

ORDINANCE 2014-15

AN ORDINANCE AMENDING MANHEIM TOWNSHIP FIRE ALARM ORDINANCE 2002-1 AND REPEALING ANY PRIOR INCONSISTENT OR RELATED ORDINANCES OR RESOLUTIONS.

The Board of Commissioners of Manheim Township hereby amends Ordinance 2002-1 to read as follows:

SECTION 1.0 SCOPE

Section 1.1 Title: This ordinance shall be known as the Fire Alarm Ordinance of Manheim Township.

Section 1.2 Scope: This ordinance shall regulate all matters concerning the design, installation, repair, testing, monitoring, maintenance and operation of all fire alarm systems and related devices; fixing fees and regulations pertaining to the licensing of fire alarm contractors; and prescribing penalties for violations hereof.

Section 1.3 Purpose: The high incidence of false fire alarms and/or alarm malfunctions causes a significant misuse of the manpower and resources of the Manheim Township Fire Rescue (MTFR) by causing the dispatch of units to the scene of a false alarm or alarm malfunction which renders them out of service and unavailable to respond to legitimate emergency situations. This ordinance shall be construed to secure its expressed intent which is to insure public safety, health, and welfare by controlling the design of, testing of, repair of, installation of, and maintenance requirements of fire alarm systems installed and operating within Manheim Township; thereby, reducing the service demands on the MTFR and improving the safety to the public.

SECTION 2.0 APPLICABILITY

Section 2.1 General: The provisions of this ordinance shall apply to all matters affecting or relating to fire alarm systems and fire alarm contractors, and shall apply equally to new and existing buildings and conditions. This includes all required and non-required fire alarm systems.

Section 2.2 Matters Not Provided For: The Manheim Township Board of Commissioners hereby provide for determination of matters not provided for herein by authorizing certain actions by the Director of Code Compliance.

(a) Administrative Orders may be issued by the Director of Code Compliance to clarify ordinance questions and to establish departmental policy where no specific criteria exists, or where administrative guidance is needed to establish a methodology to resolve recurring problems.

(b) Standard Design Bulletins will be issued where code criteria leave a specific aspect of the design installation to the judgment of the Director of Code Compliance or the authority having jurisdiction. They will set specific design criteria where necessary.

Section 2.3 Continuation of Unlawful Use or Practice: The continuation of use of a fire alarm system or the designing, installation, testing, repair and maintenance of fire alarm systems by any person(s), firm, or corporation contrary to the provisions of this ordinance shall be deemed a violation and subject to the fees and penalties prescribed in this ordinance. Each day that an unlawful use or practice continues shall be deemed to be a separate offense.

Section 2.4 Other Regulations: When the provisions herein are more restrictive than other regulations, this ordinance shall control, but in any case, the most rigid requirements of any other applicable code or regulation shall apply whenever a conflict exists.

Section 2.5 Referenced Standards: The standards referenced in this ordinance and those listed in the appendixes of any building or fire codes as adopted or amended by Manheim Township shall be considered to be part of the requirements of this ordinance. Where differences occur between provisions of this ordinance and other standards, the provisions of this ordinance shall apply.

Section 2.6 Certification of Systems: All newly installed required fire alarm systems shall be certificated by UL or FM as required in the National Fire Alarm Code also known as National Fire Protection Association (NFPA) 72 referenced herein.

SECTION 3.0 DEFINITIONS

Section 3.1 Scope: Unless otherwise expressly stated, the following words and terms shall, for the purposes of this ordinance, have the meanings in this section.

Section 3.2 Interchangeability: Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

Section 3.3 Terms Defined in Other Codes: Where terms are not defined in this ordinance and are defined in the building, fire, mechanical and electrical codes not bound to or other applicable codes, such terms shall have the meanings ascribed to them as in those codes as adopted by Manheim Township. Definitions found in NFPA standards for fire protection and electrical installations shall apply in this ordinance, when not otherwise specifically defined.

Section 3.4 Terms Not Defined: Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

Agent: Any person who shall have charge, care or control of any building as representative of the owner, including an executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person representing the actual owner shall comply with the provisions of this code to the same extent as if that person were the owner.

