

**TOWN OF STONEWALL  
BY-LAW NO. 12/00**

**Being a by-law of the Town of Stonewall for  
the purpose of regulating and controlling  
alarm systems and requiring permits therefore.**

**WHEREAS** the Town of Stonewall has identified a problem with the activation of alarm systems which have required alarm responses by either the Stonewall R.C.M.P. Detachment or the Stonewall-Rockwood Fire Department, the alarm systems having been falsely activated and on occasion frequently falsely activated;

**AND WHEREAS** in addition to posing a threat to the safety of the members of the Stonewall R.C.M.P. Detachment, the Stonewall-Rockwood Fire Department and the public by creating unnecessary hazards, false alarms result in considerable unnecessary expense and are a nuisance;

**AND WHEREAS** Section 232 (1) (a) of The Municipal Act provides that a Council may pass by-laws for municipal purposes respecting the safety, health, protection and well-being of people, and the safety and protection of property;

**AND WHEREAS** the Town of Stonewall pursuant to Section 232 (2) (e) of The Municipal Act may in a by-law provide for a system of licenses, permits or approvals and specifically pursuant to Section 264 and 267 of The Municipal Act may regulate the installation and false activation of automatic fire detection systems within the Town of Stonewall.

**NOW THEREFORE** the Council of the Town of Stonewall, in regular session assembled, enacts as follows:

1. This By-law may be cited as “The Alarm System By-law”.
2. In this By-law, unless the context otherwise requires:
  - (1) “Alarm System” means any mechanical, electrical or electronic device which is designed or used for;
    - (a) the detection of an unlawful act in, or unauthorized entry into, a building, structure or facility, or
    - (b) the detection of fire and/or smoke in a building, structure or facility, andwhich emits a sound or transmits a signal or message when actuated but does not include:
    - (c) a device which registers an alarm that is not audible, visible or perceptible outside of the protected building, structure or facility, or
    - (d) a device that is installed in a “motor vehicle” or “motor home” as those terms are defined in The Highway Traffic Act, .C.S.M. c.H60;
  - (2) “Audible Alarm” means an alarm system which generates an audible sound on or about the premises where it is located and the sound is heard outside of the protected premises when it is actuated;
  - (3) “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 which is designed to be transmitted over regular telephone lines;

- (4) “Chief Administrative Officer” means the Town of Stonewall Chief Administrative Officer or his designate;
- (5) “False Alarm” means either
  - (a) the actuation of an Alarm System resulting in a response by the Stonewall R.C.M.P. Detachment where there has been no unauthorized entry or commission of an unlawful act on the premises;
  - (b) the actuation of an Alarm System resulting in a response by the Stonewall-Rockwood Fire Department where there is no fire and/or smoke;
- (6) “Fire Chief” means the Fire Chief of the Stonewall-Rockwood Fire Department or his designate;
- (7) “Monitored Alarm System” means either
  - (a) an Alarm System, excluding an Audible Alarm, which when actuated transmits a sound, signal or message to a location where personnel are in attendance at all times and one of whose functions it is to notify the Stonewall R.C.M.P. Detachment of the Alarm System being actuated;
  - (b) an Alarm System, excluding an Audible Alarm, which when actuated transmits a sound, signal or message to a location where personnel are in attendance at all times and one of whose functions it is to notify the Stonewall-Rockwood Fire Department of the alarm system actuation;
- (8) “Permittee” means the holder of an Alarm System Permit;
- (9) “Person” means any individual and includes a corporation, firm, partnership or association;
- (10) “Unit Commander” means the Non Commissioned Officer of the Stonewall R.C.M.P. Detachment or his designate;

Audible Alarm System

- 3. (1) Every Person maintaining an Audible Alarm within the boundaries of the Town of Stonewall shall keep the Chief Administrative Officer informed, by notice in writing, of the name, addresses and telephone numbers of at least two (2) persons at different locations to be contacted in the event that the Audible Alarm is actuated.
- (2) At least one of the Persons to be contacted pursuant to Subsection (1) shall always:
  - (a) be available to receive telephone calls from the Stonewall R.C.M.P. Detachment and/or the Stonewall-Rockwood Fire Department made in respect of the Audible Alarm;
  - (b) be capable of affording access to the premises where the Audible Alarm is located; and
  - (c) attend at the premises where the Audible Alarm is located within forty-five (45) minutes of being requested to do so by a member of the Stonewall R.C.M.P. Detachment and/or the Stonewall-Rockwood Fire Department;
- (3) No Person shall install, maintain or use an Audible Alarm that is capable of being sounded continually for a period of greater than fifteen (15) minutes after each actuation;

- (4) Where premises contain both an Audible and a Monitored Alarm System, the provisions of this By-law relating to a Monitored Alarm System shall apply.

