

CHAPTER 92: FIRE PREVENTION

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GENERAL PROVISIONS

§92.01 EXPLOSIVES AND FIREWORKS; PERMIT REQUIREMENTS.

- (A) It shall be unlawful for any person to sell, keep, expose for sale, loan or give away any toy pistol, toy gun, toy cannon, blank cartridge, or any fireworks, firecrackers, torpedoes, bombs, squibs, rockets, spin-wheels, fire balloons, Roman candles, detonating canes, or ammunition therefor, or any substance or articles of any explosive nature designed or intended to be used as fireworks, anywhere in the Village.
- (B) It shall be unlawful for any person to be possessed of or to discharge anywhere in the Village any of the articles enumerated in this section. However, the applicable Fire Protection District and the President and Board of Trustees may issue a permit for the discharge of fireworks and for pyrotechnical displays as hereinafter provided.
- (C)
 - 1. Application for permits for the discharge of fireworks or pyrotechnical displays shall be in writing and shall state the name of the person, place of residence and age, the place where it is proposed to give such public display of fireworks, what experience the

applicant has had, if any, in the discharge of fireworks, such application being sworn to before a notary public or other officer authorized by law to administer oaths.

2. The President shall, upon receipt of such applicant's statement, refer the same to the applicable Fire Protection District who shall have an inspection made of the premises at the location given in the application where it is proposed to give such public display of fireworks, and if, in the judgment of the applicable Fire Protection District, it would not be hazardous to surrounding property or dangerous to any person or persons to permit such public display of fireworks at such location, they shall approve such application and return the same to the President and Board of Trustees, whereupon the President and the Board of Trustees shall have the option in their sole discretion to issue a permit upon payment of a fee of \$10, giving the applicant permission to conduct such public display of fireworks. Such permits shall designate the kinds and quantities of fireworks to be used at such public display, and no other kinds and no greater quantities of fireworks than therein specified shall be used at such public display.

(D) It shall be unlawful to keep or store any nitroglycerine or the explosive commonly known as T.N.T. in the Village in any quantities, excepting medicinal or laboratory purposes and for such purposes no more than one quarter ounce shall be stored in any one building or premises.

(E) All explosives must be kept or stored in accordance with the rules of the State Fire Marshal, subject to the provisions of this section.

Penalty, see §10.99

§92.02 STARTING OR MAINTAINING FIRES IN STREETS, SIDEWALKS OR OTHER PUBLIC PLACES PROHIBITED.

No person shall start or maintain any fire in any street, sidewalk, park or public place, or any place within 30 feet of any building or structure. Penalty, see §10.99

FIRE PREVENTION CODE

§92.15 ADOPTION OF CODE BY REFERENCE.

There is hereby adopted by the Village for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the 2000 International Fire Code, which shall be referred to in this Village Code as the "Village of Deer Park Fire Code", a copy of which has been and is now on file in the Village Office and the same is hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling within the limits of the Village. (Ord. No. 11-05)

§92.16 DEFINITION.

For the purpose of the Village of Deer Park Fire Code, MUNICIPALITY shall be held to mean the Village of Deer Park.

ALARM SYSTEM REGULATIONS

§92.29 PURPOSE.

It is the purpose of this Chapter to encourage proper maintenance of alarm systems to eliminate false alarms due to negligence on the part of the owners and to thereby provide better service in those instances

in which there exists legitimate needs for an emergency police response.

§92.30 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALARM SYSTEM: An assembly of equipment device(s) designed to signal the presence of a hazard requiring urgent attention and to which police or fire personnel are expected to respond; and, for the purposes of this definition, includes internal premises systems in which an audible signal emits sounds or flashing light or beacon designed to signal persons outside the premises.

DIRECT ALARM SYSTEM: An alarm system which utilizes a telephone line which has as its sole use the transmission of an alarm signal to a central receiving facility operated and maintained by or on behalf of the Lake County Sheriff's Office.

FALSE ALARM: A false alarm shall be deemed to have occurred when the Lake County Sheriff's Office responds to a direct alarm or to a call for assistance based on an alarm activated to another third party when the Lake County Sheriff's Office determines that said alarm was caused by a mechanical failure of the system, neglect of the owner to keep the system working properly, or careless use of the system. It shall not be considered a false alarm in the event that the Lake County Sheriff's Office is unable to determine that the reason for activation of the alarm is attributed to the mechanical failure of the system, neglect of the owner to keep the system working properly, or to the owner's careless use of the system.

NONDIRECT ALARM SYSTEM: Any alarm system, including but not limited to a direct dialing system, which is not a direct alarm system.

PERSON: Any individual, corporation, partnership, association, or any other legal entity.

§92.31 PERMIT REQUIRED.

No person shall connect or suffer or permit a direct alarm connection from any building, place, or premises within the Village to a receiving station owned or operated by or on behalf of the Lake County Sheriff's Office without first obtaining a permit therefor from the Lake County Sheriff's Office or the Village.

§92.32 PERMIT APPLICATION PROCEDURE.

- (A) No permit shall be issued except upon written application to the Lake County Sheriff's Office or the Village.
- (B) Said application shall be in the form prescribed by the Lake County Sheriff's Office or the Village. Said application shall include language to the effect that the applicant shall indemnify and hold harmless the Village of Deer Park, its trustees, officers, employees, and agents and the Lake County Sheriff's Office for any failure of service or any damages that might result from the installation or operation of the alarm system.
- (C) An applicant shall certify that alarm system maintenance will be provided and be available twenty-four (24) hours per day, seven (7) days per week.

Penalty, see §10.99

§92.33 EXISTING CONNECTIONS.

