

**Brantford Police Services Board**  
**False Alarm Reduction By-Law**  
**#2015-02**

BEING A BY-LAW of the Brantford Police Services Board to repeal Bylaw #15-01 and require the registration of alarm companies and establish fees for false alarms

**1. PREAMBLE**

- 1.1. WHEREAS the Brantford Police Services Board is responsible for the provision of police services within the City of Brantford;
- 1.2. AND WHEREAS the Brantford Police Services Board may, by by-law, make rules for the effective management of the police service, pursuant to section 31(6) of the *Police Services Act*, R.S.O. 1990;
- 1.3. AND WHEREAS the Brantford Police Services Board may pass by-laws imposing fees or charges for services or activities provided by or on behalf of it, pursuant to Part XII of the *Municipal Act, 2001*, R.S.O. 2001,;
- 1.4. AND WHEREAS the number of false alarms in the City of Brantford has been identified as consuming a significant quantity of police resources which could be better directed to enhancing the police presence in the community;
- 1.5. AND WHEREAS the registration of alarm companies is an integral part of the strategy to reduce the number of false alarms in the City of Brantford and to enhance community and officer safety;
- 1.6. THEREFORE the Brantford Police Services Board enacts as follows:

**2. DEFINITIONS**

- 2.1. **Alarm Administrator** means a person designated by the Chief of Police to administer and control the provisions of this by-law and to review false alarm reduction efforts;

- 2.2. **Alarm company** means a person or entity acquiring, selling, installing, maintaining, servicing or monitoring an alarm system, and includes an alarm monitoring company receiving a signal from an alarm system;
- 2.3. **Alarm incident** means the activation of an alarm system and the direct or indirect reporting of the activation to the Police Service, but does not include the activation of a duress alarm, panic alarm, holdup alarm;
- 2.4. **Registration number** means the number assigned to an alarm company by the Alarm Administrator after the alarm company has been properly registered pursuant to this by-law;
- 2.5. **Alarm site** means a location served by an alarm system and where a multi-unit building or complex is concerned, individual units containing individual alarm systems shall be considered separate alarm sites;
- 2.6. **Alarm system** means an assembly of mechanical or electrical devices which is designed or used for;
  - 2.6.1. The detection of entry into or damage to a building, structure, premises or automatic teller machine and which emits a sound or transmits a sound, signal or message when activated; or
  - 2.6.2. The transmission of a manually activated emergency signal to an alarm company, but does not include a panic alarm;
- 2.7. **Alarm user** means any person or group of persons who use an alarm system to protect any building, structure, facility, premises or automated teller machine and may include the owner or occupier of the premises where the alarm system is installed;
- 2.8. **Bona fide emergency** means an emergency situation where there is
  - (a) an unauthorized entry into a building, structure or premise, including an attempted or completed criminal act;
  - (b) an act of a person other than the alarm company or alarm user, including any of its agents; or
  - (c) any other valid emergency situation occurring at or in relation to the alarm site.

- 2.9. **Cancellation** means the process or request to terminate Police response after an alarm incident;
- 2.10. **Chief of Police** means the Chief of Police of the Brantford Police Service, or his or her designate;
- 2.11. **Duress alarm** means a silent signal generated by the entry of a designated code into a keypad in order to signal that the alarm user is being forced to turn off the system and requires Police response;
- 2.12. **False alarm** means an alarm incident where there is no evidence of a bona fide emergency and that unnecessarily or improperly results in Police response and includes, but is not limited to;
- (a) The activation of an alarm system during its testing,
  - (b) An alarm system activated by mechanical failure, malfunction or faulty equipment,
  - (c) An alarm system activated by atmospheric conditions, vibrations or power failure, or,
  - (d) An alarm system activated in error by the owner or occupier of the premises, his agent or representative.
- 2.13. **Holdup alarm** means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress or immediately after it has occurred;
- 2.14. **Keyholder** means an individual designated by the Alarm User who can be contacted in the event of an Alarm Incident and who has access to the Alarm Site and can operate the Alarm System;
- 2.15. **Panic alarm** means an Alarm System signal generated by the manual activation of a device intended to signal a life threatening or medical emergency situation requiring Police response;
- 2.16. **Police response** – any means of answering a call by the Police Service that involves the attendance of a police officer at the scene of an alarm;
- 2.17. **Police Service** means the Brantford Police Service;

