

Town of Valleyview

BYLAW # 2009-04

OF THE TOWN OF VALLEYVIEW IN THE PROVINCE OF ALBERTA

A BYLAW OF THE TOWN OF VALLEYVIEW IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE PURPOSE OF REGULATING AND CONTROLLING ALARM SYSTEMS.

THE MUNICIPAL COUNCIL OF THE TOWN OF VALLEYVIEW, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

TITLE

This Bylaw may be cited as the "False Alarm Bylaw" of the Town of Valleyview

SECTION 1. - DEFINITIONS

- 1.1 **Alarm Signal** means a telephone request for emergency police or fire department services;
- 1.2 **Alarm Business** means any persons or corporations who:
 - a) is engaged in the business of selling, installing, leasing maintaining, repairing, replacing or servicing of alarm systems;
 - b) monitors alarm systems and reports to the police or fire department when an alarm system has been activated; or
 - c) as a part of regular business activities, responds to any building, structure or facility in which an alarm system has been activated.
- 1.3 **Alarm System** includes a device or devices designed to activate an alarm signal but excludes a device that is installed in a vehicle;
- 1.4 **Alarm Site** means a single fixed premise or location served by an alarm system. Each tenancy shall be considered a separate alarm site;
- 1.5 **Peace Officer** means a member of the Royal Canadian Mounted Police, a Community Peace Officer or a Bylaw Officer;
- 1.6 **False Alarm** means an activation of an alarm system which results in a response by the Royal Canadian Mounted Police or the Valleyview Fire Department where unauthorized entry to the alarmed premises has not occurred and no Police or Fire Department emergency exists, but does not include:

- a) any False Alarm which the organization or individual can demonstrate was caused by a storm, lightening, fire, earthquake or act of God; or
 - b) any False Alarm which the organization or individual can demonstrate was actually caused by the act of some person other than the organization, including the organizations or individuals officers, agents, employees, independent contractors or any other person subject to the direct or indirect control of the organization or individual;
- 1.7 **Fire Department** means the Fire Chief and/or any other member of the Valleyview Fire Department
- 1.8 **Keyholder** means any person who does not live at the premises protected by an alarm but wo is capable of providing entry to such premises
- 1.9 **Violation Ticket** means a ticket issues pursuant to Part II of the Provincial Offences Procedures Act R.S.A. 2000 c.P34 as amended, and regulations there under and as referred to in Section 2 below

SECTION 2. – ALARM SYSTEMS

- 2.1 Every person maintaining an alarm system shall keep posted a notice of the Alarm Business monitoring the alarm site.
- 2.2 Such notice shall be posted near the alarm in such a position to be legible from the ground level adjacent to the premises where the alarm system is located.

SECTION 3. – KEYHOLDERS

- 3.1 Every person maintaining an alarm shall keep the Alarm Business informed, by notice in writing, of the current names and telephone numbers of the persons to be contacted in the event that the alarm is activated
- 3.2 Every Alarm Business shall maintain a list of Keyholders
- 3.3 The Keyholder:
- a) shall be available to receive telephone calls made in respect of the alarms
 - b) shall be capable of affording access to the premises where the alarm is located; and

- c) shall attend at the premises where the alarm is located within 20 minutes of being requested to do so by the alarm monitoring service or a member of the Royal Canadian Mounted Police or the Valleyview Fire Department

SECTION 4. – MONITORING OF ALARM

- 4.1 A person who monitors an alarm system and who informs any member of the RCMP or Fire Department that the monitored alarm has been activated shall cause a person capable of affording access to the premises where the alarm is located to attend at such premises within (20) twenty minutes of such notice.
- 4.2 No person shall use, maintain or install, or permit the use, maintenance or installation of any alarm system which transmits a message to any telephone number assigned to the RCMP or Fire Department

SECTION 5. – OFFENCE AND PENALTY

- 5.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon summary conviction to a penalty as set out in Schedule “A” and costs

SECTION 6. – VIOLATION TICKETS

- 6.1 A Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to PRT II of the Provincial Offences Procedures Act R.S.A 2000, c.P-34 as amended, to any person who the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw

SECTION 7. – MISCELLANEOUS

- 7.1 Should any provision of the Bylaw be found void or unenforceable, then it is the express intention of the Council to the Town of Valleyview that such void or unenforceable sections be severed from the Bylaw and the balance remain in full force and effect.

This Bylaw shall come into effect upon third reading

Read a first time this 9th day of March, 2009
Read a second time this 23rd day of March, 2009
Read a third time 23rd day of March, 2009

Mayor

Director of Administration

TOWN OF VALLEYVIEW

BYLAW 2009-04

SCHEDULE "A" PENALTIES

5.1 Response by Peace Officer:

a) First and second False Alarm -		Written Warning
b) Third false alarm within a period of 12 months commencing from the date of the first false alarm		
	Residential	\$75.00
	Business	\$125.00
c) Fourth false alarm within a period of 12 months commencing from the date of the first false alarm		
	Residential	\$125.00
	Business	\$200.00
d) Fifth and subsequent false alarm within a period of 12 months commencing from the date of the first false alarm		
	Residential	\$200.00
	Business	\$300.00

5.1 Response by Fire Department:

e) First and second False Alarm -		Written Warning
f) Third false alarm within a period of 12 months commencing from the date of the first false alarm		
	Residential	\$100.00
	Business	\$200.00
g) Fourth false alarm within a period of 12 months commencing from the date of the first false alarm		
	Residential	\$150.00
	Business	\$200.00
h) Fifth and subsequent false alarm within a period of 12 months commencing from the date of the first false alarm		
	Residential	\$300.00
	Business	\$500.00