Alarm: Any audible or visible signal indicating existence of a fire or emergency that requires response on the part of the MTFR. Included in this are the alarm devices by which fire and emergency signals are received.

False Alarm (Unwanted Alarm): An alarm malfunction or malicious fire alarm as defined herein.

Alarm Malfunction: The activation of any alarm which results in the response of the MTFR caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance or any other response for which the MTFR personnel are unable to gain access to the premises for any reason, or are unable to determine the apparent cause of the alarm activation.

Malicious Fire Alarm: The activation of any alarm which results in the response of the MTFR caused by the negligence or intentional misuse of the system by the owner or his employees, servants or agents; or any other activation not caused by heat, smoke or fire, exclusive of an alarm malfunction. An alarm is not considered a malicious fire alarm if the alarm is activated due to causes beyond the control of the owner.

Alarm Notification Appliance: A fire alarm system component such as a bell, horn, speaker, light, or text display that provides audible, tactile or visible outputs or any combination thereof.

Alarm Verification Feature: A feature of automatic fire detection and alarm systems to reduce unwanted alarms wherein smoke detectors report alarm conditions for a minimum period of time, or confirm alarm conditions within a given time period, after being automatically reset, in order to be accepted as a valid alarm initiation signal.

Approved: Approved by the Director of Code Compliance or his subordinates or designees (Code Officials).

Automatic: A device or system providing an emergency function without the necessity for human intervention and activated as a result of a predetermined temperature rise, rate of temperature rise, or combustion particles.

Carbon Monoxide Detector: An approved, listed device which is intended to detect invisible particles of carbon monoxide. This device is not classified as fire alarm initiating device. If carbon monoxide detectors are supervised by a central station, then such alarm shall transmit as a distinct "carbon monoxide alarm".

Central-Station: A supervising station that is listed, such as Underwriters Laboratories (UL) or Factory Mutual (FM) for central station service and is approved by the Director of Code Compliance.

Central Station Service: A system or group of systems in which the operations of circuits and devices at a protected property are signaled to, recorded in, and supervised from a listed central station (such as UL or FM) having competent and experienced operators who upon receipt of a signal, take such action as required by NFPA 72 currently in effect or as subsequently amended. Related activities at the protected property such as equipment installation, inspection, maintenance, and runner service are also the responsibility of the central station or a fire alarm contractor. Central station service is controlled and operated by a person, firm or corporation whose business is the furnishing of such contracted services or whose properties are the protected premises.

Certificated system: A fire alarm system certified by UL or FM. A system installed under such a program is identified by the issuance of a certificate by UL or FM and is designated as a certificated system.

Code Officials: The subordinates or designees of the Director of Code Compliance.

Director of Code Compliance: The Manheim Township official charged with the duty of administration and enforcement of codes as adopted by Manheim Township.

Fire Alarm Affidavit: A form for completion by a Fire Officer when responding to an Alarm. Where an alarm malfunction occurs, the Fire Alarm Affidavit of Service/Repair shall also be completed by a licensed fire alarm company and by the Owner/Occupant.

Fire Alarm Box, Manual: A manually operated device used to initiate an alarm signal.

Fire Alarm Signal: A signal initiated by a fire alarm-initiating device such as a manual fire alarm box, automatic fire detector, sprinkler water flow switch or other device whose activation is indicative of the presence of a fire or fire signal.

Fire Alarm System: A system or portion of a combination system consisting of components and circuits arranged to monitor and annunciate the status of the fire alarm or supervisory signal initiating devices and to initiate the appropriate response to those signals.

Heat Detector: A fire detector that detects either abnormally high temperature or rate of rise, or both.

Initiating Device: A system component that originates transmission of a change of state condition, such as in the smoke detector, manual fire alarm box, or supervisory switch.

Listed: Equipment, materials, products or services included in a list published by an organization acceptable to a Code Official or the Fire Code Official and concerned with the evaluation of products or services that maintains periodic inspection of products of listed equipment or materials or periodic evaluation of services and whose listing states either that the equipment, material, product or service meets identified standards or has been tested and found suitable for a specific purpose.

