

..Title

An Ordinance to create Section 5.10(23) of the City of West Allis Revised Municipal Code regarding false fire alarm fees

..Body

Whereas, the West Allis Fire Department responds to and investigates all fire alarms that occur within the city limits; and

Whereas, the number of fire alarms found to be false in nature has more than doubled over the past sixteen years; and

Whereas, the Fire Department incurs costs to respond to a false alarm at a property and multiple false alarms results in a disproportionate and unnecessary use of fire department services.

Now, therefore, the Common Council of the City of West Allis, Milwaukee County, do ordain as follows:

PART I. Section 5.10(23) of the City of West Allis Revised Municipal Code is created to read as follows:

5.10 Fire Prevention Code

...

(23) Regulation of Alarm Systems.

(a) Definitions. The following definitions are applicable to this subsection:

1. Alarm System. A smoke detector, heat detector, duct detector, water flow detector, or similar system, which is designed to summon or cause a response by the Fire Department by transmitting a signal to a central alarm system or produces an audible or visual signal.
2. False Alarm. A signal from an alarm system resulting in a response by the Fire Department when an emergency situation does not exist, regardless of the manner in which the Fire Department is alerted.

(b) False Alarms.

1. No person owning real property served by an alarm system shall cause or permit the giving of a false alarm, whether intentional, accidental or otherwise.
2. No person shall intentionally cause the activation of an alarm system knowing that no emergency exists.

3. Fee for false alarm response. In the event that the Fire Department responds to a false alarm, a fee ~~of two hundred dollars (\$200.00)~~ as specified in the most recent Schedule of Fees resolution shall be imposed upon the owner of the property served for the third and each subsequent false alarm at the same property in a calendar year. Any fee payable to the City of West Allis that remains unpaid 30 days after imposition of the fee is delinquent and may be assessed against the tax parcel served as a special charge for current service, without notice, pursuant to sec. 66.0627(2) of the Wisconsin Statutes.

3.4. In cases of multi-family residential properties, false alarms initiated by the activation of smoke detector within a single apartment unit, the fee shall be assessed by the number of incidents per year originating from the same apartment unit.

(c) Exemptions. This section shall not apply to the following:

1. An alarm system which gives a signal solely within the interior of the building in which it is located.

2. Alarm systems which are installed in buildings owned or leased by the City of West Allis.
3. Alarm systems installed in one and two-family dwellings.

PART II. Inconsistent Law Repealed

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

PART III. Severability

The provisions of this ordinance are severable. If any provision of this ordinance is invalid, or if the application of this ordinance to any person or circumstance is invalid, such invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application.

PART ~~III~~ IV. This ordinance shall take effect and be in full force from and on January 1, 2020.

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