

Bylaw 1998-1

CITY OF ORILLIA POLICE SERVICES BOARD

FALSE ALARMS BY-LAW

Number 1998-1

1. The purpose of this bylaw is to reduce the number of false alarms requiring the deployment of police resources within the City of Orillia.
2. In this by-law unless the context other specifies:
  - 1) **alarm** means any mechanical or electrical device which is designed or used for the detection of unauthorized entry into any building, structure, facility or vehicle or for alerting others to the commission of an unlawful, act, or both, and which emits a sound or transmits a signal or message when activated.
  - 2) **alarm system**
    - a) means an alarm or all alarms which:
      - (i) are within an enclosed physical area
      - (ii) can be turned on or off independently of other alarms, from an operating control;
  - 3) **automatic calling device**
    - a) means any device, or combination of devices, that will, upon activation, either mechanically, electronically or by any other automatic means initiate a telephone or recorded message which is designed to be transmitted over regular telephone lines.
  - 4) **false alarm**
    - a) includes but is not limited to an alarm activated unnecessarily, or improperly, resulting in a police response and includes:
      - (i) the testing of an alarm without notifying the Detachment Commander or his designate;
      - (ii) an alarm actually or apparently activated by mechanical failure, malfunction or faulty equipment
      - (iii) an alarm activated accidentally by the owner of the premises, his agent or employee.
    - b) but does not include:
      - (i) any alarm which the owner can demonstrate was actually caused by the act of some other person than:
        - a) the owner, agent's employees, independent contractors or any other person subject to the direct or indirect control of the owner;
        - b) the person who installed, connected, operated, maintained or serviced the alarm system, or
        - c) the manufacture of the alarm system, including the manufacturer's officers, agents, employees, independent contractors or any person subject to the direct or indirect control of the manufacturer.
      - (ii) a device that is installed in a vehicle.

3. No person shall cause or permit the public nuisance by causing or permitting a false alarm.
4. No person shall install, maintain or use an automatic calling device designated to transmit a message to the Orillia O.P.P.
5. The owner or agent shall:
  - a. Be available at any time to receive calls from a member of the Orillia O.P.P. in respect of an alarm;
  - b. Be capable of obtaining or allowing access to the premises where the alarm is located;
  - c. Attend the premises where the alarm is located, within thirty (30) minutes of being requested to do so by the member of the Orillia O.P.P. following the activation of the alarms; and
  - d. Identify, where there is no more than one alarm system within a building, which alarm system has experienced an activation of an alarm.
6. The agency having responsibility of monitoring alarms, shall verify by suitable means, the validity of an alarm received at the monitoring location prior to contacting the Orillia O.P.P. for a response.
7. Every person who contravenes the provisions of Section 2 of this policy will, after the second false alarm in the calendar year, receive a warning notice. After the third and each successive false alarm, a Notice of Suspension of Response will be issued, but reinstatement will be allowed if the person satisfies the following conditions:
  - a. A fee of \$100 is paid to the Orillia Police Services Board. Such payment is to be received within fifteen (15) days of Notice of Invoice.
  - b. A letter from the person in control of the premises, or the alarm company which installed the systems, is submitted summarizing the steps that have been taken to curb the problem.
8. For the purposes of this policy, reinstatement shall be at the discretion of the Alarm Coordinate, under the authority of the Detachment Commander.
9. Subject to Subsection 8, reinstatement shall take effect not later than 12:00 p.m. (noon) on the first regular business day following payment of the applicable fees.
10. This process is effective for a calendar year. Therefore false alarms which occur in a new calendar year shall not be affected by false alarms which occurred in a previous calendar year when determining fees for service or suspension.

11. The Orillia O.P.P. will not respond to alarm calls by means of an automatic calling device.

This bylaw takes effect on the 25<sup>th</sup> day of May 1998.