

A CONSOLIDATION OF A BYLAW OF THE CITY OF LETHBRIDGE TO
PROVIDE FOR ALARM SYSTEMS FOR
THE CITY OF LETHBRIDGE

WHEREAS it is acknowledged that alarm systems may contribute to the reduction of property losses sustained in residential and commercial break and enters;

AND WHEREAS it is acknowledged that alarm systems may contribute to the prevention of property related crimes;

AND WHEREAS long term collection of information relating to the activation of alarm systems discloses that a majority of the activations constitute false alarms;

AND WHEREAS by receiving emergency response from the police, false alarms increase the risk of motor vehicle collisions and delay police attendance at genuine emergencies;

AND WHEREAS the inefficient use of publicly funded police resources establishes a need for improved verification of alarms, a need for monitoring of alarm systems and a need for partial recovery of the costs associated with police response to false alarms;

AND WHEREAS following the enactment of this Bylaw the Lethbridge Police Service shall respond to alarms pursuant to the provisions of same.

NOW THEREFORE, THE COUNCIL OF THE CITY OF LETHBRIDGE, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the Alarm Systems Bylaw.
2. In this Bylaw, unless the context requires otherwise:
 - (a) **Alarm business** means any person or persons who:
 - (i) engage in the business of selling, installing, leasing, maintaining, repairing, replacing or servicing of alarm systems;
 - (ii) monitor alarm systems and report to the Police Service when an alarm system has been activated; or

- (iii) as part of regular business activities, respond to any building, structure or facility in which an alarm system has been activated; and
 - (iv) Is the holder of a valid City of Lethbridge business license allowing them to operate as an alarm business within the City of Lethbridge.
- (b) **Alarm site** means a single fixed premise or location served by an alarm system or systems. Each tenancy shall be considered a separate alarm site.
- (c) **Alarm System Permit Coordinator** means the persons who accepts, evaluates and issues, where appropriate, alarm system permits on behalf of the City of Lethbridge.
- (d) **Alarm system** means any system, device or series of devices, including, but limited to those designed or marketed to detect unlawful or emergent circumstances at an alarm site, or for alerting others of the existence of such circumstances through the means of an electronic signal or other perceptible signal, but does not include:
- (i) Motor vehicle alarms;
 - (ii) A device that registered an alarm that is not in any manner perceptible outside of the alarm site;
 - (iii) A device that only direct dials the owner or keeper of the alarm site.
- (e) **Automatic calling device** means any device or combination of devices, that will, when activated by mechanical, electronic or other means, transmit a signal or message to an alarm business indicating that an alarm system has been activated.
- (f) **Chief of Police** means Chief of Police of the Lethbridge Police Service or his designate.
- (g) **City Council** means the Council of the City of Lethbridge.
- (h) **False alarm** means the activation of an alarm system when there is no unauthorized entry into nor any other emergency situation in or on any property and includes, without limitation:
- (i) the testing of an alarm which results in a request for service to the

Police Service;

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- (ii) an alarm which is activated by mechanical failure or malfunction, or faulty equipment which results in a request for service to the Police Service;
- (iii) an alarm which is activated by any act of user negligence, error or omission which results in a request for service to the Police Service; and
- (iv) an alarm which is activated by atmospheric conditions, excessive vibrations, power failure or communications failure which results in a request for service to the Police Service.

(i) **Permit holder** means the holder of an alarm system permit.

(j) **Police Service** means the Lethbridge Police Service.

(k) **Property** means and shall include lands, buildings and any other structures whatsoever.

3. (1) No person shall operate or permit the operation of an alarm system for which a valid permit has not been issued pursuant to this Bylaw.
- (2) No person shall enter into an agreement to monitor an alarm system that does not have an existing alarm permit.
- (3) No person shall repair or upgrade an alarm system that does not have an existing alarm permit.
- (4) No person shall knowingly continue to convey alarms to the police from an alarm site where the alarm permit has been suspended, revoked or otherwise cancelled.

4. (1) In order to apply for an alarm permit, or the reinstatement of an alarm system permit, the owner, landlord, lessee, occupant or an agent for any of them, of property in which an alarm system has been or is about to be installed, shall submit an application for such permit.

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(2) The application shall be in the form prescribed by the Chief of Police and shall contain the following information:

- (a) The name, residential address and personal telephone number of the person applying for the permit.

- (b) The address and telephone number of the alarm site.
 - (c) The name, mailing address and required telephone numbers of the company that will monitor the alarm (if applicable).
 - (d) The name, address and telephone number of the installer of the alarm.
 - (e) The name and telephone numbers of two (2) persons that are authorized by the permit holder to attend and lawfully access the alarm site.
 - (f) Any other relevant information that the Chief of Police may require.
- (3) Each alarm system permit shall contain an alarm system permit number and shall be displayed at the alarm site in the manner prescribed.
 - (4) Upon receiving the alarm system permit, the permit holder shall immediately convey all the information referred to in Subsection (2) as well as the alarm system permit number to any alarm business which monitors the alarm system.
 - (5) Upon being contracted to monitor an alarm system, an alarm company shall notify the Alarm System Permit Coordinator of the receipt of the contract and the duration of the contract.

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(6) DELETED

- (7) An alarm permit may be suspended or revoked pursuant to process prescribed in Sections 7 and 9.