Those individuals who presently have a direct alarm connection shall procure a permit as above described within ninety (90) days of the adoption of this Chapter, as amended from time to time. In the event that said individuals do not procure said permit within said time, then in that event, said individuals shall be subject to termination of the connection privilege upon seven (7) days' written notice from the Lake County Sheriff's Office or the Village.

§92.34 EXEMPTION.

The preceding sections of this Chapter shall not apply to the installation and operation of any nondirect alarm system which is not connected directly to a receiving station owned, operated, and maintained by or on behalf of the Lake County Sheriff's Office. The Village recommends that any alarm system installed by an owner conform to the most recent specifications of the American National Standards Institute, Underwriter Laboratory, or equivalent specifications of an approved rating bureau.

§92.35 SERVICE CHARGES FOR FALSE ALARMS.

Any person who fails to maintain or secure proper maintenance for his alarm system shall pay a service charge for false alarms resulting therefrom. An individual who has a direct alarm connection to a receiving station owned, operated, and maintained by or on behalf of the Lake County Sheriff's Office shall pay a service charge of twenty five dollars (\$25.00) each for the fourth and fifth false alarm in any calendar year; and the sum of fifty dollars (\$50.00) for each false alarm thereafter in the same calendar year.

§92.36 MAINTENANCE OF RECORDS.

The Lake County Sheriff's Office shall maintain accurate records of all false alarms as well as all activated alarms. The Lake County Sheriff's Office or the Village shall give written notice to any owner who experiences two (2) false alarms in a calendar year. Said notice shall notify the owner that the owner shall be subject to service charges for each false alarm commencing with a fourth false alarm in any calendar year.

§92.37 DISCONNECTION.

The Lake County Sheriff's Office may revoke any permit heretofore issued and/or disconnect any direct alarm system connection of any owner in any of the following events:

- (A) The owner fails to pay any service charges assessed within thirty (30) days of invoice.
- (B) The owner fails to obtain a permit for a direct alarm system connection as required by the terms of this Chapter.
- (C) The Lake County Sheriff's Office determines that the owner's alarm system is unreliable and/or not properly maintained. For the purpose of this Section, the Lake County Sheriff's Office may make such a determination in the event that the Lake County Sheriff's Office receives more than ten (10) false alarms in any calendar year.

§92.38 DISCONNECTION NOTICE.

In the event that the Lake County Sheriff's Office determines to disconnect any direct alarm connection for any of the reasons set forth in the preceding Section, then in that event, the Lake County Sheriff's

Office shall give written notice thereof to the property owner and provide said property owner with seven (7) days to cure the defect, if possible. At the conclusion of the seven (7) day period, in the event that the Lake County Sheriff's Office determines that the property owner has not cured said defect, then in that event, the Lake County Sheriff's Office may cause said disconnection to occur.

§92.39 RECONNECTION PROCEDURE.

In the event that a property owner's direct alarm system has been disconnected from the facilities of the Lake County Sheriff's Office facilities pursuant to the terms of this Chapter, the property owner can reapply for a permit by paying a reapplication fee of one hundred dollars (\$100.00) and by providing sufficient documentation to the Village of Deer Park and to the Lake County Sheriff's Office to establish that the subject alarm system will fully comply with the requirements of this Chapter.

§92.40 TESTING OF EQUIPMENT.

No direct alarm system shall be tested or demonstrated without the property owner having first obtained the written permission of the Lake County Sheriff's Office.

§92.41 RESERVATION OF RIGHTS.

The Lake County Sheriff's Office in conjunction with the Village of Deer Park reserves the right at any time to discontinue the service of providing monitoring of any and all alarm systems after written notice to the property owner to that effect. The Lake County Sheriff's Office in conjunction with the Village of Deer Park is under no obligation to provide this service to any person.

§92.42 NONDIRECT ALARM PROVISIONS.

It is hereby declared unlawful and a violation of this Chapter for any owner of a nondirect alarm system to have more than three (3) false alarms from that system in any calendar year.

§92.43 AVOIDANCE OF PROSECUTION.

The owner of a non-direct alarm system, which has more than three false alarms in a calendar year, may avoid prosecution for violating this Chapter by payment of alarm permit fee service surcharges as follows:

- (A) If the property owner receives notice from the Village or the Lake County Sheriff's Office is for the fourth and/or fifth false alarm in any calendar year, then the owner of the alarm system shall pay to the Village \$25.00 for each violation provided that said amount is paid and received within five days from the issuance of the notice of violation, excluding Saturdays, Sundays, and holidays; and \$50.00 for each violation provided that said amount is paid and received within 30 days from the issuance of the notice of violation, excluding Saturdays, Sundays and holidays. The payment shall be made to the Village in care of the Village Treasurer.
- (B) If the notice is for the sixth or greater false alarm in any calendar year, then the owner of the alarm system shall pay to the Village \$50.00 for each violation provided that said amount is paid and received within five days from the issuance of the notice of violation, excluding Saturdays, Sundays, and holidays; and \$75.00 for each violation provided that said amount is paid and received within 30 days from the issuance of the notice of violation, excluding Saturdays, Sundays and holidays. The payment shall be made to the Village in care of the Village Treasurer.

- (C) In the event that the owner of the alarm does not pay the required alarm permit fee surcharges within the initial five-day period, as herein above provided, the Village or the Lake County Sheriff's Office shall mail written notice to the property owner or taxpayer of record, by certified mail, return receipt requested, advising that prosecution may be initiated for such violation(s) thereof and such violation(s) shall each be subject to the penalties as set forth below and shall be responsible for the cost of prosecution, including but not limited to attorney fees, court costs and other costs and expense incurred thereto.

(Amd. Ord. 15-02 passed 3/16/15, 12-06 passed 3/19/12)

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