



DISTRICT OF NORTH SAANICH

BY - LAW NO . 1240

A BY-LAW TO REGULATE THE USE OF SECURITY ALARM SYSTEMS IN THE DISTRICT OF NORTH SAANICH

WHEREAS the Council of the District of North Saanich has determined that excessive false alarms originating from security alarm systems constitute a nuisance to the police department and to the citizens of the District of North Saanich;

AND WHEREAS Section 196(1) of the *Community Charter* provides that Council may establish fees to be paid by the owners or occupiers of real property to which fire and policing services are provided in response to a false alarm of a security alarm system;

AND WHEREAS these false alarms require emergency responses from the police posing a threat to the safety of police officers and members of the public by creating unnecessary hazards and delaying the police response to true emergencies;

AND WHEREAS under Section 8(3) of the *Community Charter* Council may by bylaw regulate, prohibit and impose requirements in relation to municipal services;

AND WHEREAS Council has determined that it necessary in relation to the provision of policing services within the District to regulate and impose requirements in respect of the installation and operation of security alarm systems;

AND WHEREAS under Section 8(6) of the *Community Charter* Council may by bylaw regulate in relation to businesses that sell, install, maintain, service or monitor security alarm systems;

THE COUNCIL OF THE DISTRICT OF NORTH SAANICH, in open meeting assembled, enacts as follows:

CITATION

1. This By-law may be known and cited for all purposes as "Security Alarm System Bylaw (2010)".

DEFINITIONS

2. In this bylaw unless the context otherwise requires:

"alarm company" means a person, partnership or corporation that sells, installs, maintains, services or monitors a security alarm system;

"alarm incident" means the activation of a security alarm system either directly or indirectly;

"alarm permit" means a permit issued pursuant to section 4.3;

“alarm system inspection report” means a report on the operating condition of a security alarm system completed by an alarm company licensed as a security alarm service under the *Security Services Act* (British Columbia), as amended or replaced from time to time;

“automatic calling device” means any device, or combination of devices, that when activated initiates a message that is designed to be transmitted over regular telephone lines;

“bylaw enforcement officer” means the official designated by the District of North Saanich to exercise the function of enforcing the requirements of this bylaw;

“Chief Constable” means the Staff Sergeant of the Sidney/North Saanich Detachment of the RCMP or designate;

“District” means the District of North Saanich;

“false alarm” means an alarm incident that results in direct or indirect notification of the police department, and where there is no evidence that is apparent to the police personnel who respond to the incident that:

- (a) an unauthorized entry has been attempted or made into a building, structure or premises;
 - (b) an unlawful act that has damaged or may have caused damage to or destruction of property has been committed or attempted within, about or in relation to a building, structure or premises; or
 - (c) any other form of emergency exists;
- and a false alarm includes but is not limited to:
- (d) the activation of a security alarm system during its testing;
 - (e) a security alarm system activated by mechanical failure, malfunction, or power failure;
 - (f) a security alarm system activated by atmospheric conditions, vibrations or power failure;
 - (g) a security alarm system activated by user error;

“monitored alarm system” means a security alarm system that when activated transmits a sound, signal or message to an alarm company;

“police” and “police department” mean the Sidney/North Saanich Detachment of the RCMP;

“security alarm system” means an assembly of mechanical or electrical devices which is designed or used for:

- (a) the detection of entry into or damage to a building, structure or premises and which emits sound or transmits a sound, signal or message when activated, but does not include a device that is installed in a motor vehicle or motor home as those terms are defined in the *Motor Vehicle Act*; or,
- (b) the transmission of a manually activated emergency signal to an alarm company, but does not include a device designed to alert in case of a medical emergency.

3. No person shall install, place or use a security alarm system unless a permit for such system has been issued pursuant to this bylaw.

