

MUNICIPALITY OF MONROEVILLE
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2074

AN ORDINANCE OF THE MUNICIPALITY OF
MONROEVILLE AMENDING ORDINANCE 1757;
ESTABLISHING THE EASTERN REGIONAL
COMMUNICATION CENTER (KNOWN AS E.R.C.) AS THE
EMERGENCY SERVICE COMMUNICATION SYSTEM OF
THE MUNICIPALITY, AND REGULATING ALARM
SYSTEM CONNECTION THERETO; REGULATING THE
SALES, INSTALLATION, MAINTENANCE, OWNERSHIP,
POSSESSION, MONITORING AND USE OF OPERATIVE
ALARM SYSTEMS; AND DELETING ORDINANCES 1757

BE IT ORDAINED AND ENACTED, by the Municipality of Monroeville, in
Council assembled as follows:

WHEREAS, the Municipal Council of the Municipality of Monroeville deems it
necessary for the purpose of assuring adequate public safety to protect its citizens and general
public and structures within the confines of the Municipality from the damages of fire, robbery
and burglary; and

WHEREAS, there has been an increase in recent years in the use of alarm systems which
operate by way of the Municipal remote, or by way of a central station operating company; and

WHEREAS, it is desirous of Monroeville to have alarms monitored by approved central
stations; and

WHEREAS, improper installation, defective equipment, lack of maintenance or other
reason cause any alarm systems to malfunction, and

WHEREAS, each time the Monroeville Fire Department responds to a fire alarm
activated because of a fire alarm malfunction the estimated cost to the Municipality of
Monroeville is a minimum of \$750.00; and

WHEREAS, in addition to the financial cost, each malfunction requires that Monroeville
Fire Department personnel respond, thus decreasing the number of Monroeville Fire Department
personnel available to respond to an actual fire; and

WHEREAS, the Monroeville Fire Department's responding to fire alarm malfunctions jeopardizes the safety of firefighters as well as the general public, now therefore be it ordained and enacted to be in the public interest as follows:

SECTION 1: The following definitions apply for purposes of this ordinance:

- A. "Alarm system means any device designed for the detection of an unauthorized entry on the premises, unlawful act, fire or any emergency that alerts a municipal organization of its own commission or occurrence and when activated gives a signal, either visual, audible, or both; or transmits or causes to be transmitted a signal.
- B. "Approved" means meeting the requirements of this Ordinance and approved by the Municipality.
- C. "Central station system" means a system or group of systems, the operations of which are signaled to, recorded in, maintained and supervised from an approved central station, in which there are competent and experienced observers and operators in attendance at all times whose duty it shall be, upon receipt of a signal, to take such action as shall be required under the rules established for their guidance. Such systems shall be controlled and operated by a person, firm, or corporation whose principle business is the furnishing and maintaining of supervised protective signaling service and who has no interest in the protected properties.
- D. "Communication Center" means that building or portion of a building used to house the central operating part of the alarm system; usually the place where the necessary testing, switching, receiving, retransmitting and power supply devices are located, and is the public safety answering point of the Municipality.
- E. "Digital communicator" means an electronic device which is interconnected to a telephone line and is programmed to select a pre-determined telephone number and transmit a coded signal.
- F. "Household warning system" means a system of devices that produce an audible alarm signal in the household for the purpose of notifying the occupants of the presence of an emergency so they may evacuate the premises
- G. "Local system" means a system that gives a signal, either visual, audible, or both on the interior or exterior portion of the property/business, but does not leave that structure/business by wire or radio wave to a remote receiving location.
- H. "Medical alarm" means any device which, when activated gives a signal, either visual, audible, or both; or transmits or causes to be transmitted, a signal to signify the need for emergency medical services personnel.

- I. "Nuisance alarm" means any alarm signal that alerts a municipal organization, which is not the result of an actual or threatened emergency requiring their immediate response. Nuisance alarms include negligently or accidentally activated signals; signals which are the result of faulty, malfunctioning, or improperly installed or maintained equipment; signals which are purposely activated to summon emergency services in non-emergency situations; and alarm signals for which the actual cause is not determined. Alarms occurring within the first three (3) months of initial installation of a system due to system malfunction shall not be considered "Nuisance alarms" provided the Municipal Fire Official is presented with sufficient evidence to verify that the causes of these alarms are being investigated, and corrective action is being taken.
- J. "Proprietary protective signaling system" means a protective signaling system under constant supervision by competent and experienced personnel in a central supervising station at the property protected. The system includes equipment and other facilities required to permit the operators to test and operate the system and, upon receipt of a signal, to take such action as shall be required under the rules established for their guidance by the authority having jurisdiction. The system shall be maintained and tested by owner personnel or an organization satisfactory to the authority having jurisdiction. Noncontiguous properties under a single ownership may be considered as the "property" and be connected to a single central supervising station.
- K. "Public fire service communications system" means a municipal fire alarm system, telephone facilities and fire department radio facilities, all of which fulfill two principal functions: that of receiving fire alarms or other emergency call from the public, and that of retransmitting these alarms and emergency calls to fire companies and other interested agencies.
- L. "Public safety answering point" means a communication center that serves the consolidated incoming and outgoing communication needs of the emergency medical service, the fire services, the police service, and other emergency services of the Municipality.
- M. "Remote station protective signaling system" means a system of electrically supervised circuits employing a direct circuit connection between signaling devices at the protected premises and signal receiving equipment in a remote station, such as a municipal communication center or fire alarm headquarters, or other location acceptable to the authority having jurisdiction.
- N. "Single unit signaling equipment" means any self contained sensing and signaling device which does not send a signal by wire or radio waves.

