



**THE CORPORATION OF THE TOWNSHIP OF AUGUSTA  
BY-LAW NO. 3319-2017**

**Police Services False Alarm Reduction By-law**

---

**WHEREAS** the Municipality of Augusta provides police services through the Ontario Provincial Police in accordance with Section 10 of the *Police Services Act*;

**AND WHEREAS** false alarms result in unnecessary emergency responses which consume valuable police resources;

**AND WHEREAS** the *Municipal Act, 2001*, as amended, authorizes a municipality to impose fees and charges for services or activities provided or done by or on behalf of it;

**NOW THEREFORE** the Council of the Municipality of Augusta hereby enacts as follows:

**1. DEFINITIONS**

- 1.1 "Alarm Coordinator" means the person appointed by the O.P.P. Community Sergeant.
- 1.2 "Alarm Holder" is the person or persons who is/are recorded with the alarm company or monitoring agency as being the owner or operator of an Alarm System.
- 1.3 "Alarm System" means an assembly of mechanical or electrical devices which is designed or used for:
- (a) the detection of entry into or damage to a building, structure or premises and which emits sound or transmits a sound, signal or message when activated, but does not include a device that is installed in a "motor vehicle" or "motor home" as those terms are defined in the *Highway Traffic Act*, or
  - (b) the transmission of a manually activated emergency signal to an alarm monitoring company, but does not include a device to alert in case of medical emergency.
- "False Alarm" is the activation of an Alarm System that prompts a police response to a premises where there is no evidence that an unauthorized entry of unlawful act has been attempted or made into, on, or in respect of a building, structure or premises and includes, but is not limited to the activation of an Alarm System:
- 1.4.1 during its testing or installation or repair;
  - 1.4.2 by mechanical failure, malfunction or as a result of faulty equipment;
  - 1.4.3 by atmospheric conditions, vibrations, power failure, or other conditions beyond the control of the Alarm Holder; or

1.4.4 by user error.

- 1.5 "Normal Business Hours" is the period during which any premises is open for business and includes one hour prior to opening and one hour after closing.
- 1.6 "Valid Alarm" is an Alarm System which has been activated for the purpose for which it was installed such as: warning of an attempted or completed unauthorized entry or unlawful act, or an emergency situation in relation to the premises in which the Alarm System is installed.
- 1.7 "Verification" occurs when an alarm company or monitoring agency established whether or not a police response is required by first contacting their subscriber to confirm, when possible, if the alarm is genuine.

## **2.0 ALARM VERIFICATION**

- 2.1 Verification is required for all intrusion alarms or alarms to automatic banking machines which occur during the Normal Business Hours of the premises involved. The alarm monitoring station is responsible for verifying these types of alarms.
- 2.2 Verification may also be required by the officer dispatched to an alarm or the Officer-In-Charge of the O.P.P. serving the Municipality of Augusta when:
  - 2.3. If an intrusion alarm is activated in a building during Normal Business Hours or when it is reasonably expected that authorized persons are or should be in the building in question;
    - 2.3.1. when the same Alarm System is activated more than once during the Officer's shift and the Alarm System appears to be malfunctioning; or,
    - 2.3.2 when an Alarm System is activated more than once within a short period of time during an electrical storm or a power failure.

## **3.0 REGISTRATION**

- 3.1 The Alarm Coordinator shall compile a registry of the Alarm Holders and the property owners of Alarm Systems which cause or have caused False Alarms response.
- 3.2 Upon request, alarm companies or monitoring agencies shall provide to the Alarm Coordinator the name and address and other reasonable information relating to Alarm Holders and property owners as may be required.

## **4.0 AUTOMATIC DIALING ALARMS**

- 4.1 Automatic Dialing Alarms causing False Alarms requiring response by the O.P.P. serving the Municipality of Augusta shall be subject to the fees set out in Section 5 of this by-law.

## **5.0 FEES**

- 5.1 The Alarm Holder and the registered title owner of a property containing an Alarm System which triggers a False Alarm and a response or responses by the O.P.P. serving the Municipality of Augusta shall be jointly and severally liable to pay to the Corporation of the Municipality of Augusta the following fees:
  - 5.1.1 A written warning for the first and second False Alarm;
  - 5.1.2 \$100.00 for the third False Alarm within twelve months of the first; and,
  - 5.1.3 \$200.00 for the fourth False Alarm within twelve months for the first.

5.2 Fifth and subsequent False Alarms, within a twelve month period of the first, shall require a notice, including a written report from the O.P.P. concerning the incident, to be mailed by regular mail to the Alarm Holder and the registered title owner of the property. The fee for the fifth and subsequent False Alarms within twelve months of the first shall be \$300.00.

5.3 Twelve months from the time of an Alarm System's first False Alarm, the Alarm Coordinator shall revise the registry created under subsection 3.1, so that the fee schedule applies as though there had been no previous False Alarms.

## 6.0 COLLECTION AS TAXES

6.1 Any fees not paid from which no appeal has been commenced shall be added to the tax roll and may be collected in like manner as municipal taxes, in accordance with the terms of the *Municipal Act, 2001*.

## 7.0 GENERAL PROVISIONS

7.1 If any section, subsection or part or parts thereof of the by-law should be declared by any Court of Law to be bad, illegal or such section, subsection or part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

7.2 This by-law shall come into force and take effect on the date of passing.

Read a first time this 31 day of July 2017

Read a second time this 31 day of July 2017

Read a third time and passed 31 day of July 2017

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK