

CHARTER TOWNSHIP OF DELTA
7710 West Saginaw Highway
Lansing MI 48917
517/323-8500

**ADOPTION OF CODE OF ORDINANCE AMENDMENT 14-84
CHAPTER 16 FIRE PREVENTION AND PROTECTION, ARTICLE IV FIRE ALARM
SYSTEM**

The Delta Township Board introduced the following Code of Ordinance Amendment at its regular meeting scheduled for 6:00 p.m. on October 6, 2014.

The Delta Township Board adopted the following Code of Ordinance Amendment at its regular meeting schedule for 6:00 p.m. on Monday, October 20, 2014.

THE CHARTER TOWNSHIP OF DELTA ORDAINS TO AMEND THE CODE OF ORDINANCE OF DELTA TOWNSHIP AS FOLLOWS:

ARTICLE IV. FIRE ALARM SYSTEMS

Sec. 16-74. Definitions.
Sec. 16-75. Purpose; false fire alarms.
Sec. 16-76. Generally.
Sec. 16-77. False alarm fines.
Sec. 16-78. Enforcement.
Sec. 16-79. Exceptions.
Sec. 16-80. Applicability.
Sec. 16-74. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

False alarm means the activation of a fire alarm system for the purpose of summoning the fire department, not including fire alarm systems within inhabited single family residential premises, which causes notification of such to be registered by the fire department which necessitates a response by the fire department, when that alarm is activated for a reason other than a fire, potential fire, or other emergency.

Fire alarm system means a detection device or assembly of equipment and devices arranged to signal the presence of any hazard requiring urgent attention and to which fire department personnel are expected to respond.

Fire department means the township fire department.

(Code 1992, § 12-39; Ord. No. 03-08, 6-2-2003)

Sec. 16-75. Purpose; false fire alarms.

The article is intended to provide the township with a means of applying reasonable regulations to reduce false fire alarm activity. False fire alarms pose a detriment to the public health, safety and welfare of residents, businesses, and all persons within the township through the misallocation of fire department resources. A reduction of false fire alarms will allow fire department personnel to be more available and to respond more readily to actual fire alarms and emergency situations which require immediate attention. The prohibition of false fire alarms and the regulation of fire systems are also necessary to preserve peace and tranquility within the township and to reduce the frequency and to defray the cost of response to false alarms by fire department personnel.

(Code 1992, § 12-38; Ord. No. 03-08, 6-2-2003)

Sec. 16-76. Generally.

Whenever the fire department responds to a false alarm, the property owner whose property is served by the fire alarm system shall be in violation of a municipal civil infraction and shall be subject to a civil fine in the form of a false alarm fine. Each instance shall be considered a separate offense and punishable as such.

(Code 1992, § 12-40; Ord. No. 03-08, 6-2-2003)

Sec. 16-77. False alarm fines.

The false alarm fines shall be as follows:

- (1) First occurrence. There shall be no fine imposed for the first occurrence of a false alarm during a calendar year, but notice shall be given of the false alarm and the existence of this article.
- (2) Second occurrence. There shall be a \$50.00 fine imposed for the second occurrence of a false alarm during a calendar year.
- (3) Third occurrences. There shall be a \$100.00 fine imposed for the third occurrence of false alarms during a calendar year.
- (4) Fourth occurrence. There shall be a \$250.00 fine imposed for the fourth occurrence of a false alarm during a calendar year.
- (5) Subsequent occurrences. There shall be a \$500.00 fine imposed for the fifth and all subsequent occurrences of false alarms during a calendar year.

- (6) Payment due. Payment of all fines and/or costs associated with this article shall be due within 30 days of the issuance of a citation. A late payment fee equaling 15% of the original fine shall be imposed for payment after 30 days.
- (7) Penalty. If any fines and or costs associated with this article are not paid, the municipal civil infraction citation may be filed with the district court in accordance with section 20-22(g).
- (8) Set by resolution of township board. The fines associated with this section may be set from time to time by the township board by resolution.

(Code 1992, § 12-41; Ord. No. 03-08, 6-2-2003)

Sec. 16-78. Enforcement.

This article shall be enforceable by the chief of the fire department, and those fire department personnel so appointed by the fire chief, who shall have the authority to issue and serve civil infraction citations. Civil infraction citations shall be issued and served to the owner of the property or business upon which the violation has occurred.

(Code 1992, § 12-42; Ord. No. 03-08, 6-2-2003)

Sec. 16-79. Exceptions.

The following circumstances shall not constitute a false alarm:

- (1) An alarm condition activated by damage to public utility lines, when the affected public utility corroborates that the damage to such lines caused the alarm.
- (2) An alarm condition caused by storm, tornado or other violent condition beyond the control of the property owner whose property is served by the fire alarm system.

(Code 1992, § 12-43; Ord. No. 03-08, 6-2-2003)

Sec. 16-80. Applicability.

This article shall apply only to fire alarm system false alarms as described herein.

(Code 1992, § 12-44; Ord. No. 03-08, 6-2-2003)

SEVERABILITY. If any clause, sentence, paragraph, or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confirmed in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

REPEAL. All ordinances or parts of ordinances of the Charter Township of Delta inconsistent herein are hereby repealed so far as they may be inconsistent with the provisions of this Ordinance.

EFFECTIVE DATE. This Ordinance shall take effect upon final publication as required by law.

Copies of this ordinance may be purchased or inspected in the office of the Township Clerk from 8:00 a.m. to 5:00 p.m., Monday through Friday except holidays.

CHARTER TOWNSHIP OF DELTA

MARY R. CLARK, CLERK

KENNETH FLETCHER, SUPERVISOR

I, Mary Clark, Clerk of the Charter Township of Delta, Eaton County, Michigan hereby certify that the foregoing is a complete ordinance adopted by the Township Board at their regular meeting on Monday, October 20, 2014.

CHARTER TOWNSHIP OF DELTA

MARY R. CLARK, TOWNSHIP CLERK

Introduced by Township Board	October 6, 2014
Published following first reading:	
Grand Ledge Independent	October 12, 2014
Delta Waverly Community News	October 12, 2014
Adopted by the Township Board	October 20, 2014
Published following final reading:	
Grand Ledge Independent	October 26, 2014
Delta Waverly Community News	October 26, 2014