#### CITY OF KELOWNA

## **MEMORANDUM**

**Date:** January 13, 2005

File No.: BL9147

To: City Manager

From: Acting City Clerk

Subject: Regional District of Central Okanagan Security Alarm Systems Regulation

Service Establishment Bylaw No. 1080

#### RECOMMENDATION

THAT Kelowna City Council consents to the Regional District of Central Okanagan adopting Security Alarm Systems Regulation Service Establishment Bylaw No. 1080.

#### BACKGROUND

Consent from the participating areas is required in order for the Regional District to move forward with the establishment bylaw to provide for a regional wide security alarm systems regulation service. The City of Kelowna's Security Alarm Bylaw No. 9147 will remain in effect until such time as all the necessary approvals and procedures are in place to take over this regional service, after which the City of Kelowna's bylaw will be rescinded.

Copies of the Regional District's establishment bylaw No. 1080 and the RDCO Security Alarm Regulation Bylaw No. 1081 are attached.

Stephen Fleming	
/blh Attach	

#### **Administration**

1450 K.L.O. Road Kelowna, B.C. V1W 3Z4

Telephone: (250) 763-4918 Fax: (250) 763-0606 www.regionaldistrict.com

#### **MEMORANDUM**

**TO:** Mayor Rolly Hein

Mayor Bob Harriman Mayor Walter Gray

**FROM:** Mary Jane Drouin

Administrative Assistant

DATE: December 17, 2004

**SUBJECT:** Security Alarm System

As you are aware, the Regional Board at its December 13<sup>th</sup> regular board meeting gave three readings to the Regional District of Central Okanagan Security Alarm Systems Regulation Service Establishment Bylaw No. 1080.

In order to move forward with the establishment bylaw your Council is required to consent to the bylaw. Please find enclosed a copy of the proposed bylaw and report which the regional board received.

Steve Foster is prepared to attend your Council meeting to answer any technical questions which may arise. Please feel free to contact him at 764-5004 to arrange for him to attend your Council meeting.

We look forward to receiving your consent in order that the bylaw may be forwarded to the Province for approval.

Encl.

#### REGIONAL DISTRICT OF CENTRAL OKANAGAN

#### **BYLAW NO. 1080**

Being a bylaw to establish a service for Security Alarm Systems

WHEREAS the Local Government Act requires that a Regional District must first adopt an establishing bylaw for a service;

AND WHEREAS the Regional District of Central Okanagan wishes to establish the service of Security Alarm Systems Regulation;

AND WHEREAS the Directors of the Westside Electoral Area, the Director of the Ellison/Joe Rich Electoral Area and the District of Lake Country, the District of Peachland and the City of Kelowna have consented to the establishment of the service:

NOW THEREFORE THE REGIONAL DISTRICT OF CENTRAL OKANAGAN IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

- 1. The purpose of the Security Alarm Systems Regulation service is to:
  - a) Provide for the issuance of permits for the operation of security alarm systems,
  - b) Provide regulations for the use of security alarm systems,
  - c) Provide for fees to be paid,
  - d) Provide that unpaid fees may be added to taxes payable on real property,
  - e) Exercise the powers given by Lieutenant Governor in Council's regulations for security alarm systems,
  - f) Provide that the fees may vary in relation to the number of occasions on which service is provided for false alarms.
- 2. The boundaries of the service area encompass all of Ellison/Joe Rich Electoral Area, all of Westside Electoral Area, all of the City of Kelowna, all of the District of Lake Country, and all of the District of Peachland.
- 3. The participating areas for the Security Alarm Regulation service are all of Ellison/Joe Rich Electoral Area, all of Westside Electoral Area, all of the City of Kelowna, all of the District of Lake Country, and all of the District of Peachland.
- 4. The method for cost recovery for the service will be from fees and charges imposed as provided for by Section 363 of the Local Government Act.
- 5. There will be no requisition for the service.
- 6. Surplus funds generated by this service will be apportioned back to the participating areas on the basis of the converted value of land and improvements and directed in those participating areas as revenues towards the costs of the Crime Prevention Service.

