

**CONSOLIDATED BYLAW
BYLAW NO. 1368-11 AND
BYLAW NO. 1351-10**

OF THE

TOWN OF BONNYVILLE

**A BYLAW OF THE TOWN OF BONNYVILLE IN THE PROVINCE OF ALBERTA TO
REGULATE AND CONTROL INTRUSION ALARM SYSTEMS.**

WHEREAS, professionally installed and monitored intrusion systems are useful instruments in deterring crime and in providing peace of mind for the users of such systems;

AND WHEREAS, the Royal Canadian Mounted Police has determined, through the collection and analysis of statistics relating to alarm responses, that many alarms have been falsely activated on a frequent basis;

AND WHEREAS, in addition to posing a threat to the safety of police officers and the public by creating unnecessary hazards, false alarms result in considerable unnecessary expense;

AND WHEREAS, the Municipal Council of the Town of Bonnyville deems it advisable to regulate and control intrusion alarm systems;

AND WHEREAS, the Municipal Council of the Town of Bonnyville deems it necessary to amend the said Bylaw No. 1351-10 – False Alarm Bylaw;

AND WHEREAS, the Municipal Council of the Town of Bonnyville wishes to provide for a fee to be paid to the Municipality for contravention of certain sections of the False Alarm Bylaw instead of a penalty fine;

**NOW THEREFORE THE MUNICIPAL COUNCIL OF THE TOWN OF BONNYVILLE
IN THE PROVINCE OF ALBERTA DULY ASSEMBLED ENACTS AS FOLLOWS:**

TITLE

1. This bylaw may be cited as the “The False Alarm Bylaw” and is hereby amended by Bylaw No. 1368-11 – “Amending False Alarm Bylaw”.

INTERPRETATION

2. In this Bylaw unless the context otherwise requires:
 - a) “agency” means an alarm monitoring agency or third party that reports the activation of an alarm system on behalf of a local business or homeowner;

- (2) “alarm system” means any mechanical or electrical device which is designed or used for the detection of an unauthorized entry into a premises, building, structure or facility or other electronic means of providing building or premises protection, which emits a sound or transmits a signal or message when activated but does not include:
- (i) a device that registers an alarm that is not audible, visible or perceptible outside of the protected premises, building, structure or facility, or
 - (ii) a device that is installed in a vehicle
- (3) “audible alarm” means an alarm system designed or used for the detection of unauthorized entry onto premises and which generates an audible sound on the premises when it is activated.
- (4) “automatic calling device” means any device, or combination of devices, that will upon activation, either mechanically, electronically or by any other automatic means, initiate a telephonic or recorded message or any other signal intended to alert another person of a security occurrence or the existence of an emergency situation and which is designated to be transmitted over regular telephone lines but does not include a device commonly referred to as a telephone.
- (5) “R.C.M.P.” means the Royal Canadian Mounted Police.
- (6) “Town” means the Town of Bonnyville, a municipal corporation, in the Province of Alberta and where the context so requires means the area contained within the corporate boundaries of the said municipality.
- (7) “false alarm” means an alarm signal necessitating response by the R.C.M.P. where crime investigation, law enforcement and other emergency services usually provided by the R.C.M.P. are not required.
- (8) “monitored alarm system” means an alarm system which is intended to send a signal to a person who is in the business of receiving that signal.
- (9) “person” means a natural person, an association of natural persons, a partnership, association, corporation company or society but, unless the context otherwise requires, does not include the Town of Bonnyville.

ALARM SYSTEMS

3. (1) (a) When a person or agency monitoring an alarm system receives an alarm from such a system such person or agency shall, before advising any member of the R.C.M.P.

of the alarm, verify that such alarm is not a false alarm.

- (b) Subsection 1. (3) (a) does not apply to a monitored alarm system installed in a bank, trust company, a credit union or a location with an alarm system to be monitored internally.
 - (c) No person shall install, maintain or use an alarm system which is not listed by or approved by a testing authority authorized by the Standards Council of Canada.
- (2)
- (a) Every person maintaining an audible alarm shall keep posted a notice in a form approved by the R.C.M.P. containing such information as the R.C.M.P. may, from time to time, require.
 - (b) Such notice shall be posted near the audible alarm in such a position as to be legible from the ground level adjacent to the premises where the audible alarm is located.
 - (c) Every person maintaining an audible alarm shall keep the R.C.M.P. informed, by notice in writing, of the names and telephone numbers of the person to be contacted in the event that the audible alarm is activated.
 - (d) The persons to be contacted pursuant to article 3.(2)(c) of this bylaw:
 - (i) shall be available to receive telephone calls made in respect of the audible alarms,
 - (ii) shall be capable of affording access to the premises where the audible alarm is located, and
 - (iii) shall attend at the premises where the audible alarm is located within thirty (30) minutes of being requested to do so by a member of the RCMP
 - (e) No person shall install, maintain or use an audible alarm that is capable of being sounded continually for a period of greater than fifteen (15) minutes after each activation.
- (3)
- (a) For the purposes of this Bylaw, "excessive false alarms" means three (3) or more false alarms in the immediately preceding twelve (12) month period.
 - (b) The following shall not be included when computing the number of false alarms which have occurred for the purposes of subsection 3. (3) (a) and when determining whether a false alarm penalty is payable pursuant to this Bylaw.
 - (i) any false alarm which can be demonstrated as actually

caused by the act of some person other than:

- (A) the property owner or renter including the officers, agents, employees, independent contractors or any other person subject to the direct or indirect control of the premises.
 - (B) the person who installed, connected, operated, maintained or serviced the alarm system, or
 - (C) the manufacturer of the alarm system, including the manufacturer's officers, agents, employees, independent contractors or any person subject to the direct or indirect control of the manufacturer.
- (c) Where an alarm system activates excessive false alarms the R.C.M.P. may by notice in writing, require the property owner, tenant or renter to have the alarm system inspected by a person knowledgeable in the installation and use of alarm systems.
- (d) Within fourteen (14) days of receipt of the notice to have the alarm system inspected, the property owner, tenant or renter shall provide the R.C.M.P. with a report in writing, in the form prescribed by the R.C.M.P. verifying that the inspection has been carried out and indicating the results of the inspection.
- (e) If the inspection report referred to in section 4.(d) indicates, in any way, that the alarm system is malfunctioning due to a fault or deficiency in the alarm system, the owner, tenant or renter shall forthwith remedy such fault or deficiency.

