

CONSOLIDATED November 9, 2023

CONSOLIDATED FOR CONVENIENCE PURPOSES OF BYLAW: 3930

CITY OF CAMPBELL RIVER

PROVINCE OF BRITISH COLUMBIA

BYLAW NO. 3498



A BYLAW OF THE CITY OF CAMPBELL RIVER TO ESTABLISH FEES FOR SERVICES PROVIDED IN RESPONSE TO A FALSE ALARM.

The Council of the City of Campbell River, in open meeting assembled, enacts as follows:

1. TITLE

This Bylaw may be cited for all purposes as “**False Alarm Fees Bylaw No. 3498, 2013**”.

2. DEFINITIONS

In this Bylaw, unless the context otherwise requires:

“Alarm Business” means a person who is engaged in the business of monitoring alarm systems and reporting the occurrence of alarms to the Police and the Fire Department.

“City” means the City of Campbell River.

“False Alarm” means the activation of a Fire Alarm System or a Security Alarm System resulting in the direct or indirect notification to the Fire Department or Police for which Fire Department or Police services are provided on behalf of the City and the providers of the service do not find any unauthorized entry or commission of an unlawful act or any evidence of fire, fire damage or smoke in relation to the building, structure, residence or facility, or where there has been no emergency situation. False Alarm incidents also include but are not limited to:

- i) The testing of an alarm which results in a Fire Department or Police response;
- ii) An alarm actually or apparently activated by mechanical failure, malfunction or faulty equipment;
- iii) An alarm activated by user error;
- iv) An alarm reporting an attempted or completed criminal offence or an emergency situation occurring on or in relation to the premises in which the alarm system is installed where no evidence exists or where no such event took place.

“Fire Alarm System” means a device or devices installed on or in Real Property and designed to issue a warning of a fire by activating an audible alarm signal or alerting an Alarm Business but does not include

a fire alarm system that is intended to alert only the occupants of a single family dwelling unit in which it is installed.

- “Fire Department”** means the Campbell River Fire Department
- “Hold up Alarm”** means an alarm system installed in a bank, trust company or credit union, designed to indicate the occurrence of a hold-up or robbery.
- “Police”** means the Royal Canadian Mounted Police, Campbell River Detachment.
- “Real Property”** means land, with or without improvements so affixed to the land as to make them in fact and in law a part of the Real Property.
- “Security Alarm System”** means any mechanical, electrical or electronic device which is designed, intended or used for the detection of an unauthorized entry into a building, structure, facility or surrounding area, or for alerting others to the commission of an unlawful act, or both, and which emits a sound or transmits a message, or does both, but does not include:
- i) A device which registers an alarm which is not audible, visible or perceptible outside the premises inside which it is installed, or
 - ii) A device which is installed in a motor vehicle.

3. ALARM BUSINESSES

- 3.1 Other than for a Hold-up Alarm, an Alarm Business shall, prior to reporting an alarm to the Police, first place a telephone call to the premises from which the alarm was sent to verify the alarm is not a False Alarm.
- 3.2 On each occasion that an Alarm Business reports an alarm to the Police it shall immediately telephone, or otherwise contact, the owner, occupier or other person responsible for the premises from which the alarm was sent to request that person to attend the premises immediately.

4. FALSE ALARM PROVISIONS

- 4.1 Where the Fire Department attend at a premises in response to a False Alarm in relation to a Fire Alarm System in a twelve (12) month period starting January 1st and ending December 31st of each year, the City shall cause a notice to be sent to the owner or occupier of the Real Property at which the alarm system is installed advising of the occurrence of the False Alarm and of the provisions of Sections 4.3 and 4.5 of this Bylaw.
- 4.2 Where the R.C.M.P. attend at a premises in response to a False Alarm in relation to a Security Alarm System in a twelve (12) month period starting January 1st and ending December 31st of each year, the City shall cause a notice to be sent to the owner or occupier of the Real Property at which the

Alarm System is installed advising of the occurrence of the False Alarm and of the provisions of Sections 4.4 and 4.5 of this Bylaw.

- 4.3 Where the Fire Department attend at a premise in response to a False Alarm on two (2) or more occasions in relation to a Fire Alarm System in a twelve (12) month period starting January 1st and ending December 31st of each year, the owner or occupier of the Real Property in which the Alarm System is installed is liable to pay a fee to the City which shall vary with the number of like alarms set out in Schedule 'A' attached to and forming part of this Bylaw.
- 4.4 Where the R.C.M.P. attend at a premise in response to a False Alarm on two (2) or more occasions in a twelve (12) month period starting January 1st and ending December 31st of each year, the owner or occupier of the Real Property in which the Alarm System is installed is liable to pay a fee to the City which shall vary with the number of like alarms set out in Schedule 'A' attached to and forming part of this Bylaw.
- 4.5 An owner or occupier of Real Property in respect of which the City imposes fees in accordance with Section 4 of this Bylaw may appeal the imposition of the fees in writing to the City Financial Services Manager on the grounds that the alarm was not a False Alarm within their control, and the City Financial Services Manager, after consulting with the Fire Chief or the Officer in Charge of the R.C.M.P., as the case may be, and upon being satisfied that the alarm was not a False Alarm within the control of the owner or occupier, may cancel the fees.
- 4.6 Unless they are canceled in accordance with Section 4.5 of this Bylaw the fees imposed under this Bylaw shall be due and payable within thirty (30) days of the invoice date and, if overdue on December 31st of the calendar year in which they are imposed, may be added to and form part of the taxes payable on the Real Property as taxes in arrears.

5. EXEMPTIONS

- 5.1 School District No. 72 is exempt from the provisions of Sections 4.1 and 4.3 of this Bylaw.
- 5.2 This Bylaw does not apply to the Ann Elmore Transition House.

6. REPEAL

False Alarm Fees Bylaw No. 2728, 1998 is hereby repealed.

Read a first time on the	23rd	day of	July,	2013.
Read a second time on the	23rd	day of	July,	2013.
Read a third time on the	23rd	day of	July,	2013.
Adopted on the	13th	day of	August,	2013.

Walt Kewey

MAYOR

Tracy Bate

DEPUTY CITY CLERK

SCHEDULE 'A'

Response to False Alarms:	
For the first response related to malfunctioning Fire Safety Installations or other safety monitoring devices, at the same premises responded to during a calendar year.	No Fee
Second (2) response to a False Alarm.	\$350
Third (3) and each subsequent response to a False Alarm during a twelve (12) month period will result in a fee for each Apparatus and Member required.	Per Resource