

ORDINANCE NO. 2020-38  
INTRODUCED BY: Mayor Bodnar

**AN ORDINANCE AMENDING MAYFIELD VILLAGE CODIFIED ORDINANCE  
CHAPTER 971 PERTAINING TO ALARMS**

**WHEREAS**, Mayfield Village adopted Chapter 971 of the Codified Ordinances in 1979, and amended time to time, to set forth installation and equipment requirements for emergency alarm systems; and

**WHEREAS**, the Mayfield Village Council deems it in the best interest of the Village and its resident that the Building Commissioner be responsible for issuing permits and enforcing maintenance requirements and for other procedural requirements as set forth below; and

**NOW, THEREFORE, BE IT ORDAINED** by Council of Mayfield Village, Cuyahoga County, State of Ohio that:

**SECTION 1.** Chapter 971, Alarms, of the Village's Codified Ordinance is amended to read as fully set forth in Exhibit "A" attached hereto and incorporated herein by reference.

**SECTION 2.** That any sections of the Codified Ordinances in conflict herewith are hereby and herein repealed and amended accordingly. All other provisions of the Village Codified Ordinances not inconsistent herewith shall remain in full force and effect.

**SECTION 3.** The Clerk of Council is authorized and directed to forward a certified copy of this Ordinance to the Codifier of Mayfield Village.

**SECTION 4.** The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council and that deliberations of this Council and of its committees, resulting in such formal action, took place in meeting open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 5.** This Ordinance shall take effect after adoption and at the earliest time allowed by law.

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STEPHEN SCHUTT  
Council President

First Reading: \_\_\_\_\_, 2020

Second Reading: \_\_\_\_\_, 2020

Third Reading: \_\_\_\_\_, 2020

PASSED: \_\_\_\_\_, 2020

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BRENDA T. BODNAR, Mayor

APPROVED AS TO FORM:

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ANTHONY J. COYNE, ESQ.,  
Director of Law

ATTEST: \_\_\_\_\_  
MARY E. BETSA, MMC  
Clerk of Council

**EXHIBIT A**

**CHAPTER 971**  
**Alarms**

**971.01 AUTHORITY TO INSTALL ALARMS.**

Any residence or business located within the Municipality may be equipped with an emergency alarm for the purpose of detecting and signaling the presence of a fire or unauthorized intrusion at such location, but no such installation shall be made after the effective date of this chapter unless all requirements of these Codified Ordinances with regard thereto shall have been met.

(Ord. 79-81. Passed 11-19-79.)

**971.02 DIFFERENTIATION BETWEEN FIRE AND INTRUSION.**

No person shall install, or allow to be installed, any alarm covered by Section 971.03, which detects both fire and unauthorized intrusion, unless such unit shall also be capable of transmitting a signal for fire different from the signal for unauthorized intrusion in a manner in which the person monitoring the alarm can readily ascertain whether the signal caused is fire or unauthorized intrusion.

(Ord. 79-81. Passed 11-19-79.)

**971.03 ALARMS CONNECTED DIRECTLY TO POLICE OR FIRE STATION.**

~~(a) Upon proper application by any person to connect installed equipment to the police station or to the fire station to receive emergency alarms, the Mayor, or his authorized representative, may issue a permit for such connection.~~

~~—(b) Connection to the police or fire alarm panel shall be contingent upon the applicant having obtained permission from the company which maintains the alarm panel in the station to make such connection, provided that such company shall not deny permission if the equipment is compatible and proper charges are paid to such company.~~

~~—(c) No unit shall be installed or connected unless it is approved by the Fire Chief if designed to detect smoke or fire or by the Police Chief if designed to detect unauthorized intrusion, or by both if designed to detect both smoke or fire or unauthorized intrusion. The Building Commissioner, or his representative, shall inspect and approve the electrical installation or, upon failure to approve, shall state the reasons therefor, which the person making the installation shall forthwith correct.~~

~~—(d) The Municipality shall, within its capabilities, endeavor to accommodate every reasonable application for connection to the police or fire alarm panels.~~

~~(Ord. 79-81. Passed 11-19-79.)~~

**971.04 NO FEE REQUIRED.**

~~There shall be no annual fee required for any alarm connected to the police or fire alarm console.~~

~~(Ord. 82-57. Passed 7-19-82.)~~

**971.05 LOCAL ALARMS.**

A permit for the installation of a local alarm which, when activated, sounds a horn, bell, buzzer, or other type of audible alarm, shall be required if the sound created by the alarm is audible, beyond the premises served. The ~~Mayor~~Building Commissioner, or his authorized representative, shall issue a permit for such alarm, provided that the intensity of sound does not exceed eighty-five decibels at any location outside the premises being served.

(Ord. 79-81. Passed 11-19-79.)

