

CITY OF ST. ALBERT

BYLAW 25/2002

(Consolidated by Bylaw 28/2015, September 21, 2015)

A Bylaw to Regulate Alarm Systems.

WHEREAS Section 7 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, provides that a Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property and services provided by or on behalf of the municipality.

AND WHEREAS the Council of the City of St. Albert considers it necessary and desirable to regulate Alarm Systems being used in the City.

AND WHEREAS the Council of the City deems it necessary to include in the regulation of Alarm Systems the collection of a Response Fee from users of Alarm Systems which generate False Alarms in order to assist in reducing the costs, to the City, of False Alarms that require a response from the Royal Canadian Mounted Police.

The Council of the City of St. Albert, duly assembled, hereby ENACTS AS FOLLOWS:

Title

1. This Bylaw may be referred to as the "Alarm Systems Bylaw".

Definitions

2. In this Bylaw:
 - (a) "Alarm System" means any device designed to activate an alarm signal upon detecting:
 - (i) an unauthorized entry to a building or onto property, or
 - (ii) an emergency within a building or at a property;
 - (b) "Alarm System Permit" means a permit issued for an Alarm System under this Bylaw;
 - (c) "Calendar Year" means the period from January 1 to and including December 31 of each year;
 - (d) "City" means the municipal corporation of the City of St. Albert or, where the context so requires, the area contained within the boundaries of the City;

(e) "City Manager" means the chief administrative officer of the City of St. Albert;

(f) "Council" means the municipal council of the City of St. Albert;

(g) "False Alarm" means an alarm signal generated by an Alarm System which results in the RCMP being dispatched to a building or property where no unauthorized entry has occurred or been attempted and no emergency exists. Without limiting the generality of this definition, a False Alarm includes circumstances where the Alarm System has been activated as a result of:

- (i) testing;
- (ii) mechanical failure, malfunction or faulty equipment, or
- (iii) inadvertence, mistake, omission or negligence.

For greater certainty, if the RCMP dispatch is cancelled by an alarm company, permit/key holder, or an owner/occupant, the False Alarm shall still be deemed to have occurred.

(h) "Manager" means the individual appointed by the City Manager to be responsible for the administration of this Bylaw, and in the event no individual is so appointed, the City Manager;

(i) "Member in Attendance" means a member of the RCMP who attends or who is dispatched to a building or property at which an alarm system has been activated.

(j) "Permit Fee" means the amount so specified in Schedule "A";

(k) "Permit Holder" means a person issued an Alarm System Permit;

(l) "Re-Instatement Fee" means the amount so specified in Schedule "A";

(m) "Response Fee" means the fee required to be paid by a Permit Holder to the City as a result of a False Alarm at a building or property;

(n) "R.C.M.P." means the Royal Canadian Mounted Police (St. Albert Detachment).

(o) "Verified as Valid" means a confirmation that a criminal offence or unlawful intrusion has or is taking place, determined by a key holder, witness security guard, alarm company employee, or real time video monitor.

Alarm Verification

3. (1) No person shall contact the police to advise them of an alarm unless it is a:

- (a) multi-zone alarm
- (b) panic alarm
- (c) duress alarm
- (d) glass break alarm
- (e) hold up alarm
- (f) domestic violence alarm, or
- (g) Verified as Valid alarm

(2) Notwithstanding 3(1), a person may contact the police to advise about any alarm at a school or financial institution during normal business hours.

Requirement for a Permit

4. No person shall install or use, or permit to be installed or used, an Alarm System in or on any building or property unless the person is a Permit Holder.

Issuance of an Alarm System Permit

5. (1) The Manager shall issue an Alarm System Permit upon receipt of a completed application and payment of the Permit Fee.

(2) The Alarm System Permit shall be issued:

- (a) in the name or names of the person or persons listed as the applicant on the application; and
- (b) for the specific building or property listed on the application.

Determination of the Occurrence of a False Alarm

6. The determination of whether or not a False Alarm has occurred shall be made by the Member in Attendance.

Response Fee

7. (1) Where a False Alarm results in a RCMP officer being dispatched to a Premises the Permit Holder is liable to pay the applicable fee set out in Schedule A. The response fee shall be due and payable to the City thirty (30) days after the date that the Response Fee is invoiced by the City.

Cancellation of an Alarm System Permit

8. An Alarm System Permit is automatically canceled if:

- (a) the Permit Holder is no longer the person who is in physical possession of the building or property for which the Alarm System was

installed; or

(b) the Permit Holder no longer has responsibility for and control over the building or property for which the Alarm System was installed; or

(c) the Alarm System is relocated to a building or property not specified on the Alarm System Permit.

9. An Alarm System Permit is automatically revoked if:

(a) the Alarm System generates three (3) or more False Alarms within a six (6) month period; or

(b) the Permit Holder has failed to pay the Response Fee within thirty (30) days of being invoiced by the City.

10. The Manager shall notify a Permit Holder that their Alarm System Permit has been revoked.

Reinstatement of an Alarm System Permit

11. An Alarm System Permit that has been cancelled or revoked may be reinstated upon application by the Permit Holder if:

(a) the Permit Holder pays the Re-Instatement Fee; and

(b) the Permit Holder has paid any and all outstanding Response Fees if the revocation was pursuant to Section 9(b).

12. If an Alarm System Permit is reinstated pursuant to Section 11(a), the Alarm System Permit shall not be cancelled pursuant to Section 9(a) unless there have been three (3) False Alarms since the Alarm System Permit was reinstated.

Offence

13. (1) A person who contravenes any provision of this Bylaw is guilty of an offence.

(2) When a corporation commits an offence under this Bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.

(3) If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

- (4) In the case of an offence that is of a continuing nature, a contravention of a provision of this Bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues, and a person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such separate offence.

Fines and Penalties

14. A Person who is guilty of an offence under this Bylaw is liable
- (a) to a fine in the amount of \$300.00; or
 - (b) on summary conviction, to a fine not exceeding \$10,000.00 or to an order of imprisonment for not more than 1 year, or both.

Municipal Violation Tag

15. (1) A Peace Officer may issue, with respect to an offence under this Bylaw, a Municipal Violation Tag specifying the fine amount (including any Early Payment fine amount) as may be established by this Bylaw.
- (2) Where a Municipal Violation Tag is issued, the fine amount indicated thereon may be paid as directed in lieu of prosecution.

Violation Ticket

16. (1) A Peace Officer may issue, with respect to an offence under this Bylaw, a Violation Ticket:
- (a) specifying the fine amount established by this Bylaw; or
 - (b) requiring an appearance in court without the option of making a voluntary payment.
- (2) Where a Violation Ticket specifies a fine amount, a voluntary payment equal to the specified fine amount may be made as directed.

SCHEDULE "A"
 TO ALARM SYSTEMS BYLAW 25/2002
 (As amended September 21, 2015)
 (Rates effective January 1, 2016)

	2016
PERMIT FEES - GST Exempt	
- All Buildings	36.00
RE-INSTATEMENT FEE	337.00
RESPONSE FEE	
- First False Alarm Associated to New Permit	No Charge
- False Alarms in a Residential Building	91.43
- False Alarm in a Commercial or other type of Building or Property up to 500 sq. m. in size	119.05
- False Alarm in a Commercial or other type of Building or Property over 500 sq. m. in size	176.19