O. "Tape dialer" means an electronic device which is interconnected to a telephone line and is programmed to select a pre-determined telephone number and transmit a pre-recorded voice message of an alarm condition.

P. Definitions not defined in this ordinance shall be as defined in NFPA 72 (1993).

SECTION 2: The Eastern Regional Communication Center (E.R.C.C.) is hereby established as the recognized remote station protection signaling system of the Municipality, public fire service communication system of the Municipality, and the public safety answering point of the Municipality.

SECTION 3: Single unit signaling equipment is exempt from the provisions of this Ordinance.

SECTION 4: Any person, firm, partnership, corporation or other entity engaged in selling, installing, and/or maintaining any alarm system in the Municipality of Monroeville or engaged in monitoring any non-BOCA fire alarm system of the Municipality shall obtain an annual permit from the Municipality of Monroeville to engage in such activity. Said permit shall contain the identity, the principal place (address) of business, and telephone number of the permittee; the identities of all employees doing work in the Municipality; and the name of the permittee's bonding company, if any. The annual fee for said permit shall be \$250.00, except that the fee may be waived in the case of those entities installing and/or maintaining their own proprietary alarm system which is not required by the provisions of the 1996 BOCA Building and Fire Prevention Code. All subject systems shall be reported to the Municipality.

SECTION 5: Any person, firm, partnership, corporation or other entity having a listed central station and desiring to monitor any BOCA required fire alarm system in the Municipality of Monroeville shall apply for an annual permit from the Municipality of Monroeville to become an approved central station of the jurisdiction. Said permit application shall contain the identity, the principal place (address) of business, and telephone number of the permittee, the identities of all employees doing work arising in the Municipality; and the name of the permittee's bonding company, if any. The annual fee for said permit shall be \$250.00. A recognized central station of the jurisdiction shall provide at no cost to the Municipality two separate methods of retransmitting signals to the public safety communication center of the Municipality. One of the retransmission means shall be supervised so that interruption of retransmission circuit communication integrity will result in a trouble signal at the central station. The retransmission means shall meet the requirements of Section 4-3.4.4.2 of NFPA 72 (1993).

A. The retransmission means may be supervised but are not limited to:

1. A supervised circuit (channel) provided with suitable voice transmitting, receiving, and automatic recording equipment. The circuit may be a telephone circuit that cannot be used for any other purpose, is provided

with a two-way "ring down" feature for supervision between the Municipal Public Safety Communications Center and the central station with terminal equipment located on the premises at each end, and 24 hour standby power provided.

2. Other means may be approved when equivalency can be shown to the Fire Official, and such means is approved by the Fire Official and Eastern Regional Communication Center.
- B. All approved central stations of the jurisdiction shall meet the requirements of this section regardless of the number of alarm systems within the Municipality being monitored by any recognized central station.
 - C. No central station shall be eligible for approval by the Municipality unless it is listed by an Approved Agency.
 - D. Each approved central station shall, by January 31 of each year, reapply for approved central station status. The application shall be in a form as prescribed by the Fire Official of Monroeville in consultation with the Executive Director of the Eastern Regional Communications Center. The annual permit fee shall be \$250.00. Each annual renewal request shall be accompanied by a detailed list of all clients serviced within the Municipality and a registration fee of \$25.00 per client. Each client list shall contain the name, address and telephone number of each client as well as each client's emergency contact names and phone numbers.
 - E. Each approved Central Station terminating monitoring service of a client, for any reason, shall notify the Monroeville Fire Official and the Executive Director of the Eastern Regional Communication Center within ten (10) days of such termination. Upon termination of the monitoring service of a fire alarm system required to be monitored by the 1996 BOCA Building Code, the Monroeville Fire Official shall also be notified of such termination by the Central Station. Failure to follow this procedure will result in withdrawal of Central Station approval.

