



Agenda No: 8.2

Mtg. Date: December 7, 2015

## Regional Board Report

**TO:** Regional Board

**FROM:** Chris Radford  
Director of Community Services

**DATE:** November 30, 2015

**SUBJECT:** Regional District of Central Okanagan Security Alarm Systems Bylaw No. 1081

**Purpose:** To seek Board approval to repeal Regional District of Central Okanagan Security Alarm Systems Bylaw No. 1081, 2004, and adopt a new False Alarm Systems Bylaw.

### Executive Summary:

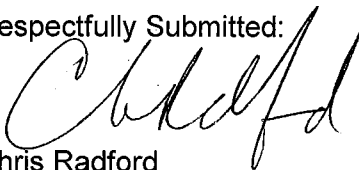
A bylaw to regulate Security Alarm Systems in the Central Okanagan was adopted on July 11, 2005. Since adoption of the bylaw ten years ago it has become evident that a more reader friendly bylaw was necessary. Key changes to the new bylaw include: reducing unnecessary content with 'reader-friendly' language, removing the application form from the bylaw and revising Schedule 'A' - Fees. Removing excess wording and simplifying definitions in the bylaw will lead to a better understanding of the service and thereby resulting in improved compliance of the bylaw regulations.

The application form will be made readily accessible to the public as a separate link on the RDCO website. Changes to the existing fee schedule will eliminate loop-holes in the bylaw, as well as encourage Alarm Company promotion of customer awareness and compliance to the bylaw. Staff are working on implementing education and promotional tools to ensure the citizens of the Central Okanagan are aware of the bylaw and their responsibility to comply with its regulations.

### RECOMMENDATION:

THAT RDCO False Alarm Reduction Bylaw be given first, second and third readings and adopted.


Respectfully Submitted:



Chris Radford  
Director of Community Services

Prepared by: Christene Walsh, Manager of Police/  
Community Support Services

Approved for Board's Consideration



Brian Beard, CAO

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**Implications of Recommendation:**

Financial:	Accountability and transparency
Social:	More understanding, promotion & awareness for key stakeholders
Environmental:	Promotes reduction of false alarms in Central Okanagan

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**Background:**

The Central Okanagan Security Alarm Systems Bylaw No. 1081 was adopted on July 11, 2005 and led to the establishment of the False Alarm Reduction Program in 2005. This program was created in response to a request for assistance from the Kelowna RCMP.

The mandate of the False Alarm Reduction Program is: *To provide administration services specified in the RDCO Security Alarm Systems Bylaw for the City of Kelowna, City of West Kelowna, District of Peachland, District of Lake Country, Central Okanagan Electoral Area West, Central Okanagan Electoral Area East and Westbank First Nation in order to reduce RCMP time spent responding to false alarms and allow their resources to be directed to other priority calls.*

The program has contributed to a decline in the amount of false alarm calls attended by RCMP. Its initial success is said to be based on the requirement that all residential and business alarm systems in the Central Okanagan must be registered, whether they are monitored by a security alarm system provider or not. If a security alarm system, known as a 'site' is not registered, then the RCMP are not required to respond. The registration requirement is also to promote owner accountability and responsibility for maintaining a properly functioning alarm system.

The current Security Alarm Systems Bylaw No. 1081, 2004 provides detailed information that is not easy to understand. In addition, the program application form was attached as a Schedule to the bylaw which is not a requirement and caused operational issues when, for instance, mailing and contact information may change. To prevent further unnecessary barriers to payment and, to finalize the transition of ensuring all correspondence and billing for the False Alarm Reduction Program are received at the RDCO office, the Schedule was removed from the new bylaw. The program administrator will have the ability to update the form as operational changes occur.

**Fees:**

Bylaw No. 1081 Schedule included a *Late Registration Fee* which was never utilized as the goal is to engage home and business alarm owners to comply with the bylaw and register with the False Alarm Reduction Program. It was believed to pose unnecessary additional challenges around citizen engagement and fee collection and therefore has been removed from the new bylaw. The Schedule also 'promoted' non-registration of *repeat* false alarm sites as the fees for registered alarm sites was more expensive after the third onward false alarm whereas the non-registered site maintained a consistent \$100.00 fine. This gap has been rectified and added fees created are to encourage compliance by Alarm Companies.

The proposed Schedule 'A' - Fees includes changes to false alarm fees but registration remains the same as per original bylaw.

**External Implications:** Members of the community will be able to understand with improved access to the Bylaw and registration form therefore decreasing the number of barriers for bylaw compliance.

