

# BYLAW NO. 1993

## A BYLAW OF THE CITY OF NORTH BATTLEFORD IN THE PROVINCE OF SASKATCHEWAN TO PROVIDE FOR A FALSE ALARM BYLAW.

THE COUNCIL OF THE CITY OF NORTH BATTLEFORD IN OPEN MEETING ENACTS  
AS FOLLOWS:

### Title

- 1 This bylaw may be cited as The False Alarm Bylaw.

### Purpose

- 2 The purpose of this Bylaw is to reduce police responses to false alarms by promoting proper use and maintenance of alarm systems through the establishment of a program of administration, registration, fees and conditions for the suspension of response to alarms.

### Statutory Authority

- 3 The authority for this Bylaw is provided in Sections 8 and 332 and Clause 333(1)(d) of *The Cities Act*.

### Definitions

- 4 In this Bylaw:

“**Alarm Company**” means a person engaged in selling, leasing, maintaining, repairing, altering, moving, installing or monitoring alarm systems;

“**Alarm Coordinator**” means the person or persons designated by the City to carry out the administration of this Bylaw;

“**Alarm Owner**” means an owner or tenant of an alarm site;

“**Alarm Registration**” means the written or electronic notification by an alarm company or an alarm owner to the Alarm Coordinator that:

- (a) an alarm system has been installed and is in use;
- (b) a conversion has occurred; or

(c) a takeover has occurred;

**“Alarm Site”** means a single fixed premises or location within the City that is served by an alarm system or systems and includes a condominium unit and an apartment suite;

**“Alarm System”** means any device or series of interconnected devices that is designed to detect an unauthorized entry into or an emergency at an alarm site, which, when activated, emits or transmits a local or remote audible, visual or electronic signal intended to summon the Police, whether monitored by an alarm company or not, but does not include an alarm installed in a vehicle unless the vehicle is permanently located at an alarm site;

**“Alarm User”** means any person who is lawfully present at or in possession of an alarm site;

**“Cancellation”** means the event of a monitoring alarm company verifying a false alarm has occurred and notifying the Police of the false alarm;

**“Chief”** means the Commander of Battlefords RCMP Detachment or a representative designated by the Chief;

**“City”** means the municipal corporation of the City of North Battleford and includes the area within the City’s boundaries where the context requires;

**“Conversion”** means the event of an alarm company beginning to monitor a previously unmonitored alarm system or an alarm system previously monitored by another alarm company;

**“Director”** means the Director of Finance of the City or a representative designated by the Director;

**“Dispatch Request”** means a notification to the Police that an alarm, either manual or automatic, has been activated at an alarm site for the purpose of summoning the Police to investigate the alarm site;

**“Enhanced Call Verification”** means the requirement by an alarm company to attempt to verify the alarm activation by making a minimum of two phone calls to two different numbers prior to calling for Police dispatch;

**“False Alarm”** means an activation of an alarm system when there is neither an unauthorized entry into nor any other emergency at the alarm site and includes an activation due to:

(a) the testing or servicing of the alarm system;

- (b) the mechanical failure or malfunction of the alarm system;
- (c) alarm user or alarm company error;
- (d) the presence of the pets of an alarm user at the alarm site;
- (e) atmospheric conditions, vibrations, power failure or other phenomena;
- (f) the movement of anything at the alarm site other than the movement of a person unlawfully entering or at the alarm site; and
- (g) the activation of a glass-break detector due to an event other than glass breaking;

**“False Alarm Report Coordinator”** means the person or persons designated by the Chief to provide the false alarm reports to the Alarm Coordinator;

**“Monitoring”** means the process of an alarm company receiving signals from an alarm system for the purpose of making a dispatch request when the alarm system is activated;

**“Panic Alarm”** means an alarm system signal generated by the manual activation of an alarm system that is intended to signal a life threatening situation or a crime in progress requiring an immediate response and includes a duress alarm and a holdup alarm;

**“Police”** means the North Battleford Detachment of the RCMP or a police officer engaged by the Police where the context requires;

**“Registration Fee”** means the fee charged for registering each alarm site;

**“Response”** means a Police response to a dispatch request where a cancellation is not made within four minutes of the dispatch request, whether or not a police unit is dispatched to the alarm site;

**“Takeover”** means the event of an alarm owner taking over control of an existing alarm system previously owned by another alarm owner.

