

THE CORPORATION OF RIDEAU LAKES TOWNSHIP

BY-LAW NO. 2012-84

**FALSE ALARM BY-LAW
(FALSE FIRE ALARMS)**

WHEREAS, Section 11(2) of the *Municipal Act, 2001, S.O. 2001, Chapter 25*, as amended, provides that a municipality may pass by-laws respecting the health, safety and well-being of persons;

AND WHEREAS, Section 391 of the *Municipal Act, 2001, S.O. 2001, Chapter 25*, as amended, authorizes a municipality and a local board to impose fees or charges on persons, or services or activities provided or done by or on behalf of it, and for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board;

AND WHEREAS, the Council of the Corporation of Rideau Lakes Township acknowledges the significant contribution that the installation of residential and commercial security and fire alarm systems provide with respect to break and enters, theft, crime and fire loss in our community;

AND WHEREAS, documentation shows that a significant number of fire alarm occurrences attended by the fire service are false alarms;

AND WHEREAS, attendance at fire alarms which prove false, unnecessarily diverts fire resources from potentially important and sometimes life threatening situations and is costly;

AND WHEREAS, the Council of Rideau Lakes Township wishes to maintain policies and practices that contribute to the efficient and cost effective use of limited resources in our community;

AND WHEREAS, the onus should be placed on residential and business owners who install security and fire alarm systems to ensure that they work reliably;

AND WHEREAS, this by-law is not intended to restrict any course of action or level of response deemed appropriate;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of Rideau Lakes Township enacts as follows:

1.0 DEFINITIONS

For the purpose of this By-law:

- 1.1 "Alarm"** – shall mean an assembly of mechanical or electrical devices installed for the purpose of initiating a fire and /or police response to a situation occurring in relation to the premises in which it is installed; and includes a device that emits an audible or visual signal; or causes notification to be transmitted to a remote location; but does not include a device that is installed in a motor vehicle or recreational vehicle as those items are defined in the *Highway Traffic Act*, or a device designed to alert in case of a medical emergency.
- 1.2 "Alarm Occurrence"** – shall mean the activation of an alarm and the direct or indirect reporting of the activation to the fire service or police service.
- 1.3 "Clerk"** – shall mean the Clerk of the Corporation of Rideau Lakes Township or his/her designate.
- 1.4 "False Alarm"** – shall mean a security or fire alarm occurrence in respect of a building, structure, or premises where upon attendance there is no evidence of a fire occurrence or evidence that an unauthorized entry or unlawful act has been attempted or entered into, and includes but is not limited to:
- i. The activation of an alarm during testing without prior notification;
 - ii. An alarm activated by mechanical failure, malfunction or faulty equipment;
 - iii. An alarm activated by atmospheric conditions, vibrations or power failure;
 - iv. An alarm activated by user error
- 1.5 "Fire Service"** – shall mean the Rideau Lakes Fire & Rescue
- 1.6 "Fire Department"** – shall mean the Rideau Lakes Fire & Rescue
- 1.7 "Township"** – shall mean the Corporation of Rideau Lakes Township
- 1.8 "Owner"** – shall mean any person or group of persons who is/are the owner(s) of the property as shown on the last revised assessment roll of the Township.
- 1.9 "Unreasonable Number"** – shall mean in relation to false alarms more than one (1) received from a residential or business unit or other structure within a twelve (12) month calendar period.

2.0 FALSE ALARMS

- 2.1** Every Owner of a building, structure, or premises in which an alarm has been installed shall be responsible for maintaining such alarm in proper operating order.

- 2.2** No Owner of a building, structure, or premises in which an alarm has been installed shall allow such alarm to go unmaintained or improperly handled with the effect that it results in Fire and/or Police personnel being unnecessarily or falsely called upon to respond.

3.0 FEES

- 3.1** The Township hereby imposes a fee for the demand of Fire Services which is the result of an unreasonable number of false alarms. Such fee shall be as set out in Schedule "A" attached. All Fire Services fees shall be payable to the Township for the Fire Service.
- 3.2** In the event that the owner fails to pay the required fee(s) within thirty (30) days of invoice, a penalty at the rate of 1.25% per month shall be charged for non-payment of any fees imposed pursuant to this by-law.
- 3.3** Notwithstanding any other remedy available at law, the Fire Department or Township may add the fees and any penalty thereon, imposed pursuant to this by-law, onto the tax roll for the real property of the Owner responsible for paying the fee and collect them in like manner as municipal taxes thereafter.

4.0 ADMINISTRATIVE PROCEDURE

- 4.1** All alarm occurrences received by the Fire Services shall be recorded as an Occurrence.
- 4.2** Where a Fire Service attends a premise in response to an alarm and the attendance of the Owner is requested and does not occur, with the consequence that the Fire Service are not able to enter the premises or force entry to ensure no hazard exists and finds nothing, the Fire Service may deem that the alarm was a False Alarm and record it as such.
- 4.3** The Fire Service will record and track any false alarms that have occurred.
- 4.4** Upon receipt of notification of an unreasonable number of false alarms from the Fire Service, the Fire Service and/or Clerk shall issue a False Alarm Caution Notice to the Owner advising a fee may be imposed for continued demand for services as a result of a false alarm. Such False Alarm Caution Notice shall be in the form attached hereto as Schedule "B"
- 4.5** If a further False Alarm occurs within the same twelve (12) month period of the issuance of a Caution Notice, the Fire Service and/or Clerk shall issue a Notice to the owner advising a fee has been imposed, which may be imposed for all further False Alarm(s) and is payable to the Fire Service and/or the Township. Such False Alarm Notice shall be in the form attached hereto as Schedule "C".

