



CITY OF EDMONTON

BYLAW 10922

ALARM SYSTEMS BYLAW

(CONSOLIDATED ON JUNE 12, 2001)

BYLAW 10922

ALARM SYSTEMS BYLAW

Whereas, pursuant to section 7 of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting, inter alia, the following matters:

- a) the safety, health and welfare of people and the protection of people and property;
- b) businesses, business activities and persons engaged in business;
- c) the enforcement of bylaws; and

Whereas, pursuant to section 8 of the *Municipal Government Act*, a council may, in a bylaw, inter alia:

- a) regulate or prohibit;
- b) provide for a system of licenses, permits or approvals;

Edmonton City Council enacts:

(S.2, Bylaw 12596, June 12, 2001)

PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

PURPOSE	1	The purpose of this bylaw is to regulate the use of Alarm Systems within the City of Edmonton to assist in the reduction of False Alarms requiring a response.
DEFINITIONS	2	In this bylaw, unless the context otherwise requires: <ul style="list-style-type: none"> (a) “Alarm Business” means any person in the business of: <ul style="list-style-type: none"> (i) selling, leasing, installing, maintaining, repairing, replacing or servicing Alarm Systems, (ii) monitoring Alarm Systems and reporting activated alarms to a law enforcement agency, or (iii) responding to any Premises in which an Alarm System has been activated; (b) “Alarm System” means any device which detects an unauthorized entry to, or an Emergency on, a Premises;

- (c) **“Chief of Police”** means the chief of the Edmonton Police Service or his delegate;
- (d) **“Emergency”** includes a situation in which there is imminent danger to public safety or of serious harm to property;
- (e) **“False Alarm”** means the activation of an Alarm System when there is:
 - (i) no unauthorized entry or attempted entry to a Premises, or
 - (ii) no other Emergency on a Premisesand for greater certainty includes the activation of an Alarm System by:
 - (iii) testing,
 - (iv) mechanical failure, malfunction or faulty equipment,
 - (v) inadvertence, mistake, omission or negligence, or
 - (vi) atmospheric conditions, vibrations, power failure or communications failure;
- (f) **“Permit”** means a permit for the operation of an Alarm System issued pursuant to this bylaw;
- (g) **“Permit Holder”** means a person who has been issued a Permit;
- (h) **“Premises”** includes lands, buildings and any other structure whatsoever.
- (i) **“Proprietor”** includes any person who:
 - (i) is named as an owner on a certificate of title for a Premises, or
 - (ii) has care or control of a Premises.
- (j) **“Violation Ticket”** means an Offense Ticket as defined in Bylaw 7083, the Penalties Bylaw, or a Violation Ticket as defined in the *Provincial Offences Procedure Act*.

**RULES FOR
INTERPRETATION**

- 3 The marginal notes and headings in this bylaw are for reference purposes only.

PART II - PERMITS

- 4 The Proprietor of a Premises having an Alarm System in operation shall ensure that a valid and subsisting Permit is issued for the Alarm System.
- 5 Subject to section 6 the Chief of Police may issue a Permit if:
- (a) an application containing the information required by this bylaw has been submitted; and
 - (b) the applicable fee set out in Schedule A has been paid.
- 6 (1) The Chief of Police must not issue a Permit if any Permit for the Alarm System has been suspended more than once in the previous 12 months.
- (2) This section does not apply if the Chief of Police is satisfied the Alarm System has been repaired or modified to prevent further False Alarms.
- 7 Every application for the issue of a Permit must be in writing and must contain at least the following information:
- (a) regarding the applicant:
 - (i) complete name,
 - (ii) mailing address, and
 - (iii) telephone number;
 - (b) regarding the Alarm System:
 - (i) municipal address of the Premises containing the Alarm System, and
 - (ii) description of the Alarm System;
 - (c) if the Alarm System is monitored:
 - (i) name of the Alarm Business,

- (ii) telephone number of the Alarm Business,
 - (d) if the Alarm System is not monitored:
 - (i) the complete names, residence addresses, and residence telephone numbers of two individuals not occupying the Premises containing the Alarm System but having unrestricted prompt access to same.
- 8 A Permit Holder shall forthwith provide any Alarm Business monitoring the Alarm System with all the information provided in the application for the Permit as well as any number assigned to the Permit.
- 9 A Permit Holder shall forthwith notify the Chief of Police of any change to any of the information contained in the application for the issue of a Permit.
- 10 No person shall supply incorrect, incomplete or misleading information in an application for the issue of a Permit.
- 11 (1) A Permit is immediately cancelled if:
- (a) it is transferred by the Permit Holder;
 - (b) it is transferred to an Alarm System other than the one for which it is issued; or
 - (c) if the Alarm System for which it is issued is moved from the Premises on the application.
- (2) This section does not apply if the Chief of Police consents, in writing, to the transfer or move.