This bylaw may be cited as the "Regional District of Central Okanagan Security Alarm Systems Regulation Service Establishment Bylaw No. 1080, 2004".

READ A FIRST TIME THIS 13th DAY OF December 2004.

READ A SECOND TIME THIS	13th	DAY OF	December	2004.
READ A THIRD TIME THIS	13th	DAY OF	December	2004.
Approved By The Inspector Of Mu	nicipalities T	his DAY	OF	
RECONSIDERED AND ADOPTED	THIS	DAY OF		
CHAIR	_	DIRECTOR	OF CORPORATE	SERVICES
I hereby certify the foregoing to I "Regional District of Central Establishment Bylaw No. 1080, 20 day of December, 2004.	Okanagan	Security Alarm	Systems Regula	ation Service
Dated at Kelowna, B.C. this 16 <sup>th</sup> day of December, 2004.		DIRECTOR	OF CORPORATE	SERVICES
I hereby certify the foregoing to I "Regional District of Central C Establishment Bylaw No. 1080, 20	Okanagan -	Security Alarm	Systems Regula	cited as the ation Service day of
Dated at Kelowna, B.C. this day of				

**DIRECTOR OF CORPORATE SERVICES** 

#### **Regional District of Central Okanagan**

#### **Bylaw No. 1081**

A Bylaw to Regulate Security Alarm Systems

WHEREAS excessive numbers of False Alarms are being permitted to occur by the owners and users of Security Alarm Systems;

AND WHEREAS the Regional District Central Okanagan has established the service of Security System Alarm Regulation,

AND WHEREAS these False Alarms require emergency responses from the police and such unnecessary emergency responses pose a threat to the safety of police officers and the public by creating unnecessary hazards, and may result in delaying response to a true emergency;

AND WHEREAS the Regional District of Central Okanagan has determined that Excessive False Alarms originating from security Alarm Systems constitute a nuisance to the police and to the citizens of the Regional District of Central Okanagan,

NOW THEREFORE THE REGIONAL DISTRICT OF CENTRAL OKANAGAN IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

#### **SECTION 1 - INTRODUCTION**

- **1.1 Title** This bylaw may be cited as the Regional District of Central Okanagan Security Alarm Systems Bylaw No. 1081, 2004".
- **1.2 Interpretation** Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.
- **1.3 Severability** If any section, paragraph or phrase of this bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.
- **1.4 Headings** The headings given to the sections and sub-sections of this bylaw are for convenience of reference only. They do not form part of this bylaw and will not be used in the interpretation of this bylaw.
- **1.5 Definitions** In this bylaw:

**Advisory Board** means Persons appointed by Council that shall be representative of the community, alarm industry, and the RCMP. The Advisory Board shall consist of a minimum of nine (9) Persons including:

- The Alarm Coordinator;
- A representative of the RCMP;
- A staff representative City of Kelowna;

- A staff representative Regional District of Central Okanagan;
- A staff representative District of Lake Country;
- A staff representative District of Peachland;
- One representative from the alarm industry; and
- Two representatives from the community-at-large;

**Alarm Company** means a business, whether carried on by an individual, partnership, corporation or other entity, engaged in the selling, leasing, maintaining, servicing, repairing, altering, replacing, moving, installing or Monitoring of an Alarm System;

**Alarm Coordinator** means the Person appointed by the Region to administer the provisions of this bylaw;

**Alarm Dispatch Request** means a notification to a law enforcement agency that an alarm, either manual or automatic or electronic has been activated at a particular Alarm Site:

**Alarm Site** means a single fixed premises or location served by an Alarm System or systems. Each unit, if served by a separate Alarm System in a multi-unit building or complex shall be considered a separate Alarm Site;

