

ORDINANCE NO. 2005-27

AN ORDINANCE TO REQUIRE THE PLACEMENT OF AUTOMATED EXTERNAL DEFIBRILLATORS (AED's) IN ALL NEW OCCUPANCIES WITH AN OCCUPANT LOAD OF 250 OR MORE PERSONS

WHEREAS, the City Council of Gardendale, Alabama, recognizes the benefits of early defibrillation in the survival of persons who have experienced cardiac arrest, with research showing that survival decreases by approximately 10% for every minute that defibrillation is delayed; and

WHEREAS, the installation of automated external defibrillators ("AED's") is a life safety issue with emergency response and public health implications, and the City believes it necessary to the public health, safety, and welfare to require such installation in all establishments with occupancy loads of 250 or more people; and

WHEREAS, the Good Samaritan Law protects lay rescuers acting in good faith against liability, and the Federal Cardiac Arrest Survival Act of 2000 provides additional liability protection for properly trained lay rescuers and acquirers of AED's; and

WHEREAS, the Gardendale Fire Department is directed to establish the necessary guidelines and fire code requirements for the use and placement of AED's in public buildings having an occupancy load of 250 or more persons; and

WHEREAS, the Gardendale Fire Department will offer assistance to commercial, industrial, institutional, or other establishments or occupancies in determining vendors for AED devices and the maintenance thereof.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Gardendale, Alabama, while in regular session on the 3rd day of December, 2005, at 6:00 p.m., as follows:

SECTION 1. The installation of AED's in all new public occupancies with occupant loads of 250 or more people shall be required. Installation shall also be required when one public occupancy is changed to another public occupancy of similar or different type and in instances where an occupancy is expanded to an occupant load of 250 or more people. Installation of AED's in existing public occupancies with occupant loads of 250 or more people is encouraged, and when installed shall comply with requirements as set out hereafter.

SECTION 2. AED devices, where required, shall be installed in sufficient numbers and in locations so that an AED device shall be accessible, at a minimum, within three (3) minutes in the event of an emergency, in accordance with American Heart Association recommendations. The Gardendale Inspections Services department will notify the Gardendale Fire Department, Fire Chief, Fire Marshall, or their designees during the plans review process to review and approve the number and installation locations for AED devices and shall inspect the establishment to confirm the AED devices have been installed as approved prior to the issuance of a Certificate of Occupancy.

SECTION 3. The installation and maintenance of the AED device(s) and periodic training on the use of the AED device(s) shall be the responsibility of the owner.

SECTION 4. All AED installations shall be subject to periodic inspections by the Gardendale Fire Department or its designee.

SECTION 5. Repealer: All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Gardendale, Alabama, which are inconsistent with the provisions of this Ordinance are hereby expressly repealed.

SECTION 6. Severability: If any part, section, or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

SECTION 7. Effective Date: This ordinance shall become effective January 1, 2006.

ADOPTED AND APPROVED on this the 3rd day of December, 2005.