PART III - ALARMS

- 12 (1) An Alarm Business receiving a report of an activated Alarm System shall, before notifying the Edmonton Police Service, make all reasonable efforts to verify the report is not a False Alarm.
- (2) Reasonable efforts to verify the report of an activated Alarm System is not a False Alarm include 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 on the Premises;
 - (d) number of False Alarms in the preceding 12 months;
 - (e) number of False Alarms since the date of installation of the Alarm System;
 - (f) date and nature of the last reported alarm;
 - (g) history of unauthorized entry to the Premises;
 - (h) likelihood that the Alarm System was activated inadvertently by a person who is authorized to be on the Premises;
 - (i) results of attempted telephone contacts with the Premises; and
 - (j) likelihood that the alarm was caused by atmospheric conditions, excessive vibrations, power failure or communication failure.
- (3) No person shall provide, install, maintain or use any automatic calling device which is programmed to access the emergency telephone number '911' or any other telephone number used by the Edmonton Police Service.
- 13 An Alarm Business receiving a report of an activated Alarm System must, when notifying the Edmonton Police Service:
- (a) provide the number assigned to the Permit;
 - (b) continue to make all reasonable efforts to verify the report is not a False Alarm; and
 - (c) make all reasonable efforts to have an authorized person attend at the Premises containing the Alarm System.
- 14 (1) Where a False Alarm results in the attendance of the Edmonton Police Service at a Premises the Permit Holder is liable to pay the applicable fee set out in Schedule A.
- (2) This section does not apply to the first False Alarm generated by an Alarm System with a valid and subsisting Permit if the False Alarm occurs within six months of the date the Permit is issued.
- (3) If the fee referred to in this section is not paid within 60 days of the

date of the False Alarm the Permit is immediately cancelled.

- 15 (1) Where, in any 12 month period, an Alarm System generates four False Alarms resulting in the attendance of the Edmonton Police Service at a Premises the Permit is immediately suspended for three months.
- (2) A Permit suspended pursuant to this section remains suspended until it is once again issued by the Chief of Police pursuant to section 5.

PART IV - GENERAL

- 16 A person who contravenes section 4, 8, 9, 10, 12(1) or 12(3) is guilty of an offence.
- 17 A person who commits an offence may, if the Violation Ticket issued in respect of the offence contains a specified penalty amount, pay this amount in which case the person will not be prosecuted in court for the offence.
- 18 If a specified penalty amount is included in a Violation Ticket issued in respect of an offence, the amount must be that specified in Schedule B.
- 19 A person who is found guilty of an offence is liable to a fine in an amount not less than that specified in Schedule B, and not exceeding \$1,000.00, and to imprisonment for not more than 30 days for non-payment of a fine or penalty.
- 20 If a person is found guilty of an offence, and the conduct that gives rise to the offence involves the non-payment of a fee which remains unpaid, the court shall, in addition to any fine, impose a penalty equivalent to the amount of the unpaid fee.
- 21 The Chief of Police may carry out whatever inspections are reasonably required to determine compliance with this bylaw.
- 22 In any prosecution for an offence, where a question arises as to whether a person had a valid and subsisting Permit the burden is on that person to establish the Permit was valid and subsisting.

(S.3, Bylaw 12596, June 12, 2001)

(NOTE: Consolidation made under Section 69 of the Municipal Government Act, S.A. 1994, c. M-26.1 and Bylaw No. 12005, and printed under the City Manager's authority.)

Bylaw 10922, passed by Council November 24, 1994

Amendments:

Bylaw 12596, June 12, 2001

SCHEDULE A - FEES

Permit Issue	\$ 30.00
Change Permit Information	\$ 10.00
Police Response to a Residential False Alarm	\$ 75.00
Police Response to a Commercial False Alarm:	
a) for a premises up to 500 square meters	\$100.00
b) for a premises exceeding 500 square meters	\$150.00

SCHEDULE B - FINES

<u>Section</u>	<u>Offence</u>	<u>Amount</u>
4	No valid and subsisting permit	\$300.00
8	Fail to provide information to Alarm Business	\$100.00
9	Fail to provide change of information	\$100.00
10	Provide incorrect, incomplete or misleading information	\$100.00
12(1)	Fail to verify alarm status	\$500.00
12(3)	Use of automatic calling device	\$750.00