**Attachment(s):**

- Proposed RDCO False Alarm Reduction Bylaw

## REGIONAL DISTRICT OF CENTRAL OKANAGAN

### BYLAW NO.

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#### A Bylaw to Regulate Security Alarm Systems

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WHEREAS the Regional District Central Okanagan has enacted the Crime Prevention Extended Service Establishing Bylaw No. 661, and amendments thereto within the City of West Kelowna, District of Lake Country, District of Peachland, Central Okanagan West Electoral Area, and Central Okanagan East Electoral Area;

AND WHEREAS Section 726 of the *Local Government Act* provides for a regional district to provide a service in relation to fire alarm systems and security alarm systems;

AND WHEREAS excessive numbers of False Alarms are occurring by users of Security Alarm Systems and these False Alarms require emergency responses from the police and may result in delaying response to a true emergency detracting from crime prevention and constitute a nuisance to the police and to the citizens of the Regional District of Central Okanagan;

AND WHEREAS the City of Kelowna and Westbank First Nation (IR#9 & IR#10) has requested that the Regional District of Central Okanagan provide the service of administration and enforcement of security alarm systems;

AND WHEREAS it is desirable to enact a bylaw dealing with False Alarms in the Regional District of Central Okanagan.

**NOW THEREFORE the Regional Board of the Regional District of Central Okanagan in an open meeting enacts the following:**

1. Regional District of Central Okanagan Security Alarm Systems Bylaw No. 1081 is hereby repealed.
2. This bylaw may be cited as the "Regional District of Central Okanagan False Alarm Reduction Bylaw No. XXXX, 2015"

#### **PART 1 – INTERPRETATION**

3. If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the Bylaw and such invalidity shall not affect the validity of the remaining portions of this bylaw.
4. The headings contained in this Bylaw are for convenience only and are not to be construed as defining or in any way limiting the scope or the intent of the provisions of the Bylaw.
5. Schedule 'A' of this Bylaw is attached to and forms part of this Bylaw and is enforceable in the same manner as this Bylaw.

## PART 2 – DEFINITIONS

6. In this Bylaw:

**Alarm Company** means a person that sells, maintains, services, repairs, alters, replaces or installs Alarm Systems or monitors Alarm Systems.

**Alarm Dispatch Request** means any request, directly or indirectly, to provide police response to a signal from an Alarm System.

**Alarm System** means any device that is intended to signal an alarm. This includes Alarm Systems that are no longer in use or disconnected and private alarm systems not monitored by an Alarm Company. Alarm System does not include an alarm installed in a vehicle or on someone's person.

**Alarm User** means any person who owns or operates an Alarm System.

**Automatic Voice Dialer** means any device capable of sending a pre-recorded voice message to the RCMP requesting an Alarm Dispatch Request.

**Enhanced Call Verification (EVC)** means an Alarm Company must make a minimum of two calls to two (2) different Responsible Parties with different phone numbers prior to making an Alarm Dispatch Request.

**False Alarm** means the RCMP attended and found no evidence of criminal activity or imminent threat to personal safety.

**Responsible Party** means a person capable of accessing and operating the Alarm System that must live within 10 kilometers of the Alarm System.

**Registered Alarm System** means any Alarm System that has a valid alarm permit issued by the Regional District of Central Okanagan pursuant to this Bylaw

**Regional District** means the Regional District of Central Okanagan as described in the Letters Patent or any subsequent amendments.

**Unregistered Alarm System** means any Alarm System that does not have a valid alarm permit issued by the Regional District pursuant to this Bylaw.

## PART 3 – ALARM PERMIT REQUIREMENTS

7. Every Alarm User must register the Alarm System in accordance to this Bylaw within ten (10) business days of becoming the Alarm User.
8. The Regional District will distinguish every alarm system by a permit number for identification purposes.

### Permit Fees

9. Every person registering an Alarm System must pay the permit fee payable to the Regional District as set out in Schedule 'A'.
10. Alarm permit fees are non-refundable.
11. Every alarm permit issued under this Bylaw will be valid for one year starting from the registration or renewal date.
12. Every person shall pay the alarm permit renewal fee prior to their alarm permit expiration date as per Schedule 'A' of this Bylaw.

### Moving

13. Alarm permits are non-transferrable.
14. Every Alarm User or Alarm Company shall notify the Regional District False Alarm Reduction Administrator of any changes to Alarm System information within ten (10) business days.

### **PART 4 – ALARM SYSTEM REQUIREMENTS**

15. No person shall cause or permit the occurrence of False Alarms.
16. No person shall have an Alarm System that contains a single action non-recessed button.
17. No person shall have an Alarm System that contains an Automatic Voice Dialer.
18. No person shall have an Alarm System that is capable of producing any noise for longer than five (5) minutes.

