

CHAPTER 403

**ALARM SYSTEMS ORDINANCE**

Town of Yarmouth, Maine

Recodified: 1/15/1998

Repealed & Replaced: 08/19/2021

**CHAPTER 403**

**ALARM SYSTEMS ORDINANCE**  
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**CHAPTER 403**  
**ALARMS SYSTEM ORDINANCE**  
**Of the Town of Yarmouth, Maine**

## **1. Introduction**

### **1.1 Title**

**1.1.1** This ordinance shall be known and may be cited as the “Alarm Systems Ordinance of the Town of Yarmouth, Maine.”

**1.1.2** That the existing CHAPTER 403 entitled “Alarm System Ordinance of the Town of Yarmouth, Maine” is hereby repealed and replaced with this ordinance.

### **1.2 Purpose**

**1.2.1** The purpose of this Ordinance is to establish appropriate guidelines for the installation, maintenance and operation of alarm systems for notification of the Town of Yarmouth’s Department of Public Safety and for the increased protection of individuals in buildings served by such systems.

### **1.3 Definitions**

**1.3.1 Alarm System.** A system including any mechanism, equipment or device designed to automatically transmit or cause the transmission of a signal, message or warning from a private or public facility to the Town contracted public safety communication center, or to cause the activation of an audible or visible device which may cause emergency response by the Department of Public Safety or an evacuation by the building’s occupants.

**1.3.2 Commercial Fire Alarm System.** A fire alarm system, as defined by NFPA 72, installed in any building or structure other than a one- or two-family dwelling or a one-family dwelling with an accessory dwelling unit.

**1.3.3 Department of Public Safety.** Yarmouth Fire Rescue and the Yarmouth Police Department.

**1.3.4 Floor Area.** Floor Area shall be the gross floor areas between outside building walls or

gross floor areas between outside building walls and approved masonry parapeted fire walls.

**1.3.5 Household Fire Alarm System.** As defined in NFPA 72.

**1.3.6 MUBEC.** Maine Uniform Building and Energy Code.

**1.3.7 NFPA.** National Fire Protection Association. Publication editions are as referenced and amended by any Town Ordinance.

**1.3.8 NFPA 1.** Fire Code, Published by the National Fire Protection Association. Edition and amendments as determined in Chapter 319.

**1.3.9 NFPA 70.** National Electric Code, Published by the National Fire Protection Association. Edition and amendments as determined in Chapter 311.

**1.3.10 NFPA 72.** National Fire Alarm and Signaling Code, Published by the National Fire Protection Association. Edition and amendments as determined in this ordinance.

**1.3.11 NFPA 101.** Life Safety Code, Published by the National Fire Protection Association. Edition and amendments as determined in Chapter 319.

**1.3.12 Non-Emergency Alarms.** Signals transmitted by an alarm system as a result of equipment malfunction.

**1.3.13 Occupancy.** The purpose for which a building or other structure, or part thereof, is used or intended to be used. Occupancy types are as defined in NFPA 101.

**1.3.14 Stories in Height.** The story count starting with the lowest level and ending with the highest story. The lowest level does not include basement levels that are completely surrounded by grade and are not utilized as habitable space.

**1.3.15 Story.** The portion of a building located between the upper surface of a floor and the upper surface of the floor or roof next above.

**1.3.16 Town.** Town of Yarmouth.

**1.3.17 Yarmouth Fire Rescue.** The municipal fire department of the Town of Yarmouth.

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**1.3.18 Other Undefined Terms.** Terms not defined in this ordinance shall be referenced against the definitions found in NFPA 72, edition and amendments as determined by this ordinance. Such undefined ordinance terms found to be defined in NFPA 72 shall control.