SECTION 6: Any person, firm, partnership, corporation or other entity installing, owning, possessing, and/or using an operative alarm system in the Municipality of Monroeville shall register said system with the Municipality of Monroeville, and receive a permit for said system as required by the Fire Prevention Code and/or Monroeville Police Department. The permit shall contain the name, principal address, and telephone number of the permittee; address where the alarm is installed; type of alarm system; identity and address of signaling equipment manufacturer; and names, addresses, and telephone numbers of persons to contact in an emergency. The registration permit fee shall be \$100.00, and the permit shall be effective for the duration of the possession, and/or use of the system by the original permittee.

SECTION 7: Specific requirements pertaining to the connection of various types of alarm systems to the Municipal Public Safety Communications Center shall be as follows:

- A. All fire signaling protective annunciating devices, units or systems as required by 1996 BOCA Basic Building and Fire Prevention Codes shall be connected to the recognized remote station protective signaling system of the Municipality at the Eastern Regional Communication Center (E.R.C.) by means of approved central stations only.
- B. All fire signaling protective annunciating devices, units, or systems not required by 1996 BOCA Basic Building and Fire Prevention Codes may connect to the Eastern Regional Communication Center by means of an approved method.
- C. All hold-up alarms shall connect to the Eastern Regional Communication Center. Hold-up alarms may be connected by approved Central Station only.
- D. Any burglary alarm may connect to the Eastern Regional Communication Center by means of an approved Central Station or other central stations.
- E. Any emergency medical alarm may connect to the Eastern Regional Communication Center by means of an approved central station or other central station.
- F. In the event one given alarm system reports more than one type of alarm condition by means of a single connection, then only one permit shall be required for that connection.

SECTION 8: Alarm equipment shall meet standards established by Underwriters Laboratory, Factory Mutual Insurance Association, Factory Insurance Association, or National Fire Protection Association. Any commercial fire alarm installer shall certify system installation in writing to the Fire Official before placing said system into service. Such written certification shall be in the form of Figure 1-7.2.1 Fire Alarm System Certification and Description Certificate of NFPA 72 (1993 Edition). All fire alarm systems shall be under the supervision of a responsible, qualified person or organization satisfactory to the Fire Official, who shall, under contractual agreement, make all inspections, tests, and repairs promptly. Said person or organization shall comply with all applicable laws, licenses, ordinances, rules or regulations.

No commercial fire alarm system shall be approved for service by the Fire Official until he is presented with a written copy of a contractual agreement (between system owner and qualified service provider) which states required service maintenance and testing is to be provided, and at what scheduled time periods. Said maintenance agreement shall be for a minimum five (5) year period, and shall be renewable. The service maintenance company (or person), and the fire alarm system owner shall notify the Fire Official upon the cancellation, expiration, or non-renewal of any fire alarm service maintenance agreement. Failure to notify the Fire Official of any change in status of a fire

alarm service maintenance agreement/contract shall result in a fine of \$25.00 per day, to be assessed against the fire alarm system owner, for each day until evidence of a new agreement/contract is presented to the Fire Official. Upon first issuance, or renewal of any service agreement, a copy shall be forwarded to the Fire Official.

SECTION 9: No alarm system may be installed contrary to the provisions of the 1996 BOCA Basis Building Code, Fire Prevention Code, and NFPA Standard 72 of 1993. No alarm may be installed contrary to the provisions of the National Electrical Code NFPA 70 (1996). Further, all local alarms shall be equipped with an automatic reset after one half hour of alarm status, and have another secure means of being reset. No tape dialers may be sold, installed, or used in Monroeville which are programmed to dial the Eastern Regional Communication Center number.

SECTION 10: If there are more than two (2) nuisance alarms per ninety (90) day period from a fire alarm system, the Fire Official may assess a fine pursuant to this section, against an alarm system owner for the third and any subsequent nuisance alarms according to the following schedule:

Third nuisance alarm	\$ 75.00
Fourth nuisance alarm	\$150.00
Fifth nuisance alarm	\$300.00
Sixth nuisance alarm and any	
Subsequent nuisance alarm	\$600.00