- 4.1 A person seeking a permit to install, place, or use a security alarm system shall make application to the District by completing an application in the form set out in Schedule A of this bylaw. The applicant shall supply the District with any additional information regarding the application, or regarding the proposed installation, placement or use of the security system, as required by the District to determine compliance with the provisions of this bylaw.
- 4.2 The applicant shall ensure that the information provided to the District with the application is complete and accurate and shall notify the District forthwith in writing of any changes in the information supplied.
- 4.3 After considering an application submitted under subsection 4.1, the bylaw enforcement officer may issue an alarm permit authorizing installation, placement and use of a security alarm system in the form set out in Schedule A of this bylaw.
- 5.1 Every person who obtains an alarm permit shall keep the Chief Constable informed by notice in writing of the names, addresses and telephone numbers of:
 - (a) the alarm company that monitors the security alarm system; or
 - (b) at least three person who may be contacted in the event of an alarm incident.
- 5.2 The persons whose names are provided pursuant to subsection 5.1(b) shall be persons who:
 - (a) are available to receive telephone calls from the police department in the event of an alarm incident;
 - (b) are able to attend at the address of the alarm incident within thirty minutes of being requested to do so by the police department;
 - (c) are capable of affording the police department access to the premises where the alarm incident is located; and
 - (d) are capable of operating the alarm system;
 - (e) have the authority to take all necessary steps to safeguard the premises where the alarm incident occurs.
6. The Chief Constable may at any time require a permit holder to have prepared and to submit to the Chief Constable an alarm system inspection report.
7. No person shall use, operate or permit the use or operation of any automatic calling device to transmit messages concerning the report of an alarm incident to any telephone number assigned to the police department.
8. No person shall use or operate a security alarm system that, when activated, generates an audible continuous or intermittent sound for a period of greater than five minutes after the activation.
9. No person shall continue to use or operate a security alarm system that activates four or more false alarms within a twenty-four hour period.
10. Before notifying the police department of an alarm incident originating from a monitored alarm system the alarm company shall attempt to make contact with the occupier of the property by telephone or other electronic means to establish if the incident is a false alarm.

11. If in any twelve month period the police respond to three false alarms originating from one alarm system, the bylaw enforcement officer shall cause a notice to be sent to the owner and occupier of the property at which the alarm system is installed advising of the occurrence of the false alarms and of the consequences which may arise under this bylaw if further false alarms occur.
12. If in any twelve month period the police respond to four or more false alarms originating from one alarm system, there shall be imposed on the owner or occupier of the property in which the alarm system is installed a fee of \$100 for the fourth and each subsequent false alarm that results in police response. The owner, if not the occupier of the property, shall also be informed of the imposition of the fee.
13. Any fees imposed under this bylaw shall be due and payable within forty-five days of the delivery of an invoice and if unpaid on December 31st of the year in which they are imposed, shall be added to and form part of the taxes payable on the real property as taxes in arrears.
14. If in any twelve-month period the police respond to five or more false alarms originating from one alarm system, the Chief Constable may cause a notice to be sent to the owner or occupier of the property in which the alarm system is installed advising that the police may not respond to any subsequent alarms that originate from that property. The owner, if not the occupier of the property, shall also be informed
15. An owner or occupier of premises may request that Council reconsider the validity of a determination that an alarm was false by submitting a notice in writing to the District within ten days of being notified of the determination of a false alarm.

The Council must make a decision based on the written submission of the owner or occupier of the premises and the police report.
16. Any person who violates this bylaw is guilty of an offense and liable upon summary conviction to a fine not less than \$100 for the first offense and of not less than \$200 for a second or subsequent offense.

READ A FIRST TIME the 23rd day of August, 2010

READ A SECOND TIME the 23rd day of August, 2010

READ A THIRD TIME the 23rd day of August, 2010

FINALLY ADOPTED the 20th day of September, 2010




MAYOR


CORPORATE OFFICER

BYLAW NO. 1240

SCHEDULE A

**SECURITY ALARM PERMIT APPLICATION AND PERMIT
PURSUANT TO DISTRICT OF NORTH SAANICH
BYLAW NO. 1240**

ADDRESS OF ALARMED PREMISE

Address _____

Name of Applicant _____

Home Phone _____

Cell Phone _____

Email _____

OWNER INFORMATION

Same as Above

Other

Owner _____

Address _____

Home Phone _____

Cell Phone _____

Email _____

ALARM COMPANY INFORMATION

Company Name _____

Address _____

Bus. Phone _____

Cell Phone _____

Email _____