Key Box: A secure, tamperproof device with a lock operable only by the fire department master key; and containing entry keys and other keys that may be required for access in an emergency.

Manheim Township Fire Rescue {MTFR): A combination career and volunteer fire rescue system, which provides the primary fire and rescue services within Manheim Township--

Non-required Fire Alarm System: Any fire alarm system not required by this ordinance or by building or fire codes in effect in Manheim Township.

Required Fire Alarm System: A fire alarm system required by this ordinance and any building or fire codes in effect in Manheim Township.

Smoke Detector: An approved, listed device that senses visible and invisible particles of combustion.

Supervisory Signal: A signal indicating that need of action in connection with the supervision of guard tours, the fire suppression systems or equipment, or the maintenance features of related systems.

Trouble Signal: A signal initiated by the fire alarm system or device indicative of a fault in a monitored circuit or component.

SECTION 4.0 NEW SYSTEMS

Fire alarm systems for new buildings or other structures shall be installed as provided in the building, fire and other applicable codes in effect in Manheim Township. Permits shall be applied for and obtained as provided in this ordinance.

SECTION 5.0 EXISTING SYSTEMS

Section 5.1 Additions or Alterations to or Rehabilitation of Structures: Enclosed additions or interior alterations to, change in use of, or major rehabilitation of any building shall require that existing fire alarm systems shall conform to the requirements for new fire alarm systems as described herein.

Section 5.2 Existing, Non-conforming Systems: Any fire alarm system installed prior to the adoption of this ordinance should be upgraded or improved to provide a minimum level of protection as directed by a Code Official.

Section 5.3 Existing, Non-required Systems: All non-required fire alarm systems should provide a minimum level of protection as directed by a Code Official. All non-required fire alarm systems shall be maintained and remain in-service unless approval to discontinue the system(s) is received in writing from the Director of Code Compliance. Any approved discontinued systems and related equipment shall be completely removed from the structure so as not to give a false indication that the building, area, or space is protected by a fire alarm system.

SECTION 6.0 REPAIRS AND MAINTENANCE

Section 6.1 General: All fire alarm systems, devices, and service equipment installed in or on any structure in Manheim Township shall be maintained in an operative condition at all times. It shall be unlawful for any person(s) to reduce or interfere with the operational effectiveness of a fire alarm system.

This requirement shall not prohibit a licensed fire alarm company technician from temporarily reducing or discontinuing the protection where necessary to make tests, repairs, alterations, extensions or additions. Alterations, extensions or additions to fire alarm systems require written approval from a Code Official. The Director of Code Compliance or a Code Official shall be notified in writing, including facsimile or email, prior to disconnection and interruption of protection caused by tests, repairs, alterations, extensions or additions are started and upon completion of such work and shall be advised of the extent of and reason for such work. The restoration of the protection shall be accomplished within four (4) hours in sleeping occupancies and within seventy two (72) hours in all other occupancies.

Section 6.2 Maintenance: It shall be the duty of the building owner(s) to install, test, repair and maintain the following systems in accordance with the applicable NFPA standard in effect: Automatic Fire Detection Devices (including smoke and heat detectors); Fire Alarm Systems; Automatic Fire Sprinkler Systems including fire pumps and standpipes; Automatic Fire Suppression Systems; Central Station Monitoring, when such systems and/or devices are required Manheim Township ordinances.

It shall be the duty of a tenant or lessee to maintain all required fire alarm systems and/or related components noted above when so required as part of a written lease agreement or a written maintenance agreement.

SECTION 7.0 DUTIES AND POWERS OF CODE OFFICIALS AND FIRE OFFICERS

Section 7.1 General: The Director of Code Compliance and the Code Officials shall enforce all of the provisions of this ordinance and shall act on any question relative to the manner of design, installation, testing, repair, maintenance, materials, equipment, and devices, or any related issues pertaining to fire alarm systems, except as otherwise specifically provided for by statutory requirements or by this ordinance. The Fire Officer is the authorized representative of the MTFR in charge at the fire or incident scene.

