

**CITY OF YORKTON
BYLAW NO. 2/2009**

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**CITY OF YORKTON
SASKATCHEWAN**

BYLAW NO. 2/2009

**A BYLAW OF THE CITY OF YORKTON IN THE PROVINCE OF SASKATCHEWAN
TO PROVIDE FOR A FALSE ALARM BYLAW**

The Council of the City of Yorkton in Council assembled enacts as follows:

Purpose

1. The purpose of this Bylaw is to reduce "Emergency Services" responses to false alarms by promoting the proper use and maintenance of alarm systems through the establishment of fees for attending false alarms and the conditions for the suspension of Emergency Services' response to alarms.

Statutory Authority

2. The authority for this Bylaw is sections 8 and 332, and clause 333(1)(d) of *The Cities Act*.

Definitions

3. In this Bylaw:

“Alarm Company” means a person engaged in selling, leasing, maintaining, repairing, altering, replacing, moving, installing or monitoring alarm systems;

“Alarm Coordinator” means the person or persons designated by the Chief to carry out the administration of this Bylaw;

“Alarm Owner” means an owner or tenant of an alarm site;

“Alarm Site” means a single fixed premises or location within the City that is served by an alarm system or systems and includes a condominium unit and an apartment suite;

“Alarm System” means any device or series of interconnected devices that is designed to detect an unauthorized entry into, or an emergency at, an alarm site, which, when activated, emits or transmits a local or remote audible, visual or electronic signal intended to summon "emergency services", whether monitored by an alarm company or not, but does not include an alarm installed in a vehicle unless the vehicle is permanently located at an alarm site;

“Alarm User” means any person who is lawfully present at, or in possession of, an alarm site;

“Board” means the Protective Services Committee of the City;

“Cancellation” means the event of a monitoring Alarm Company verifying that a false alarm has occurred and notifying the Emergency Service of the false alarm;

“Chief” means the Yorkton Municipal RCMP Detachment Commander or his delegate.

“City” means the municipal corporation of the City of Yorkton and includes the area within the City’s boundaries where the context requires;

“Conversion” means the event of an alarm company beginning to monitor a previously unmonitored alarm system or an alarm system previously monitored by another alarm company;

“Director” means the Director of Finance of the City or a representative designated by the Director.

“Dispatch Request” means a notification to 'Emergency Services' that an alarm, either manual or automatic, has been activated at an alarm site for the purpose of summoning the Police to investigate the alarm site;

“Emergency Services” means EMS, Fire and Police services within the City;

“EMS” means Emergency Medical Services within the City;

“False Alarm” means an activation of an alarm system when there is neither an unauthorized entry into, nor any other emergency, at the alarm site and includes an activation due to:

- (a) The testing or servicing of the alarm system;
- (b) The mechanical failure or malfunction of the alarm system;
- (c) Alarm user or alarm company error;
- (d) The presence of the pets of an alarm user at the alarm site;
- (e) Atmospheric conditions, vibrations, power failure or other phenomena;
- (f) The movement of anything at the alarm site other than the movement of a person unlawfully entering or at the alarm site; and
- (g) The activation of a glass-break detector due to an event other than glass breaking;

“Fire” means Emergency Fire Services within the City;

“Monitoring” means the process of an alarm company receiving signals from an alarm system for the purpose of making a dispatch request when the alarm system is activated;

“Panic Alarm” means an alarm system signal generated by the manual activation of an alarm system that is intended to signal a life threatening situation or a crime in progress requiring an immediate response and includes a duress alarm and an holdup alarm;

“Police” means the Yorkton Municipal RCMP Detachment or a police officer engaged by the Police where the context requires;

“Response” means an Emergency Services response to a dispatch request where a cancellation is not made within four minutes of the dispatch request, whether or not a Emergency Services unit is dispatched to the alarm site;

“Takeover” means the event of an alarm owner taking over control of an existing alarm system previously owned by another alarm owner;

"Cost Recovery Fees" means those fees assessed by the director for false alarms attended in excess of the maximums outlined in this bylaw.

Alarm Coordinator

4. The Alarm Coordinator will:
 - (a) Determine the manner and form of dispatch requests and cancellations;
 - (b) Review all false alarm calls each calendar month attended by one or all of the Emergency Services and determine if they meet the parameters of "False Alarm" as defined in the bylaw.
 - (c) Report all false alarms by the monitoring company, or in the instance of a private owner, by owner of the property to the director.