## 2. Referenced Codes

### 2.1 NFPA 72 National Fire Alarm and Signaling Code

**2.1.1 NFPA 72, National Fire Alarm and Signaling Code, 2019 edition, and documents adopted by Chapter 2, one (1) copy of which are on file and are open to inspection by the public in the Town Clerk's Office of the Town of Yarmouth in accordance with Title 30-A M.R.S. §3003, are hereby adopted and incorporated into this ordinance as fully as if set out at length herein, and from the date on which this ordinance is amended, the provisions thereof shall be controlling within the limits of the Town of Yarmouth.**

**2.1.2 Additions, Insertions, and Changes.** That the 2019 edition of NFPA 72, National Fire Alarm and Signaling Code, is amended and changed in the following respects:

**2.1.2.1** Delete NFPA 72 Section 1.2.4 and replace with: 1.2.4 This Code shall not be interpreted to require a level of protection that is greater than that which is required by NFPA 1, NFPA 101, MUBEC, pertinent Town of Yarmouth Ordinances, State Statutes, or any applicable State agency rules and regulations

**2.1.2.2** Delete NFPA 72 Section 1.4 and replace with: 1.4 Unless otherwise noted within the document or pertinent Town of Yarmouth ordinances, it is not the intent that the provisions of this document be applied to facilities, equipment, structures, or installations that were existing or approved for construction or installation prior to the effective date of the document.

**2.1.2.3** Generally, delete all instances of "Authority Having Jurisdiction" and replace each instance with "Fire Chief or their designee(s)".

**2.1.2.4** Delete NFPA 72 Section 17.4.6.3 with no replacement.

## 3. General Alarm System Requirements

### 3.1 Registration

**3.1.1 When Required.** No person shall operate or maintain an Alarm System without a valid alarm system registration.

**3.1.2 Details of Registration.** The registration of said alarm system shall set forth the name, address, and telephone number of both the installer of the systems and the person or business on whose premises the system is installed, as well as a description of the system and the location where it is installed. The registration shall also set forth the name, address, and telephone number of at least two persons who have keys or access to the premises and/or alarm equipment. All information shall be provided on a form supplied by the Town of Yarmouth.

**3.1.3 Registration Interval.** Alarm systems shall be registered annually, and the person applying for renewal shall indicate thereon any changes in the information already supplied. An alarm system registration number shall be issued to each registered commercial fire alarm system.

**3.1.4 Registration Fees.** The registration fees for an alarm system shall be in accordance with Chapter 401 Fees and Permits Ordinance.

**3.1.5 Commercial Fire Alarm System.** No registration shall be issued for a new or replacement commercial fire alarm system until the system's permit been has completed to the satisfaction of the Fire Chief or their designee(s).

**3.1.6 Failure to Register.** Failure to register an alarm system shall be corrected within thirty (30) days of notification. Failure to register past the thirty (30) day interval shall result in a fine described in section 5.1 which shall be assessed every thirty (30) days until such registration is corrected.

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## 3.2 Installation Procedures and Usage of Alarm Systems

**3.2.1 Alarm Systems Notifying Yarmouth Fire Rescue.** The Fire Chief or their designee(s) shall be authorized to institute additional guidelines as they deem desirable for determining the installation procedures and usage of alarm systems that send alarm notification to Yarmouth Fire Rescue.

**3.2.2 Alarm Systems Notifying the Yarmouth Police Department.** The Police Chief or their designee(s) shall be authorized to institute additional guidelines as they deem desirable for determining the installation procedures and usage of alarm systems that send alarm notification to the Yarmouth Police Department.

**3.2.3 Current Guidelines Available.** If such additional guidelines are issued, they shall be published and a current copy, available for public inspection, kept at the Office of the Town Clerk.

**3.2.4 Direct Transmission.** No person shall install, operate or maintain an alarm system which automatically and directly transmits or causes transmission of a signal, message or warning to the Town's contracted communications center telephone lines. Each violation of this section shall result in a separate fine as described in section 5.1.

**3.2.5 Household Fire Alarm Systems.** Household fire alarm systems shall be installed and maintained in accordance with NFPA 72.

## 3.3 False Alarms

**3.3.1 Transmission of Non-Emergency Alarms.** Any person whose system causes the transmission of a non-emergency alarm more than three (3) times in any one calendar year period shall pay a fine as described in section 5.1 for each instance of a non-emergency alarm in excess of three (3) such alarms in any one calendar year period.

## 4. Commercial Fire Alarm System Requirements

### 4.1 When Required

**4.1.1 New Construction.** Any new building, except a one and two-family dwelling, shall require a commercial fire alarm system installed throughout the building when meeting any one of the following criteria:

1. Two-thousand (2,000) square feet or more in total Floor Area
2. Where required by Chapter 317 Fire Sprinkler Ordinance.
3. Where required by Chapter 319 Fire Prevention and Life Safety Ordinance.
4. Where required by State Statute or State Agency Rule.