### **Alarm Coordinator**

5 The Alarm Coordinator will:

- (a) accept alarm registrations and assess fees;
- (b) maintain a record of all alarm registrations;

- (c) receive false alarm reports from the false alarm report coordinator; and
- (d) issue informational letters pertaining to this Bylaw to all alarm registrants and issue notice of suspensions where applicable.

### **False Alarm Report Coordinator**

6 The False Alarm Report Coordinator will:

- (a) prepare false alarm reports to include the following:
  - (i) the name of alarm registrant;
  - (ii) the address of the alarm site;
  - (iii) the date of the dispatch and Police response; and
  - (iv) the responsible monitoring alarm company if applicable.
- (b) provide, according to a mutually agreed upon schedule, the false alarm reports to the Alarm Coordinator; and
- (c) report to the Chief when required.

### **Duties of Alarm Owners**

7(1) For each alarm site that is not monitored, the alarm owner must:

- (a) submit an alarm registration to the Alarm Coordinator for:
  - (i) each alarm site existing on the date this Bylaw comes into force, within 60 days of the date this Bylaw comes into force; and
  - (ii) each new alarm site or takeover, before using the alarm system;
- (b) for each alarm site registered per Clause 7(1)(a), remit to the City of North Battleford a registration fee per alarm site pursuant to Schedule "A" of this Bylaw.
- (c) update the information provided in each alarm registration within five days of the information changing;
- (d) make every reasonable effort to maintain the alarm site and the alarm system at the alarm site in a manner that will minimize or eliminate false alarms;

- (e) make every reasonable effort to or cause a representative to attend the alarm site within 30 minutes of being asked by the Police to deactivate an alarm system that is emitting a false alarm;
  - (f) other than for the purpose of testing the alarm system, not manually activate an alarm system for any reason other than an occurrence of an event that the alarm system was intended to report; and
  - (g) maintain a set of written operating instructions for each alarm system at each alarm site.
- (2) Anyone who becomes an alarm owner of an alarm site due to a takeover is deemed to be an alarm owner of a new alarm site.

### **Duties of Alarm Companies**

8 Each alarm company must:

- (a) submit an alarm registration to the Alarm Coordinator for:
  - (i) each alarm site the alarm company is monitoring on the date this Bylaw comes into force, within 60 days of the date this Bylaw comes into force; and
  - (ii) each new alarm site that the alarm company intends to monitor, including conversions, before the alarm company begins monitoring the alarm site;
- (b) for each alarm site registered per Subsection 8(a), remit to the City of North Battleford a registration fee per alarm site pursuant to Schedule "A" of this Bylaw.
- (c) update the information provided in each alarm registration within five days of the information changing;
- (d) make dispatch requests and convey cancellations in the manner determined by the Police;
- (e) utilize Enhanced Call Verification except for a panic alarm signal situation;
- (f) when making dispatch requests:
  - (i) advise the Police of the type of alarm activation and the location of the activation at the alarm site;

- (ii) provide the alarm owner's registration number for the alarm site where the alarm system has been activated;
  - (iii) make every reasonable effort to contact the alarm owner or the alarm owner's representative;
  - (iv) make a record of the dispatch request that includes the name, address and telephone number of the alarm owner, the alarm zones, the time of the dispatch request and evidence of attempted Enhanced Call Verification; and
  - (v) keep the record made pursuant to clause (iv) available for the Alarm and/or the False Alarm Report Coordinator to view or copy for a period of at least two years from the date of the dispatch request;
- (g) ensure alarm owners and usual alarm users are given adequate training on the proper use of each alarm system; and
  - (h) ensure compliance with the requirement to obtain a valid City of North Battleford Business License.

### **Alarm Registrations**

9(1) Every alarm registration must include:

- (a) the alarm owner's name, mailing address and telephone number;
- (b) if different than the alarm owner's mailing address, the address of the alarm site;
- (c) a notification of any dangerous or special conditions at the alarm site;
- (d) the name, mailing address and telephone number of the monitoring alarm company, if applicable;
- (e) a declaration that the alarm owner possesses and has reviewed a set of written operating instructions for the alarm system;
- (f) the name and telephone number of an alternate person with access to the alarm site whom is familiar with the alarm system that the Police may contact when responding to a dispatch request;
- (g) if an alarm owner is a tenant, the name and telephone number of the landlord or the landlord's designate who can gain access to the alarm site; and

