

ORDINANCE NO. O2025-01
AN ORDINANCE AMENDING CHAPTER 1501 "Fire Code"
OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO

WHEREAS, the City of Gallipolis is desirous of promoting the health and welfare of the Citizenry by establishing and enforcing certain rules relating to False Alarms

WHEREAS, the purpose of this chapter is to protect the emergency services of the Fire Department of the City of Gallipolis from misuse, by responding to defective alarm systems and excessive false alarms. This chapter governs and regulates alarm systems, alarm users and alarm businesses. It provides for penalties for excessive false alarms.

WHEREAS, an integral part of the enforcement of said code is the establishment and enforcement of penalties, fines and legal remedies for violations,

WHEREAS, the City Manager has recommended in writing amendments to this ordinance to better establish clear rules for False Alarms

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Gallipolis, Ohio:

Part 15 Fire Prevention Code shall be amended to include Chapter 1520 False Alarms

1520.01 PURPOSE AND SCOPE. The purpose of this chapter is to protect the emergency services of the Gallipolis Fire Department from misuse, by responding to defective alarm systems and excessive false alarms. This chapter governs and regulates alarm systems, alarm users and alarm businesses. It provides penalties for excessive false alarms.

1520.02 DEFINITIONS. As used in this chapter, the following words and phrases shall have the meanings indicated: "Alarm System" means any assembly of equipment, mechanical or electrical, arranged to signal. "Alarm User" means the person or entity of any kind who or which is: (1) An owner (or lessee) and also the user of an alarm system, as the occupant of the premises where the system is installed (the "premises"); 1(2) The owner (or lessee) of such a premises which is occupied by another person or entity, if there is no written contract stating that the occupant (rather than the owner or lessee of the premises) is to be responsible for the alarm system; (3) (d) The occupant of such a premises, if there is a written agreement stating that the occupant is responsible for the alarm system. "Automatic Dialing Device" means a device which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit by a voice message or code signal an emergency message indicating the need for an emergency response. "False Alarm" means the activation of an alarm system through mechanical failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system, or his employees or agent. Such false alarms do not include any force majeure. "Interconnect" means to connect an alarm system including an automatic dialing device to a telephone line, either directly or through a mechanical device that utilizes the telephone, for the purpose of using the telephone line to transmit a message upon the activation of the alarm system. "Permit Year" means a twelve-month period beginning with the first day of January and ending on the last day of December each year. "Local

Alarms” means those alarms which activate an audible signal within the proximity of the premises only. “Emergency Panic Alarm Button” means an automatic alarm system signaling a police response, such as holdups alarms at financial institutions, or personal protection devices. “Fire Alarm Administrator” is the employee(s) of the Fire Department designated by the Fire Chief, whose responsibility is to coordinate the administration and documentation of the alarm business and alarm systems performance as it relates to the effective enforcement of the provisions of this chapter. “Fire Chief” means not only the Fire Chief but also his designee.

1520.03 EXCESSIVE FALSE ALARMS. If any alarm system produces more than 10 false alarms in any calendar year, written notice of that fact shall be given by regular mail or delivery to the subscriber. If more than 10 false alarms are produced by any alarm system in a calendar year, an administrative fee of \$50.00 shall be assessed against the alarm user for the 11th-15th false alarm; for the 16st false alarm and each false alarm thereafter an administrative fee of \$400.00 shall be assessed. The question of whether a false alarm has occurred may be appealed by the alarm user under the applicable procedures set forth later in Section 1520.04 by an alarm user who has been assessed a false alarm administrative fee. These fees shall also apply to a business who resides outside the Gallipolis City Limits but whose local fire department contracts with the City of Gallipolis. This ordinance shall not apply to residential users.

1520.04 APPEALS FROM FALSE ALARM FEES AND DISCONNECT ORDERS. (a) The following persons may appeal under this section: (1) An alarm user who has been assessed a false alarm administrative fee may appeal the question of whether or not a false alarm has occurred. (b) A written request for an appeal must be submitted to the city manager within ten days after notice of the false alarm administrative fee was mailed or otherwise delivered to the last known address of the alarm user or to the address at which the alarm system is located. The alarm user-appellant shall have the right to present written and oral evidence to the Fire Chief at a hearing on the appeal and shall have the burden of proving his or her case by a preponderance of the credible evidence. Notice of the hearing date, hour and place shall be mailed or otherwise delivered to the last known address of the appellant or to the address at which the alarm system is located at least ten days prior to the hearing. The Fire Chief may sustain, modify or reverse the decisions appealed from and the decision of the Fire Chief shall be made in writing and shall constitute a final administrative order.

Section 2: This Ordinance shall be in full force and effect at the earliest period of time allowed by law.

PASSED: January 21, 2025


ATTEST: _____

Shelly Clonch Michael C Fulks

Clerk of the City Commission
Shelly Clonch

President of the City Commission
Michael Fulks

The foregoing Ordinance is hereby approved as to form.



Gallipolis City Solicitor
Andrew J. Noe