

ORDINANCE NO. 06-01

AN ORDINANCE OF THE DEER CREEK FIRE PROTECTION DISTRICT REGULATING THE USE OF FIRE AND EMERGENCY ALARM SYSTEMS WITHIN THE DEER CREEK FIRE PROTECTION DISTRICT

Whereas false or unfounded alarms result in a substantial burden on the limited manpower and resources of the Deer Creek Fire Protection District; and

Whereas 7C ILCS 705/6, expressly authorizes the Board of Trustees of the Deer Creek Fire Protection District to impose reasonable civic penalties on individuals who repeatedly cause false fire alarms; and

Whereas, the Fire Department of the Deer Creek Fire Protection District receives excessive numbers of unfounded or false alarms on a repeated basis from certain locations within the Deer Creek Fire Protection District;

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE DEER CREEK FIRE PROTECTION DISTRICT.

SECTION I. This Ordinance shall apply to all fire and emergency alarm systems in operation at the effective date of this Ordinance or which are thereafter placed in operation after such date within the Deer Creek Fire Protection District which are designed to and result in the direct or indirect notification of the Deer Creek Fire Protection District of a fire or other emergency at a location with the Deer Creek Fire Protection District.

SECTION II. Except as provided in Section III, from and after the effective date of this Ordinance a civil penalty shall be imposed on any person who repeatedly causes false or unfounded alarms within the Deer Creek Fire Protection District.

SECTION III. No civil penalty shall be imposed in the event that Deer Creek Fire Protection District is notified by the property owner, resident, manager, proprietor or other responsible person that the alarm is unfounded prior to the dispatch of Deer Creek Fire Protection District personnel and equipment, and, provided, farther, that no such fine shall be imposed in the event any such alarm system is being installed, serviced or tested and the Deer Creek Fire Protection District receives advance notification that unfounded alarms will occur in connection with such installation, service or testing.

SECTION IV. An unfounded alarm is hereby defined as any alarm notification activated by the property or location owner, resident manager, proprietor or the agent or employee of any of the foregoing or any other person having authorized access to the involved premises or as the result of mechanical failures or difficulty of the system which results in an alarm causing the Deer Creek Fire Protection District to be dispatched in circumstances where no fire or other emergency exists.

SECTION V. A fire and emergency alarm system is hereby defined as any assemblage of mechanical or electrical equipment (or a single device such as a solid state unit which connects directly into a 110-volt AC line) arranged to signal the presence of a hazard fire or other activity requiring urgent and immediate attention. The term fire and emergency alarm system shall include, for purposes of this Ordinance, the terms, "Fire Alarm System" and "Medical Emergency Alarm" but shall not include any "Police Alarm System," "Automatic Holdup Alarm System," "Burglar Alarm System" or "Holdup Alarm System". Alarm Systems designed to detect an unauthorized intrusion into a premises or an attempted robbery or burglary at a premises are specifically excluded from the provisions of this Ordinance.

SECTION VI. From and after the effective date of this Ordinance, a civil penalty shall be imposed on anyone who generates more than one (1) unfounded or false alarms within any thirty (30) day period or more than three (3) unfounded or false alarms within a calendar year in a amount not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for the first such unfounded or false alarm over the allowed limit. In the event that there is a second such unfounded or false alarm over the allowed limit the civil penalty shall be in an amount not less than Two Hundred Dollars (\$200.00) not more than Five Hundred Dollars (\$500.00) for each such second unfounded or false alarm over the allowed limit. In the event that there is a third unfounded or false alarm over the allowed limit the civil penalty shall be Five Hundred Dollars (\$500.00). A separate offense shall be deemed committed on each instance in which a false or unfounded alarm is generated by the person causing the alarm in excess of the allowed number within any applicable time period.

SECTION VII. This Ordinance shall take effect from and after ten (10) days after the date it is first published in a newspaper of general circulation within said District.

ADOPTED by the Trustees on a roll call vote this 30th day of January, 2006.

Francis Wort	Aye
Eun Alfred Brown	Aye
Steve Dietrich	Aye

PASSED by Trustees of Deer Creek Fire Protection District, Tazewell and Woodford Counties, Illinois, this 30th day of January, 2006.

APPROVED:
EUN ALFRED BROWN, President
Deer Creek Fire Protection District
Tazewell and Woodford Counties, Illinois

ATTEST:
STEVE DIETRICH, Secretary
Deer Creek Fire Protection District
Tazewell and Woodford Counties, Illinois