**2.18. Verification** means an attempt by the alarm company to determine the validity of an alarm incident prior to contacting the Police Service and requesting Police response to the alarm site, by any or all of the following means;

- (a) Personal contact by means of telephone or other audio conversation with an authorized pass code holder or other authorized person;
- (b) An electronic video, picture or image viewing an area of the protected premises from which the Alarm Incident has been received showing that an emergency situation exists or does not exist;
- (c) The existence of cross zoning where more than one alarm detection device in the same area has been or has not been triggered;
- (d) Eyewitness information usually received from, but not limited to, an employee of the alarm company that the Alarm Incident is a bona fide emergency; or
- (e) Authorization from a listed keyholder for the alarm company to proceed to contacting the Police Service.

### **3. ADMINISTRATION**

- 3.1. The Chief of Police shall be responsible for the administration and enforcement of this by-law.
- 3.2. The Chief of Police may from time to time prescribe the form and content of any approval, certificate, form, policy, procedure or other document in relation to the administration of this by-law and may amend or revise the form and content as required.
- 3.3. The Chief of Police may issue any approval or certificate under this by-law as well as any amendments thereto or cancellations, suspensions or terminations thereof, on behalf of the Police Service.

3.4. The Chief of Police may assign duties or delegate tasks under this by-law as necessary.

#### **4. ALARM COMPANY REGISTRATION PROCEDURE**

Every alarm company that may request that Police respond to an alarm incident in the City of Brantford shall register that alarm company with the Police Service.

- 4.1. Every application for registration shall contain, at minimum, the following;
  - (a) The name, address and phone number of the alarm company responsible for monitoring the alarm system;
  - (b) The name, phone number, and email address of a contact person at the alarm company responsible for monitoring the alarm system;
  - (c) Payment of the applicable registration fee outlined in Appendix "A".
- 4.2. Every alarm company that obtains a registration number shall ensure that the information provided to the Police Service is accurate and shall notify the Alarm Administrator forthwith, in writing, of any changes in the information.
- 4.3. The fee to register an alarm company as provided in Appendix "A" of this by-law is due upon receipt of the registration number.
- 4.4. Upon receipt of the completed application for registration and payment of the registration fee, the Alarm Administrator shall cause the alarm company to be entered on the Police Service's alarm database and shall issue a registration number.
- 4.5. A registration number shall be issued in the name of the alarm company.
- 4.6. A registration number shall not be assigned or transferred without the written consent of the Alarm Administrator.

- 4.7. A registration number is valid until cancelled, suspended or terminated by the Chief of Police in accordance with the provisions of this by-law.
- 4.8. Any false statement of a material fact made by an applicant for the purpose of registering an alarm company shall be sufficient cause for refusal to issue a registration number, cancellation or suspension or termination if the registration number.

## **5. DUTIES OF ALARM COMPANIES**

- 5.1. The alarm company shall provide instructions to each of its alarm users in the proper use and operation of their alarm systems. Such instructions will specifically include all instructions necessary to turn the alarm system on and off and to avoid false alarms.
- 5.2. At the time of the installation of an alarm system, the responsible alarm company shall review with the alarm user the current best practise that is recommended by the Alarm Industry business community.
- 5.3. An alarm company that purchases alarm system accounts from another person or alarm company shall notify the Alarm Administrator of such purchase and provide details as may be reasonably requested by the Alarm Administrator.
- 5.4. An alarm company shall:
  - (a) Perform verification of every alarm signal, except a duress, panic, holdup, before initiating an alarm incident;
  - (b) Communicate alarm incidents to the Police Service in a manner and form determined by the Alarm Administrator;
  - (c) Communicate cancellations to the Police Service in a manner and form determined by the Alarm Administrator;
  - (d) Ensure alarm users of alarm systems equipped with a duress, holdup or panic alarms are given adequate training as to the proper use of the duress, holdup or panic alarms;