### **PART 5 – ALARM DISPATCH REQUEST REQUIREMENTS**

19. The Alarm User or Alarm Company shall provide the name and contact information for the Responsible Party to the RCMP with every Alarm Dispatch Request.
20. Every Alarm Company requesting RCMP attendance for a burglar alarm shall ensure the alarm has been verified by one or more of the following methods
  - a) audio device;
  - b) video device;
  - c) multiple zone activations;
  - d) enhance call verification; or
  - e) an eyewitnesses (i.e. private security or person at the scene).

Hold up and Panic Alarms are exempt.

21. The Alarm User or Alarm Company shall provide a detailed description regarding the location and type of signal to the RCMP with every Alarm Dispatch Request.

22. Every Alarm User shall keep all information regarding an Alarm Dispatch Request for twelve (12) months.

**PART 6 - THE RESPONSIBILITIES OF AN ALARM COMPANY**

23. The Alarm Company shall notify the Alarm User of this Bylaw and the alarm permit requirements.
24. The Alarm Company and the Alarm User shall both be responsible for the operation of any Alarm System that has more than four (4) False Alarms in a twelve (12) month period as per Section 'A' of this Bylaw.

**PART 7 - NO LIABILITY**

25. A registered alarm permit is not intended to, nor will it create a contract, duty or obligation, either expressed or implied, of police response.
26. Any and all liability and consequential damage resulting from the police failing to respond is hereby disclaimed and governmental immunity as provided by law is retained.

**PART 8 - PENALTIES**

27. Any Person who violates any of the provisions of this Bylaw, or who suffers or permits any act of thing to be done in contravention or in violation of any of the provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of the Bylaw, is guilty of an offence under the Bylaw, and liable to a monetary penalty as per this Bylaw.

**PART 9 - UNPAID FINES FORM PART OF TAXES IN ARREARS**

28. Pursuant to the provisions of the *Community Charter and Local Government Act [Section 726(1)(c)]*, any fees, that are the result of this Bylaw, which remain unpaid on December 15<sup>th</sup>, shall be added to and form part of the subject property taxes in arrears.
29. This bylaw may be cited as the "Regional District of Central Okanagan False Alarm Reduction Bylaw No. XXXX, 2015"

READ A FIRST TIME THIS	XX	DAY OF	2015
READ A SECOND TIME THIS	XX	DAY OF	2015
READ A THIRD TIME THIS	XX	DAY OF	2015
ADOPTED THIS	XX	DAY OF	2015

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. XXXX cited as the "Regional District of Central Okanagan False Alarm Reduction Bylaw No. XXXX, 2015", as read a third time and adopted by the Regional Board on the XX day of XX, 2015.

Dated at Kelowna, B.C. this  
XX day of xxxx, 2015.

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DIRECTOR OF CORPORATE SERVICES



SCHEDULE 'A'

Regional District of Central Okanagan

**FALSE ALARM REDUCTION BYLAW NO.**

**ALARM FEES**

**(a) New Alarm & Renewal Permit Fee**

Residential \$10.00  
Commercial \$15.00

**(b) Registered Alarm System False Alarm Fee**

	1 <sup>st</sup> offence	2 <sup>nd</sup> offence	3 <sup>rd</sup> offence	4 <sup>th</sup> & subsequent
Residential	\$0	\$0	\$50.00	\$100.00
Commercial	\$0	\$0	\$100.00	\$200.00

**(c) Registered Alarm System False Hold-up or Panic Alarm Fee**

	1 <sup>st</sup> offence	2 <sup>nd</sup> offence	3 <sup>rd</sup> offence	4 <sup>th</sup> & subsequent
Residential	\$0	\$100.00	\$200.00	\$300.00
Commercial	\$0	\$100.00	\$200.00	\$300.00

**(d) Unregistered Alarm System Fee**

	1 <sup>st</sup> offence	2 <sup>nd</sup> offence	3 <sup>rd</sup> & subsequent
Residential	\$100.00	\$200.00	\$300.00
Commercial	\$200.00	\$400.00	\$600.00

- (e) Fail to update Alarm System information (Section 14) \$200.00
- (f) False Alarm caused by an Alarm Company (Section 15) \$200.00
- (g) Single action non-recessed device (Section 16) \$200.00
- (h) Automatic Voice Dialer (Section 17) \$200.00
- (i) Fail to ensure Alarm System does not produce a noise for longer than five (5) minutes. (Section 18) \$200.00
- (j) Fail to provide Responsible Party Information (Section 19) \$200.00
- (k) Fail to complete alarm verification (Section 20) \$200.00
- (l) Fail to provide a detailed description of the location and type of signal received. (Section 21) \$200.00
- (m) Alarm Company Fee for an Alarm System that has more than four (4) False Alarms (Section 24) \$600.00