**Alarm Registration** means the notification by an Alarm Company or an Alarm User to the Alarm Coordinator that an Alarm System has been installed and is in use, and the registration of that system pursuant to Section 3 of this bylaw;

**Alarm System** means a device or series of devices, including but not limited to, systems interconnected with a radio frequency method such as cellular or private radio signals, which emit or transmit a remote or local audible, visual or electronic signal indicating an alarm condition and intended to summon a response. This includes a Local Alarm System. Alarm System does not include an alarm installed on a vehicle or Person unless the vehicle or Personal alarm is permanently located at a site, nor does it include an alarm provided by the RCMP to a domestic violence victim for personal use;

**Alarm System Inspection Report** means a report on the operating condition of an Alarm System which has been completed by an Approved Alarm Service Technician;

**Automated Teller Machine** or **ATM** means a stand alone device used to dispense or receive cash:

**Alarm User** means any Person, firm, partnership, corporation or other entity who uses and is responsible for the control of any Alarm System at its Alarm Site. There may be more than one Alarm User at any one Alarm Site, and an Alarm User may or may not also be a Keyholder and vice versa;

**Approved Alarm Service Technician** means a technician employed by an Alarm Company and who is licensed as such pursuant to the *Private Investigators and Security Agencies Act* of British Columbia;

**Cancellation** is the process by which an Alarm Company providing Monitoring verifies with the Alarm User or other authorized party that a false dispatch has occurred and that there is not an existing situation at the Alarm Site requiring an RCMP response, and subsequently notifies the RCMP as such;

**Chief of Police** means the Officer in Charge, local Detachment of the Royal Canadian Mounted Police or his designate;

**Conversion** means the transaction or process by which one Alarm Company begins Monitoring of a previously non-Monitored Alarm System or an Alarm System previously monitored by another Alarm Company;

**Excessive False Alarms** means the reporting to the RCMP of three (3) or more False Alarms, or two (2) or more False Alarms involving a Hold Up Alarm, from a single Alarm System or Alarm Site within a 365 day period;

**False Alarm** means the activation of an Alarm System resulting in a response by the RCMP where there has been no unauthorized entry or commission of an unlawful act on or in relation to the building, structure, residence, or facility or where there has been no emergency situation, and includes:

- (a) Testing of an alarm which results in a Police Response;
- (b) An alarm reporting an attempted or completed criminal offence or an emergency situation occurring on or in relation to the premises in which the alarm device or system is installed, where no evidence exists or where no such event took place;
- (c) An alarm actually or apparently activated by mechanical failure, malfunction or faulty equipment;
- (d) An alarm activated by user negligence or carelessness; and
- (e) An alarm actually or apparently activated by atmosphere conditions, excessive vibrations or power failure.;

**Hold Up Alarm** means a silent alarm signal received from a Monitored Alarm System that is manually activated from the monitored premises that signals a robbery is in progress;

**Keyholder** means an individual designated by the Alarm User who can be contacted in the event of an alarm condition, and who must have access to the Alarm Site and be able to operate the Alarm System;

**Keypad** means a device that allows control of an Alarm System by the manual entering of a coded sequence of numbers or letters;

**Licence** means a Licence issued to an Alarm Company to sell, install, monitor, repair or replace Alarm Systems by an authority having jurisdiction;

**Local Alarm** means an alarm which generates an audible sound only in or about the premises where it is located when it is activated;

**Local Alarm System** means any Alarm System that annunciates an alarm only by a local alarm;

**Monitored Alarm System** means an Alarm System, excluding a Local Alarm, which when activated transmits a sound, signal, or message to a location where personnel are in attendance at all times and one of whose functions is to notify the RCMP of the Alarm System being activated;

**Monitoring** means the process by which an Alarm Company receives signals from an Alarm System and relays an Alarm Dispatch Request to the RCMP for the purpose of summoning a Police Response to the Alarm Site;

**Person** means an individual, corporation, partnership, association, organization or similar entity;

**Police Response** means the dispatch of officers of the RCMP;

**RCMP** means the local detachment of the Royal Canadian Mounted Police;

**Suspended Alarm System** means an Alarm System for which registration has been suspended, pursuant to this Bylaw;

**Takeover** means the transaction or process by which an Alarm User takes over control of an existing Alarm System, which was previously controlled by another Alarm User; and

**Verify** means an attempt by the Alarm Company, the Alarm User, or its Keyholder, to contact the Alarm Site by telephonic or other electronic means, whether or not actual contact with a Person is made before requesting law enforcement dispatch, in an attempt to avoid an unnecessary Alarm Dispatch Requests.

