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② City of Conway



City of Conway, Arkansas
Ordinance No. O-10-105

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AN ORDINANCE ESTABLISHING AND ADOPTING BY REFERENCE CERTAIN REQUIREMENTS AND PROCEDURES FOR PUBLIC SAFETY RADIO COMMUNICATION COVERAGE IN BUILDINGS WITHIN THE CITY OF CONWAY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of Conway has an immediate need to ensure that effective public safety radio communication coverage exists in all buildings within the City of Conway; and

WHEREAS, the City Council finds that implementing the procedures shall serve to protect persons and property within the City; shall preserve and protect property values within the City; shall enhance safety; and shall otherwise serve to protect the health, safety and welfare of emergency responders and the public at large within the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

SECTION 1. The attached guidelines for "Public Safety Radio Coverage in Buildings" will be implemented by adoption by reference as a technical code pursuant to Arkansas Code Annotated § 14-55-207.

SECTION 2. That three (3) copies of the requirements and procedures, or the pertinent parts thereof, and any related documents are filed either electronically or by hard copy in the office of the clerk of the municipality for inspection and view by the public before the passage of the ordinance.

SECTION 3. PENALTIES.

(a) If at any time it is found that the referenced requirements or procedures are not being met, the building owner shall have thirty (30) days to make corrections. If no corrections are made, the City shall issue a citation to the violator to appear in Faulkner County District Court.

(b) The failure of the building owner or any other person or entity subject to the provisions of this ordinance to comply with the provisions of this ordinance shall be deemed a violation. Upon conviction, the offender shall be punished by a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) for each separate offense. Each day an owner or any other person or entity subject to the provisions of this ordinance fails to comply with a provision of this ordinance shall constitute a separate offense and shall be punished accordingly.

SECTION 4. Should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue in full force and effect. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 5. This ordinance is necessary for the protection of the public peace, health and safety; an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 27th day of September, 2010.

Approved:


Mayor Tab Townsell

Attest:


Michael C. Garrett
City Clerk/Treasurer

City of Conway, Arkansas

"Public Safety Radio Coverage in Buildings"

1. PURPOSE :

Except as otherwise provided, no person shall maintain, own , erect or construct any building, structure, or tunnel or any part thereof or cause the same to be done which fails to support adequate radio coverage for public safety entities, including but not limited to firefighters, emergency medical services and police officers. For purposes of this section, adequate portable radio coverage shall include all of the following:

- A. A DAQ of 3.4* (Delivered Audio Quality) shall be available in at least 95% of the floor area required to be covered when transmitted from the City of Conway Communications Systems;
- B. A DAQ of 3.4* (Delivered Audio Quality) shall be received at the City of Conway Communications Systems when transmitted from 95% of the area of each floor of the building;
- C. The frequencies which must be supported shall be in the 700 MHz and 800 MHz ranges or as otherwise required by the City of Conway for emergency communications; and
- D. A 95% reliability factor.

2. EXCEPTIONS:

This section shall not apply to single family residential buildings; any building constructed of wood frame; any building under thirty-five (35) feet high; as long as none of the aforementioned buildings make primary use of metal or concrete construction or contain below grade storage, tunnels, or parking areas. For purposes of this section, parking structures are included in the definition of a building, and stair shafts are included in the definition of all parts of a building, but elevators with working emergency phones may be excluded.

Buildings constructed prior to the implementation of this section shall not be required to comply with public safety radio coverage provisions of this section. However, should exempted structures undergo renovation, restoration, or significant modification to the original structure which would increase the area 20% or more, exemption from the provisions of this Ordinance shall not apply.

3. REMEDIES:

Amplification systems are allowed. Buildings and structures which cannot support the required level of radio coverage shall be equipped with a radiating cable system and/or a distributed antenna system (DAS) with FCC certified signal boosters (aka bi-directional amplifiers), or systems as otherwise approved by the City of Conway Fire Chief or his designee in order to achieve the required adequate radio coverage. The location(s) within the building of each amplification system must be on file with the Conway Fire Department.

- A. Battery Backup: The active components of the installed system(s) shall be capable of operating on an independent battery system for a period of at least eight (8) hours without external power input. The battery system shall automatically charge in the presence of external power input.
- B. Signal Booster Requirements:
 - i. All signal booster components shall be contained in one NEMA4 type water proof cabinet.
 - ii. The battery system shall be contained in one NEMA4 type water proof cabinet.
 - iii. The system shall include automatic alarming of malfunctions of the signal booster and/or the battery system. Any resulting alarm shall be transmitted to the City of Conway Communications Center, including, but not limited to , automatic standard telephone dial-up circuit, TCP/IP network circuit, RS232 interface, etc.
 - iv. All signal boosters must be compatible with both analog and digital communications simultaneously.
 - v. All cables, coax, and wiring, shall have fire retardant insulation.
 - vi. Optionally, only material and equipment that is pre-approved by the City of Conway Fire Chief or his designee may be used. This section cannot be used to limit equipment to one manufacturer. This approval must be obtained prior to installation.

4. ACCEPTANCE TEST:

When an in-building radio system is required, and upon completion of installation, it will be the building owner's responsibility to have the radio system tested to ensure that two-way portable radio coverage on each floor of the building meets the required 95% coverage. The portable radio used for the testing must be one that is approved by the City of Conway Fire Chief or his designee. This test must be completed by a licensed radio communications technician. If the tests fail, it shall be the building owner's responsibility to have the system altered until the 95% coverage condition is met. A "Certificate of Occupancy" shall not be issued until these conditions are met. The building owner shall keep the results of the tests on file as well as submit a certified copy to the Conway Fire Department to be used as a bench mark for future testing.

5. TESTING AND COMPLIANCE:

Each owner shall submit at least one in-building coverage test:

- A. Prior to occupancy of any new building or structure covered under this Ordinance.
- B. Whenever structural changes occur including additions to buildings that would materially change the original field performance tests.
- C. When repairs or alterations are made to the amplification systems.

6. ANNUAL TESTS:

Once an in-building amplifier system is installed, the building owner or their designee, shall test all active components of the system including but not limited to amplifiers, power supplies, back-up batteries, etc., a minimum of once every twelve (12) months. The tests of these components shall be for a minimum of one (1) hour under loaded conditions to simulate an actual power outage. The building owner shall submit written notification to the Conway Fire Department that such tests have been completed as well as maintain a copy in their files.

7. FIELD TESTING:

Fire Personnel, after providing reasonable notice to the owner or his representative, shall have the right to enter onto the property during normal hours of operation to conduct field testing to be certain the required level of radio coverage is present and equipment conditions are being met. Fire Personnel shall also perform random testing when conducting pre-fire planning.

8. WARNING:

Should for any reason, the FCC requires the City of Conway to alter its communications systems, it shall be the building owner's responsibility to alter the amplification system to be compatible with the FCC ordered changes to the City of Conway communications systems. The building owner may want to keep this in mind when purchasing the building amplification systems.

***Delivered Audio Quality**, abbreviated as DAQ, is a measure of audio quality over a transmission medium. This metric is often used to quantify the quality of audio heard over a radio system. DAQ 3.4 is defined as follows:

" Speech understandable with only rare repetition required. Some noise or distortion present."

Source: TIA {Telecommunications Industry Association}