- (e) Communicate available information about the location of all alarm signals related to the alarm incident;
- (f) Communicate nature of the alarm signal to the Police Service including whether it is a bona fide emergency, panic, duress, silent, audible, interior or perimeter alarm;
- (g) Provide the registration number, associated with the alarm site, when requesting Police response;

5.5. A registration number may not be assigned or transferred to another alarm company other than the company named in the application for registration, unless the applicant obtains prior written approval for the transfer from the Police Chief and pays the applicable registration fee.

## **6. DUTIES OF AN ALARM USER**

6.1. An alarm user shall in the event of an alarm incident make every reasonable effort to have a keyholder respond to the alarm site within 20 minutes in order to:

- (a) Deactivate the alarm system;
- (b) Provide access to the alarm site; or
- (c) Provide alternate security for the alarm site;

6.2. An alarm user shall ensure that the sound emanating from an alarm signal audible on the exterior of an alarm site shall not sound for longer than fifteen (15) minutes after being activated.

6.3. If an alarm site experiences 2 false alarms in a 1-year period, the Alarm User shall have a licensed alarm installation company inspect or modify the alarm system to minimize or eliminate false alarms and provide additional alarm user training as appropriate.

6.4. An alarm user shall maintain at each alarm site a set of written operating instructions for each alarm system.

## **7. ALARM ADMINISTRATOR**

- 7.1. The Alarm Administrator shall provide the alarm company with sufficient information to register and communicate alarm incidents; and
- 7.2. Information on how to properly cancel the police response to an alarm incident.
- 7.3. The Alarm Administrator shall record information on alarm incidents necessary to permit the Alarm Administrator to maintain records, including, but not limited to, the information listed below:
  - (a) Identification of the registration number for the alarm company;
  - (b) Identification of the alarm company;
  - (c) Date and time the alarm incident was received, including the name of the alarm company and the monitoring operator name or number;
  - (d) Date and time of Police response at the alarm site;
  - (e) Specific location and description of the alarm signal, if available;
  - (f) Cause of alarm signal, if known.
- 7.4. The Alarm Administrator shall establish a procedure for the notification to the alarm company of a false alarm.
- 7.5. The notice shall include the following information:
  - (a) The date and time of Police response to the false alarm;
  - (b) Any and all fees to be billed associated with Police response at the alarm site to address the false alarm.
- 7.6. The Alarm Administrator may require an alarm company to remove a holdup alarm device that is a single action, non-recessed button, or have it replaced with an acceptable dual-action or recessed device after the occurrence of a false holdup alarm.



- 7.7. The Alarm Administrator may require an alarm user to remove the duress or panic alarm capability from its users alarm system after the occurrence of repeated false duress or panic alarm.