Section 7.2 Application and Permits: The Department of Code Compliance shall receive applications, plans, specifications, monitoring/ supervisory information, permit fees and shall issue permits for the installation of, additions, extensions or alterations to fire alarm systems. A Code Official shall inspect the premises for which such permits have been issued and enforce compliance with the provisions of this ordinance.

Section 7.3 Affidavits and Notice of Violations: The Fire Officer in charge of any incident involving a fire alarm system shall be responsible for executing the Fire Alarm Affidavit Form, and forwarding a copy of all responses to Automatic Fire Alarms to the Department of Code Compliance. Code Officials shall issue all necessary notices or orders to correct improper conditions with fire alarm systems to insure compliance with all code requirements for the health, safety, and general welfare of the public.

Section 7.4 Inspections: The Director of Code Compliance or a Code Official shall make all required inspections of premises to enforce compliance with the provisions of this ordinance. Inspections shall include, but are not limited to, a final acceptance test.

Section 7.5 Rule-making Authority: The Director of Code Compliance shall have power as necessary in the interest of public health, safety, and general welfare to adopt and promulgate rules and regulations to interpret and implement the provisions of this ordinance as authorized by the Board of Commissioners of Manheim Township to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this ordinance or in building and fire codes as adopted and amended by Manheim Township.

Section 7.6 Department Records: The Department of Code Compliance shall keep official records of applications received, permits approvals, and certificates issued, fees collected, reports of inspections, and notices and orders issued, including affidavits issued and received.

Section 7.7 Annual Report: The Director of Code Compliance shall submit an annual report to the Manheim Township Fire Service Council, regarding Automatic Fire Alarm responses and corrective actions taken by the Department of Code Compliance regarding non-compliant systems.

Section 7.8 Multiple Tenant Buildings Central Station Service: New and existing multiple tenant buildings, as determined by the Director of Code Compliance, shall be

monitored and have inspections, testing, maintenance and runner service provided by one central station service company, which is UL or FM listed.

Exception: Buildings with an anchor store from which other stores are separated by a code compliant fire wall or fire barrier may contract with a different central-station service company.

SECTION 8.0 APPLICATION FOR PERMIT

Section 8.1 When Permit is Required: It shall be unlawful to alter or add to existing fire alarm systems or to install a fire alarm system or related components of a fire alarm system for which provisions is made or the installation of which is regulated by this ordinance, without first filing the appropriate application, paying the applicable fee, and submitting the required design information with the Department of Code Compliance in writing and obtaining the required permit. Repairs as defined by Section 6.0 of this ordinance, which do not involve any violation of the ordinance, shall not require a permit.

Section 8.2 Form of Application: The application for a permit shall be submitted in such form as the Director of Code Compliance prescribes and shall be accompanied by the required fee as prescribed by a Resolution of the Manheim Township Board of Commissioners.

Section 8.3 By Whom Application is Made: Application for a permit shall be made by an owner or an authorized agent of a fire alarm contractor properly licensed by Manheim Township to install, extend, repair, and maintain fire alarm systems in Manheim Township.

Section 8.4 Plans and Specifications:

Residential: Plans and specifications are not required to be submitted for one and two family dwellings; however, after the application for a permit and fee are submitted, a preliminary inspection shall be scheduled with a Code Official and the permit applicant for the purpose of determining the locations of smoke detectors, notification appliances, and related equipment devices in the building prior to their installation.

Commercial/Industrial/Nonresidential: The permit application, permit fee, and completed Fire Alarm Submittal Guide for Commercial Fire Alarm Systems (including multiple family dwellings), shall be submitted. Two copies of plans and specifications shall be submitted. Plans shall be drawn to scale or clearly dimensioned, with sufficient clarity and detail to show the nature and character of work to be performed. When the quality of materials, equipment, or devices is essential for conformity to this ordinance, specific information shall be given to establish such quality. This ordinance shall not be cited, or the terms "legal or approved" or its equivalent be used as a substitute for specific information. A Code Official is permitted to waive the requirement for filing plans when repair work of a minor nature is involved.