#### Monitored Alarm System

4. (1) When a Person monitoring a Monitored Alarm System receives an alarm from such system during those hours when the premises in which the system is located is normally occupied, such Person shall before advising the Stonewall R.C.M.P. Detachment and/or the Stonewall-Rockwood Fire Department of the alarm, attempt to verify by telephoning the said premises that the alarm is not a False Alarm;
- (2) A Person who monitors a Monitored Alarm System and who informs the Stonewall R.C.M.P. Detachment and/or the Stonewall-Rockwood Fire Department that the Monitored Alarm System has been actuated shall:
  - (a) at the same time advise such member of the Stonewall R.C.M.P. Detachment and/or the Stonewall-Rockwood Fire Department of the Alarm System Permit number for such system; and
  - (b) notify a Person capable of affording access to the premises where the Monitored Alarm System is located to attend at such premises within forty-five (45) minutes from the time a member of the Stonewall R.C.M.P. Detachment and/or the Stonewall-Rockwood Fire Department is informed of the actuation of the Monitored Alarm System;
- (3) Said Person notified in Subsection (2) (b) above shall attend the premises where the Monitored Alarm System is located within forty-five (45) minutes from the time a member of the Stonewall R.C.M.P. Detachment and/or the Stonewall-Rockwood Fire Department is informed of the actuation of the Monitored Alarm System;
- (4) In the event a Person monitoring a Monitored Alarm System is unable to notify a Person pursuant to Subsection (2) (b) above within fifteen (15) minutes of the activation of the Alarm System, the Stonewall R.C.M.P. Detachment and/or the Stonewall-Rockwood Fire Department shall, upon inspecting the said premises and finding no signs of entry or crime and/or no fire or signs of fire shall return to the Stonewall R.C.M.P. Detachment and/or the Stonewall-Rockwood Fire Hall.

#### Alarm System Permit

5. (1) No Person shall install, keep or use or permit the installation, keeping or use of an Alarm System unless there is a valid and subsisting Alarm System Permit therefore on the form attached as Schedule "A" to this By-law;
- (2) (a) An applicant for an Alarm System Permit shall make application and provide the information requested to the Chief Administrative Officer on the form attached as Schedule "B" to this By-law, and the applicant shall ensure that all such information is kept current and that the Chief Administrative Officer is forthwith informed in writing of any and all changes or corrections to such information during the term of the Alarm System Permit;
- (b) An applicant, having made an application for an Alarm System Permit, shall attend the office of the Chief Administrative Officer, produce a properly completed Alarm Permit Application and, upon payment of an Application Fee of \$25.00, the Chief Administrative Officer shall endorse his signature on the Alarm Permit attached to the said application so long as the applicant is in compliance with all provisions of this By-law;

- (c) Unless an annual term is specified an Alarm System Permit shall remain in force until suspended or revoked, or if no term is designated then until notified by the Town of Stonewall that such Permit requires renewal. The Chief Administrative Officer may issue Alarm System Permits for a term of one year commencing on such date as the Council of the Town of Stonewall may designate.
- (3) An Alarm System Permit shall be issued in the name of the Person in actual occupation of the premises, which the Alarm System is designed to protect;
- (4) An Alarm System Permit shall not be assigned or transferred;
- (5) Any label or decal issued with the Alarm System Permit shall be affixed to the protected premises so as to be legible from the exterior of the said premises. The form of such decal shall be as attached as Schedule "C" to this By-law..
- (6) The Chief Administrative Officer may revoke or suspend any Alarm System Permit if:
  - (a) the Permittee has contravened any of the provisions of this By-law, or;
  - (b) the Persons to be contacted pursuant to Subsection 3. (1) are not available to receive telephone calls as required by Subsection 3 (2) (a), or;
  - (c) a Person contacted pursuant to Section 3. (1):
    - i) is not capable of affording access to the premises where the Audible Alarm is located in accordance with Subsection 3. (2) (b), or
    - ii) fails to attend at the premises where the Audible Alarm is located in accordance with Subsection 3. (2) (c), or;
  - (d) the Person monitoring the Alarm System, in the case of a Monitored Alarm System, fails to comply with Subsections 4. (1) and (2) ; or
  - (e) a Person notified pursuant to Subsection 4. (3):
    - i) is not capable of affording access to the premises where the Monitored Alarm is located in accordance with Subsection 4. (2) (b), or
    - ii) fails to attend the premises where the Monitored Alarm is located in accordance with Subsection 4. (2) (b), or
  - (f) the Alarm System actuates excessive False Alarms;
- (7) For the purpose of this Section "excessive False Alarms" means three (3) or more False Alarms in any twelve (12) continuous month period.
- (8)
  - (a) In the event that an Alarm System Permit is suspended or revoked, any False Alarm which occurred prior to the suspension or revocation shall not be included when determining whether the Alarm System actuates excessive False Alarms in a subsequent proceeding taken pursuant to Subsection 5 (6) (f);
  - (b) Where an Alarm System actuates excessive False Alarms, the Chief Administrative Officer may, by notice in writing, require the Permittee to have the Alarm System inspected by a Person knowledgeable in the installation and use of Alarm Systems;
  - (c) Within fourteen (14) days of receipt of the notice referred to in Subsection (8) (b) above, the Permittee shall provide the Chief Administrative Officer

with a report in writing verifying that the inspection has been carried out and indicating the results of the inspection.

