

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REPEALING AND RECREATING SECTION 4.12  
OF THE CITY OF PEWAUKEE MUNICIPAL CODE IN REGARD  
TO FALSE FIRE/EMS ALARMS

The Common Council of the City of Pewaukee, Waukesha County, Wisconsin, DO  
ORDAIN AS FOLLOWS:

SECTION 1: Section 4.12 of the City of Pewaukee Municipal Code is hereby repealed  
and recreated as follows:

**4.12 FALSE FIRE AND EMS ALARMS**

**1. INTENT**

The intent of this chapter is to regulate the use of alarm systems in the City of Pewaukee, and to prevent carelessness, improper maintenance and/or other acts or omissions which cause or result in false fire and/or emergency medical services (EMS) alarms. Such false alarms initiate fire and/or EMS personnel and equipment responses, cause or result in unnecessary expense to the City, increase the risk of damage to property or injury to persons and dilute the level of fire protection and emergency medical services available to other areas of the City.

**2. DEFINITIONS**

- a. ALARM COORDINATOR means the person(s) designated to administer, control, and/or maintain the records involving false alarms.
- b. ALARM SITE means a single residence location, a multi-tenant location and any property, as referenced and further defined in § 3 b. (4) of this section, which is served by an alarm system or systems.
- c. ALARM SYSTEM means any mechanical, electrical or radio-controlled device or system, including, but not limited to, local alarms designed to emit, transmit or relay a signal or message, and which, when activated, is intended to summon, or would reasonably be expected to summon, fire or EMS services of the City. ALARM SYSTEM does not include:

- (1) An alarm installed on a vehicle, unless the vehicle is permanently located at a site; or
  - (2) An alarm designed to alert only the inhabitants of a residence and which does not constitute a local alarm.
- d. FALSE ALARM means the activation of an alarm system signal or message which elicits notification to and/or response by the City of Pewaukee Fire Department and/or Emergency Medical Service, whether the activation is intentional, accidental or otherwise, and where there is no evidence of a fire, medical emergency or other activity which warrants a call for immediate fire or emergency medical assistance. This may include, but is not limited to, an alarm discovered by a firefighter or emergency medical technician before notification of said alarm from an alarm company, or a local alarm system, that is not monitored.
- e. FIRE OR EMERGENCY MEDICAL ALARM means a system or portion of a communication system consisting of components and circuits arranged to monitor and enunciate the status of fire or medical emergency or supervisory signal initiating devices which are intended to summon fire or emergency medical services.
- f. LOCAL ALARM means an alarm system that emits a signal at an alarm site that is audible or visible from the exterior of the structure.

### **3. SERVICE FEES**

- a. Each time the fire department or emergency service personnel respond to a false alarm activation, the fire chief may, in his/her discretion, report the incident to the Alarm Coordinator for assessment of a service fee, as provided in subsection b. below.
- b. A service fee for excessive false activations may be charged as follows:
  - (1) No service fee shall be charged for the first false activation occurring within a calendar year.
  - (2) Each subsequent activation, but no more than four per calendar year, may result in a service fee of \$ 350.00 (three hundred fifty dollars).
    - (3) Each false activation in excess of four within a calendar year may result in a service fee of \$ 750.00 (seven hundred fifty dollars).
    - (4) Multiple buildings or complex of buildings, including, but not

limited to schools, housing complexes, commercial and/or industrial buildings owned and/or controlled by a single person, institution or entity, on a single parcel or multiple adjacent parcels of land, may be charged as an alarm site, according to the fee schedule set forth in § 3 b. (1) -(3), including charges after the first false activation. The fire chief may, in his/her discretion, determine whether a service fee will be assessed after the first false alarm.

- (5) All charges imposed under this section shall be cumulative and in addition to charges for fire and EMS services imposed under this Code of Ordinances.

**4. SERVICE FEES NOT CHARGED.**

No service fee shall be charged for a false activation caused by any of the following circumstances:

- a. Electrical storms, tornados or other acts of God where there is clear evidence of physical damage to the alarm system;
- b. Intermittent disruptions of telephone circuits beyond the control of the alarm site owner; and
- c. Electrical power or other power disruptions, exceeding two hours and is beyond the control of the alarm site owner.

**5. SERVICE FEES CHARGED AGAINST THE PROPERTY.**

All false activation fees shall be charged against the property owner and are due and payable within thirty (30) days from the date of invoice. Any delinquent service fees shall be assessed against the property as a special charge for current services, pursuant to § 66.60(16) of the Wisconsin statutes.

SECTION 2: SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance

are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Passed and Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

COMMON COUNCIL OF THE CITY OF PEWAUKEE  
WAUKESHA COUNTY, WISCONSIN

Jeffrey G. Nowak, Mayor

ATTEST:

Kelly DeMotto, Clerk/Treasurer

Published and Posted this \_\_\_\_\_ day of \_\_\_\_\_, 2004.