

Town of Olive Local law #1 of 2025

A Local Law Adding Chapter 71 to the Town of Olive Code

Chapter 71 Alarms

§71-1 Purpose and intent.

The Town Board is concerned that a large number of audible fire and carbon monoxide (CO) alarm signals or signals transmitted to the Olive Fire Department within the Town of Olive are activated as the result of defective or malfunctioning equipment or caused by the negligence of the owner or occupant of the premises to which the Fire Department is required to respond as the result of the signal and where an emergency condition is found not to exist, resulting in an unnecessary use of the personnel and resources of the Fire Department. These signals require that the Fire Department and other emergency services respond to the false alarm, exposing them to unnecessary hazards and risks, wasting taxpayer funds and depriving other residents, who may need emergency service, of those services. The Town Board believes that the imposition of a scale of penalties for repeated false alarms will encourage property owners and occupants to use care in the use of their alarm equipment and to maintain the equipment in proper condition. This article is intended to remedy the waste and lessen potential harm by reducing the number of false alarms.

§71-2. Definitions

As used in this article, the following terms shall have the meanings indicated:

ALARM SYSTEMS

Any device which, when activated, transmits, directly or indirectly, a signal to the 911 Center or to a private central alarm station or produces any audible or visual or telephone signal to which a Fire Department is expected to respond.

ALARM USER

Any person, firm, corporation or business entity upon whose premises an alarm system is installed or operating.

FALSE ALARM

The activation of an audible alarm system or of a signal transmitted to the Fire Department within the Town of Olive giving notice of fire, or other damage to or upon property where, upon response by the Fire Department, the condition of fire or damage is found not to exist. It shall not be deemed a false alarm where the system or signal is activated by a natural disaster such as a hurricane, lightning, thunderstorm, earthquake, or an interruption in the electrical or telephone services to the premises without the knowledge or control of the owner or occupant thereof.

FIRE DEPARTMENT

The Olive Fire Department including Companies #1-Olivebridge, #2-Shokan, #3-West Shokan, #4-Samsonville, and #5-Boiceville.

§71-3 False alarms prohibited

It shall be unlawful for any alarm user to permit or allow an alarm device to signal a false alarm whether intentionally or unintentionally, or whether due to malfunction or otherwise.

§71-4 Record of false alarms to be maintained

- A. A member of any Fire Department headquartered within the Town of Olive who proceeds within the Town of Olive in response to the communication of a signal which is determined to be a false alarm shall, within 72 hours thereafter, file a written report with the Town of Olive Code Enforcement Department setting forth the date, time, premises, location, whether an owner or occupant was present, whether there appeared to be any fire, or other damage to the premises and whether it appeared that the alarm signal was activated by a natural disaster as above described. A copy of an Alarm Incident Report will suffice for this purpose.
- B. The Town of Olive Code Enforcement Department shall maintain a record of the Alarm Incident Reports of false alarms transmitted from the premises in the Town of Olive.
- C. It shall be the duty of any Town of Olive Code Enforcement employee in the employ of the Town of Olive to issue a certified mail notice to the alarm user in writing after the second documented false alarm occurring in any twelve-month period notifying said user that any further false alarms occurring within that twelve-month period will result in monetary fines. Such notice shall be served either personally upon the alarm user or agent thereof, or by posting the violation notice in a conspicuous place upon the applicable premises. If a written notice is served by posting it upon the premises, a copy thereof shall be mailed to the person to whom it is directed by regular first class mail at the last known address of the property owner, or its agent.

§71-5 Penalties for offenses

- A. Penalties. The alarm user of premises from which more than two false alarms shall have been sounded within any twelve-month period shall be deemed to have committed an offense in violation of this article and shall be punished by a fine of \$250 for the first violation (third false alarm in any twelve-month period) and by a fine of \$500 for each subsequent violation occurring within a twelve-month period. The above charges shall be paid to the Town of Olive and upon receipt of same, shall thereafter be remitted by the Town of Olive to the Olive Fire Department which responded to the false alarms.
- B. False alarm fine collection procedure. Whenever an alarm user has a false alarm violation, the Town of Olive Code Enforcement Department shall send a notice by certified first class mail

requesting payment of the fine. If payment of the fine is not received by the Town within 30 days from the date of certified mailing or from the date of refusal (if the alarm user or alarm installer refuses delivery of the notice), the Code Enforcement Officer shall issue an appearance ticket to the alarm user for the Town of Olive Town Court. The Town is also authorized to collect any such charges by civil action or by adding them to the tax bill.

§ 71-6 Conflicts, Severability, and Effective Date

The relevant provisions of any local law in conflict with any provision of this chapter are hereby repealed. Each provision of this chapter is severable from the others, so that if any provision is held to be illegal or invalid for any reason whatsoever, such illegal or invalid provision shall be severed from this chapter, which shall nonetheless remain in full force and effect. This chapter shall take effect 60 days after filing with the office of the New York Secretary of State in accordance with § 27 of the Municipal Home Rule Law.