**4.1.2 Additions.** Any addition to an existing building, except one and two-family dwellings, along with the existing structures must have a commercial fire alarm system installed throughout the whole building when the cumulative area of the entire building, including the addition(s), equals or exceeds two-thousand (2,000) square feet in area.

**4.1.3 Change of Occupancy.** Any change of occupancy type in an existing building that has a total Floor Area of 2,000 square feet or more shall require the installation of a commercial fire alarm system throughout the whole building meeting the requirements for a new installation. A phased installation approach, when approved by the Fire Chief, shall be permitted.

**4.1.4 Replacement.** When commercial fire alarm systems are replaced, they shall meet the requirements of this chapter for a new installation. **Exception:** Fire alarm control units may be replaced with the existing fire alarm control unit manufacturer's direct replacement model without having to meet the requirements for a new installation if all of the following conditions are met:

1. Such fire alarm control unit model is shown to be compatible with existing attached equipment and devices.
2. The original commercial fire alarm system installation has not been in service for more than 25 years.
3. The building is not undergoing any renovations or construction requiring a building permit.

**4.1.5 Existing Systems.** Existing commercial fire alarm systems shall be considered required

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systems if the building they are installed in meets the criteria found in 4.1.1 for new construction. These systems shall not be removed and must be maintained in accordance with this ordinance.

**4.1.6 System Modifications and Additions.** New work resulting from modification or additions to an existing commercial fire alarm system shall conform to the requirements of 4.2 and 4.3.

**4.1.7 Installation of Extinguishing System.** A building shall require a commercial fire alarm system installed throughout the building when an automatic extinguishing system is installed, modified, or replaced.

**4.1.8 Installation of Energy Storage Systems (ESS).** A building, other than a one-family dwelling, shall require a commercial fire alarm system installed throughout the building when an energy storage system with a capacity of 4 kWh or larger is installed, modified, or replaced.

## 4.2 Installation Standards

**4.2.1 Applicable Rules.** New or replacement commercial fire alarm systems, whether required by this ordinance or not, shall be installed in accordance with the following rules, statutes, or standards:

1. Maine Uniform Building and Energy Code (MUBEC).
2. NFPA 1 and 101, as adopted by Chapter 319 Fire Prevention and Life Safety Ordinance.
3. NFPA 13, 13R and 13D as adopted and amended by Chapter 317 Fire Sprinkler Ordinance.
4. Any statutes or pertinent agency/administrative rules of the State of Maine and its agencies.
5. The additional requirements posed by this ordinance.

**4.2.2 Conflicts.** Where any rule, statute, or standard referenced in 4.2.1 are in conflict, the strictest combination of such rules, statutes, or standards shall be followed.

## 4.3 New Installation Features

**4.3.1 Required Features.** The features and type of a new commercial fire alarm system installation

shall be as required by section 4.3 and its subsections.

**4.3.2 Notification.** All occupiable spaces shall be provided with notification appliances installed in accordance with NFPA 72.

**4.3.3 Initiation.** Initiation of the commercial fire alarm system shall be by manual means, waterflow alarms if present, other fire extinguishing systems if present, and required detection.

**4.3.3.1 Manual Fire Alarm Boxes.** Manual fire alarm box placement shall be in accordance with NFPA 72. Manual fire alarm boxes shall be labeled in accordance with 4.3.4.1. Manual fire alarm boxes shall be keyed.

**4.3.4 Detection.** Buildings without automatic fire suppression sprinkler systems shall have complete detection system in accordance with NFPA 72. All structures, with automatic fire suppression sprinkler systems or not, shall provide a complete smoke detection system in exit enclosures, stairwells, lobbies, and corridors.

**4.3.4.1 Labeling.** All devices shall be labeled with their address on type-written labels, the font-size of these labels shall be no smaller than 14pt. The label shall be printed with the commercial fire alarm system's naming or numbering convention for addresses as it appears on an annunciator or fire alarm control unit.

