

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1382

A Bylaw to Regulate Security Alarm Systems

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 Regional District of Central Okanagan Security Alarm Systems Bylaw No. 1081 is hereby repealed.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. 1382, 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 15th, 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. 1382, 2015"

READ A FIRST TIME THIS 7th DAY OF December 2015

READ A SECOND TIME THIS 7th DAY OF December 2015

READ A THIRD TIME THIS 7th DAY OF December 2015

ADOPTED THIS 7th DAY OF December 2015



CHAIRPERSON



DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1382 cited as the "Regional District of Central Okanagan False Alarm Reduction Bylaw No. 1382, 2015", as read a third time and adopted by the Regional Board on the 7th day of December, 2015.

Dated at Kelowna, B.C. this
10th day of December, 2015



DIRECTOR OF CORPORATE SERVICES

SCHEDULE 'A'

Regional District of Central Okanagan

FALSE ALARM REDUCTION BYLAW NO. 1382

ALARM FEES

(a) New Alarm & Renewal Permit Fee

Residential	\$10.00
Commercial	\$15.00

(b) Registered Alarm System False Alarm Fee

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

(d) Unregistered Alarm System Fee

	1 st offence	2 nd offence	3 rd & 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