#### **SECTION 2 - ALARM SYSTEMS**

- **2.1 Installation to Code** Alarm Systems must be installed to meet all applicable federal, provincial and municipal codes, standards and regulations.
- **2.2 Hold Up Alarms** No Person shall install a device activating a Hold Up Alarm which is a single action non-recessed button. An Alarm Company shall remove all such single action non-recessed buttons when a Takeover or Conversion occurs.
- **2.3** Approved Control Panels No Person shall install an Alarm System control panel that has not been tested for conformance to the Security Industry Association (SIA)'s "Control Panel: False Alarm Reduction Features Standard".
- **2.4 No Automatic Voice Diallers** No Person shall use automatic voice diallers that transmit messages regarding Alarm Systems or Alarm Dispatch Requests to any phone number assigned to the RCMP. Any Person using such a device shall be subject to the applicable fee as set out in Schedule A to this bylaw.
- **2.5** Alarm Time Limit No Person shall install, maintain, or use a Local Alarm that is capable of being sounded continually for a period of more than five (5) minutes.
- **2.6** Local and Monitored Alarm Systems Where a premise contains both a Local Alarm and a Monitored Alarm System, the provisions of this bylaw relating to a Monitored Alarm System shall apply.
- **2.7 Testing of Alarm Systems** Testing of an Alarm System is permitted, however the Alarm System shall be placed "out of service" when testing or maintenance is undertaken, such that a False Alarm is not caused.

#### **SECTION 3 - REGISTRATION**

3.1 Registration Required - No Alarm User shall operate, or cause to be operated, an Alarm System at an Alarm Site without a valid registration issued by the Alarm Coordinator. Each individual unit or portion of a property or building which has an independent Alarm System shall be considered a separate Alarm Site and a separate registration is required for each Alarm Site. An additional Alarm Registration classification shall be required for Alarm Systems programmed with a Hold Up Alarm.

- 3.2 Registration of Alarms in Multi-Unit Buildings A tenant or owner of an individual unit with an Alarm System which operates independently from any Alarm System that relates to the entire building or to areas of the building greater than an individual unit shall obtain an Alarm Registration from the Alarm Coordinator before operating or causing the operation of an Alarm System in the tenant's or owner's individual unit. The owner or property manager of a multi-unit building or complex shall obtain a separate Alarm Registration for any Alarm System operated in offices or common areas of the building or complex.
- **Registration of ATM Alarms** All ATM's must be registered separately from any other Alarm System at an Alarm Site.
- **Registration Fee** All applications for registration shall be accompanied by the applicable fee as set out in Schedule A to this bylaw. No refund of a registration or registration renewal fee will be made. The initial registration fee must be submitted to the Alarm Coordinator within ten (10) business days after the alarm installation or alarm Takeover.
- **3.5** Reasons to Refuse Registration Upon receipt of a completed application form and the Alarm Registration fee, the Alarm Coordinator shall register the applicant unless the applicant has:
  - (a) Failed to pay any fee assessed under Schedule A to this bylaw;
  - (b) Has provided false information in relation to a registration or registration application; or
  - (b) Had an Alarm Registration for the Alarm Site suspended and the violation causing the suspension has not been corrected.
- **3.6** Required Information Each Alarm Registration application must be submitted in the form of Schedule D to this bylaw, and must include the following information:
  - (a) The name, complete address (including unit number) and telephone numbers of the Person who will be the primary contact Alarm User and who will be responsible for the proper maintenance and operation of the Alarm System and payment of the fees assessed pursuant to this bylaw;
  - (b) The classification of the Alarm Site as either single unit residential (which includes, but is not necessarily limited to, single family residences, individual strata units or apartment units, mobile homes and other independently alarmed residential premises), or other (which includes, but is not necessarily limited to, commercial premises, and multi-unit buildings in which individual units are not independently alarmed);
  - (c) The classification of the Alarm System for each Alarm System at an Alarm Site (for example, burglary, hold up or other applicable classifications), and for each purpose whether audible or silent;
  - (d) The mailing address of the Alarm User if different from that of the Alarm Site;
  - (e) Any dangerous or special conditions present at the Alarm Site, including, but not necessarily limited to dangerous pets, chemicals, hazardous structures or any other condition that may place a person responding to an Alarm Dispatch Request in jeopardy;
  - (f) The name address and telephone numbers of at least two Keyholders who are able and have agreed to receive notification of an alarm activation at any time, are able to respond to the Alarm Site within thirty (30) minutes of such notice, and upon request can grant access to the Alarm Site and deactivate the Alarm System if such becomes necessary. Where the Alarm Site is an individual unit in a multi-unit building, the property manager of the building should be listed as a