**4.3.4.2 Remote Indicator.** Detectors located in the following locations shall require a separate remote indicator light to be installed in accordance with 4.3.4.2.1:

1. Above suspended acoustical ceiling systems
2. In attics, trusses, or lofts
3. Janitorial, electrical, telecommunication, boiler, and mechanical rooms
4. Detectors otherwise not visible

**4.3.4.2.1 Installation.** Remote indicator lights shall be installed either directly under the detector if concealed above or installed above the room's entry door if located in a required room.

**4.3.5 Monitoring.** All commercial fire alarm systems shall be monitored by an approved central or remote station listed by UL.

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**4.3.6 Control Unit.** All fire alarm control units shall meet the specification outlined in 4.3.6.1 to 4.3.6.5.

**4.3.6.1 Buttons and Switches.** All control units shall be equipped with the following buttons or switches on the fire alarm control unit:

- Acknowledge (ACK)
- Silence
- Reset

**4.3.6.2 Addressable.** All new fire alarm control units shall be addressable. Addressable monitoring modules, hard-wired zones and input modules shall be permitted to only serve one conventional non-intelligent device each. The zone names shall be distinct in nature, each device shall have a unique zone or address number.

**Exception:** In apartment buildings, an individual dwelling unit shall be permitted to have the detector(s) in that unit served by a single zone or address.

**4.3.6.3 Burglar Alarms.** The fire alarm control unit shall be separate and distinct from any burglar alarm control unit or system. Shared circuit boards or enclosures shall not be permitted. Interfacing of burglar alarm systems with commercial fire alarm systems shall be permitted when both of the following conditions are met:

1. Approved by the Fire Chief or their designee(s).
2. It can be demonstrated such interface is necessary for life or fire safety.

**4.3.6.4 Pin Codes.** The fire alarm control unit and or annunciator shall not need a pin code or password to reset the commercial fire alarm system.

**4.3.6.5 Color.** All fire alarm control unit cabinets shall be red in color.

**4.3.7 Keying.** All pull stations, fire alarm control units, amplifiers, communicators, terminal cabinets, power supplies, document boxes, battery boxes, transponders, device cover boxes, and annunciators shall be keyed the same and shall remain locked when not in use by the fire department or service personnel. Keys shall not be left in any lock.

**4.3.8 Document Box.** The document box shall have the required documentation, including, but not limited to:

1. Record of Completion
2. Fire Alarm Inspection and Testing Reports
3. Manuals and or installation documents for each individual commercial fire alarm system component
4. As-built drawings, accurate

**4.3.9 Annunciator.** An annunciator panel shall be located at the main entrance of the building. Where a building does not have a main entrance or has a series of entrances, the Fire Chief or their designee(s) may require additional annunciators. Annunciators shall provide full-function control of the commercial fire alarm system.

**Exception:** An annunciator shall not be required if the fire alarm control unit is installed in the main entrance and there is not a series of entrances to a building.

**4.3.9.1 Graphic Annunciator.** In large or complex buildings or structures, as determined by the Fire Chief or their designee(s), the Fire Chief or their designee(s) shall be permitted to require graphic annunciation. The construction of such graphic annunciator(s) shall be approved by the Fire Chief or their designee(s). Such graphic annunciator(s) shall be kept up to date throughout the future and shall be assessed when any remodeling, additions or re-construction activity occurs in the future.

**4.3.10 Door Labeling.** If the fire alarm control unit is installed in a locked room, door(s) leading to the location of the fire alarm control unit shall be marked as "Fire Alarm Control Unit" in red letters, letters shall be 3" in height. Where approved by the Fire Chief the requirement to mark such doors shall be waived or amended.

**4.3.11 Outdoor Beacon.** A red beacon-light shall be installed on the exterior of the building which activates when the system is in alarm. Beacons shall be placed as to be seen from the road, the final location shall be approved by the Fire Chief or their designee(s).

**4.3.11.1 Multiple Units** Where a building does not have a main entrance or has a series of entrances and houses multiple commercial

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tenant space(s), commercial unit(s), or apartment(s), each unit shall be provided with an outdoor beacon meeting the requirements of 4.3.11. Such beacons shall be located above the exterior main entry door into each such tenant space, commercial unit, or apartment.

**4.3.12 Conduit.** All conduit connectors shall provide an insulated throat or shall be bushed at every connection point. Where conduit that serves as part of the commercial fire alarm system is installed adjacent or near conduits of other electrical systems it shall be red in color. Conduit shall be no smaller than 3/4" trade size. Areas where fire alarm wiring is subject to physical damage from normal building use or vandalism shall protect such wiring in conduit.