- 5. (1) In the event that the information referred to in Subsection 4 (2)(b) through 4(2)(f) inclusive, changes, the permit holder shall, in writing, immediately notify the Alarm System Permit Coordinator and any alarm business which monitors the alarm system.

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6. (1) DELETED
- (2) The Alarm Systems Permit Coordinator may establish standards related to the issuance, renewal and reinstatement of alarm permits.
- (3) An alarm system permit may not be transferred from the original permit holder to any other person.
- (4) An alarm system permit may not be transferred to an address other than that for which it is issued.
7. (1) A person who has been refused an alarm system permit may, within 30 days of being notified of the refusal by the Alarm System Permit Coordinator, appeal to the Chief of Police or his designate, in writing, to reconsider the decision of the Alarm System Permit Coordinator.
- (2) An application to the Chief of Police to reconsider the refusal does not invalidate the original decision.
- (3) Upon considering the refusal, the Chief of Police may uphold the refusal, overturn it and direct the issuance of an alarm system permit, or refer the matter back to the Alarm System Permit Coordinator for reconsideration.
8. (1) Where an alarm business receives a report of an alarm from an alarm site, whether through an automatic calling device or by other means, the alarm business shall, before notifying the Police Service, make all reasonable attempts to verify that the alarm is not a false alarm.
- (2) For the purpose of this section, reasonable attempts to verify that an alarm is not a false alarm shall include, but not be limited to the consideration of the following:
 - (a) Date of installation of the alarm system.
 - (b) Technical characteristics of the alarm system.
 - (c) Location of the cause for the alarm within the property.
 - (d) Number of false alarms in the preceding twelve months.
 - (e) Number of false alarms since the date of the installation of the alarm system.
 - (f) Date and nature of the last reported alarm.
 - (g) History of unauthorized entry to the property.
 - (h) Likelihood that the alarm was activated inadvertently by a person who

- is authorized to be on the property.
- (i) Results of the attempted telephone contact with the property.
 - (j) Likelihood that the alarm was caused by atmospheric conditions, excessive vibrations, power failure or communication failure.
- (3) The alarm business notifying the Police Service pursuant to Section 8(2) shall:
- (a) Convey the alarm system permit number and any other information that might be reasonably required by the Police Service.
 - (b) Continue with all reasonable attempts to verify that the alarm is not a false alarm.
 - (c) Make all reasonable attempts to have an authorized person attend at the property of the alarm.
 - (d) Make reasonable attempts to cancel police attendance at a known false alarm.
9. (1) Where an alarm system generates three (3) or more false alarms during the duration of the alarm permit, inclusive of any periods of suspension, the permit holder shall pay the City of Lethbridge a response fee relating to each dispatch of a member of the Lethbridge Police Service or any other Emergency service in the amount set out in Schedule "B" of this Bylaw.
- (2) If the response fee referred to in Section 9(1) is not paid within 45 days of the receipt of the notice indicating that the Lethbridge Police Service responded to a false alarm at the permit site, the alarm system permit may be suspended.
- (3) The notice referred to in Section 9(2) shall be mailed by ordinary mail to the last known address of the permit holder and shall be deemed to have been received within 7 days of mailing.
10. (1) The Police Service shall refund the fee referred to in Section 9(1) to the permit holder if satisfied that the request for service by the alarm business was not the result of a false alarm.
- (2) The fee shall not be refunded to the alarm permit holder if the request for service is determine to be the result of a false alarm.

11. (1) An alarm shall not be classified as false if the alarm business or the alarm permit holder:
 - (a) Informs the Police Service prior to the arrival of a police member that police attendance at the location of the alarm is no longer required.
 - (b) Furnishes evidence that the alarm was caused by an unlawful act or emergency situation.

12. (1) An alarm site will be permitted two (2) false alarms within the period for which the permit was issued without consequence to the permit holder.
 - (2) Upon an alarm system generating a third false alarm during a permit period, the permit holder shall produce written certification from their alarm company demonstrating that the cause or causes of the false alarms have been addressed and repaired.
 - (3) Upon an alarm system generating a fifth false alarm during a permit period, the permit holder shall produce a second written certification from their alarm company demonstrating that the cause or causes of the false alarms have been addressed and repaired.
 - (4) A permit holder that fails to comply with Section 12(2) or Section 12(3) may have their alarm permit suspended.
 - (5) An alarm site that generates six or more false alarms during the permit period shall have its permit suspended.

13. No person shall provide, use, maintain or install, permit the use, maintenance or installation of any automatic calling device which is programmed to access a telephone number of any emergency service, or emergency service provider in the City of Lethbridge.

14. A person who contravenes any provision of this Bylaw is guilty of an offence and liable to a fine not exceeding \$500.00.

15. It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein. It is further the intention of Council that if any provision of this Bylaw be declared invalid, that all other provisions shall remain valid and enforceable.
16. This Bylaw shall come into full force and effect on the 1st day of January, 2001.

SCHEDULE 'A'

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DELETED

SCHEDULE 'B'

FEE FOR SERVICE FOR RESPONSE TO FALSE ALARMS

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|-----------|---|--------------|
| 1. | 0 – 2 False Alarms: | \$0 |
| 2. | 3rd and each subsequent false alarm: | |
| | i. Residential | \$75 |
| | ii. Commercial | \$150 |
| 3. | Monitoring company continuing to convey alarms
on a suspended or revoked permit: | \$150 |