CORPORATION OF THE DISTRICT OF MAPLE RIDGE

BY-LAW NO. 6400 - 2006

A by-law to reduce false security alarms in the District of Maple Ridge.

WHEREAS, Part 2, Division 1, Sections 8(8)(a)(b) and (c) of the Community Charter, provides that Council may, by by-law:

(a)   Provide that persons may engage in a regulated activity only in accordance with the rules established by by-law;
(b)   prohibit persons from doing things with their property;
(c)   require persons to do things with their property, to do things at their expense and to provide security for fulfilling a requirement;

AND WHEREAS, Part 7, Division 2, Sections 196 (1)(a) and (b) of the Community Charter, provides that Council may, by by-law, impose fees that are to be paid:

(a)   by the owner or occupier of real property to which services are provided by or on behalf of the municipality, including policing services under section 3(2) of the *Police Act*, in response to a false alarm of a system, or
(b)   by the persons who lease or otherwise provide these systems to the owners or occupiers of real property, if services referred to in paragraph (a) are provided in response to a false alarm of a system;

AND WHEREAS excessive numbers of false alarms are being permitted to occur by the owners or users of these alarm systems;

AND WHEREAS these false alarms require emergency responses from the police departments posing a threat to the safety of these officers and members of the public by creating unnecessary hazards and delaying the police response to emergencies;

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AND WHEREAS a deterrent is required to discourage false security alarms.

NOW THEREFORE, the Council of the Corporation of the District of Maple Ridge in open meeting enacts as follows:

1.   This By-law may be cited as "Maple Ridge Security Alarm By-law No. 6400 – 2006".

DEFINITIONS:

2. In this By-law, unless the context otherwise requires:

   "alarm incident" means the activation of a security alarm system and the direct or indirect reporting of the activation to the Police Department.

   "District" means The Corporation of the District of Maple Ridge.

   "false alarm" means the activation of a security alarm system as a result of which police services are provided on behalf of the District and the providers of the service do not find any evidence of criminal activity or unauthorized entry.

   "Monitoring Service" means a person, partnership or company engaged in the business of monitoring alarm systems and reporting the occurrence of alarms to the police.

   "No Alarm Status" refers to those properties that will be subject to the fees established by section 7(a) of this By-law.

   "Police Department" means the Ridge Meadows Detachment of the Royal Canadian Mounted Police.

   "security alarm system" means a device or devices installed on real property and designed to warn of criminal activity or unauthorized entry by activating an audible alarm signal and/or alerting a monitoring service.

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OWNER'S AND OCCUPIER'S RESPONSIBILITIES / MONITORING SERVICE RESPONSIBILITIES:

3. The owner or occupier of real property shall be responsible for the proper installation, maintenance and operation of any security alarm system installed on or in the real property in order to ensure the prevention of false alarms.

4. Every owner or occupier of real property who uses a security alarm system must keep the Monitoring Service informed by notice, in writing, of names, addresses and telephone numbers of at least three persons who will be known as Property References who may be contacted in the event of an alarm incident.

5. The Property References whose names are provided pursuant to subsection 4, must be persons who are:

   (a) available to receive telephone calls from the Police Department in the event of an alarm incident,
   (b) able to attend at the address of the alarm incident within thirty (30) minutes of being requested to do so by the Police Department,
   (c) capable of affording the Police Department access to the premises where the alarm incident is located, and
   (d) capable of operating the alarm system and able to safeguard the premises.

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6. Prior to reporting an alarm to the Police Department, other than a hold-up alarm, the Monitoring Service shall first place a telephone call to the premises from which the alarm was sent to verify that the alarm incident is not a false alarm. If verification cannot be made from the premises, the alarm company must make every effort to reach a property reference prior to calling the police. The Monitoring Service will advise the Police of the person they have made contact with, or that they were not successful in reaching the owner, occupier or Property Reference.

FEES TO BE CHARGED FOR ATTENDANCE AT FALSE ALARMS:

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7. The owner of real property or the occupier of a premise to which the services of the Police Department are provided in response to a false alarm shall pay to the District, the following fees:

   (a) For the first false alarm $150
   (b) For the second false alarm within a twelve (12) month time period from the date of the first alarm $300
   (c) For the third false alarm within a twelve (12) month time period from the date of the first alarm $600
   (d) For the fourth false alarm within a twelve (12) month time period from the date of the first alarm $1,200
   (e) For the fifth and subsequent false alarm within a twelve (12) month time period from the date of the first alarm $2,400.

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8. The owner of real property or the occupier of a premise can apply for a reinstatement to "No Alarm Status" within thirty (30) days of issuance of the fee invoice by paying a fee of $150 (which is to be applied to the outstanding fee amount) and by providing evidence to the Police Department that a certified alarm service company has reviewed the alarm system, identified the cause(s) of the false alarm and then taken steps to rectify the cause of the false alarm(s).

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The owner of real property or the occupier of a premise must also have had twelve (12) continuous months of no false alarms at the property or premise at which services were provided in order to be considered for reinstatement to "No Alarm Status".

If "No Alarm Status" is granted, the application fee will constitute payment in full.

INVOICING:

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9. Where a fee is charged to the owner of property or the occupier of a premise, the Police Department will invoice the owner of the property or the occupier of a premise (and notify the owner) for the response service.

10. Any invoice issued under this by-law is due and payable upon receipt.

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11. All fees remaining unpaid as of December 31st in the year in which they were incurred will be added to and form part of the taxes payable on the real property to which services were provided as taxes in arrears.

12. All fees collected become the property of the District.

SEVERABILITY:

13. If any section, subsection or clause of this By-law is declared or held to be invalid by a court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this by-law shall be deemed to have been enacted and adopted without the invalid and severed section.

FORCE & EFFECT:

14. This By-law will come into force and effective September 1, 2006.

15. Maple Ridge False Alarm By-law No. 5450 – 1996 as amended is hereby repealed.

READ a first time the   11th day of April, 2006.

READ a second time the 11th day of April, 2006.

READ a third time the   11th day of April, 2006.

PUBLIC NOTICE of intention advertised on the 21st & 28th days of April, 2006
PUBLIC CONSULTATION completed on the 5th day of May, 2006.

RECONSIDERED AND ADOPTED the 9th day of May, 2006.

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MAYOR (Gordon Robson)   CLERK (Terry Fryer)