**4.3.13 Multiple Buildings.** When commercial fire alarm systems are planned to span multiple buildings special permission shall be obtained from the Fire Chief. The Fire Chief or their designee(s) shall be authorized to institute special conditions for such an installation. Copper wiring spanning buildings shall be protected by a surge protection system at each building.

**4.3.14 Multiple Units.** When commercial fire alarm systems are planned to span multiple commercial tenant units in a building subject to occupancy by different tenants the following conditions shall be met:

1. Riser wiring for notification appliance circuits, signaling line circuits, and any other fire alarm circuits shall be protected in a red metal conduit system.
2. Each unit shall have a breakout junction box connected to the riser conduit system. Such breakout junction box shall be no smaller than 8" x 8", shall be marked "Fire Alarm Terminal Cabinet" or similar wording, and shall utilize terminal strips for terminations.
3. Units shall not share notification appliance circuit(s) or signaling line circuit(s)
4. Upon the discretion of the Fire Chief or their designee(s) an annunciator may be required in each unit if such building in their opinion lacks a main entrance in accordance with 4.3.9
5. If the building lacks a main entrance, outdoor beacons shall be provided in accordance with 4.3.11.1.

**4.3.15 Multiple Commercial Fire Alarm Systems Prohibited.** A building shall be served by only one (1) fire alarm control unit. Multiple buildings connected together shall be served by only (1) fire alarm control unit. This requirement shall not apply to special suppression releasing agent control panels connected to the building's commercial fire alarm system. Large systems shall be permitted to be composed of transponders.

**4.3.16 Risk Analysis.** A risk analysis shall be performed in accordance with NFPA 101 and NFPA 72 to determine if a mass notification system is needed.

## **4.4 Emergency Communication Systems**

**4.4.1 When Required – New Construction.** Any newly-constructed building shall require the installation of an emergency communication system (ECS) when any one of the following conditions are met:

1. The building is four (4) or more stories in height.
2. The building contains or will contain an assembly, business, day care, dormitory, educational, health care (including ambulatory), hotel, mercantile or residential board and care occupancy and the total Floor Area is six-thousand (6,000) square feet or more.
3. The building has a parking garage underneath.

**4.4.2 When Required – Additions.** Any addition to an existing building, along with the existing structures must have an emergency communication system installed throughout the whole building when the cumulative area of the entire building, including the addition(s), equals or exceeds six-thousand (6,000) square feet in total Floor Area and contains an assembly, business, day care, dormitory, educational, health care (including ambulatory), hotel, mercantile or residential board and care occupancy.

**4.4.3 When Required – Change of Occupancy.** Any change of occupancy type in an existing building that has a total Floor Area of 6,000 square feet or more and contains or will contain an assembly, business, day care, dormitory,

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educational, health care (including ambulatory), hotel, mercantile or residential board and care occupancy shall require the installation of an emergency communication system throughout the whole building meeting the requirements for a new installation. A phased installation approach, when approved by the fire chief, shall be permitted.

**4.4.4 Features.** When required by 4.4.1, 4.4.2, 4.4.3, or elsewhere in this ordinance a commercial fire alarm system shall employ a one-way emergency communications system (ECS) with an emergency voice alarm communication system (EVACS) in accordance with NFPA 72. This requirement shall not be construed to limit an ECS to an EVACS, a mass notification system (MNS) shall be permitted when required or if desired by the building owner.

**4.4.5 Remote Microphones and Controls.** The Fire Chief or their designee(s) shall be permitted to require additional ECS input microphones and ECS controls to be installed.

## **4.5 Permits**

**4.5.1 Installation Permit Required.** A commercial fire alarm system permit and electrical permit shall be obtained prior to the installation of a new or replacement commercial fire alarm system or emergency communication system. Modification of any commercial fire alarm system or emergency communication system shall require an installation and electrical permit.

**Exception:** Routine maintenance replacement of up to a total of six smoke detectors, heat detectors, or notification appliances in a calendar year shall not require a permit

**4.5.2 Forms.** Applications for permits for a commercial fire alarm system or emergency communication system shall be filed with the Fire Chief or their designee(s), on forms supplied by the Yarmouth Fire Rescue.

