



CHAPTER 90

Alarms Bylaw

SHORT TITLE

1. This Bylaw may be cited as the “Alarms Bylaw”.

DEFINITIONS

2. In this Bylaw:
 - a. “Alarm Coordinator” means the person appointed by the Chief Administrative Officer of the Town to administer the Alarm Bylaw.
 - b. “Alarm System” means any mechanical or electrical device which is designed or used for the detection of heat, smoke, fire or unauthorized entry on a Property or for alerting others to the commission of an unlawful act on a Property, or both, and which emits a sound or transmits a signal or message when activated but does not include:
 - i. a Personal Alerting Device;
 - ii. a device that is installed in a vehicle.
 - c. “Audible Alarm” means an Alarm System which generates an audible sound on the premises where it is activated.
 - d. “Automatic Calling Device” means any device, or combination of devices that will upon activation, either mechanically, electronically or by any other automatic means initiate a telephonic or recorded message or any other signal intended to alert another person of the existence of an emergency situation which is designed to be transmitted over regular telephone lines.
 - e. “Emergency Service Provider” means the Kentville Police Service or the Kentville Volunteer Fire Department.

- f. “False Alarm” means the activation of an Alarm System at a Property resulting in a response by an Emergency Service Provider where crime investigation, law enforcement or firefighting are not required.
- g. “Monitored Alarm System” means an Alarm System servicing a Property which is intended to send a signal to a person who is in the business of receiving that signal.
- h. “Town” mean the Town of Kentville.
- i. “Owner” includes an occupant, lessee or person having possession or control over the Property.
- j. “Personal Alerting Device” means any device carried on one’s person that when activated is designed to make a sound or transmit a signal or message.
- k. “Property” means real property within the Town and without limiting the generality of the foregoing includes any building or structure built thereon whether permanent in nature or otherwise, and any unit or part of any such building.

AUDIBLE ALARM SYSTEMS

- 3. Except for an Alarm System designed or used to detect heat, smoke or fire, no person shall install, maintain or use an audible alarm that is capable of being sounded for a total duration, whether continuous or intermittent, of greater than fifteen minutes after each separate activation.

FALSE ALARMS

- 4. (1) An Owner shall not cause, permit, suffer or allow a False Alarm at a Property.
- (2) The activation of an Alarm System shall not be an offence where the Owner proves:
 - (a) that the activation of the Alarm System was the only such activation at the Property in any consecutive twelve month period;
 - (b) that the Alarm System was activated by the action of someone other than:
 - (i) the Owner; or
 - (ii) someone authorized by the Owner to be at the Property;

or

- (c) that the Alarm System was activated by a storm, lightning, earthquake or other violent act of nature.

ALARM COORDINATOR

- 5. (1) The Alarm Coordinator shall maintain a written record of all False Alarms in the Town.
- (2) The Alarm Coordinator shall provide a written notice of a False Alarm to the Owner of the Property at which the False Alarm occurred and shall provide a copy of this Bylaw. Service of the notice may occur by ordinary mail.
- (3) The Alarm Coordinator shall implement and oversee the out-of-court settlement provisions of this Bylaw

AUTOMATIC CALLING DEVICES

- 6. No person shall use, maintain or install, or permit the use, maintenance or installation of any Automatic Calling Device which is programmed to transmit a message to any telephone number assigned to an Emergency Service Provider or any dispatch or communication centre responsible for the receiving and dispatching of alarm calls to an Emergency Service Provider.

MONITORED ALARM SYSTEMS

- 7. A person monitoring a Monitored Alarm System shall not report an alarm to an Emergency Service Provider or any dispatch or communication centre responsible for the receiving and dispatching of alarms to an Emergency Service Provider unless the person has verified that the alarm is not a False Alarm.

OFFENCE

- 8. (1) Any person who contravenes subsection 4(1) or section 7 of this Bylaw is guilty of an offence and is liable on conviction to a penalty of not less than \$500.00 and not more than \$10,000 and in default of payment to imprisonment for a term of not more than one year.
- (2) A person who contravenes subsection 4(1) or section 7 of this Bylaw and who is given notice of the contravention may pay to the Town, at the place specified on the notice the sum of \$200 within fourteen days of the date of the notice and shall thereby avoid prosecution for that contravention.

APPLICATION

9. This Bylaw applies to all alarms in use within the Town whether installed before or after the coming into force of this Bylaw.

EFFECT

11. This Bylaw shall take effect on _____, 2011.

<u>Clerk's Annotation For Official By-Law Book</u>	
<p>Date of First Reading: Date of advertisement of Notice of Intent to Consider: Date of Second Reading: *Date of advertisement of Passage of By-Law: Date of mailing to Minister a certified copy of By-Law:</p>	<p>I certify that this ALARMS BYLAW Chapter 90 was adopted by Council and published as indicated above.</p> <p>_____ Carol A. Harmes Town Clerk</p>
<p><u>Dated:</u></p>	
<p>* Effective Date of the By-Law unless otherwise specified in the text of the By-Law</p>	