

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 230424

Amending Chapter 26, Code of Ordinances, by repealing Section 26-907 of the Fire Code relating to Fire Alarms and Detection Systems and enacting in lieu thereof one new section of like number and subject matter to prohibit excessive false medical alarms from alarm signaling systems.

WHEREAS, the Fire Code prohibits an excessive number of false fire alarms from alarm signaling systems but does not prohibit an excessive number of false medical alarms from such systems; and

WHEREAS, the Kansas City Fire Department has made responses to false medical alarms from alarm signaling systems that have produced an excessive number of such false alarms; and

WHEREAS, the City desires to prohibit excessive false medical alarms from alarm signaling systems in the same manner as excessive false fire alarms; and

WHEREAS, Section 101.2 of the International Fire Code, 2018 Edition, adopted by the City pursuant to Ordinance No. 190202 establishes that the scope of such Code shall be to regulate conditions hazardous to life in the occupancy of structures or premises, matters related to alarm systems and conditions affecting the safety of emergency responders during emergency operations; and

WHEREAS, Section 67.280, Revised Statutes of Missouri, requires that amendments to model codes to be adopted by a municipality be filed with the City Clerk for not less than 90 days before such amendment to the model code may be adopted; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 26, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 26-907 relating to Fire Alarms and Detection Systems and enacting in lieu thereof one new section of like number and subject matter, to read as follows:

Sec. 26-907. Fire alarm and detection systems.

Sec. 26-907.6.5.3. Remote monitoring stations.

As of January 1, 2018, all supervisory station monitoring services shall be provided by a listed provider.

Sec. 26-907.9.1. Group R Occupancy requirements.

In addition to the requirements set forth in this code, operable smoke alarms shall be provided in all new and existing single-family dwellings, two-family dwellings, apartment houses, guest rooms used for sleeping purposes in lodging houses and hotels, in locations as follows:

- (1) In dwelling units, except efficiency dwelling units, an operable smoke alarm shall be mounted on ceilings or wall at a point centrally located in a corridor or another area giving access to rooms used for sleeping purposes unless the manufacturer's instructions provide otherwise, then in accordance with those instructions.
- (2) In efficiency dwelling units, lodging house sleeping rooms, hotel's sleeping rooms or suites, a working smoke alarm shall be centrally located on the ceiling of the main room or hotel sleeping room. Where sleeping rooms are on the upper level, an operable smoke alarm shall be placed near the center of the ceiling directly above the stairway serving such upper level unless the manufacturer's instructions provide otherwise, then in accordance with those instructions.
- (3) All working smoke alarms shall be listed and located in accordance with approved manufacturer's instructions. When actuated, the alarms shall provide an alarm in the dwelling or guest room.

Sec. 26-907.9.2. Duties.

- (a) It shall be the duty of the owner of every building regulated by this section to provide an approved operable fire warning system.
- (b) It shall be the duty of the owner of every lodging house, hotel and every vacant dwelling unit within every partially occupied dwelling and apartment house regulated by this section to maintain an operable fire warning system.
- (c) It shall be the duty of the occupant of every dwelling and apartment house regulated by this section to maintain an operable smoke alarm within their dwelling unit provided as part of the buildings fire warning system.

Sec. 26-907.10. Fire alarm reporting when premises are not monitored.

Whenever a fire alarm sounds in or upon a premise, which are not monitored by a central or remote station, or proprietary alarm signaling system, the owner or occupant shall without delay report such alarm to the fire department.

Sec 26-907.11. False alarm.

It shall be unlawful for any person to use a fire or medical alarm signaling system, which reports, or causes to report, five or more false alarms within any calendar year. For the purposes

of this section, false alarm is defined as an alarm signal eliciting a response by the fire department when a situation requiring an immediate response does not in fact exist. An alarm shall not be considered a false alarm if it is determined that the alarm was caused by:

- (1) A natural or manmade catastrophe, or an act of God. Such events include tornadoes, floods, earthquakes, riots or other similarly violent conditions.
- (2) Vandalism causing physical damage to the premises.
- (3) Telephone outage.
- (4) Severe weather causing physical damage to the premises.
- (5) The test of the local alarm system by a licensed alarm business agent or employee who is present at the premises servicing, repairing or installing the alarm when such testing does not result in the alarm being activated for an uninterrupted period exceeding 60 seconds and when the fire department's communications center has been notified of the test.

Sec. 26-907.11.1. Notification.

A person charged by the fire department for initiating a false alarm shall be notified in writing of each false alarm determination.

Sec. 26-907.11.2. Review of alarm determination.

The fire prevention division shall, when requested, review the determination that an alarm was false. Such review may be granted only if the person requests such a procedure within fifteen days of the notice of false alarm determination. A request for determination by the fire prevention division shall include at least the following:

- (1) The person's name;
- (2) The address at which the alarm is installed;
- (3) The date of the alarm signal being contested; and
- (4) The facts upon which the request for a determination is made.

Sec. 26-907.11.3. Certification and false alarm penalties.

- (1) Any person determined to be using a fire alarm signaling system, which reports or causes to be reported three or more false fire alarms within a calendar year shall be subject to the fine schedule below and shall have such system become a certificated fire alarm system by Underwriters Laboratories (UL).

- (2) Any person determined to be using either a fire or medical alarm signaling system which reports or causes to be reported more than three false alarms within a calendar year shall be fined in accordance with the following schedule:
- a. First offense – Fourth false alarm\$25.00
 - b. Second offense – Fifth false alarm\$50.00
 - c. Third offense – Sixth false alarm\$75.00
 - d. Fourth offense – Seventh false alarm\$100.00
 - e. Fifth offense – Eighth false alarm\$125.00
 - f. Upon the sixth offense - Ninth false alarm and of any other subsequent offenses-for each subsequent false alarm\$250.00

Sec. 26-907.11.4. Separate offenses.

Each day, or any portion of a day, of violation of any provision of this chapter shall constitute a separate offense.

Sec. 26-907.11.5. Mail-in fine.

Persons who do not request a review of a false alarm determination may avoid a court appearance by mailing to the fire prevention division within ten days of receipt of the notice of the determination the proper amount of fine as set forth in the above penalty schedule.

Approved as to form:

Alan L. Holtkamp
Senior Associate City Attorney