Keyholder;

- (g) The type of business conducted at the Alarm Site, if applicable;
- (h) Signed certification from the Alarm User stating:
  - (i) The date of installation, Conversion or Takeover of the Alarm System, whichever is applicable;
  - (ii) The name, address and telephone number of the Alarm Company performing the Alarm System installation, Conversion or Alarm System Takeover and responsible for providing repair service to the Alarm System;
  - (iii) The name, address and telephone number of the Monitoring company (if applicable), if different from the installing Alarm Company;
  - (iv) That a set of written operating instructions for the Alarm System, including written guidelines on how to avoid False Alarms, have been left with the Alarm User, and that the Alarm Company has trained the Alarm User in the proper use of the Alarm System, including instructions on how to avoid False Alarms;
  - (v) That Police Response may be based on various factors including, but not necessarily limited to, availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, and staffing levels.
- **3.7 Providing False Registration Information** Any false statement of a material fact made by an applicant for the purpose of obtaining an Alarm Registration shall be sufficient cause for refusal to issue, a revocation, or suspension of, a registration.
- **3.8 No Transfer of Registration** An Alarm Registration cannot be transferred to another Person or Alarm Site.
- **3.9 Changes in Registration Information** An Alarm User shall inform the Alarm Coordinator within ten (10) business days of any change that alters any information listed on the registration application.
- 3.10 Registration Duration and Renewal A registration shall expire one (1) year from the date of issuance and must be renewed by submitting an updated application and a registration renewal fee, as set out in Schedule A to this bylaw, to the Alarm Coordinator. The Alarm Coordinator shall make reasonable effort to notify each Alarm User of the need to renew thirty (30) days prior to the expiration of the registration. It is the responsibility of the Alarm User to submit an application prior to the registration expiration date. A late fee, as set out in Schedule A to this bylaw, shall be assessed if the renewal is not complete by expiration of the registration, and failure to renew within thirty (30) days of the expiration of the registration shall be classified as use of a non-registered Alarm System and fees shall be assessed without waiver.

#### **SECTION 4 – RESPONSES TO ALARMS**

- 4.1 Alarm When Premises Normally Occupied When a Person attending a Monitored Alarm System receives an alarm from an Alarm System during those hours when the premises in which the system is located are normally occupied, such Person shall attempt to Verify that the alarm is not a False Alarm by telephoning the said premises before advising any member of the RCMP of the alarm.
- **4.2 Hold Up Alarms** Section 4.1 of this bylaw does not apply to a Hold Up Alarm signal of a Monitored Alarm System.
- **4.3 Notification of Keyholder Successful** A Person who monitors a Monitored Alarm System, and who has informed a member of the RCMP that the system has been activated, shall notify a Keyholder to the premises where the Monitored Alarm System is located. The Keyholder shall attend at such premises within thirty (30) minutes of such notice.