**971.06 FALSE ALARMS; PENALTY.**

(a) No person, firm or company shall install, control or have on their premises, any alarm equipment resulting in calls to the Fire or Police Departments which has less than the level of maintenance necessary to prevent false alarms from being emitted.

(b) Any person, firm or corporation allowing false alarms to be emitted to the Police or Fire Departments, shall receive two warnings as to fire, and four warnings for false police alarms, within any one year period, for which no penalty shall be assessed. Thereafter, penalties shall be assessed as hereafter provided.

(c) For any business, commercial or industrial enterprise, having more than two false fire alarms within a one year period, the owner and/or tenant of the premises, or the alarm company, shall be assessed five hundred dollars (\$500.00) for the third false alarm, seven hundred fifty dollars (\$750.00) for a fourth false alarm, and one thousand dollars (\$1,000) for the fifth and each successive false fire alarm during any twelve month calendar period. Each false police alarm beyond four shall result in an assessment of twenty-five dollars (\$25.00) per alarm.

(d) For all residential premises wherein which false fire alarms exceed two, the owners, and/or tenants of such premises, or the alarm company, shall be assessed a penalty in the amount of one hundred dollars (\$100.00) for the third false alarm, two hundred dollars (\$200.00) for the fourth false alarm, and three hundred dollars (\$300.00) for the fifth and each successive false fire alarm. Each false police alarm beyond four shall result in an assessment of twenty-five dollars (\$25.00) per alarm.

(e) No penalty shall be assessed for a false alarm to which there is no response by the Police or Fire Departments, nor when the cause has been proven to be an act of God.

(Ord. 92-26. Passed 10-19-92.)

**971.07 EQUIPMENT REQUIREMENTS; OPERATION AND SERVICE.**

(a) All equipment used in installation for which a permit is required shall meet the applicable standards of the Underwriters Laboratories or the National Fire Protection Association or other recognized industry standard. The applicant may be required to submit evidence of the reliability and suitability of the equipment to be installed.

(b) The sensory mechanism used in connection with such devices shall be adjusted to suppress false indications of fire or intrusion so that the devices shall not be actuated by impulses due to transient pressure change in waterpipes, short flashes of light, wind noises such as the rattling or vibrating of doors or windows, vehicular noise adjacent to the installation or other forces related to genuine alarms.

(c) All components comprising such device shall be maintained by the owner or lessee in good repair to assure reliability of operation.

(d) Each alarm equipment supplier that sells or leases to a person an automatic protection device which is installed on such person's premises in the Municipality shall furnish that person with instructions as to the way the device operates, along with maintenance instructions.

(e) Each alarm equipment supplier shall also furnish the Mayor with a copy of the instructions as to the way the device operates. If the Mayor finds such to be incomplete, unclear or otherwise inadequate, he may require the alarm equipment supplier to have the same revised to meet his approval and then promptly have copies distributed to persons for whom installation of such devices are made.

(f) Each alarm equipment supplier that sells or leases to a person an automatic protection device which is installed on such person's premises in the Municipality for which a permit is required shall provide for receiving calls for service, directly or through an agent, on a

twenty-four hour basis, seven days a week, and shall respond to such calls within eight hours of the time they are received by the alarm equipment supplier or the agent thereof.

(g) At the time of installation each alarm equipment supplier shall furnish to the person for whom an automatic protection device has been installed, written information as to how service can be obtained at any time, including the telephone number to call for service; and such person shall be responsible for having the device repaired as quickly as possible after he learns, either from his own sources or from notification by the Municipality, that the device is not working properly.

(h) The Mayor, or any officer designated by him, shall have the authority, at reasonable time, and upon oral notice, to enter upon any premises within the Municipality to inspect the installation and operation of an automatic protection device or signaling device, the purpose of which is to report an emergency to the police or fire stations.

(i) All equipment, the use or installation of which is subject to this chapter, shall be maintained in good operating condition. Repairs shall be made whenever necessary to assure proper operation.

(j) If any automatic detection or signaling device is not properly maintained or results in the reporting of ten or more false alarms in any twelve-month period, the ~~Mayor~~ Building Commissioner shall serve written notice upon the permit holder of his intent to revoke the permit. Such notice shall be given not less than seven days prior to revocation. Such notice shall state the right of the permit holder to appeal to Council. If an appeal is filed in writing, Council shall hold a hearing on the matter and shall render a decision on the basis of the facts presented. Council's decision shall be final. In the event no appeal is filed, the Mayor shall cancel the permit. The connection to the alarm console in the Police or Fire Departments shall be removed or rendered inoperative upon cancellation of the permit.

(k) Any device designed to emit an alarm upon detection of smoke, fire or unauthorized intrusion shall constitute a nuisance if ten or more false alarms are emitted and reported to the Police or Fire Departments, or both, in any twelve-month period. In that event, the Law Director shall take appropriate civil or criminal action to abate such nuisance.  
(Ord. 79-81. Passed 11-19-79.)