**4.5.3 Approval.** Permits shall be approved if it is found that the commercial fire alarm system or emergency communication system will not interfere with the orderly conduct of Town business; that the person installing the system maintains an adequate service organization to repair, maintain or otherwise service commercial fire alarm systems sold or installed by them; the

documentation submitted is correct and sufficient; and that all the requirements of all pertinent Town ordinances are followed.

**4.5.4 Specific Conditions.** The Fire Chief or their designee(s) shall be permitted to attach specific conditions on the installation and maintenance of commercial fire alarm systems and emergency communication systems. Commercial fire alarm systems and emergency communication systems shall be maintained in accordance with the conditions of the approved commercial fire alarm permit.

**4.5.5 Acceptance.** Any new, replacement, or modified commercial fire alarm system or emergency communication system shall have an inspection and acceptance test performed by Yarmouth Fire Rescue before the close out of electrical and commercial fire alarm system permits. Systems shall pass any test(s) and have all required and relevant documentation completed to the satisfaction of Yarmouth Fire Rescue before the system shall be considered accepted and for the permit to be considered closed. A Certificate of Occupancy where required by CHAPTER 301 Building Code shall only be issued upon passing such inspection. Any deficiencies noted during the inspection shall be corrected.

**4.5.6 Fees.** The permit fees for a commercial fire alarm system or emergency communication system shall be in accordance with Chapter 401 Fees and Permits Ordinance. No permit shall be issued before all applicable fees are paid to the Town.

**4.5.7 Shop and As-Built Drawings.** All new, replacement of, or substantial modifications to commercial fire alarm systems or emergency communication systems shall require shop drawings to be submitted prior to the commencement of installation work in accordance with 4.5.7.1. Such drawings shall be approved prior to the issuance of a permit. Upon completion, as-built drawings shall be generated for the project reflecting any changes to the designed system.

**4.5.7.1 Drawing Requirements.** The requirements for shop and as-built drawings shall be determined by the Fire Chief or their designee(s). When such additional requirements

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are issued, they shall be published and a current copy, available for public inspection, kept at the Office of the Town Clerk. At no time shall shop drawings be submitted that are less stringent than the requirements of NFPA 72, all shop drawing requirements found in NFPA 72 shall be interpreted to be required.

**4.5.8 Expiration.** If work does not commence within six (6) months of issuance of the permit, such permit shall expire.

## **4.6 Maintenance**

**4.6.1 Inspections, testing and Maintenance.** All commercial fire alarm systems and emergency communication systems in the Town, regardless of installation date, shall be inspected, tested, and maintained in accordance with NFPA 72. All testing and inspection reports shall be submitted to the Fire Chief or their designee within fourteen (14) calendar days of the test or inspection.

**4.6.2 Inspection Sticker.** Each year all commercial fire alarm systems and emergency communication systems in the Town shall have a new sticker applied to the front of the fire alarm control unit/emergency communication system control unit or above either system's annunciator by an Approved Fire Alarm Company at the first inspection or test of the year. Such sticker shall be updated at each inspection or test by an Approved Fire Alarm Company. Physical application and updating of such stickers shall only be performed after any deficiencies noted in such inspection reports are repaired. Combination emergency communication systems and commercial fire alarm systems shall require only one inspection sticker. This section shall become effective January 1, 2022.

**4.6.2.1 Sticker Procurement.** Stickers shall be of a type obtained from the Town for a fee as described in Chapter 401 Fees and Permits Ordinance. Stickers shall remain property of the Town.

**4.6.2.2 Unauthorized Application.** Updating or application of such stickers by individuals other than employees of an approved fire alarm company shall result in a fine described in this ordinance.

**4.6.2.3 Premature Application.** Updating or application of stickers before correcting deficiencies shall result in a fine described in this ordinance.

**4.6.3 Registration Revocation.** The Fire Chief or their designee may revoke any commercial fire alarm registration, after giving written notice to the registration holder and an opportunity for the registration holder to be heard, if they determine that the commercial fire alarm system installed pursuant to said permit has been installed, maintained, or operated in violation of the provisions of this Ordinance, or of any term of condition of said permit, or for failure to pay any alarm fee described in Chapter 401 Fees and Permits Ordinance, or for failure to pay any fine described in this ordinance. No building that requires a commercial fire alarm system shall be occupied without a valid registration.