- **Notification of Keyholder Unsuccessful** In the event that a Person monitoring a Monitored Alarm System is unable to notify a Keyholder pursuant to sub-section 4.3 of this bylaw within ten (10) minutes of the system being activated, the RCMP shall not, upon inspecting the exterior of the said premises and finding nothing amiss, be required to remain at the said premises.
- **4.5** Responses Where Alarm System Unregistered When the RCMP has been called to respond to an alarm from an Alarm System which is not registered pursuant to this bylaw, the Alarm User responsible for that Alarm System shall pay the applicable fee as set out in Schedule A to this bylaw.

#### **SECTION 5 - FALSE ALARMS**

- **5.1 Charge for Excessive False Alarms** For every occurrence of an Excessive False Alarm to which the RCMP respond, Alarm User of the Alarm Site to which the Alarm System in question relates shall pay the applicable fee as outlined in Schedule A to this Bylaw, upon receipt of an invoice for the same.
- **5.2** Charge for False Hold Up Alarms For every occurrence of a false Hold Up Alarm to which the RCMP respond, the Alarm User of the Alarm Site to which the Alarm System in question relates shall pay the applicable fee as outlined in Schedule A to this bylaw, upon receipt of an invoice for the same.
- **5.3 Exemptions from Excessive False Alarm or False Hold Up Alarm Fees** The following shall not be included when computing the number of False Alarms which have occurred pursuant to sections 5.1 and 5.2 of this bylaw:
  - (a) Any False Alarm which the owner can demonstrate was caused by a storm, lighting, fire, earthquake, or other act of God;
  - (b) Any False Alarm where Cancellation has occurred prior to Police arrival and within five minutes from the time of the dispatch to RCMP patrol unit;
  - (c) Any False Alarm caused by communication network disruptions beyond the control of the alarm owner, employee or designate; and
  - (d) Any False Alarm that occurs during the first seven (7) days after the initial installation of an Alarm System.

#### **SECTION 6 – NOTIFICATION OF EXCESSIVE FALSE ALARMS**

- **6.1 Warning** The Alarm Coordinator shall notify the Alarm User in writing after the second and the third False Alarm within a 365 day period. The notification shall include: the amount of the administrative fee for the third and fourth False Alarms in a 365 day period, the fact that response will be suspended after the fourth False Alarm and a description of the appeal procedure available to the Alarm User.
- **Suspension** The Alarm Coordinator shall notify the Alarm User and the Monitoring Company in writing after the fourth False Alarm that alarm response has been suspended. The notification of suspension shall include the amount of the administrative fee for the fourth False Alarm and a description of the appeal procedure available to the Alarm User and the Alarm Company.
- **Service on Alarm User** All notifications shall be served personally or by registered letter on the Alarm User.
- **Service on Alarm Company** The Monitoring Alarm Company shall be notified by sending the notice by facsimile to the Monitoring Alarm Company's business address.