- (h) any other information the Alarm Coordinator may reasonably request.
- (2) If an alarm owner has more than one alarm site, each alarm site must be registered pursuant to this Bylaw, whether or not the alarm sites are serviced by the same alarm system.
- (3) The person responsible for submitting the alarm registration for an alarm site must notify the Alarm Coordinator of any changes in the information provided in an alarm registration within five days of the change.
- (4) In this Subsection, “**Valid Alarm Registration**” means an alarm registration that:
  - (a) meets all the requirements of Subsections 9(1)(2) & (3);
  - (b) is for an alarm site that has not been deactivated pursuant to Section 11;
  - (c) is submitted by an alarm owner or a monitoring alarm company that has paid all fees previously assessed against the alarm owner or the monitoring alarm company pursuant to this Bylaw; and
  - (d) is submitted by an alarm owner or a monitoring alarm company that has paid the applicable registration fee assessed pursuant to this Bylaw.
- (5) Upon receipt of a valid alarm registration submitted by a monitoring alarm company, the Alarm Coordinator will:
  - (a) advise the monitoring alarm company of the alarm owner’s assigned registration number;
  - (b) enter the information provided in the alarm registration into a database;
  - (c) provide the alarm registration information to the Police; and
  - (d) provide written information to each registered alarm owner regarding their duties as an alarm registrant including the fee and fine structure for registering and for police response to a false alarm.
- (6) Upon receipt of a valid alarm registration submitted by an alarm owner, the Alarm Coordinator will:
  - (a) explain to the alarm owner the importance and rationale of the alarm registration system and of reducing false alarms including providing statistics regarding false alarms;

- (b) provide written information to each registered alarm owner regarding their duties as an alarm registrant including the fee and fine structure for registering and for police response to a false alarm;
  - (c) enter the information provided in the alarm registration into a database; and
  - (d) provide the alarm registration information to the Police.
- (7) An alarm registration may not be transferred to another person or alarm site.

### **Registration Renewals and Declarations**

- 10(1) Every alarm registration expires annually based on the date of registration.
- (2) Every alarm registration must be renewed before the current alarm registration expires by submitting an updated alarm registration pursuant to Sections 7 or 8 to the Alarm Coordinator.
  - (3) An alarm owner or an alarm company may submit a written declaration to the Alarm Coordinator stating that an alarm has been permanently deactivated or permanently removed from the alarm site and will no longer be used at the alarm site.
  - (4) Upon receipt of a declaration made pursuant to Subsection 3, the Alarm Coordinator will cancel the alarm registration.

### **Warnings and Fees**

- 11(1) In this Section, “**first**”, “**second**”, “**third**” and “**fourth**” shall mean the first, second, third and fourth occurrences of a response to a false alarm within the same 365-day period.
- (2) After the first response to a false alarm at an alarm site, the Alarm Coordinator will issue a caution to the alarm owner and, if the alarm system is monitored, also to the monitoring alarm company, stating:
    - (a) the date and time of the response; and
    - (b) that the next false alarm at the alarm site will result in the fee pursuant to Schedule “A” of this Bylaw being assessed.
  - (3) After the second, third, fourth and any subsequent responses to a false alarm at an alarm site, the Alarm Coordinator will assess a false alarm response fee against the alarm system owner in the amounts pursuant to Schedule “A”.



- (4) After a fourth response to a false alarm, in addition to the fees assessed, the Alarm Coordinator may send a warning to the alarm owner and, if the alarm system is monitored, also to the monitoring alarm company, stating that deactivation of the alarm system may be required. If an order to deactivate an alarm system is issued and not complied with, the Alarm Coordinator will assess a fee against the alarm system owner in the amount pursuant to Schedule "A" of this Bylaw.
- (5) If the Alarm Coordinator has reasonable grounds to believe that an alarm system is not being used or maintained properly, the Alarm Coordinator may require a conference with an alarm owner and the alarm monitoring company responsible for the repair of the alarm system to review the circumstances of each false alarm.

### **Fee for Dispatch Service to Unregistered Alarm Sites**

- 12 If an alarm owner, an alarm user or a monitoring alarm company makes a dispatch request for an alarm site that is not registered pursuant to this Bylaw, the Alarm Coordinator will assess a fee pursuant to Schedule "A" of this Bylaw:
  - (a) in the case of an unmonitored alarm site, to the alarm owner;
  - (b) in the case of a monitored alarm site, to the monitoring alarm company.