- (d) If the report referred to in Subsection (8) (c) above indicates in any way that the Alarm System is malfunctioning due to a fault or deficiency in the Alarm System, the Permittee shall forthwith remedy such default or deficiency;
  - (e) Where an Alarm System Permit has been revoked, the Chief Administrative Officer may, during the six (6) months following such revocation, refuse to issue a further Alarm System Permit for such Alarm System.
- (10) (a) When the Chief Administrative Officer suspends or revokes an Alarm System Permit, the Permittee shall be notified of such suspension or revocation in writing;
- (b) When the Chief Administrative Officer refuses to issue an Alarm System Permit, the applicant shall be notified of such refusal in writing;
- (c) The notice referred to in Subsections 10 (a) and (b) shall be in writing and shall be delivered to the Permittee or the applicant either by:
- i) personal delivery; or
  - ii) by registered mail to such Person or Permittee at his last known address and where a Monitored Alarm System is involved, a copy of said notification may be mailed by ordinary mail to the Person or company monitoring said system if the said Person or company is known to the Chief Administrative Officer;
- (11) Any Permittee of an Alarm Permit which has been revoked shall be required to re-apply pursuant to Subsection 5 (2) prior to obtaining any further Alarm Permit;
- (12) No refunds shall be paid for revoked or otherwise cancelled or used Alarm System Permits.

#### Automatic Calling Device

6. No Person shall use, maintain or program or permit the use, maintenance or programming of any automatic calling device to transmit any message to any telephone number assigned to the Stonewall R.C.M.P. Detachment and/or the Stonewall-Rockwood Fire Department concerning the activation of an Alarm System.

#### Contravention

7. (1) In addition to any other remedy set out in this By-law any Person who contravenes Subsections 3 (1), 3 (2) or 3 (3) or Subsection 4 (3) of this By-law may be charged a penalty by the Chief Administrative Officer in the amount of \$250.00 for each such contravention. This penalty is payable whether or not the Person holds a valid Alarm System Permit. Such penalty shall be payable to the Town of Stonewall and is to reimburse the Town of Stonewall for costs incurred as a result of such contravention.
- (2) In addition to any other remedy set out in this By-law any Person who holds a valid Alarm System Permit and who contravenes Subsection 5 (6) (f) of this By-law may be charged a penalty by the Chief Administrative Officer in the sum of \$100.00 in the case of each False Alarm responded to by the Stonewall R.C.M.P. Detachment and in the sum of \$ 250.00 for each False Alarm responded to by the

Stonewall-Rockwood Fire Department after the excessive False Alarms as defined in Subsection 5 (7) have been recorded.

- (3) Any Person who occupies premises and who does not possess a valid Alarm System Permit issued as per this By-law may be charged a penalty by the Chief Administrative Officer in the sum of \$350.00 for each False Alarm which is actuated from the premises occupied by such Person.
- (4) Where the contravention, refusal, neglect, admission or failure, to comply with any provision of this By-law continues for more than one day, the Person is guilty of a separate offense for each day that it continues.
- (5) Any fee, penalty or fine levied or charged under this By-law shall be a debt owed by the Person and/or Permittee to the Town of Stonewall and same may be collected in any manner in which a tax owed to the Town of Stonewall may be collected or enforced under the Municipal Act.

Repeal

8. By-law No. 25/93 of the Town of Stonewall is hereby repealed.

Effective

9. This By-law shall come into force and effect on the first day of January, A.D. 2001, and shall apply to all alarm systems whether installed, kept or used prior to or after the coming into force of this By-law.

**DONE AND PASSED** in Council duly assembled this 10<sup>th</sup> day of January A.D., 2000.

**TOWN OF STONEWALL**

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**MAYOR**

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**CHIEF ADMINISTRATIVE OFFICER**

Read a first time this 14<sup>th</sup> day of June A.D., 2000.

Read a second time this 22<sup>nd</sup> day of November A.D., 2000, as amended.

Read a third time this 10<sup>th</sup> day of January A.D., 2001.

**SCHEDULE "A"**  
*By-law No. 12/00*  
*[ Pursuant to Sub-Section 5(1) ]*

Permit Number **000**



Permit Fee \$ 25.00

**ALARM SYSTEM PERMIT**

This is to certify that \_\_\_\_\_

of \_\_\_\_\_

( Civic Address )

is hereby authorized to operate an Alarm System in the Town of Stonewall.

