



**BEING A BYLAW OF THE COUNCIL OF THE TOWN OF PROVOST
RESPECTING FALSE ALARMS IN THE TOWN OF PROVOST.**

WHEREAS the Council of the Town of Provost deems it necessary to regulate False Alarm Responses in the Town of Provost.

AND WHEREAS by virtue of the powers conferred upon it by the Municipal Government Act, RSA 2000, c. M26 and amendments thereto, the Council of the Town of Provost, in the Province of Alberta enacts as follows:

1. TITLE

This Bylaw shall be known as the Town of Provost “False Alarm Bylaw”

2. INTERPRETATION

In this bylaw.

1. Any reference to a named act is a reference to an Act of the Legislature of Alberta, as amended from time to time
2. **False Alarm** means any notification to any emergency service, including but not limited to the fire department, the Royal Canadian Mounted Police, the ambulance service, and emergency dispatch services, respecting the existence of a condition, circumstance or event containing an imminent serious danger to persons or property, where no such condition, circumstance or event exists. See conditions on schedule “A” attached.
3. **Bylaw Enforcement Officer** means a person appointed to enforce the provisions of this Bylaw, and includes a member of the Royal Canadian Mounted Police and, when authorized, a Peace Officer.
4. **“Occupant”** includes a person corporation and the heirs, executors, administrators or other legal representatives of a person
5. **Violation Ticket/Tag** means any ticket or tag in a form approved by the Town of Provost, authorized under the Provincial Offences Procedures Act, RCA 2000, CP-34 issued for any offence in which a penalty may be paid out of court in lieu of appearing to answer a summons.
6. **“Town”** means the Municipal Corporation of the Town of Provost in the Province of Alberta.



7. **“Residential”** means suited for or characterized by private residences or a residential neighbourhood, this includes single dwelling units of a multiple dwelling unit.
8. **“Business”** means:
 - i) a commercial, merchandising or industrial activity or undertaking: or
 - ii) a professional, trade, occupation, calling or employment: or,
 - iii) an activity providing of goods or services whether or not for profit and however organized or formed, including a co-operative or association of persons.
9. **“Key Holder”** means:
 - i) persons designated by the user of a commercially monitored alarm system or owner of a private alarm system to attend at the scene of an alarm who will give emergency responders access to the premises.
 - ii) Key holders have the responsibility to attend at the scene when requested to do so by the monitoring business (and there response to a call must be as soon as call is received) the key holder must assist responding in determining the origin of an alarm signal from the system and its causes when possible. Ensure all key holders, authorized individuals know how to reset system after inspection by emergency responders.

3. VIOLATIONS AND ENFORCEMENT

- 1) Any Person who contravenes the provision of this bylaw is guilty of an offence and is liable for a specified penalty as outlined in schedule “A” attached parts I and II
- 2) False Alarm waiver see conditions on schedule “A” attached part III.
- 3) When a Person is alleged to have contravened any provision of this Bylaw, and when authorized, a Bylaw Enforcement, or Peace Officer includes a member of the Royal Canadian Mounted Police, may issue a Violation Ticket/Tag which shall state:
 - i) The nature of the offence;
 - ii) The penalty payable in connection with the offence; and
 - iii) The time period within which the penalty must be paid.
- 4) A Violation Ticket/Tag shall be deemed to be sufficiently served for the purposes of this bylaw if:
 - i) Served personally on the accused; or
 - ii) Mailed to the address of the Person concerned;



- 5) In lieu of prosecution, the Person named in the Violation Ticket/Tag may elect to voluntarily make payment to the Town of Provost of the penalty amount specified in the Violation Ticket/Tag.
- 6) If the payment specified in the Violation Ticket/Tag is not paid in accordance with the terms of the ticket and in the time required by the ticket, a prosecution may be commenced for the alleged contravention of this bylaw.
- 7) Except as otherwise provided in this bylaw, a Person who is guilty of an offence under this bylaw for which a penalty is not otherwise provided, upon summary conviction before a court of competent jurisdiction, shall be liable to a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00) or in the event of non-payment of the fine, imprisonment for a period not exceeding ninety (90) days unless such fine is sooner paid.

**TOWN OF PROVOST
BYLAW NO 07/2011**

Read for the first time the 16th day of August, 2011.

Read for the second time this 16th day of August, 2011

Read for the third time and passed this the 16th day of August, 2011


MAYOR


TOWN ADMINISTRATOR



SCHEDULE "A"
Penalties:

Offence:
Section 3

Part I

For Alarms generated from a "**Residential**" premises:

	Penalty:
First offence	\$250.00
Second and subsequent offences	\$500.00

Part II

For Alarms generated from "**Business**" premises:

	Penalty:
First offence	\$500.00
Second and subsequent offences	\$1000.00

Part III:

False Alarm: Waiver

- i) any false alarm which the "**occupant or key holder**" can demonstrate was caused **by** a storm, lightning, fire, earthquake or act of God; or
- ii) any false alarm which the "**occupant or key holder**" can demonstrate was not caused **by** lack of due diligence; or
- iii) any false where as **the** Fire Chief, Royal Canadian Mounted Police, and Peace Officer can waive the cost **of** response.