

REGIONAL DISTRICT OF CENTRAL OKANAGAN

SECURITY ALARM SYSTEMS BYLAW

BYLAW NO. 1546

A Bylaw to Regulate Security Alarm Systems

WHEREAS the Regional District of Central Okanagan has enacted the Crime Prevention Extended Service Establishing Bylaw No. 661, and amendments thereto within the City of West Kelowna, District of Lake Country, District of Peachland, Central Okanagan West Electoral Area, and Central Okanagan East Electoral Area.

AND WHEREAS the *Local Government Act* enables a regional district to provide a service in relation to fire alarm systems and security alarm systems.

AND WHEREAS excessive numbers of False Alarms are occurring by users of Security Alarm Systems and these False Alarms require emergency responses from the police and may result in delaying response to a true emergency detracting from crime prevention and constitute a nuisance to the police and to the citizens of the Regional District of Central Okanagan.

AND WHEREAS an alarm permit is not intended to, nor does it create a contract, duty, or obligation either expressed or implied, of police response.

AND WHEREAS the City of Kelowna and Westbank First Nation (IR#9 & IR#10) has requested that the Regional District of Central Okanagan provide the service of administration and enforcement of security alarm systems.

AND WHEREAS it is desirable to enact a bylaw dealing with False Alarms in the Regional District of Central Okanagan.

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan in an open meeting enacts the following:

1. Regional District of Central Okanagan False Alarm Reduction Bylaw No. 1382, 2015 is hereby repealed.
2. This Bylaw may be cited as the "Regional District of Central Okanagan Security Alarm Systems Bylaw No. 1546, 2024".

PART 1 – INTERPRETATION

3. If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the Bylaw and such invalidity shall not affect the validity of the remaining portions of this Bylaw.
4. The headings contained in this Bylaw are for convenience only and are not to be construed as defining or in any way limiting the scope or the intent of the provisions of this Bylaw.

5. Schedule 'A' of this Bylaw is attached to and forms part of this Bylaw and is enforceable in the same manner as this Bylaw.

PART 2 – DEFINITIONS

6. In this Bylaw:

Enhanced Call Verification (ECV) means a **Security Alarm System Company** must ensure that at least one **Security Alarm System User** or **Keyholder** has been notified of an **Intrusion Alarm** and must confirm that multiple (two or more) security zones or breaches are activated prior to making a **Reported Alarm Request**.

False Alarm Administrator means the employee of the **Regional District** responsible for the management of the False Alarm Reduction Program.

False Alarm means a **Reported Alarm** where there is no evidence that an unauthorized entry or unlawful act has been attempted or made into, on or in respect of a building, structure or premises and includes, but is not limited to:

- (a) the activation of a security alarm system during its testing,
- (b) a security alarm system activated by mechanical failure, malfunction, or faulty equipment,
- (c) a security alarm system activated by atmospheric conditions, vibrations, or power failure,
- (d) a security alarm system activated by user error.

False Alarm Notice means a notice in writing sent to **Security Alarm System Users** or **Security Alarm Companies** when a **False Alarm** is activated on a permitted premises.

Intrusion Alarm means an alarm that gives warning to the presence of an intruder.

Keyholder means an alternate individual designated by the **Security Alarm System User** who can be contacted in the event of a **Reported Alarm** who has access to the **Security Alarm Site** and are able to operate and verify the alarm.

Notice of Fees means a notice or invoice, in writing, stating that a fee of an amount specified is to be charged to **Security Alarm System Users** or **Security Alarm Companies** when a **False Alarm** is activated, and a **Police Service** is called to respond.

Operational Communications Center (OCC) Call Taker means an operator who receives a call from 9-1-1 and makes a **Reported Alarm Request** to a **Police Service**.

Panic Alarm means **Hold up, Duress, or Intrusion Alarm** being a silent or audible alarm that a **Security Alarm System User** generates by manually activating a device (button, floor pedal, key fob, or pendant) during an emergency when unable to dial 911 due to a robbery in progress or being physically threatened or accosted with imminent harm or death and will result in a heightened response from police.

Police Service means the Royal Canadian Mounted Police (RCMP) or police of jurisdiction. The RCMP is responsible for ensuring public safety by providing quality and timely service and protection to citizens and their properties to **Panic** and **Verified Alarm** calls.

Regional District means the Regional District of Central Okanagan as described in the Letters Patent or any subsequent amendments.

Reported Alarm means the contact made to a **Police Service** by any **Security Alarm System Company** or **Security Alarm System User** responsible for the protection of their or a client's property, personnel, or personal well-being.

Reported Alarm Request means a call or notification to the **Operation Communications Center (OCC)** requesting a response a **Police Service**.

Security Alarm System Company means a person or company that installs and/or monitors a **Security Alarm System**.

Security Alarm System Permit means a permit issued pursuant to Part 3 Section 7 of this Bylaw.

Security Alarm Site means the physical location where the **Security Alarm System** is located.

Security Alarm System User includes any person who owns or operates a **Security Alarm System**.

Security Alarm System Permit Fees means the fees that **Security Alarm System Users** pay on a biennial basis to obtain a **Security Alarm Permit**.

Security Alarm System means any device that gives audible, visual or any other form of alarm signal about a problem or condition of an alarm site either self-monitored or monitored by a **Security Alarm System Company**. A **Security Alarm System** does not include an alarm installed in a vehicle or a personal security device.

Verified Alarm means an alarm where a potential criminal offence may be occurring or has occurred as determined by, but not limited to, an eyewitness, real-time video observation or two or more zones being activated.