*This Permit shall remain in force and in effect until suspended or revoked or for such a term as the Council of the Town of Stonewall may designate, or if no term is designated then until notified by the Town of Stonewall that such Permit requires renewal.*

*Provided, nevertheless, that the Permittee shall observe and keep all By-laws, rules and regulations as are now or herein after may be in force in the said Town respecting said Permit.*

*The Alarm System Permit and/or decals are to be displayed in a location on the premises visible to attending emergency services personnel.*

Dated at the Town of Stonewall this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2\_\_\_\_

\_\_\_\_\_  
*Chief Administrative Officer*  
*Town of Stonewall*

|   |                             |                         |
|---|-----------------------------|-------------------------|
| <i>TYPE OF ALARM SYSTEM (Check all Alarm Systems that are applicable)</i> |                             |                         |
| <i>Residential</i> _____  |                             | <i>Commercial</i> _____ |
| <i>Burglar</i> _____  | <i>Holdup/Robbery</i> _____ | <i>Vandal</i> _____     |
| <i>Fire</i> _____   | <i>Distress</i> _____       |                         |
| <i>Other (specify)</i> _____  |                             |                         |

**SCHEDULE "B"**

*By-law No. 12/00*

[ Pursuant to Sub-Section 5(2) (a) ]



**ALARM SYSTEM PERMIT APPLICATION**

|  |  |
|--|--|
| <b>P<br/>R<br/>O<br/>T<br/>E<br/>C<br/>T<br/>E<br/>D<br/><br/>P<br/>R<br/>E<br/>M<br/>I<br/>S<br/>E<br/>S</b>        | <p><b>NAME OF APPLICANT:</b> _____</p> <p>_____</p> <hr/> <p><b>NAME OF COMPANY: (if different from above)</b></p> <p>_____</p> <hr/> <p><b>ADDRESS OF PROTECTED PREMISES: (where alarm is located)</b></p> <p>_____</p> <p>_____</p> <p>_____</p> <p style="text-align:right;"><b>POSTAL CODE:</b> _____</p> <p><b>PHONE NUMBER:</b> _____ (H) _____ (W)</p>  |
| <b>A<br/>L<br/>A<br/>R<br/>M</b>   | <p><b>TYPE:</b></p> <p>Residential _____ Commercial _____ Date Installed: _____</p> <p>Monitored _____ Audible _____ Other (specify): _____</p> <hr/> <p><b>PURPOSE:</b></p> <p>Burglar _____ Hold Up/Robbery _____ Vandal _____</p> <p>Fire _____ Distress _____ Other (specify): _____</p> <hr/> <p><b>Monitoring Company Name:</b> _____</p> <p><b>Address:</b> _____</p> <p style="text-align:right;"><b>Phone Number:</b> _____</p> <hr/> <p><b>Installing Company Name:</b> _____</p> <p><b>Address:</b> _____</p> <p style="text-align:right;"><b>Phone Number:</b> _____</p> |
| <b>S<br/>K<br/>Y<br/>E<br/>S<br/>Y<br/>T<br/>H<br/>E<br/>O<br/>M<br/>L<br/>D<br/>O<br/>E<br/>N<br/>R<br/>L<br/>Y</b> | <p><b>Name:</b> _____ <b>Home Number:</b> _____</p> <p><b>Address:</b> _____ <b>Work Number:</b> _____</p> <p align="center"><small>(to include postal code)</small></p> <hr/> <p><b>Name:</b> _____ <b>Home Number:</b> _____</p> <p><b>Address:</b> _____ <b>Work Number:</b> _____</p> <p align="center"><small>(to include postal code)</small></p> <hr/> <p><b>Name:</b> _____ <b>Home Number:</b> _____</p> <p><b>Address:</b> _____ <b>Work Number:</b> _____</p> <p align="center"><small>(to include postal code)</small></p>   |
| <b>H<br/>A<br/>Z<br/>A<br/>R<br/>D<br/>S</b>   | <p><b>Include Dangerous Goods, Security Personnel, Dogs, or other:</b></p> <p>_____</p>  |
| <b>C<br/>E<br/>R<br/>T<br/>I<br/>F<br/>Y</b>   | <p><b>I Hereby Certify that all Information contained in this application is Correct and Accurate to the Best of My Knowledge.</b></p> <p>_____</p> <p align="center"><small>Applicant's Name (print)</small></p> <p style="text-align:right;">_____</p> <p align="right"><small>Applicant's Signature</small></p>   |



*SCHEDULE "C"*  
*By-law No. 12/00*  
*[ Pursuant to Sub-Section 5(5) ]*



*A L A R M E D P R E M I S E S*

*Alarm System By-law 12/00*