Section 8.5 Action on Application: A Code Official shall examine or cause to be examined all applications and plans for permits within a reasonable time after filing. If the application or plans and specifications do not conform to the requirements of all pertinent laws, the Code Official shall reject such application in writing, stating the reasons therefor. If the Code Official is satisfied that the proposed work conforms to the requirements of this ordinance and all laws applicable thereto, the Code Official shall issue a Fire Alarm Permit.

Section 8.6 Compliance with Code: The Fire Alarm Permit shall be a license to proceed with the work as approved by a Code Official and shall not be construed as authority to violate, cancel or set aside any of the provisions of this ordinance except as specifically stipulated by modification approved in writing by the Director of Code Compliance.

SECTION 9.0 LICENSE REQUIREMENTS

Section 9.1 License Required to Install, Test, Inspect, Repair, Monitor and Maintain Fire Alarm Systems: All individuals, partnerships, corporations, or other entities engaged in the selling, leasing, maintaining, servicing, repairing, monitoring, altering, replacing, moving or installing any fire alarm system, or causing to be sold, leased, maintained, serviced, repaired, altered, extended, replaced, moved or installed any fire alarm system in or on any building or structure shall make application on a designated form(s) and obtain a valid Fire Alarm Contractor's License from the Department of Code Compliance of Manheim Township.

Exception 1: This does not include a person or firm who engages in the manufacture or sale of an alarm system from a fixed location and who neither visits the location where the alarm system is to be installed, nor designs the scheme for physical location and installation of the alarm system in a specific location. This exception only applies to one and two family dwellings.

Exception 2: Homeowners of one or two family dwellings who perform their own installation of a low voltage fire alarm system which does not transmit to a central station, or 110 volt fire alarm systems within their dwelling unit, are exempt from the licensing requirements; however, residential fire alarm permits and inspections are required from Manheim Township.

Exception 3: Electrical contractors installing 110 volt smoke detection systems in residential dwellings are exempt from the licensing requirements; however, residential fire alarm permits and inspections are required from Manheim Township.

Section 9.2 License Fee: Any person making application for a Fire Alarm Contractor License shall pay an annual fee of one hundred fifty dollars (\$150.00) or by a Manheim Township Fee Resolution. Fees shall be effective from January 1st through the following December 31st. Licensing fees shall not be pro-rated throughout the year. Fees are not refundable should the license be revoked.

Section 9.3 Qualifications of Fire Alarm Contractors for Central Station Service:

Any person(s) making application for a Fire Alarm Contractors License shall demonstrate to the Director of Code Compliance, (1) a knowledge of and proficiency in fire alarm systems, devices and code standards which govern the application, design, installation, testing, repair, maintenance and operation of fire alarm systems, and (2) other than fire alarm contractors who install fire alarm systems exclusively in one family and two family dwelling occupancies, that they are a fire alarm contractor listed by an established and nationally recognized organization (such as UL or FM), which approves the qualifications of fire alarm service contractors for Central Station Service. Upon successful demonstration of all of the above and payment of applicable fees, a license shall be issued by the Director of Code Compliance.

Exception: Fire alarm companies or individuals who install fire alarm systems exclusively in one and two family dwellings and which transmit fire alarm signals off site are not required to be listed for Central Station Service. Such fire alarm systems shall be monitored by a UL or FM listed central station. An installing fire alarm company or individual shall complete and sign the Manheim Township affidavit stating that it or he installs systems only in one or two family dwellings.

Section 9.4 Township Right to Suspend or Revoke License: The Director of Code Compliance shall have the right to suspend or revoke a Fire Alarm Contractor's License for cause. Cause for revocation shall include but not be limited to: selling and/or installing or maintaining fire alarm systems or devices without obtaining permits, approvals/inspections as required; installing unapproved materials or devices; repeated violations of Manheim Township Codes and Ordinances.

Section 9.5 Right to Appeal: Any person(s) having a license suspended, revoked or denied by the Director of Code Compliance shall have the right to file an appeal to the Manheim Township Board of Appeals. Any appeal must be based on a claim that the Director of Code Compliance did not use factual information to show cause for revoking or denying the Fire Alarm Contractor's License. Any person who desires to file an appeal shall do so on a form supplied by the Department of Code Compliance within thirty (30) days of receipt of a Notice of Violation or of any decision by the Director of Code Compliance or a Code Official.