## **8. FEES FOR FALSE ALARMS**

- 8.1. Where there is an alarm incident at an alarm site that is deemed by the Alarm Administrator to be a false alarm, the alarm company shall pay to the Police Service the false alarm – Police response fee as set out in Appendix "A" of this by-law.
- 8.2. If cancellation of an alarm incident occurs prior to Police response, the alarm company shall pay to the Police Service the false alarm – cancelled Police response fee as set out in Appendix "A" of this by-law.
- 8.3. In addition to the fee that is applicable for each false alarm, where the false alarm originates from an alarm company that has not been assigned an registration number, the alarm company will also be subject to an unregistered alarm site surcharge fee as set out in Appendix "A" of this by-law for each false alarm that originates from the unregistered alarm site.
- 8.4. The Alarm Administrator may waive this additional fine for an unregistered alarm company provided the alarm company complies with section 4 of this by-law within 10 days of notification of such violation.
- 8.5. The Alarm Administrator shall, where practicable, invoice the alarm company within seven 7 days of the alarm incident that is deemed a false alarm for all applicable fees.
- 8.6. Fees are payable within 30 days of the date of the invoice.
- 8.7. If at the expiration of 60 days past the invoice date the fees and fines have not been paid in full, the Alarm Administrator shall issue a letter to the affected alarm company advising of the potential of the suspension of service if all fees and fines have not been paid, in full, within 90 days of the invoice date.
- 8.8. If at the expiration of 90 days past the invoice date the fees and fines have not been paid in full, the Alarm Administrator shall suspend

attendance at all alarm incidents initiated by the alarm company and the Alarm Administrator shall forward a letter to the affected alarm company as to the reason for services being suspended.

8.9. A reinstatement fee set out in Appendix "A" to this by-law and all outstanding fees and fines shall be fully paid by the alarm company prior to reinstatement of Police response.

8.10. An alarm shall not be classified as a false alarm, if, within forty-eight (48) hours of the alarm incident the alarm company furnishes evidence to the Alarm Administrator that the alarm was caused by a bona fide emergency as determined by the Chief of Police.

## **9. APPEAL PROCEDURE**

9.1. In circumstances where a fee or fine is levied, or the issuance, renewal or reinstatement of an registration number is denied, the Alarm Administrator shall send written notice of the action to the affected alarm company.

9.2. An alarm company may appeal the assessment of a fee or fine by setting forth in writing the reasons for the appeal within 15 business days after the date in the notice of the fee or fine, to the Alarm Administrator, with the accompanying appeal fee as listed in Appendix "A".

9.3. Filing of a request for appeal shall stay the action by the Alarm Administrator revoking a registration number or requiring payment of a fee or fine until the Chief of Police has completed the review.

9.4. If a request for appeal is not made in writing within the 15 business day period, the action of the Alarm Administrator is final.

## **10. INTERPRETATION**

10.1. If any term of this by-law or the application thereof shall to any extent be invalid or unenforceable, the remainder of this by-law and or the application of such term to circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby and each term

of this by-law shall be separately valid and enforceable to the fullest extent permitted by law.

10.2. This by-law is not to be construed at any time in such a fashion as to hold the Police Service or its officers liable for failing to ensure that persons comply with the provisions of this by-law.

## **11. CONFIDENTIALITY**

Information collected as a result of the operation of this by-law shall be governed by the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990.

## **12. IMPLEMENTATION**

This by-law shall come into force and take effect on the date of passing thereof.


**APPENDIX "A"**

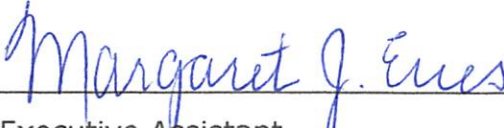
**FEES**

<b>Description</b>	<b>Fee</b>
Registration Fee	\$30
False Alarm - Police Response	\$192
False Alarm - Cancelled Police Response	\$96
Unregistered Alarm Site Surcharge	\$120
Reinstatement Fee	\$300
Appeal Fee	\$120

READ A FIRST TIME  
READ A SECOND TIME  
ENACTED AND PASSED

April 16, 2015  
April 16, 2015  
April 16, 2015

  
Chair

  
Executive Assistant

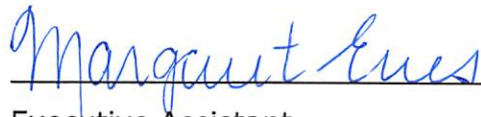
AMENDMENT TO SCHEDULE "A" - Increase in fees

READ A FIRST TIME	March 7, 2019
READ A SECOND TIME	March 7, 2019
ENACTED AND PASSED	March 7, 2019



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Chair



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Executive Assistant