annually.

1. False alarms caused by faulty telephone service, electrical storms or power outages will be excluded from assessments.

1.1. False alarms received during the first 30 days of connection shall be discounted provided no malicious intent has occurred and every attempt has been made to rectify new installation defects.

2. Determination that a false alarm has been transmitted will be the responsibility of the Fire Chief or other duly appointed Fire Department officer.

2.1. Malicious false alarms shall be excluded provided the alarm system owner actively discourages these types of alarms through education and installation of deterrent devices applicably designed for these purposes, when requested by the Fire Chief.

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3. Payments of assessments will be billed by and paid to the Fire Department.
4. Upon failure of an alarm user to pay two consecutive fees assessed within 60 days of the assessment, the Fire Chief shall order the alarm user to discontinue the use of the alarm system for not more than six months. Recovery of funds shall be through court proceedings.
5. Town, county and state agencies are exempt from the provisions of the assessment schedule.

(5) Violations:

- a. The following acts and omissions shall constitute a violation of these regulations and shall be punishable as follows: by a fine of not less than \$100 nor more than \$200 per offense:
 1. Failure to follow a written order issued by the Fire Chief to disconnect a fire alarm system from the municipal box, or to disable a telephone dialer arranged to dial the special alarm telephone number.
 2. Failure to disconnect, after notification, an unauthorized telephone dialing device arranged to dial the central dispatch console.
 3. Failure to pay two or more consecutive assessment fees assessed under Subsection (4), Paragraph e, of these regulations, within 60 days from the date of the second assessment.
 4. Failure to comply with the regulations set forth in Subsections (3) and (4) of these regulations.
 5. Continued transmission of false alarms caused by the user's negligence or system malfunctions on the user premises which is under the user's control, and where no effective effort is made to correct the condition.

(6) Appeal:

- a. An alarm user wishing to appeal a decision of the Fire Chief pursuant to Subsection (4), Paragraph e, of these regulations may, within 15 calendar days of the fees assessment, request in writing a hearing with the Board of Selectmen.