

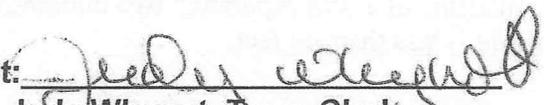
Town of Naples

Fire Alarm System Ordinance

Adopted June 8, 2016

Attested by Town Clerk

Attest:


Judy Whynot, Town Clerk

**TOWN OF NAPLES
FIRE ALARM SYSTEM ORDINANCE**

Section 1. Title.

This Ordinance shall be known as the Town of Naples Fire Alarm System Ordinance (the "Ordinance").

Section 2. Authority.

This Ordinance is enacted in accordance with 30-A M.R.S.A. § 3001 *et seq.*, as may be amended.

Section 3. Purpose.

The Town of Naples determines that the health, safety and welfare of residents and property owners of the Town are promoted by establishing appropriate guidelines for the installation of fire alarm systems for notification of the Naples Fire & Rescue Department.

Section 4. Definitions.

Fire Alarm System means a system including any mechanism, equipment or device (i) designed to automatically transmit a signal, message or warning from private premises, including telephonic alarms systems designed to operate automatically through the use of public telephone facilities to the Town of Naples public safety communications system; or (ii) monitored by other private or public agencies which, in turn transmit a signal to the Town of Naples public safety communications system.

Fire Chief means the person duly appointed as the Fire Chief of the Town of Naples.

Gross floor area means the sum of the gross horizontal areas of the several floors of a building from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet.

Section 5. Applicability.

- (a) **New Structures.** The following structures built after June 1, 2016 shall be equipped with an approved fully addressable monitored fire alarm system installed, maintained, operated and transmitted in compliance with the requirements of National Fire Protection Association (NFPA) 72, *National Fire Alarm Code*, most recent edition adopted by the State of Maine Fire Marshal's Office (as of June 1, 2016, the most recent edition is the 2007 edition):

- (i) Commercial and industrial structures that have a gross floor area of 2,000 square feet (s.f.) or greater; provided, however, that any such structure that has no power and no human occupancy is exempt from the requirements of this Ordinance;
 - (ii) Educational structures and structures used as places of assembly; and
 - (iii) Multi-family residential structures comprised of two or more dwelling units and that have a combined gross floor area of 2,000 square feet (s.f.) or more.
- (b) Additions/Renovations to Structures Existing as of June 1, 2016. Additions or renovations to a structure existing as of June 1, 2016 that is the same type of structure set forth in subsection (a)(i)-(iii) above (and excluding commercial and industrial structures that have no power and no human occupancy) shall include equipping the structure with an approved fully addressable monitored fire alarm system installed, maintained, operated and transmitted in compliance with the requirements of National Fire Protection Association (NFPA) 72, *National Fire Alarm Code*, most recent edition adopted by the State of Maine Fire Marshal's Office (as of June 1, 2016, the most recent edition is the 2007 edition) if the structure has a gross floor area of 2,000 square feet (s.f.) or more either before or after the addition/renovation. Any such required fire alarm system shall cover the entire structure, not just the addition/renovation portion.

Section 6. General Requirements.

- (a) The Fire Chief or his/her designee must approve the fire alarm system design and specifications prior to Planning Board approval for those projects requiring Planning Board review and approval and prior to the issuance of a building permit for those projects that do not require Planning Board review and approval. All structures subject to this Ordinance shall have the fire alarm system installed and inspected by the Fire Chief or his/her designee prior to the issuance of an occupancy permit.
- (b) At no time shall anyone besides a certified technician or Town of Naples Fire & Rescue Department representative deactivate, silence, or restore a fire alarm system for any reason.
- (c) Any structure with an automatic fire alarm system or automatic suppression system shall comply with the Town of Naples Key Lock Box Ordinance.
- (d) The Fire Chief or his/her designee must approve any changes in the fire alarm system installation.
- (e) Purchase, installation and maintenance of any required fire alarm system is the sole responsibility of the property owner and/or occupant.

Section 7. Alternatives/Modifications.

- 7.1 The Fire Chief or his/her designee may grant an alternative or modification to these provisions when circumstances arise that makes strict adherence to portions of these provisions impractical.
- 7.2 Requests for alternatives or modifications to these provisions shall be made by the property owner or the owner's agent in writing to the Fire Chief. This request shall

specify the section of these provisions to which an alternatives or modification is sought and a complete explanation of the conditions that make strict adherence impractical. This request shall be submitted prior to review or approval of plans.

- 7.3 Any alternative or modification approved by the Fire Chief or his/her designee shall be in writing and kept on file at the Town of Naples Fire & Rescue Department and the Code Enforcement Office.

Section 8. Malfunctioning System.

The owner or operator of the structure shall immediately notify the Fire Chief or his/her designee when a fire alarm system is not functioning and provide him or her with details pertaining to the plan and time frame to get the fire alarm system fixed. In the event a fire alarm system malfunctions or is rendered inoperable, it must be repaired and returned to operation within thirty (30) days. If the fire alarm system is not repaired within in this 30 day time frame without the owner or operator of the structure obtaining an extension for good cause shown from the Fire Chief or his/her designee, the property may be posted by the Fire Chief or his/her designee as unfit for human occupancy.

Section 9. Violations.

Any person violating any of the provisions of this Ordinance or failing or neglecting or refusing to obey any order or notice of the Fire Chief or his/her designee issued hereunder shall be subject to a penalty as provided herein.

Section 10. Civil Penalties.

Any person who is found to be in violation of any provision of this Ordinance shall be subject to a civil penalty of not less than five hundred dollars (\$500.00) and not more than two thousand five hundred dollars (\$2,500.00), or as otherwise provided by 30-A M.R.S.A. § 4452, as may be amended from time to time. Each violation of a separate provision of this Ordinance, and each day of violation, shall constitute separate offenses. In addition, if the Town is the prevailing party in an enforcement action, said person shall also be liable for all reasonable expenses incurred by the Town in the enforcement of this Ordinance, including, but not limited to, attorney's fees, and costs. All civil penalties shall inure to the benefit of the Town of Naples.

Section 11. Severability, Amendments and Adoption.

11.1 Severability.

The invalidity of any portion of this Ordinance shall not invalidate any other part thereof.

11.2 Amendments.

This Ordinance may be amended from time to time in accordance with the provisions of 30-A M.R.S.A. § 3002, as may be amended.

11.3 Adoption.

This Ordinance was submitted to the voters of the Town of Naples and shall be effective upon its adoption by Town Meeting.

ADOPTED: June 8, 2016

