

Letter head

Date:

Elburn, IL. 601

Re: False Alarm violation fine notification per Ordinance # 2002-7.

Mr.,

The Elburn & Countryside Fire Protection District has reviewed the amount of alarms at your address and has noted an excess of false fire alarm activations. Following our Ordinance no. 2002-7 establishing a schedule of fines for false alarms we are notifying you of your violation fine.

Our definition of **Section One:**

A. False Alarm is.

An alarm signals which indicates the existence of any emergency situation when in fact; no such emergency exists, and shall include any alarm signal generated by any fire protection system by whatever means, but shall not include alarms resulting from any of the following causes:

1. Fire causing damage to structures or contents of a protected premises verified by the Fire District.
2. Earthquake causing structural damage to the protected premises.
3. Tornado or hurricane winds causing structural damage to the protected premises.
4. Flooding to the protected premises due to overflow of natural drainage or other water leaks within the building.
5. Lightning causing physical damage to the protected premises.
6. Telephone line malfunction verified to the Fire District by an authorized telephone company supervisor within seven days of the occurrence.
7. Electrical service interruption verified to the Fire District by the local power company manager within seven days of the occurrence.
8. Plumbing or electrical malfunctions unrelated to the fire protection system.

B. User: The owner of the property from which the False Alarm originates and any individual, partnership, corporation, organization or other entity on the property with permission of the owner.

C. Intentional False Alarms: Those False Alarms that are purposely and non-accidentally activated in non-emergency situations without prior notification to the Elburn & Countryside Fire Protection District.

D. Improper Installation or Design: Systems fall under the scope of this definition when new Systems are installed in a negligent or faulty manner, or when a System is designed in a substandard or faulty manner, either of which results in a False Alarm activation in a non-emergency situation.

- E. Improper Maintenance: Systems fall under the scope of this definition when existing Systems have not been properly maintained by the property owner, which results in a False alarm activation in a non-emergency situation. This definition includes, but is not limited to, the proper maintenance of all components within any System.
- F. Improper Use: Systems fall under the scope of this definition when an action of a User results in False Alarm activation in a non-emergency situation due to the User's Carelessness or negligence.
- G. System: Includes all fire alarm systems, sprinkler systems and other automated systems that transmit alarms or signals to the District.
- H. Three- month Period: The Three-month Period shall be the 3 calendar months immediately preceding the date of the False Alarm for which the citation was issued.

Our "Schedules of Fines" **Section Two** are as follows for False Alarms if it a result of the following:

- A. Type of False Alarms Charged:
 1. an Intentional False Alarm;
 2. due to or caused by Improper Installation or Design;
 3. due to or caused by Improper Maintenance;
 4. due to or caused by Improper Use; or
 5. Resulting from any test, repair, alteration or addition to a System without prior notification thereof to the Elburn & Countryside F.P.D.
- B. Fines:
 1. First Two False Alarms in a Three-month Period: warning letter (no fine).
 2. **Third** False Alarm in a Three-month Period: **\$100.00**
 3. Each additional False Alarm in a Three-month Period **after three** shall result in a false alarm charge of at least **\$250.00**
 4. If the False Alarm in an Intentional Alarm, then a fine of \$500.00 shall be assessed.
 5. After a continuous Three-month period without incident, the fine structure returns to Step B (1) above.
- C. Out of Service Alarm:
If a System: (i) cannot be restored or returned to normal, or (ii) gives three (3) or more False Alarms within a twenty-four (24) hour period the Elburn & Countryside F.P.D. reserves the right to place the System out-of-service and may required a fire watch at its discretion. If District personnel are required to serve on fire watch, the offending User(s) must reimburse the District at the actual cost of personnel and equipment. Any System placed out-of-service under this section must be repaired and placed back in service within the time period specified by the Elburn & Countryside F.P.D.
- D. Joint and Several Liability:
More than one User may be charged under this Ordinance for a single False Alarm, and the User(s) so charged are jointly an severally liable for any citations and fines due under this Ordinance.

Alarm History:

You are being notified this is a "fine" letter pursuant to the previous Two False Alarms dated **00/00/2004 #04-0000 and 00/00/2004 #04-0000**. As a results of these a Third False Alarm in this a Three-month Period shall result in a **\$100.00** fine and every additional False Alarm in the same period **after three** will result in a **\$250.00** fine. For additional information in regard to this violation notification see Ordinance # 2002-7 or central dispatch center call response polices. In this period we have recorded **0** false alarms to your building. **0** alarms where related to weather. **0** activation occurred by a burned product. **0** activation occurred by the sprinkler compressor breaker. **0** activations gave no reason other than possible power changes. In those situations **00** problems were found at the alarm panel. Since notification following the false alarm on **00/00/2004 #04-0000** you have had four additional false alarms demonstrating activation at the smoke detectors in the factor area. On that day **00/00/2004** you had been advised to change out the smoke detectors to either heat detectors or obtain permission to remove all other smoked detection systems other than the fire sprinkler system within the factory assembly area. **You have demonstrated noncompliance during the remaining three month period and have given me no other alternative than to fine you for the remaining false alarms.** This includes alarms # 04-0000 on 00/002004, 04-0000on 00/00/2004, 04-000 on 00-00-2004 and 04-000 on 00/00/2004 received by our department.

For questions you may call Fire Chief Kelly Callaghan or Fire Inspector Alan Isberg at the Elburn & Countryside F.P.D. Station #1 at 630-365-6855. For applications for appeal make these in written to the Board of Trustees within fifteen (15) calendar days from the date the fines under this Ordinance are imposed, or the appeals are deemed waived. Upon receipt of an application for appeal, the Board of Trustees will schedule a hearing on the User's appeal. For additional information in regard to this appeal see Ordinance # 2002-7.

This Violation letter has been served to; _____

This Violation letter has been served on, ____/____/____

Alan Isberg, Fire Inspector
Elburn & Countryside F.P.D. Fire Prevention Bureau

Kelly Callaghan, Fire Chief
Elburn & Countryside F.P.D.