



THE CORPORATION OF THE CITY OF PORT COQUITLAM

BYLAW NO. 3104

A Bylaw to reduce false Alarms

The Municipal Council of The Corporation of the City of Port Coquitlam, in open meeting assembled, enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as the “False Alarm Bylaw, 1997, No. 3104”.

2. DEFINITIONS

For the purposes of this Bylaw, the following words and terms will have the meanings hereby ascribed to them unless the context otherwise requires:

"alarm incident" means the activation of a security alarm system or fire alarm system and the direct or indirect reporting of the activation to the Police Department or the Fire Department;

"false alarm" means the activation of an alarm system that results in a response from the RCMP or Fire Department where a situation requiring such response does not exist or does not appear to exist, and includes a situation where:

- i) the alarm system has malfunctioned;
- ii) the alarm system has been activated in error;
- iii) the alarm system has been activated during testing; or
- iv) there is no evidence of illegal entry or attempted illegal entry.

"fire alarm system" means a device or devices installed on or in real property and designed to issue a warning of a fire by activating an audible alarm signal or alerting a monitoring facility, but does not include a fire alarm system that is intended to alert only the occupants of the dwelling unit in which it is installed;

"monitoring service" means a person, partnership or company engaged in the business of monitoring alarm systems and reporting the occurrence of alarms to the police;

"security alarm system" means a device or devices installed on or in real property and designed to warn of criminal activity or unauthorized entry by activating an audible alarm signal or alerting a monitoring facility;

3. OWNER'S RESPONSIBILITIES

The owner or occupier of real property shall be responsible for the proper use, installation, maintenance, and operation of any security alarm system or fire alarm system installed on or in the real property in order to ensure the prevention of false alarms.

4. NOTICES TO POLICE AND FIRE DEPARTMENTS

Every owner or occupier of real property who uses a security alarm system or fire alarm system must keep the Police Department and the Fire Department informed by notice in writing of the names, addresses and telephone numbers of:

- a. a Monitoring Service, if applicable, or
- b. at least three persons who will be known as Property References;

who may be contacted in the event of an alarm incident.

5. PROPERTY REFERENCES

The Property References whose names are provided pursuant to Section 4 must be persons who are:

- a. available to receive telephone calls from the Police Department or Fire Department in the event of an alarm incident;
- b. able to attend at the address of the alarm incident within thirty (30) minutes of being requested to do so by the Police Department or Fire Department;
- c. capable of affording the Police Department or Fire Department access to the premises where the alarm incident is located; and
- d. capable of operating the alarm system and able to safeguard the premises;

6. MONITORING SERVICE TO TELEPHONE PREMISES FIRST

It shall be an offence for a Monitoring Service to report an alarm to the Police Department, other than a hold-up alarm, unless it has first placed a telephone call to the premises from which the alarm was sent to verify that the alarm incident is not a false alarm.

7. FEES TO BE CHARGED FOR ATTENDANCE AT FALSE ALARMS

The owner or occupier of real property to which the services of the Police Department or the Fire Department are provided in response to a false alarm shall pay to the City, the following fees:

- a. for the first two false alarms in the calendar year there shall be no fee; and
- b. for the third and fourth false alarm in the calendar year the fee shall be \$150.00; and
- c. for the fifth false alarm and each subsequent false alarm in the calendar year, the fee shall be \$300.00.

8. INVOICING

Where a fee is charged, the City will invoice the owner of the real property for the response service.

9. WHEN INVOICE DUE

An invoice issued under this bylaw is due and payable upon receipt.

10. COLLECTION OF FEES

Any fees remaining unpaid at December 31st (and where the bill is more than 30 days in arrears) will be added to and form part of the taxes payable on the real property as taxes in arrears.

11. FURTHER REGULATIONS

- a. Every owner or operator of a Security Alarm System that is monitored through an Alarm Company or Guard Service must instruct such company or service to contact the owner or operator or a designated representative before contacting the Coquitlam RCMP.

- b. Unless cancellation of the alarm is made prior to the RCMP members attending the scene, then every owner or operator of a Security System must attend at, or ensure that his or her representative attends at the property within 30 minutes of being notified of an Alarm Incident by the Alarm Company or Guard Service, and must remain at the Property until the Coquitlam RCMP can attend in response to the Alarm Incident, and completes the investigation of the Alarm Incident.
- c. Where an owner or operator of a Security Alarm System fails to comply with Section 11(b), such owner or operator will be bound, without appeal, to the decision of the attending officer or officers of the Coquitlam RCMP as to whether or not the Alarm Incident was a False Alarm. The Coquitlam RCMP must be notified within 24 hours by the owner or operator of the Security Alarm System of any evidence that he or she believes to prove that there was either an unlawful entry or unlawful act in respect tot the Property which triggered the Alarm Incident. The RCMP will review the evidence and the determination of a False Alarm with respect to the Alarm Incident.
- d. Where an owner or operator of a Security Alarm System has complied with Section 11(b) and disagrees with the determination of the Coquitlam RCMP as to the occurrence of a False Alarm, he or she may, by written notice to the RCMP citing all reasons for disagreeing with the False Alarm determination, ask for a review of the determination by the Inspector of the Coquitlam RCMP. The Inspector’s decision will be final and binding on all parties.”

12. FEES

All fees collected become the property of the City.

13. GENERAL PENALTY PROVISION

Every person who contravenes or violates any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or violation of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence and, upon summary conviction therefore, shall be liable to a fine of not more than the maximum fine provided by the *Offence Act*.

Read a first time by the Municipal Council this 12th day of May, 1997.

Read a second time by the Municipal Council this 12th day of May, 1997.

Read a third time by the Municipal Council this 12th day of May, 1997.

Reconsidered, finally passed and adopted by the Municipal Council of The Corporation of the City of Port Coquitlam this 26th day of May, 1997.

L.M. TRABOULAY
Mayor

SUSAN RAUH
City Clerk

Record of Amendment

<u>Bylaw No.</u>	<u>Amended Section</u>
3252	2, 11 a, b, c, d