#### **SECTION 7 - SUSPENSION OF REGISTRATION AND RESPONSE**

- **7.1 Suspension of Registration** The Alarm Coordinator shall suspend registration of an Alarm System, which shall result in a suspension of automatic Police Response to Alarm Dispatch Requests, if it is determined that:
  - (a) The Alarm User has four (4) or more False Alarms in one (1) year; or
  - (b) There is a false statement of material fact in the application for registration; or
  - (c) The Alarm User has failed to make timely payment of a fee assessed pursuant to the provisions of this bylaw. In the case of a fee incurred for a third or subsequent False Alarm in a one (1) year period, or a fee incurred for an RCMP Dispatch Request to an Alarm System that has not been registered pursuant to this bylaw, timely payment for the purposes of this subsection shall be within fifteen (15) days from the date of service of the fee notice; or
  - (d) The Alarm User has failed to submit a written certification from an Alarm Company that complies with the requirements of this section, stating that the Alarm System has been inspected and repaired (if necessary) by the Alarm Company; or
  - (e) If upon reinstatement of registration there are two (2) False Alarms in the next sixty (60) days.
  - (e) If the RCMP notify the Alarm Coordinator of abuse of the registration and response system set up pursuant to this bylaw by the Alarm User (which may include, but is not necessarily limited to, attempting to circumvent registration procedures, alarm response procedures, and the like).
- **7.2 Operation of Alarm System under Suspended Registration** A Person violates the provisions of this bylaw if he operates or causes the operation of an Alarm System during the period in which the registration is suspended. The Alarm User shall pay the applicable fee as set out in Schedule A to this bylaw. A Monitoring Alarm Company

violates the provisions of this bylaw if, after being notified by the Alarm Coordinator that the registration for an Alarm System has been suspended, the Monitoring Alarm Company requests Police Response to the Alarm Site to which the registration applies, without a separate indication that there is a crime in progress. The Monitoring Alarm Company shall pay the applicable fee as set out in Schedule A to this bylaw.

- **7.3** Responses When Registration is Suspended Unless there is a separate indication that there is a crime in progress, the RCMP may refuse Police Response to an Alarm Dispatch Request at an Alarm Site for which the Alarm Registration is suspended.
- **7.4 Extended Suspension** If an Alarm Registration is reinstated pursuant to the provisions of this bylaw, the Alarm Coordinator may re-suspend the Alarm Registration if two (2) False Alarms occur within sixty (60) days after the reinstatement date.

#### **SECTION 8 – REINSTATEMENT OF REGISTRATION AND RESPONSE**

- **8.1** Reinstatement An Alarm User whose Alarm Registration has been suspended may have the registration, and thereby automatic Police Response, reinstated by the Alarm Coordinator or the Advisory Board, if the Alarm User has complied with all of the following requirements:
  - (a) Submits an updated application for Alarm Registration;
  - (b) Submits certification from an Alarm Company, in the form set out in Schedule E to this bylaw, stating that the Alarm System has been inspected and repaired (if necessary) by the Alarm Company and is in good working order; and
  - (c) Pays or otherwise resolves all outstanding fees, plus the reinstatement fee, as set out in Schedule A to this bylaw.

#### **SECTION 9 - APPEALS**

- 9.1 Right to Appeal to Alarm Coordinator If the Alarm Coordinator denies the issuance or renewal of an Alarm Registration, or suspends a registration, the Alarm Coordinator shall send written notice of the action and a statement of the right to an appeal to either the applicant or Alarm User and to any applicable Alarm Company. The party appealing shall file a written appeal to the Alarm Coordinator by setting forth the reasons for the appeal, and delivering the same along with the applicable appeal fee as set out in Schedule A to this bylaw, within ten (10) days after receipt of the notice of the denial of issuance or renewal, or suspension, of the Alarm Registration. Filing a written appeal shall stay any decision of the Alarm Coordinator, and the assessment of any applicable fee other than the appeal fee until a decision is on the appeal is given. Subject to the filing of a further appeal pursuant to subsection 9.2 of this bylaw, the decision of the Alarm Coordinator is final.
- **9.2 Right to Appeal to Advisory Board** If the Alarm Coordinator denies an appeal, the appealing party shall have a further right to appeal to the Advisory Board. The party appealing shall file a written appeal to the Advisory Board by setting forth the reasons for the further appeal and delivering the same along with the applicable appeal fee as set out in Schedule A to this bylaw, within twenty (20) days after receipt of the notice of the denial of the original appeal.

