

## RESOLUTION NO. 06-0410

### A RESOLUTION OF THE BAYOU CANE FIRE PROTECTION DISTRICT, OF THE PARISH OF TERREBONNE, TO PROVIDE FOR REGULATION OF FALSE FIRE ALARMS

BE IT RESOLVED by the Bayou Cane Fire Protection District Board that:

#### **Section 1: Transmission of false fire alarms by automatic fire detection and alarm transmission equipment; procedure for fire department response and exit; penalties.**

- (a) **Purpose.** The purpose of this section is to reduce the number of false fire alarms received from automatic fire alarm transmitting equipment to allow for the more efficient mobilization and allocation of the resources of the Fire Department to provide effective response to actual fire situations instead of false alarms, and to prescribe penalties for the repeated transmission of false fire alarms by automatic fire detection and alarm transmission equipment.
- (b) **Definition of false fire alarm.** For the purpose of this Section, any signal transmitted by automatic fire detection and alarm transmission equipment which falsely indicates a fire shall be considered a false fire alarm, whether caused by equipment malfunction, by human error, or by any other means. The fire officer in charge at that location shall make the determination as to whether a fire has occurred or is in progress at the location of the alarm system.
- (c) **Procedure for Fire Department response to and exit from location of false alarm.** Immediately following dispatch of the Fire Department by a monitoring facility, the monitoring facility shall attempt to contact a designated representative of the property at the location of the alarm system to grant access to the Fire Department to the interior of any structures on the property. If no access is granted to the Fire Department, the fire officer in charge shall conduct, or have conducted under his supervision, a non-destructive exterior investigation of the property to look for signs that a fire has occurred or is in progress. If the chief fire officer in charge at the location of the alarm system determines that no fire has occurred or is in progress at that location, the chief fire officer shall leave written notification of an alarm dispatch at the front entrance of the location. After leaving such written notification, the chief fire officer and any other personnel of the Fire Department at the location of the location of the alarm system may leave the location.
- (d) **Penalties:** The owner of any automatic fire detection or alarm transmission equipment which transmits more than three false fire alarms from any one location in any consecutive twelve-month period shall be guilty of a misdemeanor punishable as follows:
  - 1. In any consecutive twelve-month period, three false alarm signals shall be permitted without penalty. Upon receipt of the third false alarm within a consecutive twelve-month period, a letter shall be forwarded by the Fire Prevention Division of the Fire Department to the owner of the premises, and to the alarm company which services the equipment if

the company is known, which letter shall cite this section and give notice that there have been three false fire alarms within a consecutive twelve-month period.

2. For the fourth false alarm signal in any consecutive twelve-month period, the penalty shall be a fine of \$ 200.00.
3. For the fifth false alarm signal in any consecutive twelve-month period, the penalty shall be a fine of \$ 400.00.
4. For the sixth or any subsequent false alarm signals in any consecutive twelve-month period, the penalty shall be a fine of \$ 800.00.

(e) **Revocation of Certificate of Occupancy:** If the Fire Prevention Division of the Fire Department finds that any structure with a Certificate of Occupancy has experienced six or more false alarms in any consecutive twelve-month period, and that such false fire alarms constitute lack of a sufficient fire alarm which renders the structure especially liable to fire or dangerous to life, the Fire Prevention Division of the Fire Department may order the revocation of any and all Certificates of Occupancy previously issued for said structure. If a Certificate of Occupancy is revoked in such a case, a Certificate of Occupancy shall not be reissued for the structure until such a time as the Fire Prevention Division of the Fire Department finds that a sufficient fire alarm has been installed in and/or on the structure.

**(f) Exceptions:**

1. False fire alarms resulting from malicious acts by persons not under the control of the owner or occupant of the building, and false fire alarms which are a direct result of acts of God, shall be exempted from Subsections (d) and (e) of the Section and shall not be counted when computing the number of false fire alarms during any consecutive twelve-month period.
2. Automatic fire detection and alarm transmission equipment which experiences undetectable mechanical problems resulting in the transmission of false fire alarms shall be exempted for Subsections (d) and (e) of the Section if the owner provides the Fire Prevention Division of the Fire Department with verification from a service company specializing in such systems, which shall set forth the nature of the undetectable mechanical problem and the nature of the corrective measures being undertaken to address the problem. The exception established by this Subsection (f)(2) shall only apply when the owner or occupant of the building in which a false fire alarm has occurred presents written proof to the Fire Department, in a form approved by the Fire Department, that the alarm system which transmitted the false fire alarm has been inspected and tested by a state-licensed fire alarm contractor, in accordance with applicable NFPA standards, within one year prior to the false fire alarm.

- (g) **Fire Department Standby Fee:** If any department unit is kept at any premises, waiting for employees of the premises to open the premises for inspection, for a period of time exceeding one hour, a standby fee shall be charged to the responsible party at the rate of \$ 300.00 per hour for each succeeding hour or fraction thereof.
- (h) Nothing in this section shall limit the authority of the Fire Department, and the Fire Prevention Division of the Fire Department, from requiring proof that any fire alarm has been fully tested by a state-licensed fire alarm contractor in accordance with applicable NFPA standards. The Fire Department, and the Fire Prevention Division of the Fire Department, shall at all times have such authority.
- (i) Nothing in this Section shall require any personnel of the Fire Department to remain on the location of a fire alarm after the fire officer in charge at that location has determined that no fire has occurred or is in progress at that location.

**Section 2:** All ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

**Section 3:** This ordinance shall become effective upon signature of the Bayou Cane Fire Protection District Chairman, the elapse of ten (10) days after receipt by the Bayou Cane Fire Protection District Chairman without signature or veto, or upon override of a veto, whichever occurs first.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes:

YEAS: Mr. Ed Lawson, Ms. Amy Gautreaux, Mr. Lionel Falgout

NAYS: Not

ABSTAINED: None

ABSENT: Mr. Tommy Beeson, Mr. Kenneth "Doc Wright"

#### CERTIFICATE

I hereby certify that the foregoing is a true and exact copy of the resolution adopted at a meeting held on April 10, 2006 at which meeting a quorum was present and voting.

Houma, Louisiana, 10th day of April, 2006.

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Tommy Beeson, Chairman

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Ed Lawson, Secretary/Treasurer