**4.6.4 Abnormal Operation.** When commercial fire alarm systems or emergency communication systems are operating in an abnormal condition, a fire watch shall be instituted when the system has been operating in this abnormal condition for more than ten (10) hours. The requirements for the fire watch shall be determined by the Fire Chief or their designee(s).

**4.6.4.1 Billing of Fire Watch Costs.** The Town shall have the authority to bill and recover such fire watch costs as a Chapter 407 *fire standby* cost item. Such costs shall be considered hourly and consider a multiplier for the number of Yarmouth Fire Rescue personnel involved with such fire watch.

## **4.7 Approved Fire Alarm Companies**

**4.7.1 Approved Fire Alarm Company.** The fire chief shall have the authority to publish a list of approved fire alarm companies or utilize a list published by another municipality or organization. The list of approved companies shall restrict the work on commercial fire alarm systems and emergency communication systems to those listed approved companies. A company that is not on the approved list shall not inspect, test, repair, program or design a commercial fire alarm system in the Town.

**4.7.2 Standards.** The Fire Chief or their designee(s) shall be permitted to institute

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additional standards for the credential; maintenance, approval of such companies, and operational procedures in the Town. If such additional guidelines are issued, they shall be published and a current copy, available for public inspection, kept at the Office of the Town Clerk.

**4.7.3 Technicians.** All technicians performing work on behalf of an approved fire alarm company in the Town on a commercial fire alarm system shall be certified by the National Institute for Certification in Engineering Technologies (NICET). Such certification shall be Level 2 in Fire Alarm Systems. A Level 1 technician shall be directly supervised by a Level 2 or higher technician. This section shall become effective January 1, 2023.

**4.7.4 Responsible Managing Supervisor (RMS).** All approved fire alarm companies, no later than December 31, 2021, shall have an RMS at such company certified by the National Institute for Certification in Engineering Technologies (NICET). Such certification shall be Level III or higher in Fire Alarm Systems. All designs submitted by an approved fire alarm company shall bear the name of this RMS, the certification number, level, and expiration date. The RMS shall be responsible for the work performed in the Town by the approved fire alarm company. This section shall become effective January 1, 2023.

**4.7.5 Electricians.** Nothing in section 4.7 shall be construed to prevent electricians licensed by the State of Maine from performing the physical installation, repair, alteration and maintenance of electrical conductors, fittings, devices and fixtures related to commercial fire alarm systems pursuant to Title 32 MRS §1101.

## 5. Administration

### 5.1 Fines

**5.1.1 False Alarm requiring the response of the Yarmouth Police Department**

\$25.00

**5.1.2 False Alarm requiring the response of Yarmouth Fire Rescue**

\$100.00

**5.1.3 Failure to register alarm system**

\$50.00

**5.1.4 Direct Transmission of Alarm**

\$200.00

**5.1.5 Unauthorized sticker application or updating (per occurrence)**

\$250.00

## 5.2 Penalty and Violations

**5.2.1 Other Violations.** Violations of this ordinance that do not have a directly associated fine may be processed as a deficiency under Chapter 319 Fire Prevention and Life Safety Ordinance and with any additional requirements of this ordinance.

## 5.3 Ordinance

**5.3.1 Authority to Enforce.** It shall be the duty and responsibility of the Chief of Yarmouth Fire Rescue and Chief of the Police Department and or their designee(s) to enforce the provisions of this Ordinance.

**5.3.2 Severability.** That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Town of Yarmouth hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

**5.3.3 Effective Date.** That this ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect immediately from and after the date of its final passage and adoption.

## 5.4 Appeals and Waivers

**5.4.1** Any person aggrieved by an error of a Town Official in the application, or interpretation of this Ordinance may appeal to the General Board of Appeals pursuant to the provisions in this

## CHAPTER 403 ALARM SYSTEMS ORDINANCE

Ordinance and the procedures outlined in Chapter 203, General Board of Appeals Ordinance. Any order, requirement, decision, or determination made, or failure to act, in the enforcement of this Ordinance is not appealable to the General Board of Appeals but may be appealed directly to Superior Court.

**CHAPTER 403  
ALARM SYSTEMS ORDINANCE**