

**Summer Village of Birchcliff
False Alarm Bylaw
By-law 189-16**

**SUMMER VILLAGE OF BIRCHCLIFF
FALSE ALARM BYLAW
BY-LAW 189-16**

**A BYLAW OF THE SUMMER VILLAGE OF BIRCHCLIFF, IN THE
PROVINCE OF ALBERTA, TO CONTROL SECURITY ALARM
SYSTEMS SO AS TO REDUCE FALSE ALARMS REQUIRING
EMERGENCY AND OR FIRE DEPARTMENT RESPONSE**

WHEREAS Council of the Summer Village of Birchcliff has the authority to enact bylaws under the *Municipal Government Act*, RSA c. M-26, respecting the safety, health and welfare of people and the protection of people and property; and

WHEREAS False alarms requiring unnecessary emergency responses pose a threat to the safety of response personnel and the public by creating unnecessary hazards and delaying attendance at genuine emergencies, and result in considerable unnecessary expense to the Summer Village; and

WHEREAS Council of the Summer Village of Birchcliff deems it desirable and necessary in order to protect and preserve the safety and welfare of all its citizens that alarm systems be controlled so as to minimize false alarms.

NOW THEREFORE, Council of the Summer Village of Birchcliff, in the Province of Alberta, duly assembled, enacts the following:

PART 1 -TITLE

1 That this Bylaw shall be known as the **"False Alarm Bylaw"**

PART 2 - DEFINITIONS

2. In this Bylaw the following definitions shall apply:

2.1 "Alarm Service Provider" means a business whether carried on by an individual, partnership, or corporation or other entity and engaged in the selling, leasing, maintaining, servicing, repairing, altering, moving, installing or monitoring of a Security Alarm System;

2.2 "Alarm Dispatch Request" means a notification to a law enforcement agency that an alarm, either manual or automatic or electronic has been activated at a particular Alarm Site;

2.3 "Alarm Site" means all property, including residential and commercial property, within a single fixed premises or location served by an Alarm System or systems;

2.4 "Alarm System" means any device designed to detect an unauthorized entry, other illegal act or emergency at an Alarm Site, which, when activated, emits or transmits a local or remote audible, visual or electronic signal intended to act, or to Emergency Responders whether monitored by an Alarm Service Provider or not, but excludes a device installed in a vehicle;

2.5 "Alarm User" means any person, firm, partnership, corporation or other entity who uses and is responsible for the control of any Alarm System at its Alarm Site. There may be more than one Alarm User at any one Alarm Site;

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False Alarm Bylaw
By-law 189-16**

2.6 "False Alarm" means any activation of an Alarm System which results in a response and attendance by Emergency Responders at an Alarm Site, where no unauthorized entry to the alarmed premises or other illegal act or emergency has occurred and no similar emergency exists, no matter how that request for service is received and includes but is not limited to an Alarm System that:

- a) is activated by a mechanical failure or malfunction, or faulty equipment;
- b) is activated by the presence or movement of pets, or any other interior movement, at the Alarm Site;
- c) which is activated by any act of negligence, error or omission; or
- d) is activated by atmospheric conditions, excessive vibrations, power failure or communications failure, unless it is shown by the owner of the Alarm Site that the False Alarm was caused by a storm, lightning, fire, earthquake or act of God;

2.7 "Municipal Invoice" means a municipal invoice issued in the form prescribed by the Chief Administrative Officer on behalf of the Summer Village for cost recovery under this Bylaw;

PART 3 - FALSE ALARM RESPONSE FEES

- 3.1 When an Emergency Department is called out to respond to a False Alarm from an alarm system within a residential property, the Alarm User shall pay the applicable fees that have been charged to the Summer Village with an additional \$25 Administration processing fee.
- 3.2 Any person who is charged a response fee pursuant to this Bylaw must pay the fee within the time and manner specified on the Municipal invoice from the Summer Village setting out the response fee amount.
- 3.3 If payment is not received within the time and manner specified on the Summer Village Municipal invoice, all outstanding charges will be placed on owner's property taxes and subject to all penalties applicable.

PART 4 - DUTIES OF THE ALARM USER

- 4. An Alarm User shall:
 - a) maintain the applicable premises and the Alarm System in a manner that will minimize or eliminate False Alarms;
 - b) provide the Emergency Response Units access to the premises when an Alarm Dispatch Request is made, and where necessary ensure security for the premises such that Emergency Response resources may be released as soon as possible after responding to such a request;
 - c) not manually activate an Alarm for any reason other than an occurrence of an event that the Alarm System was intended to report.

PART 5 - GENERAL

- 5. If any provision of this Bylaw is found to be void or unenforceable, it shall not affect the validity of the remainder of the Bylaw.

PART 6 - DATE OF FORCE

- 6. That this Bylaw shall come into full force and effect upon the date on Which it is finally read and passed.

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INTRODUCED AND GIVEN FIRST READING this 17th day of September, 2015.

GIVEN SECOND READING this 17th day of September, 2015.

Joyce Megson, Mayor

Phyllis Forsyth, C.A.O.

GIVEN THIRD AND FINAL READING this 17th day of February, 2016.

Joyce Megson, Mayor

Phyllis Forsyth, C.A.O.