PART 3 – ALARM PERMIT REQUIREMENTS

7. Every **Security Alarm System User** of an active **Security Alarm System** must register and pay the new **Security Alarm System Permit** registration fee, and the **Security Alarm System Permit** renewal fees as set out in Schedule 'A' of this Bylaw.
8. A person shall not cause, allow, or permit the occurrence of a **False Alarm**.
9. The **Regional District** does not provide refunds for **Security Alarm System Permit Fees**.
10. A **Security Alarm System Permit** issued under this Bylaw is valid for two (2) years commencing from the date of issuance.
11. A **Security Alarm System User** cannot transfer a **Security Alarm System Permit** to any other person or any other property.

12. A **Security Alarm System User** must notify the **Regional District** within thirty (30) days from when:
 - (a) the **Security Alarm System** is no longer active, or
 - (b) the **Security Alarm System** is no longer under the control of the **Security Alarm System User**.

PART 4 – ALARM DISPATCH REQUEST REQUIREMENTS

13. Prior to making a **Reported Alarm Request** to the **Police Service**, the **Security Alarm System User** or **Security Alarm System Company** must follow the **Enhanced Call Verification** procedure.
14. With every **Reported Alarm Request** to the **Police Service**, the **Security Alarm System User** or **Security Alarm System Company** must provide the following information:
 - (a) **Security Alarm System Permit** number;
 - (b) Description regarding the time, location, and type of signal from the alarm site and;
 - (c) **Responsible Parties'** contact information.
15. **Panic Alarms** are exempt from Sections 13 and 14 of this Bylaw.
16. Liability – Registration of a **Security Alarm System** is not intended to, nor will it, create a contract, duty, or obligation, either expressed or implied, of response. All liability and consequential damage resulting from the failure to respond to a **Reported Alarm** is hereby disclaimed and governmental immunity as provided by law is retained.

PART 5 - THE RESPONSIBILITIES OF AN ALARM COMPANY

17. The **Security Alarm System Company** must provide the **Security Alarm System User** with a copy of this Bylaw and all alarm permit requirements as set out in Part 3 of this Bylaw.
18. Any **Security Alarm System** that has more than one (1) **False Alarm** in a twelve (12) month period commencing from the date of issuance of the **Security Alarm System Permit**, the **Security Alarm System Company** and/or **Security Alarm System User** will be subject to fees as set out in Schedule 'A' of this Bylaw.

PART 6 - PENALTIES

19. Any person who violates any of the provisions of this Bylaw, or who suffers or allows any act of thing to be done in contravention or in violation of any of the provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of the Bylaw, is guilty of an offence under the Bylaw, and liable to a monetary penalty as per this Bylaw.

20. A **Security Alarm System User** or **Security Alarm System Company** who receives a **Notice of Fees**, must:

- (a) pay the fees in accordance with this Bylaw, or
- (b) make a request, in writing, to the **Regional District** to dispute the fees in respect of the allegation, no more than ninety (90) days after the date of the **False Alarm Notice** and associated Invoice.

PART 7 - UNPAID FEES FORM PART OF TAXES IN ARREARS

21. Pursuant to the provisions of the *Community Charter and Local Government Act*, any fees, that are the result of this Bylaw, which remain unpaid after December 15th of the calendar year, will be added to the tax roll for any real property, all owners of which are responsible for paying such charges, and may be collected in like manner as property taxes.

READ A FIRST, SECOND AND THIRD TIME THIS 23 DAY OF MAY, 2024.

ADOPTED THIS 23 DAY OF MAY, 2024.



CHAIRPERSON



CORPORATE OFFICER

SCHEDULE 'A'

FEES

(a) New Security Alarm System Permit Registration Fees (Valid for two years)

Residential Alarm System Permits	\$40
Commercial Alarm System Permits	\$80

(b) Security Alarm System Permit Renewal Fees (Biennially)

Residential Alarm System Permits	\$30
Commercial Alarm System Permits	\$60
Security Alarm System User must reapply for a security alarm system permit and pay the registration fee once permits are expired.	

(c) False Alarm Fee with Security Alarm System Permit (number of false alarm counts will reset annually on anniversary date)

	1 st false alarm	2 nd false alarm	3 rd false alarm	4 th & subsequent false alarms
Residential	\$0	\$100.00	\$200.00	\$300
Commercial	\$0	\$200.00	\$400.00	\$600

(d) False Hold-up, Duress or Panic Alarm Fee with Security Alarm System Permit (number of false alarm counts will reset annually on anniversary date)

	1 st false alarm	2 nd false alarm	3 rd false alarm	4 th & subsequent false alarms
Residential	\$100	\$200.00	\$400.00	\$600.00
Commercial	\$200	\$400.00	\$800.00	\$1,200.00

(e) All Reported Alarm calls to OCC without a valid Security Alarm System Permit

	1 st false alarm	2 nd false alarm	3 rd & subsequent false alarms
Residential	\$100.00	\$200.00	\$300.00
Commercial	\$200.00	\$400.00	\$600.00

- (f) False Alarm caused by an Alarm Company (Part3, Section 8) \$200.00
- (g) Failure to complete **Enhanced Call Verification** (Part 4, Section 13) \$200.00
- (h) Failure to provide Alarm Dispatch Request Requirements (Part 4, Section 14) \$200.00
- (i) **Security Alarm System Company** not informing the **Security Alarm System User** of the requirements of this Bylaw (Part 5, Section 17) \$200.00
- (j) Alarm Company Fee for an Alarm System that has more than four (4) False Alarms (Part5, Section 19) \$600.00