



**MUNICIPALITY OF EAST HANTS
BYLAW F-500
FIRE AND BURGLAR ALARM BYLAW
A BYLAW IN AMENDMENT TO BYLAW 5-1
BURGLAR ALARM BYLAW**

WHEREAS Section 174 (d) of the *Municipal Government Act* provides that a Council may make bylaws respecting fire and burglar alarms; and

WHEREAS Section 172 (1) (l) (vii) of the *Municipal Government Act* provides that a Municipality may, by bylaw, provide that a person who contravenes a bylaw may pay an amount established by bylaw and if the amount is paid the person will not be prosecuted for the contravention; and

WHEREAS there is a high demand placed upon the East Hants Fire Service and Royal Canadian Mounted Police (RCMP) to meet the wide and varied needs of the businesses and residents of the Municipality of East Hants; and

WHEREAS Municipal Council wishes to minimize, to the extent possible, the number of false alarms occurring within the Municipality of East Hants that take away from the time available to the East Hants Fire Service and RCMP to focus on legitimate fire and police business;

BE IT ENACTED by the Council of the Municipality of East Hants, as follows:

1. SHORT TITLE

1.1. This bylaw shall be known as the “Fire and Burglar Alarm Bylaw”.

2. DEFINITIONS

In this Bylaw:

- a) "Alarm Coordinator" means a Building Inspector or Bylaw Enforcement Officer unless some other person has been appointed by the Chief Administrative Officer to administer this Bylaw.





- b) "alarm system" means any mechanical or electrical device which emits a sound or transmits a signal or message when activated and which is designed or used for the detection of fire or an actual or attempted unauthorized entry into a building, structure, fenced enclosure or other facility, but does not include a device that is installed in a vehicle;
- c) "audible alarm" means an alarm system containing as a component or feature an audible sound generated by an activated alarm system on the premises in which the alarm system is installed;
- d) "automatic calling device" means any device, or combination of devices, that will, upon activation, either mechanically, electronically or by any other automated means, initiate transmission of a signal or message, including a recorded message or an electronic signal, over telephone lines;
- e) "false alarm" means an alarm which results in the dispatch of the East Hants Fire Service or RCMP except when a legitimate activation event has occurred, provided however that an alarm shall not be considered false if the owner can demonstrate to the reasonable satisfaction of the Alarm Coordinator that an alarm resulted from
 - (i) a windstorm, lightning, earthquake or other violent act of nature; or
 - (ii) from the wrongful activation of an alarm by a person other than an employee or contractor of the owner;
- f) "legitimate activation event" means an actual fire event or attempted unauthorized entry. Legitimate activation is determined by the responding agency.
- g) "monitored alarm system" means an alarm system where the signal of a legitimate activation event is automatically transmitted to a third party;
- h) "owner" means a person who owns, manages, possesses or controls premises or directs activity carried out on premises and includes a person shown on the Assessment Roll for the Municipality of East Hants as the assessed owner or occupant of the premises except where the Municipality of East Hants has been given notice in writing of a change in ownership or has been provided with the name of a person identified as having exclusive possession and control of the premises.





3. OFFENCES AND PENALTIES

- 3.1. Nothing in this Bylaw shall be construed as authorizing non-compliance with any laws, regulations, bylaws, lawful orders or directives pursuant to any statute, regulation or statutory or regulatory authority that may require the installation, maintenance or operation of alarm systems or which may specify standards in respect of the manufacture, installation, maintenance or operation of such systems.
- 3.2. No person shall willfully cause the activation of an alarm in the absence of a legitimate activation event.
- 3.3. No person shall install or operate an audible alarm, and no owner shall permit or acquiesce in the installation or operation of an audible alarm which sounds continually at the alarm-protected premises for a period of greater than fifteen minutes after each separate activation, if the sound made by the alarm is audible off the property on which the alarm has been installed.
- 3.4. No person shall install or operate, or permit or acquiesce in the installation or operation of any automatic calling device designed or programmed to transmit a message to any telephone number assigned to the East Hants Fire Service or RCMP, or to a dispatch or communication centre responsible for the receiving and dispatching of alarm calls to such organizations.
- 3.5. When a third party is responsible for monitoring an alarm system for the detection of fire or an actual or attempted unauthorized entry into a building, structure, fenced enclosure or other facility, that third party shall endeavor to verify that the alarm activation is not accidental by contacting the owner or occupant of the premises where the alarm is installed before notifying a publicly funded fire or police service organization.
- 3.6. No owner shall cause, permit, or allow more than one false alarm to emanate from an alarm system during any consecutive 12-month period. Each additional false alarm within such period shall constitute a separate offence.





- 3.7. Following the first occurrence of an apparently false alarm within any consecutive period of 12 months,
 - 3.7.1. a notice shall be delivered to an owner of the alarm system that a false alarm has apparently occurred and that, in the event an owner disagrees that there was a false alarm, the owner shall have 3 weeks from the date of delivery of the notice to show cause to the Alarm Coordinator why the alarm should not be considered false;
 - 3.7.2. the notice shall be in writing and may be delivered by hand or regular mail
 - 3.7.2.1. to the subject property to the attention of the occupant; and
 - 3.7.2.2. to the owner's name and address as contained in the tax roll;
 - 3.7.3. a notice sent in accordance with this section is deemed to have been delivered and received and, in the case of a notice sent by mail, is deemed to have been delivered 3 days after the date of mailing; and
 - 3.7.4. when an owner responds to the notice, the Alarm Coordinator shall make a determination of whether there was a false alarm, and the Alarm Coordinator's decision shall be final.
- 3.8. On the occurrence of a second false alarm during any consecutive twelve month period, a person who is given notice of the contravention may pay to the Municipality of East Hants, at the place specified in the notice, a fee of \$100 within 14 days of the notice and shall thereby avoid prosecution for that contravention.
- 3.9. On the occurrence of a third false alarm during any consecutive twelve month period, a person who is given notice of the contravention may pay to the Municipality of East Hants, at the place specified in the notice, a fee of \$150 within 14 days of the notice and shall thereby avoid prosecution for that contravention.





3.10. An owner who causes, permits, or allows the occurrence of more than one false alarm to emanate from an alarm system during any consecutive 12-month period is guilty of an offence punishable on summary conviction by a fine of not less than \$200 and not more than \$5,000 and to imprisonment of not more than 90 days in default of payment thereof.

3.11. Any person who violates any other provision of this Bylaw is guilty of an offence punishable on summary conviction by a fine of not less than \$100 and not more than \$5,000 and to imprisonment of not more than 90 days in default of payment thereof.

I, CONNIE NOLAN, Municipal Clerk of the Municipality of East Hants, hereby certify that the above noted bylaw was passed at a meeting of the East Hants Municipal Council on June 29, 2016.

CONNIE NOLAN
Municipal Clerk

Bylaw Adoption	
First Reading:	May 25, 2016
Notice Publication:	June 1, 2016
Second Reading and Enactment:	June 29, 2016
Final Publication:	July 13, 2016
Notice to Service Nova Scotia & Municipal Relations:	July 13, 2016





Version Number	Amendment Description	Council Approval Date
1	The Original Bylaw	August 23, 2006
2	Change made to bylaw number (to 5-1); amended Section (12) of the Burglar Alarm By-law and all references to "Municipality" to read "Municipality of East Hants".	December 23, 2009
3	Change made to bylaw number (to F-500) and name; addition of East Hants Fire Service and fire alarms; updated definition of legitimate activation event; document format changes resulted in change to section numbers.	June 29, 2016