4.6 If cancellation of an alarm occurs prior to Fire Services full response, the alarm shall still be recorded as a false alarm as verification that it is a false alarm will be required and notice or fees shall be assessed.

5.0 NOTIFICATION

5.1 Issuance of any notice by the Fire Service and/or Clerk shall be deemed satisfied if distributed as follows:

- a) By registered mail to the Owner at the mailing address shown in the last revised assessment roll of the Township, in which case the date of notice shall be deemed to be three (3) working days after the date the registered mail was issued by the Township or Fire Service; or
- b) By personal service to the Owner, in which case the date of notice shall be deemed to be the date of personal service.

6.0 ENFORCEMENT

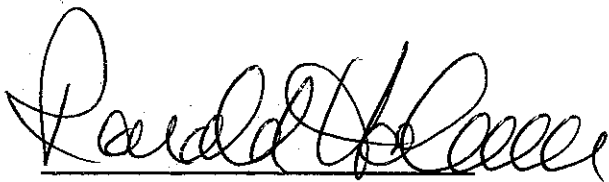
6.1 Any person who contravenes any provision of this by-law shall be guilty of an offence and shall be liable, upon conviction, to a penalty pursuant to the provisions of the *Provincial Offences Act*.

7.0 ULTRA VIRES

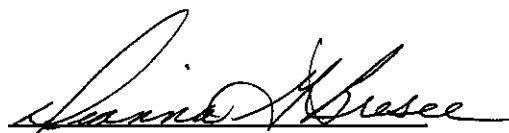
7.1 Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

8.0 EFFECTIVE DATE

ENACTED AND PASSED this 3rd day of December, 2012



Ronald Holman, Mayor



Dianna Breese, Clerk

**THE CORPORATION OF RIDEAU LAKES TOWNSHIP
BY-LAW NO. 2012-84**

SCHEDULE "A"

The following fees for service are hereby established pursuant to Section 3.1 of By-Law No. 2012-84 for each unreasonable false alarm occurrence:

First Unreasonable False Alarm	No Charge
Second Unreasonable False Alarm	\$150.00
Third and All Unreasonable Subsequent False Alarms	\$300.00

**THE CORPORATION OF RIDEAU LAKES TOWNSHIP
BY-LAW NO. 2012-84**

SCHEDULE "B"

FALSE ALARM CAUTION NOTICE

DATE: _____ TIME: _____
(OF ALARM) (OF ALARM)

LOCATION: _____ WARD: _____
(CIVIC ADDRESS)

MUNICIPALITY: _____

OWNER: _____ PHONE #: _____

OWNERS ADDRESS: SAME AS ABOVE OR AS BELOW

REPRESENTATIVE: _____

OWNER PRESENT REPRESENTATIVE PRESENT NO ONE PRESENT

SIGNATURE: _____
(OF OWNER OR REPRESENTATIVE IF PRESENT)

DATE ISSUED: _____ ISSUED BY: _____
POSITION: _____

SIGNATURE OF ISSUER: _____

In the calendar year noted above, a false alarm at the above noted location was investigated/responded to by the Rideau Lakes Fire & Rescue.

The date and time of the false alarm notification to the fire service is noted above.

Responding to false alarms imposes a considerable strain on the ability of the fire service to provide protective services to all residents, as well as exposing its staff and the public to unnecessary risks.

Pursuant to section 3 of By-Law No. 2012-84 the Township may impose a charge for continued, unnecessary demand for the fire service as a result of a false alarm.

We trust that you will take the necessary corrective action.

THE CORPORATION OF RIDEAU LAKES TOWNSHIP
BY-LAW NO. 2012-84

SCHEDULE "C"

FALSE ALARM NOTICE

DATE: _____
(OF ALARM)

TIME: _____
(OF ALARM)

LOCATION: _____ WARD: _____
(CIVIC ADDRESS)

MUNICIPALITY: _____

OWNER: _____ PHONE #: _____

OWNERS ADDRESS: SAME AS ABOVE OR AS BELOW

REPRESENTATIVE: _____

OWNER PRESENT REPRESENTATIVE PRESENT NO ONE PRESENT

DATE ISSUED: _____ ISSUED BY: _____
POSITION: _____

SIGNATURE OF ISSUER: _____

Further to our Caution Notice of _____ (date), an additional false alarm(s) at the above noted location was investigated by Rideau Lakes Fire & Rescue.

The date and time of the false alarm notification to the fire service is noted above.

Responding to false alarms imposes a considerable strain on the ability of the fire service to provide protective services to all residents, as well as exposing its staff and the public to unnecessary risks.

Pursuant to section 3 of By-Law No. 2012-84, you are required to pay the invoice attached.

The invoice fee is payable within thirty (30) days of receipt of this Notice, failing which penalty at 1.25% per month will be added. The Township may add any unpaid invoice fee and penalty, onto the tax roll for the real property of the Owner responsible for paying the fee and collect the fee in a like manner as municipal taxes.

The Township may impose additional charges for, unnecessary demand for the fire service as a result of a false alarm(s).

We trust that you will take the necessary corrective action.