

Local Law Filing

New York State Department of State
Divisions of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, New York 12231-0001
www.dos.state.ny.us/corps

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village

of Livingston

Local Law No. 1 of the year 2012

A local law: Regulating Installations, Registration and Penalties for Private Fire Alarm Systems

Be It enacted by the Town Board of the

County City Town Village

of Livingston as follows:

Legislative History

The Town of Livingston recognizes that private fire alarm systems provide security and promote safety for buildings, structures and persons within the town, however, the Town acknowledges that emergency responses due to unregistered systems or repeated false alarms from systems can cause an unnecessary danger and detriment to fire departments, emergency responders as well as the public in general. The Town by enactment of Local Law 2 of 1987 provided for the regulation of the installation and registration of private fire alarms, and hereby wishes to revise said law as enacted herein.

Section 1.0 General Requirements

1.1 All fire systems and components shall be labeled by a recognized national testing laboratory.

1.2 All fire systems and components shall be listed as suitable for area of detection.

1.3 Systems reporting to an alarm monitoring system shall differentiate between fire and any other alarm. A system trouble alert shall not report as a fire alarm.

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DEPARTMENT OF STATE

1.4 All detectors, except for single station smoke detectors shall have an obvious means to determine when the device has activated and will stay locked in until manually reset.

1.5 All existing systems shall be registered with the Livingston Fire District and comply with Section 5.0 and be subject to Sections 6.1 and 6.2.

1.6 Upgrades and/or modifications to existing systems shall cause the entire system to conform to this law.

Section 2.0 General Fee for Installation Design Review

2.1 All proposed installation designs shall be presented to the Code Enforcement Officer and Board of Fire Commissioners for review prior to installation. An Application fee of \$25.00 shall accompany plans.

Section 3.0 Installation and Maintenance of System

3.1 Alarm system components shall be maintained in accordance with manufacturers recommendations. Maintenance records shall be maintained by the owner and shall be available for inspection by the Code Enforcement Officer and fire district.

3.2 Alarm system components installed in areas of abnormal conditions, shall be installed and maintained so as to prevent false or nuisance alarms.

3.3 Detection devices installed so as not to be readily visible, such as above ceilings, in crawl spaces, closets, etc., shall have a remote indicator installed so as to be readily visible and labeled as to device location.

3.4 Alarm panels shall be readily visible to the responding fire department or shall have a remote enunciator panel installed to be readily visible so as to facilitate zone identification.

3.5 Multiple zone systems shall have each zone identified as to location within the building.

3.6 Commercial buildings and multiple family dwellings shall be zoned to facilitate ease of location of active devices.

Section 4.0 Inspections

Alarm systems shall be tested in the presence of the Code Enforcement Office, Board of Fire Commissioner representative and the system installer prior to be placed into service.

Section 5.0 Required Contacts for Maintenance

The Columbia County Fire Coordinator's office, the Code Enforcement Officer and the Livingston Fire District shall be supplied with a list of appropriate contacts at the time of or prior to the system being put into service. Contacts shall include but not be limited to:

building owner or representative, alternate(s) in event owner or representative is unavailable, and the alarm system maintenance contact. Representative or an alarm maintenance contact must be able to respond and arrive within a reasonable amount of time, said time not to exceed 15 minutes after receipt of a phone call regarding the system.

Section 6.0. False Alarms

6.1 All false alarms shall be a deemed violation of this local law, subject to penalties imposed by the Code Enforcement Officer as set forth herein.

6.2 False alarms due to unintentional activations in a one year time period:

- A. First offense – warning.
- B. Second offense - \$100.00 fine.
- C. Third offense - \$250.00 fine.

6.3 False alarms due to system malfunction in a one year time period:

- A. First offense – warning
- B. Second offense - \$50.00 fine.
- C. Third offense - \$100.00 fine.
- D. Fourth offense - \$300.00 fine.

6.4 False alarms due to malicious / mischievous activation in a one year time period:

- A. First offense - \$500.00 fine.
- B. Second offense - \$1,000.00 fine.

6.5 False alarms attributed to faulty equipment or lack of maintenance shall cause the system, or faulty portion thereof, to be removed from service until the fault is corrected.

6.6 A non registered alarm system will be given a period of 30 days to comply with this law. Further non-registration is deemed a violation subject to a \$100.00 penalty imposed by the Code Enforcement Officer.

6.7 All Alarm installers must be register with the Code Enforcement Officer. Upon written notice by the Code Enforcement Officer to any installer, there is a 14 day grace period to register as an installer. In the event an installer is not registered after the 14 day grace period, the Code Enforcement Officer may assess a fine of \$250.00 for every alarm system the installer installs, supplies or services.

6.8 False alarms attributed to faulty equipment or maintenance may cause the owner to be assessed the expense incurred by the fire district responding to such alarm.

Section 7. Other Jurisdictions

Nothing contained in this local law shall relieve the alarm system owner or installer's obligation to obtain any permits, licenses, inspections or approvals as may be required by any other State, County or other applicable local authority, rule, regulation or law.

Section 8. Repealer

Any prior local law currently in existence which is inconsistent with the terms of this local law is hereby repealed.

Section 9. Validity and Severability

If any section or part of this local law, or the application thereof to any person or circumstances, is adjudged invalid or unconstitutional, then such adjudication shall not invalidate or impair the validity or force or effect of any other section or part of this local law or the application of this local law, or any section, provision, or part thereof, to other persons or circumstances.

Section 10. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 2012 of the Town of Livingston was duly passed by the Town of Livingston on February 9, 2012 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2012 of the Town of Livingston was duly passed by the Town of Livingston on _____, 2012 and was (approved)(not approved)(repassed after disapproval) by the Supervisor of the Town of Livingston and was deemed duly adopted on _____, 2012 in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2012 of the Town of Livingston was duly passed by the Town of Livingston on _____, 2012, and was (approved)(not approved)(repassed after disapproval) by the Supervisor of the Town of Livingston on _____, 2012. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____, 2012, in accordance with the applicable provisions of law.~~

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2012 of the Town of Livingston was duly passed by the Town of Livingston on _____, 2012, and was (approved)(not approved)(repassed after disapproval) by the Supervisor of the Town of Livingston on _____, 2012. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____, 2010 in accordance with the applicable provisions of law.~~

5. (City local law concerning Charter revision proposed by petition)

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2012 of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, 2012 became operative.~~

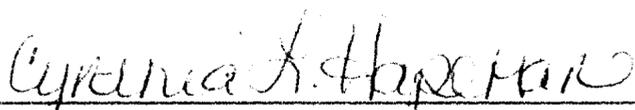
6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2012 of the Town of Livingston, State of New York, having been submitted to the electors at the General Election of November _____, 2012, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

(Seal)



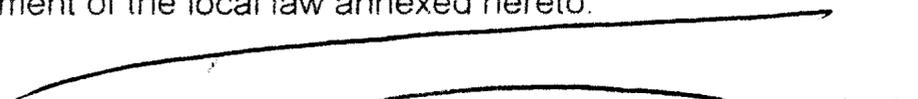
Cynthia Hapeman, Town Clerk
Town of Livingston.

Date: 2/9/12

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF COLUMBIA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Robert J. Fitzsimmons, Town Attorney

Date: 2/9/12