

**CITY OF FORT ST. JOHN**

**BYLAW NUMBER 1615, 2003**

A bylaw to establish fees for false alarms

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WHEREAS Section 726 of the *Local Government Act* provides that Council may establish fees to be paid by the owner or occupier of real property to which services are provided by or on behalf of the City, including policing services, in response to a false alarm of a fire alarm or security alarm system;

AND WHEREAS false alarms require emergency responses from the Police and/or Fire Department(s), creating additional costs and unnecessary delays for the Police and/or Fire Department(s) responding to true emergencies;

AND WHEREAS under Section 653 of the *Local Government Act*, the Council may regulate businesses and business activities and make different provisions for different classes of businesses;

NOW THEREFORE the Council of the City of Fort St. John, in open meeting assembled, enacts as follows:

**1. Title**

This bylaw may be cited as "False Alarm Bylaw Number 1615, 2003."

**2. Definitions**

In this bylaw,

- 2.1 "Alarm Business" means a person engaged in the business of monitoring alarm systems and who reports the occurrence of alarms to the Police and/or Fire Department(s).
- 2.2 "Alarm System" means any mechanical, electrical or electronic device which is designed or intended to be used for any or all of the following:
  - (a) the detection of an unauthorized entry into or onto real property;
  - (b) alerting of the commission of an unlawful act;
  - (c) the detection of fire, smoke or excessive heat.
- 2.3 "False Alarm" means the activation of an alarm system for any reason and the direct or indirect notification of the Police and/or Fire Department(s) to attend to a real property where there is no evidence or indication of an unauthorized entry

**2. Definitions (continued)**

- 2.3 into or onto the real property, the commission of an unlawful act on or in relation to the real property, an emergency situation, or a fire.
- 2.4 “Owner” means the registered owner of a real property in fee simple except where the registered owner is the Province, the City or another government, in which case “Owner” means the holder or occupier of that land.
- 2.5 “Police” means the Royal Canadian Mounted Police, Fort St. John Detachment.
- 2.6 “Fire Department” means the Fire Department of the City of Fort St. John.

**3. Application**

This bylaw does not apply to:

- (a) Alarm systems that are designed or intended to alert only the occupants of the real property in which they are installed to the existence of fires, smoke or excessive heat, commonly known as “smoke detectors”, or
- (b) an alarm device installed in a motor vehicle.

**4. Notification to Owner**

Upon the first occurrence of a false alarm at a property within a consecutive twelve-month period, the City will mail a notice to the owner of the real property that a false alarm has occurred and the fees to be imposed for any subsequent false alarms.

**5. Fees to be Charged for Subsequent False Alarms**

- (a) On the occurrence of a second false alarm at the same real property, during any consecutive twelve-month period, the City will mail to the owner a notice that the owner must pay a fee of \$100.00.
- (b) On the occurrence of a third false alarm at the same real property, during any consecutive twelve-month period, the City will mail to the owner a notice that the owner must pay a fee of \$150.00.
- (c) On the occurrence of a fourth, and for each subsequent false alarm, during any consecutive twelve-month period, the City will mail to the owner a notice that the owner must pay a fee of \$200.00 for each false alarm.

**6. Notices**

Notices required by this bylaw shall be in writing and shall be mailed by regular mail, postage prepaid, to the owner and occupant at the address of the subject real property and the owner's address as set out in the tax roll, if that address differs. A notice mailed in accordance with this section shall be considered to have been received by the owner.

**7. Collection of Fees**

Any fee remaining unpaid and outstanding for more than 30 days after the date of mailing of the notice to the owner shall, on December 31 in each calendar year, be added to and form part of the taxes payable on the real property as taxes in arrears pursuant to the said *Local Government Act*.

**8. Alarm Business Notification**

On each occasion that an alarm business reports an alarm to the Police or Fire Department(s), the alarm business shall immediately attempt, by telephone or otherwise, to contact the owner, occupier or other person responsible for the real property from which the alarm was activated and direct that person to attend the property immediately.

**9. Penalty**

Any person who violates Section 8 of this bylaw is guilty of an offence and liable upon summary conviction to a fine of not less than \$500.00.

**10. Effective Date**

This bylaw will be effective upon adoption.

READ A FIRST TIME this 13<sup>th</sup> day of January, 2003

READ A SECOND TIME this 13<sup>th</sup> day of January, 2003

READ A THIRD TIME this 13<sup>th</sup> day of January, 2003

ADOPTED this 27<sup>th</sup> day of January, 2003

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Steve Thorlakson  
Mayor

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Carol Susak  
Director of Corporate Administration