OFFENCES AND PENALTIES

4. (1) Any person who contravenes any provision of this Bylaw for which a penalty is not otherwise provided is guilty of an offence and liable on summary conviction to a fine of not more than TWO THOUSAND, FIVE HUNDRED (\$2,500.00) DOLLARS and not less than TWO HUNDRED AND FIFTY (\$250.00) DOLLARS and in default of payment to imprisonment for a term not exceeding one (1) year or both.
- (2) There is hereby imposed a false alarm penalty fee payable by an agency to the Town of Bonnyville in respect of contravention of Section 3. (1) (a) for each offence and subsequent offence attributable to that agency for contraventions occurring with respect to alarms originating from within the corporate limits of the Town of Bonnyville. Agencies contravening Section 3. (1) (a) shall be liable for the penalty

fees specified in Schedule "A".

- (3) No person who owns, or is in the possession of, or at whose residence or business is installed an alarm system, shall knowingly or inadvertently cause the activation of excessive false alarms as detailed in Section 3. (3) (a), in the Town of Bonnyville without being subject to a penalty fee as described in Schedule "A". Persons contravening the excessive false alarm provisions of this Bylaw shall be liable for the penalty fines specified in Schedule "A".
- (4) Where the R.C.M.P. is requested to attend at a premises as a result of the activation of an alarm system, and it is determined, that the alarm signal was a false alarm and that a false alarm penalty fee is payable, the R.C.M.P. shall notify the Town of the imposition of said penalty. The Town shall send a notice in writing by regular mail to the owner or tenant who shall pay the false alarm penalty fee imposed within thirty (30) days after the date of the written notification.
- (5) Where the R.C.M.P. receives a written notification for review, the R.C.M.P. shall, within twenty-one (21) days, review the determination that a false alarm penalty fee is payable, having regard to all the circumstances made known to the R.C.M.P. which are relevant to the subject alarm activation.
- (6) When a review is proceeding pursuant to section 4.(5), the imposition of the false alarm penalty shall be automatically stayed until such time as the said review is completed.
- (7) Upon completion of a review pursuant to section 4.(5), the R.C.M.P. shall notify the relevant parties of the result of the review.
- (8) Where the result of a review pursuant to subsection 4.(5) is the confirmation of the imposition of the false alarm penalty fee, the person shall pay the said penalty within thirty (30) days after the date of the notification of the results of the review.

5. AMENDMENT

- (1) Schedule "A" of this Bylaw may be amended by resolution of the Council of the Town of Bonnyville at any regularly constituted Council Meeting.
- (2) Bylaw No. 1368-11 "Amending False Alarm Bylaw" wishes to provide for a fee to be paid to the Municipality for contravention of certain sections of the False Alarm Bylaw instead of a penalty fine.

5. REPEAL

(1) Bylaw No. 1238-03 – False Alarm Bylaw is hereby repealed.

6. CONSOLIDATION OF AMENDING BYLAW

That Administration be authorized to prepare consolidation of this Amending Bylaw and Bylaw No. 1351-10 – False Alarm Bylaw.

7. COMING INTO FORCE

(1) This Bylaw shall come into force and effect on the date of third and final reading and being passed by the Municipal Council of the Town of Bonnyville.

CONSOLIDATED BYLAW INTRODUCED AND GIVEN FIRST READING this _____ day of _____, A.D., 2011.

Mayor

Chief Administrative Officer

CONSOLIDATED BYLAW GIVEN SECOND READING this _____ day of _____, A.D., 2011.

Mayor

Chief Administrative Officer

CONSOLIDATED BYLAW UPON UNANIMOUS CONSENT, TO PROCEED TO THIRD AND FINAL READING this _____, day of _____, A.D., 2011.

Mayor

Chief Administrative Officer

CONSOLIDATED BYLAW GIVEN THIRD AND FINAL READING this _____, day of _____, A.D., 2011.

Mayor

Chief Administrative Officer

TOWN OF BONNYVILLE

**ALARM SERVICES BYLAW No. 1351-10
SCHEDULE "A"
(Amended by Bylaw No. 1368-11, April 12, 2011)
Motion #084**

The following penalty fines will be levied to those who violate the provisions within Bylaw 1351-10 being a bylaw to regulate and control intrusion alarm systems and to mitigate the occurrence of false alarms within the Town of Bonnyville.

i) Contravention of Section 3. (1) (a)
(Agency fails to verify actual alarm)

First Offence:	\$75.00 Penalty Fine
Second Offence:	\$100.00 Penalty Fine
Third and subsequent Offences:	\$150.00 Penalty Fine

ii) Contravention of Section 3. (3) (a)
(Excessive false alarms in a year)

First Offence:	Verbal notification
Second Offence:	Written warning
Third Offence <i>(third false alarm in a 12 month period)</i>	\$50.00 Penalty Fee
Fourth Offence: <i>(fourth false alarm in a 12 month period)</i>	\$75.00 Penalty Fee
Fifth and subsequent Offences: <i>(fifth or more false alarms in a 12 month period)</i>	\$100.00 Penalty Fee