SECTION 10.0 KEY BOX REQUIREMENTS

Section 10.1 When Required: All occupancies, other than single or two family dwellings, installing a fire alarm system, having an electronic or radio connection to a central station, shall install an approved key box for the premises being protected. Key boxes shall be approved by the Director of Code Compliance and the Manheim Township Fire Chief.

Section 10.2 Existing Installations: Existing facilities with a fire alarm system shall install a key box.

Section 10.3 Where Installed:

The key box shall be installed as follows:

1. At a location approved by the Code Official;
2. At a height approximately six (6) feet above grade; and
3. To the right side of the main entrance door(s) facing the public roadway.

Section 10.4 Key Box Supervision: All key boxes shall be electrically supervised and shall have the tamper switch connected to the fire alarm panel to indicate a supervisory signal. The supervisory signal shall report to the central station for owner/occupant notification (not the Manheim Township Police Department).

Section 10.5 Premise Keys: Keys that provide immediate access to the premise and to fire protection related equipment shall be identified as to the door they operate and secured in the key box within two (2) days of new key box installations. Keys shall be inspected periodically by the owner/occupant of the premise to insure that keys operate all doors necessary for MTFR access to the building. The property owner or authorized agent shall be responsible for maintaining a current set of keys in the key box which are capable of unlocking entrance, exterior and interior doors in the building(s) and/or tenant space(s).

SECTION 11.0 OWNER/OCCUPANT RESPONSIBILITIES

Section 11.1 Fire Alarm Activation: The responsibility for a fire alarm activation shall be that of the owner/occupant for whom a fire alarm system is installed. A response to an alarm activation shall result when any Fire Officer or member of the MTFR shall be dispatched to the premises where the alarm has been activated or learns of the activation of the alarm system(s), by any means whatsoever, and responds thereto by traveling to that premises. After responding to an alarm activation, the Fire Officer shall notify the responsible party through Lancaster County Wide Communications regarding the activation of the alarm system and such person shall thereupon travel to the premises to ascertain the status thereof. Failure of the responsible person(s) to appear at said premises within thirty (30) minutes, after being notified to do so, shall constitute a violation and may result in forcible entry by the MTFR and Manheim Township Police Department personnel. The owner shall bear the cost of repair for any damage incurred during entry and any costs associated with securing the premise to prevent unauthorized entry. The Fire Officer shall serve the owner, authorized representative or occupant a Fire Alarm Activation Report. In a no response situation by the responsible party, the Fire Officer shall forward the report to the Department of Code Compliance for action.

Section 11.2 Fire Alarm Activation Report: In the event of a fire alarm activation the owner, authorized representative or occupant shall be served a Fire Alarm Activation Report by the Fire Officer describing the probable cause of the alarm. The owner, authorized agent or occupant shall sign and return the completed Affidavit of

Service /Repair within fifteen (15) business days of the said Fire Alarm Activation which can verify to the satisfaction of the Director of Code Compliance that the fire alarm system in question has actually been inspected by a licensed fire alarm service company and that a good faith attempt has been made to identify and correct any defect of design , installation or operation of the fire alarm system which was described as the cause of the fire alarm malfunction. Failure to return an Affidavit of Service/Repair within the said fifteen (15) day period, that is satisfactory to the Director of Code Compliance, shall constitute a violation.

Section 11.3 Service of Fire Alarm Activation Report and Affidavit of

Service/Repair: Service of written Notice of Fire Alarm Activation Report and Affidavit of Service Repair shall be accomplished by delivering a copy in person to the responsible party or any agent of the owner or responsible party at the premises or by posting a copy in a conspicuous place at the main entrance door.

SECTION 12.0 VIOLATIONS

Section 12.1 Notice of Violation: Whenever a Code Official observes an apparent or actual violation of a provision of this ordinance, the Code Official shall prepare a written Notice of Violation describing the condition which requires corrective action. The Notice shall specify the violation and time limitations for the required repairs or improvements to be made to the fire alarm system. Failure to comply with the provisions of the Notice of Violation shall subject the violator to the penalties herein.