Director:

5. The Director will:
 - (a) Review the report of the Alarm Coordinator and assess the cost recovery fees for all attended false alarms in excess of the maximum allowable, which will be as noted:
 - i. Ten (10) False Alarm calls per company.

- ii. Three (3) False Alarms Attended to properties having alarms and not monitored by an alarm company.
- (b) Prepare and send invoices to the Alarm Monitoring Companies and Private Alarm Owners exceeding the maximum as per the fee schedule.

Duties of Private Alarm Owners:

- 6. (1) For each alarm site that is not monitored, the alarm owner must:
 - (a) Make every reasonable effort to maintain the alarm site and the alarm system at the alarm site in a manner that will minimize or eliminate false alarms
 - (b) Make every reasonable effort to or cause a representative to attend the alarm site within 30 minutes of being asked by Emergency Services to deactivate an alarm system that is emitting a false alarm.
 - (c) Ensure all invoices received are paid within thirty (30) days of receipt.
- (2) Anyone who becomes an alarm owner of an alarm site due to a takeover is deemed to be an alarm owner of a new alarm site.

Duties of Alarm Companies

- 7. Each alarm company must:
 - (a) Ensure they have a valid City of Yorkton Business license.
 - (b) Reasonably attempt to verify every alarm signal, except for a panic alarm signal, before making a dispatch request.
 - (i) Advise Emergency Services of the type of alarm activation and the location of the activation at the alarm site;
 - (ii) Make every reasonable effort to contact the alarm owner or the alarm owner's representative;
 - (c) Ensure all cost recovery invoices received are paid with in thirty (30) days of receipt.

Cost Recovery Fees:

All fees are based on a fee schedule outlined in Appendix A.

Duties of Alarm Companies

8. The Alarm Coordinator may suspend Emergency Services' response to an alarm site based on a dispatch request based on the following criteria.
 - (a) The failure to pay cost recovery invoices in the excess of three months.
 - (b) Failure to obtain or retain a valid business license from the City of Yorkton.

Appeal to Chief

9. (1) A private alarm owner or monitoring alarm company who is dissatisfied
 - (a) The failure to pay cost recovery invoices in the excess of three months.
 - (b) Failure to obtain or retain a valid business license from the City of Yorkton.

Invoicing

10. The City will issue invoices for the fees assessed pursuant to this Bylaw at such times in such a manner as the Director considers appropriate.
11. (1) Subject to subsection (5), the total amount of an invoice is due and payable thirty (30) days after an invoice is issued to the private alarm owner or monitoring alarm company.
 - (2) Any amounts not paid within sixty (60) days of becoming due and payable may be subject to a late payment penalty fee in accordance with the bylaw fees schedule (Appendix A).
 - (3) Any cheque returned to the City by the financial institution of an alarm owner or a monitoring company for any reason will be assessed the charge established by the City.

- (4) Amounts assessed pursuant to (2) and (3) are due and payable immediately upon being assessed.
- (5) All invoices can be paid by mail or at locations designated by the Director.

Service

- 12. (1) Invoices, cautions, warnings and notices of suspension may be given or served:
 - (a) Personally.
 - (b) Through the regular mail to the last known mailing address of the person being served.

Effective Date of Bylaw

This bylaw shall come into force and take effect on the date of final passing thereof.

MAYOR

CITY CLERK

Introduced and read a first time this 26th day of January, A.D., 2009.

Read a second time this 9th day of February, A.D., 2009.

Read a third time and adopted this 9th day of February, A.D., 2009.

APPENDIX "A"
To Bylaw No. 2/2009

Schedule of Fees and Payment

<u>Section</u>	<u>Description</u>	<u>Fee</u>
10 (1)	Subsequent false alarms attended by Emergency Services which exceeds the minimums outlined in 5(a) of the bylaw.	\$50.00
11 (2)	Registration fees and/or fees allocated and Delinquent more than 60 days of notice.	\$10.00/month

All fines neglected may result in forfeiture of business licenses and/or applied against properties belonging to individuals or companies within the City of Yorkton.