

THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA

BY-LAW NUMBER 18-99

BEING A BY-LAW TO PROVIDE FOR REDUCTION IN THE NUMBER OF FALSE ALARMS REQUIRING THE DEPLOYMENT OF POLICE RESOURCES WITHIN THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA AND FOR ESTABLISHING TARIFF OF FEES

WHEREAS the Municipal Act, R.S.O. 1990, c.M45, as amended, provides that the Council may by by-law impose fees for services and activities provided by or on behalf of the Corporation of the Township of East Garafraxa.

AND WHEREAS it is expedient to impose fees for certain police services provided in the Township of East Garafraxa.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA ENACTS AS FOLLOWS:

Part 1

DEFINITIONS

1. Definitions

In this Bylaw, unless the context otherwise specifies:

- 1.1 **alarm** means any mechanical or electrical device which is designed or used for the detection of unauthorized entry into any building, structure, facility or vehicle or for alerting others to the commission of an unlawful act, or both, and which emits a sound or transmits a signal or message when activated;
- 1.2 **alarm system** means an alarm or all alarms which:
- (i) are within an enclosed physical area;
 - (ii) can be turned on or off independently of other alarms, from an operating control;
- 1.3 **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 telephone or recorded message which is designed to be transmitted over regular telephone lines;
- 1.4 **false alarm**
- a) includes but is not limited to an alarm activated unnecessarily or improperly, resulting in a police response and includes:
 - i) the testing of an alarm without notifying the Detachment Commander or his designate;
 - ii) an alarm actually or apparently activated by mechanical failure, malfunction or faulty equipment;
 - iii) an alarm activated accidentally by the owner of the premises, his agent or employee;
 - b) but does not include:
 - i) any alarm which the owner can demonstrate was actually caused by the act of some person other than -
 - a) the owner, agents, employees, independent contractors or any other person subject to the direct or indirect control of the owner;
 - 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.
- ii) a device that is installed in a vehicle.

PART 2

GENERAL

- 2.1 No person shall cause or permit a public nuisance by causing or permitting a false alarm.
- 2.2
 - a) No person shall install, maintain or use an automatic calling device designed to transmit a message to the Shelburne O.P.P.
 - b) The Shelburne O.P.P. will not respond to alarm calls made by means of an automatic calling device.
- 2.3 The owner or agent shall:
 - a) be available at any time to receive calls from a member of the Shelburne O.P.P. in respect of an alarm;
 - b) be capable of obtaining or allowing access to the premises where the alarm is located;
 - c) attend the premises where the alarm is located within thirty (30) minutes of being requested to do so by a member of the Shelburne O.P.P. following the activation of the alarm, and
 - d) identify, where there is more than one alarm system within a building, which alarm system has experienced an activation of an alarm.
- 2.4 The agency having the responsibility of monitoring alarms shall verify by suitable means the validity of an alarm received at the monitoring location prior to contacting the Shelburne O.P.P. for a response.
- 2.5 Every person who contravenes the provisions of this policy will, after the second false alarm in a twelve-month period, receive a written warning notice. Upon the third and each successive false alarm within any twelve-month period:
 - a) a fee of \$500 shall be charged and payable to the Township of East Garafraxa. Such payment is to be received within fifteen (15) days of Notice of Invoice.
 - b) Any amount not paid shall be added to the owner's taxes and collected in like manner as taxes.

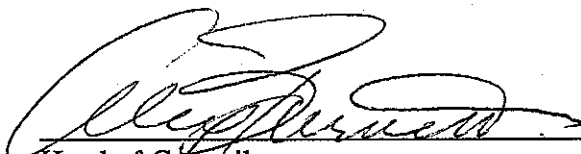
PART 3

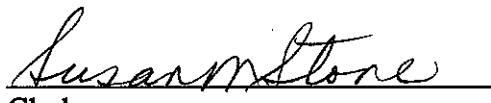
ENACTMENT

This by-law shall take effect and come into force on the 1st day of January, 2000.

BY-LAW READ A FIRST AND SECOND TIME THIS 7 DAY OF DECEMBER, 1999.

BY-LAW READ A THIRD TIME AND PASSED THIS 7 DAY OF DECEMBER, 1999.


Head of Council


Clerk