Section 12.2 Service of Notice: The written Notice of Violation of this ordinance shall be served upon the owner, the occupant, an agent of the owner or occupant or any other person responsible for the conditions under violation. Such Notice of Violation shall be served either by certified mail to the last known post office address, delivered in person, or by delivering it to and leaving it in the possession of any person in charge of or responding to the premises on behalf of the responsible party. Posting a copy in a conspicuous place at the main entrance door shall be deemed the equivalent of personal delivery.

Section 12.3 Legal Action: Nothing herein shall prevent the Director of Code Compliance from filing a civil complaint or a non-traffic citation against a party without issuing a Notice of Violation where circumstances require prompt action because of a threat to health, safety and welfare or where a fire alarm system is taken out of service or offline without notice to the applicable central station.

Section 12.4 Tampering with Systems: Any person(s) who tamper with or, interfere with the effectiveness of any fire alarm system or related component, shall be in violation of this ordinance.

Section 12.5 Penalty for Violations: Any person(s), firm or corporation violating any of the provisions of this ordinance or failing to comply with any order issued pursuant to

any section thereof shall, upon being found guilty of a civil offense, be liable for a fine of not less than one hundred dollars (\$100) or not more than one thousand dollars (\$1,000.00) . Each day that a violation continues shall be deemed to be a separate offense.

A false alarm shall not be a violation of this ordinance, but the owner shall be responsible for paying a response fee as set forth below. No response fee shall be assessed for the first three false fire alarms at the same premises responded to by the MTRF during each calendar year. Thereafter, the following fees shall be paid by the owner for each false fire alarm responded to by the MTRF at the same premises during the calendar year:

<u>Fee Per False Fire Alarm</u>		
<u>Number of False Fire Alarms</u>	<u>Residential</u>	<u>Nonresidential</u>
Fourth	\$100.00	\$200.00
Fifth	\$150.00	\$300.00
Sixth	\$200.00	\$400.00
Seventh and above	\$300.00	\$500.00

Failure to pay any fee as prescribed herein shall constitute a violation.

Section 12.6 Dispatch Prior to Verification: It shall be a violation of this ordinance for any Central Station monitoring company or its employees to verify any fire alarm signal received prior to dispatching MTRF through Lancaster County Wide Communications.

Exception: One and Two Family Dwellings

Section 12.7 Alarm Reset: Once an automatic, fire alarm has initiated and caused the response by MTRF, it shall be unlawful for any person(s) to reset the alarm panel, until the authorization of the Fire Officer has been obtained.

Section 12.8 Fines collected: All fines and fees collected under this Ordinance shall be deposited into the Manheim Township General Fund.

SECTION 13.0 UNPAID FEE CHARGES

Should any fee assessed pursuant to this ordinance remain unpaid in excess of ninety (90) days from the date the charge is billed, the owner shall also be responsible for any collection costs including attorneys' fees incurred by Manheim Township.

SECTION 14.0 REPEAL

Except to the extent that proceedings involving a notice of violation or a subsequent prosecution pursuant to Ordinance 1996-5 or 2002-1 are still in existence, the provisions of Ordinance 1996-5 and 2002-1 or any other ordinance that are inconsistent herewith are hereby repealed.

SECTION 15.0 VALIDITY

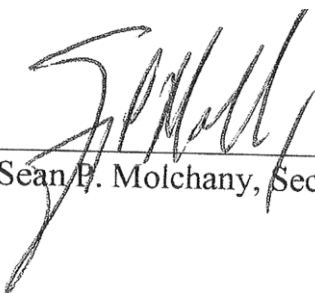
In the event any part or provision of this Ordinance is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions thereof, which are determined to be legal; and it shall be presumed that this ordinance would have been passed without such illegal or invalid parts or provisions.


This Ordinance shall become effective upon enactment.

ENACTED AND ORDAINED this 25th day of August, 2014.

Attest:

BOARD OF COMMISSIONERS
OF MANHEIM TOWNSHIP

y: 
Sean P. Molchany, Secretary

By: 
David R. Heck, President