The Fire Official shall be notified in writing of any chargeable nuisance alarm by the Fire Chief within three (3) days of its occurrence. Notice of citation regarding any nuisance alarm shall be given to the system owner in writing. For the sixth and any subsequent alarm from a particular alarm system (in any 90 day period), the Fire Official may assess an additional fine of \$300.00 for each day after the date of such nuisance alarm, until the fire system owner provides satisfactory evidence of suspected cause determination and attempted repairs. Satisfactory evidence shall be in written form from a qualified alarm service company, and shall state the suspected causes and attempted remedies. With respect to any nuisance alarm for which an alarm system owner is cited, such owner shall have the right to "Appeal" the decision of the Fire Official according to the procedures established in Section 121.0 of Ordinance 2021, and Section F-113.0 of Ordinance 2021, and/or the legal procedures as established by law for proceedings at the Pennsylvania Local District Court level. The imposition of any such additional daily fines shall be suspended during the pendency of any appeal proceedings. If a fire alarm system owner appeals under Ordinance 2021, Ordinance 2022 and/or at the PA Local District Court level, then any fines shall be held in abeyance until final resolution of the appeal process; if any appellant is successful in such appeal process, no fine shall be assessed; if the appellant is unsuccessful in such appeal process, total fines shall be calculated from the day of the filing of the formal appeal, and all days preceding the formal appeal. There shall be a fine assessed of Fifty (\$50.00) dollars per occurrence for the unauthorized resetting of an

alarm system from an alarm to a secure condition. Any nuisance alarm from a non-fire system shall be subject to the penalties established by Ordinance 1928 of 1995.

SECTION 11: The Executive Director of the Eastern Regional Communication Center, Monroeville Fire Official, or Municipal Fire Chief may order a test of a fire alarm system at any time; the Chief of Police or the Executive Director of the Eastern Regional Communication Center may order a test of any non-fire alarm system at any time during normal business hours, or after a real or nuisance alarm has occurred.

SECTION 12: In addition to other authority, with thirty (30) days written notice, the Monroeville Fire Official or Executive Director of the Eastern Regional Communication Center after consultation and approval from the Monroeville Fire Official may revoke or suspend any fire alarm system permit issued pursuant hereto upon determining:

- A. That the application for the permit contains a statement of material fact which is false; or
- B. That the permittee has failed to comply with the provisions of this Ordinance or other related administrative regulations, ordinances, resolutions, or statutes; or
- C. That an alarm system is negligently installed, used or maintained. More than twelve (12) nuisance alarms within any 365 day period shall be one measure of negligent use and/or maintenance.

SECTION 13: In addition to other authority, with thirty (30) days written notice, the Chief of Police or the Executive Director of the Eastern Regional Communication Center after consultation and approval from the Monroeville Chief of Police may revoke or suspend any non-fire permit issued pursuant hereto upon determining:

- A. That the application for the permit contains a statement of material fact which is false; or
- B. That the permittee has failed to comply with the provisions of this Ordinance or other related administrative regulations, ordinances, resolutions, or statutes; or
- C. That an alarm system is negligently installed, used or maintained. More than twelve (12) nuisance alarms within any 365 day period shall be one measure of negligent use, and/or maintenance.

SECTION 14: Upon thirty (30) days notice, in writing, from the Fire Official to comply with the provision of the Ordinance regarding fire alarm systems, any person, firm, partnership or corporation failing to meet the provisions of the ordinance shall be subject to a fine of \$300.00 per day upon being found in violation of this Ordinance after a hearing before the Local District Magistrate. Upon thirty (30) days notice, in writing, from the

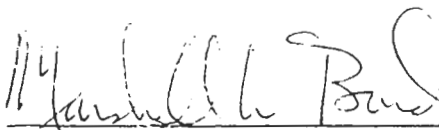
Chief of Police to comply with the provisions of this Ordinance relating to non-fire alarm systems, any person, firm, partnership or corporation failing to meet the provisions of the ordinance shall be subject to a fine of \$300.00 per day upon being found in violation of this ordinance after a hearing before the Local District Magistrate. This section shall not apply to orders pertaining to nuisance alarms as permitted by Section 10 of this ordinance.

SECTION 15: Nothing in this Ordinance shall be construed, interpreted, or applied to abrogate, nullify, or abolish any law, ordinance, or code adopted by the Municipality governing the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of alarms specifically provided herein when any provision of this ordinance is found to be in conflict with any building, zoning, safety, health or other applicable law, ordinance or code of the Municipality existing on the effective date of this ordinance or hereafter adopted, the provision of which established the higher standard for the promotion and protection of the safety and welfare of the public shall prevail.

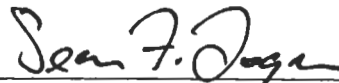
SECTION 16: The effective date of this ordinance shall be July 1, 1998 or ninety (90) days after enactment, whichever comes last. The Monroeville Fire Official may grant an extension not to exceed ninety (90) days to any alarm system failing to meet the full requirements of this ordinance by that date. Such requests for an extension must be made in writing and state the reasons for the request. Such request must be approved by the Fire Official. Failure to comply with this ordinance in the stipulated time period shall be subject to the penalties as set forth in this ordinance.

ORDAINED AND ENACTED this fourteenth day of April, 1998

MUNICIPALITY OF MONROEVILLE



Marshall W. Bond
Municipal Manager



Sean F. Logan
Mayor

ENTERED INTO LEGAL BOOK: April 24, 1998