

CORPORATION OF THE CITY OF BELLEVILLE
BY-LAW NUMBER 2006-34

BEING A BY-LAW TO SET POLICY REGARDING RESPONSES BY THE BELLEVILLE POLICE SERVICE TO
FALSE ALARMS

WHEREAS Section 391(1) of the Municipal Act, 2001, provides that a local board may pass by-laws imposing fees or charges on any class of persons:

- (a) For services or activities provided or done by or on behalf of it.

AND WHEREAS Section 31(1)(c) of the Police Services Act R.S.O. 1990, cP.15, as amended provides that a board is responsible for the provision of adequate and effective police services in the municipality and shall:

- (b) Establish policies for the effective management of the police force.

AND WHEREAS the Police Services Board of the Corporation of the City of Belleville (the "Board") has deemed it appropriate and has recommended establishing a policy for the purpose of reducing false alarms and the necessity for attendance of police officers at locations where there are chronic problems with alarm systems;

AND WHEREAS it has been determined by current statistics that approximately two-thousand, six-hundred false alarms are received each year requiring the dispatch of two police officers to the scene on a priority basis;

AND WHEREAS By-Law 2005-12, being the Police Service False Alarm Reduction Policy By-Law, was adopted 24 January 2005;

AND WHEREAS the Board has deemed it appropriate to make minor amendments to By-law 2005-12 for ease of implementation;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BELLEVILLE ENACTS AS FOLLOWS:

1. That this by-law supersedes By-Law 2005-12 as the "Police Service False Alarm Reduction Policy By-Law".
2. The false alarm policy as set out in Schedule "A" as amended and attached hereto, be approved and adopted. Schedule "A", as amended, shall be deemed to be of the same force and effect as if incorporated herein.
3. In the event that any provisions or requirement of this by-law, the application of which to any person shall to any extent be held to be invalid or unenforceable, the remainder of this by-law or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable shall not be affected thereby, and each provision and requirement of this by-law shall be separately valid and enforceable to the fullest extent permitted by law.
4. This by-law shall take priority over any other by-law that is inconsistent or contrary to it.
5. That By-law 2005-12 be hereby rescinded.
6. This by-law shall take effect upon final passing hereof.

Read a first time the 27th. day of February, 2006.

Read a second time the 27th. day of February, 2006.

Read a third time and finally passed this 27th. day of February, 2006

Mitch Pancuik, Mayor

SCHEDULE "A" TO

CORPORATION OF THE CITY OF BELLEVILLE BY-LAW NUMBER 2006-34

POLICE SERVICE TO FALSE ALARM REDUCTION POLICY BY-LAW

A. PURPOSE

The purpose of the false alarm policy is to reduce the attendance of police officers at locations where there are chronic problems with the alarm systems. Our records show that for the year 2002, approximately two thousand, six hundred false alarm calls were received. In each instance, officers were dispatched to the scene on a priority basis.

B. DEFINITIONS

1. "**Alarm**" means a mechanical device intended to detect any unauthorized entry into a building which emits a warning signal or sound if unauthorized entry occurs, but does not include an automatic device.
2. "**Audible Alarm**" means any alarm which emits a sound or transmits a signal or message when activated.
3. "**False Alarm**" means any alarm, the activation of which results in police attending the premises at which the alarm is located, where there has not been any unauthorized entry into the premise and includes the activation of the alarm by testing, malfunction, or by accident.
4. "**Response**" means the attendance by the Belleville Police Service to a false alarm.
5. "**Occupant**" and "**Owner**" means the property owner and/or the person(s) regularly responsible for attending the alarm.

C. AUDIBLE LARMS

No person shall permit an audible alarm which last more than 15 minutes.

D. FEES FOR SERVICE

When there is police response to a false alarm, the following shall apply:

1. The first response to a false alarm in a calendar year shall give rise to a verbal warning, where applicable, by the police officers involved in the response, and a written caution shall be forwarded by regular mail to the owner/occupant of the premises at which the alarm is located.
2. A second response to a false alarm in the same calendar year shall give rise to a fee for service provided by the Belleville Police Service in the amount of \$50.00 (fifty dollars).
3. A third response to a false alarm in the same calendar year shall give rise to a fee for service provided by the Belleville Police Service of \$100.00 (one-hundred dollars).
4. A fourth response, and all subsequent responses to false alarms in the same calendar year, shall give rise to a fee for service provided by the Belleville Police Service in the amount of \$200.00 (two-hundred dollars) for each response.

E. PAYMENT OF FEES

1. All fees levied pursuant to this by-law shall be collected by, paid to, and retained by the Belleville Police Service and shall be due and payable with thirty (30) days from the date of invoicing.

2. Fees are payable by cash or by cheque made payable to the **Belleville Police Service**. Cheques should include thereon on the 10-character occurrence number (**BE19-----**) contained within the letter received from the Belleville Police Service.
3. Fees remaining unpaid at the expiration of a period of three (3) months from the date of invoicing shall be forwarded to the City of Belleville for collection along with applicable interest charges. Such fees shall be added to the tax roll for the real property to which the fees apply in the municipality and shall be collected in a like manner as municipal taxes. Owners of such properties shall be responsible for paying said fees and any interest accrued thereon.

F. OCCUPANTS'/OWNERS' RESPONSIBILITY

It is the responsibility of occupants/owners of premises to:

1. Ensure that intrusion alarm systems are in good working order and employees/users or alarm systems are familiar with the proper operation thereof.
2. Advise the Belleville Police Service in advance of any operational testing of intrusion alarm systems.

G. EXCEPTIONS

This policy is not applicable to:

1. Instances where the alarm was caused by an illegal entry or any attempt at illegal entry to the premise.
2. Alarms caused by severe weather or major electrical disruption.

H. APPEALS

All appeals must be made within 30 days from response to the alarm in question. Appeals must be made to the office of the Chief of Police or his designate.

I INFORMATION

For further information, Contact the Inspector of Operations at (613) 966-0882 ext. 2204.

Excessive False Alarm Fee

Under the City of Belleville Bylaw 2006-34, an excessive false alarm fee is payable by the owner of any premises after the second and all subsequent false alarms from those premises during any calendar year.

False Alarm	Excessive False Alarm Fee
Second	\$50
Third	\$100
Fourth and over	\$200

The exception to the Bylaw would be:

- Instances where the alarm was caused by an illegal entry or any attempt at illegal entry to the premise
- Alarm caused by severe weather or major electrical disruption