### **Reviews**

- 13(1) An alarm owner or a monitoring alarm company may apply for a review of the assessment of a false alarm response fee or a request by the Alarm Coordinator to deactivate an alarm system.
  - (2) A written review application setting forth the reasons for the review must be filed with the City Manager not later than 10 days after the person receives notice of the false alarm response fee or a request to deactivate an alarm system.
  - (3) The filing of an application for review with the City Manager stays the collection of all fees or the deactivation of an alarm system until the City Manager makes a decision.
  - (4) The City Manager will provide the alarm owner or the monitoring alarm company with a written notice of the decision made on a review.
  - (5) A decision of the City Manager is final and binding and not subject to further appeal.

**Invoicing**

- 14(1) The City will issue invoices for the fees assessed pursuant to this Bylaw at such times and in such a manner as the Director may deem appropriate.
- (2) The total amount of an invoice is due and payable on the first day of the month following the month in which the invoice was issued to the alarm owner or monitoring alarm company.
  - (3) Any amounts not paid within 30 days of becoming due and payable will be subject to interest charges per City policy for outstanding accounts.
  - (4) Any cheque returned to the City by the financial institution of an alarm owner or a monitoring alarm company for any reason will be assessed the charge established by the City.
  - (5) An amount assessed pursuant to Section (4) is due and payable immediately upon being assessed.
  - (6) All invoices are payable by mail or at locations designated by the Director.
  - (7) Where an alarm owner fails to pay any fee assessed pursuant to this Bylaw:
    - (a) within 60 days after the amount becomes due and payable, the Director may add the outstanding amount associated with each alarm site to the tax roll of the parcel or parcels of land comprising the alarm site.
  - (8) Where an alarm owner or a monitoring alarm company fails to pay any fee assessed pursuant to this Bylaw within 90 days after the amount becomes due and payable, the Alarm Coordinator may:
    - (a) if the invoice was issued to an alarm owner, suspend response to all the alarm sites of the alarm owner; and
    - (b) if the invoice was issued to a monitoring alarm company, suspend response to all the alarm sites monitored by the alarm company.

**Service**

- 15(1) Invoices, cautions, warnings, notices of suspension, requests for deactivation and information may be given or served:
- (a) personally;
  - (b) by regular mail to the last known mailing address of the person being served;  
or

- (c) by leaving a copy of the invoice, caution, warning, notice of suspension, request for deactivation or information at the last known address of the person being served.
- (2) An invoice, caution, warning, notice of suspension, request for deactivation or information served according to Clause 15(1)(b) is deemed served on the 5<sup>th</sup> day after the date of it mailing.

### **Offences**

- 16 Every person who:
- (a) violates any of the provisions of this Bylaw;
  - (b) neglects or fails to do anything required to be done pursuant to this Bylaw; or
  - (c) fails to comply with any direction or notice given pursuant to this Bylaw;
- is guilty of an offence.
- 17 Every person who is guilty of an offence pursuant to Section 16 is liable on summary conviction to the penalties established pursuant to The General Penalty Bylaw of the City of North Battleford.

### **Registration Does Not Create Duty**

- 18 Registration of an alarm site is neither intended to, nor will it create a contract, duty or obligation, either expressed or implied, of the Police to respond to the alarm site when the alarm system is activated. By registering an alarm site, the alarm owner and any monitoring alarm company acknowledge that Police response may be based on several factors, including the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions and staffing levels.

**Coming into Force**

- 19 Bylaw No. 1688 and any amendments thereto are hereby repealed.
- 20 This Bylaw shall come into force and take effect on the day of the final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS 23rd DAY OF MARCH, A.D. 2015.

READ A SECOND TIME THIS 23rd DAY OF MARCH, A.D. 2015.

READ A THIRD TIME AND PASSED THIS 13th DAY OF APRIL, A.D. 2015.

"Ian Hamilton"  
MAYOR

"Debbie Wohlberg"  
CITY CLERK

**SCHEDULE "A"**

**Bylaw No. 1993****Fees and Charges**

Alarm Registration Fee (Sections 7(b) and 8(b))	\$30.00 per alarm site
False Alarm Response Fee (Section 11)	
➤ First False Alarm Occurrence	Letter of caution to alarm owner and alarm company
➤ Second False Alarm Occurrence within the same 365 day period	\$200.00
➤ Third False Alarm Occurrence within the same 365 day period	\$500.00
➤ Fourth and any subsequent False Alarm Occurrence within the same 365 day period	\$750.00 per response. Letter issuance requesting alarm system deactivation
Failure to Deactivate Alarm System (Section 11)	\$200.00 per alarm site
Dispatch Request to Unregistered Alarm Site (Section 12)	\$200.00 per alarm site