The Advisory Board shall conduct a formal hearing and consider the evidence of any interested Person(s). The Advisory Board shall make its decision on the basis of the preponderance of evidence presented at the hearing. The Advisory Board must render a decision within thirty (30) days after the request for an appeal from the decision of the Alarm Coordinator is filed. The Advisory Board shall affirm or reverse the assessment of the administrative fee, refusal to register or suspend and its decision is final. Filing a written appeal shall stay any decision of the Alarm Coordinator, and the assessment of any applicable fee other than the appeal fee until a decision on the appeal is given.

#### **SECTION 10 - DUTIES OF ALARM COMPANIES**

- 10.1 Aware of Bylaw Provisions - An Alarm Company shall be responsible to make all necessary employees or contractors aware of the provisions of this bylaw, and to provide current, accurate information to the Alarm Coordinator as required by the provisions of this bylaw.
- 10.2 **Upon Installation** – Upon completion of an installation, or following any inspection of an Alarm System pursuant to this bylaw, an Alarm Company employee shall:
  - Offer a training period to customers upon installation of alarm;
  - (a) (b) Complete the Installer False Alarm Prevention Programme Checklist, as set out in Schedule B to this bylaw;
  - Provide all new customers (whether the Alarm System is to be monitored or not) (c) with the approved Alarm Registration form, as set out in Schedule D to this bylaw:
  - (d) Review with the Alarm User the Customer False Alarm Prevention Checklist, as set out in Schedule C to this bylaw; and
  - Complete, when applicable, the Alarm Systems Inspection Report, as set out in (e) Schedule E to this bylaw.
- 10.3 When Monitoring - An Alarm Company performing Monitoring services shall:
  - Report alarm signals by using telephone numbers designated by the Alarm (a) Coordinator:
  - Attempt to Verify every alarm signal, except Hold Up Alarm activation, before (b) requesting a Police Response to an Alarm System signal;
  - Communicate Alarm Dispatch Requests to the RCMP in a manner and form (c) determined by the Alarm Coordinator;
  - (d) Communicate Cancellations to the RCMP in a manner and form determined by the Alarm Coordinator:
  - (e) Ensure that Alarm Users of Alarm Systems equipped with Hold Up Alarms are given adequate training as to the proper use of the hold up alarm;
  - Communicate any available information (north, south, front, back, floor, or other (f) applicable term) about the location of the Alarm System signal(s);
  - Communicate the type(s) of alarm signal (silent or audible, interior or perimeter); (g) (i)
  - Provide the Alarm User's registration number when making an Alarm Dispatch Request;
  - (j) Endeavour to contact the Alarm User or a Keyholder when an Alarm Dispatch Request is made; and
  - Upon enactment of this bylaw, Monitoring Alarm Companies must maintain for a (k) period of at least 365 days, records relating to Alarm Dispatch Requests. Records must include the name, address and phone number of the Alarm User, the Alarm System zone(s) activated, the date and time of the Alarm Dispatch Request and evidence of an attempt to Verify. The Alarm Coordinator may request copies of such records for individually named Alarm Users.
- 10.4 Pattern or Policy of Not Verifying - A Monitoring Alarm Company which demonstrates a consistent pattern, or maintains a written policy, of failing to Verify in accordance with subsection 10.3 (b) of this bylaw, shall be assessed the applicable fee as set out in Schedule A to this bylaw.

- 10.5 False Statement by Employee of Alarm Company - An Alarm Company whose employee has made a false statement concerning the inspection of an Alarm Site or the performance of an Alarm System shall be assessed the applicable fee as set out in Schedule A to this bylaw.
- 10.6 Maintenance of Records - An Alarm Company shall maintain all records as required by the Alarm Coordinator pursuant to this bylaw, and shall submit those records to the Alarm Coordinator as required and as permitted by law.

#### **SECTION 11 - DUTIES OF THE ALARM COORDINATOR**

- 11.1 **Development of Procedures** - The Alarm Coordinator shall:
  - Designate a manner, form and telephone numbers for the communication of (a) Alarm Dispatch Requests;
  - Establish a procedure to accept Cancellation of Alarm Dispatch Requests. (b)
- 11.2 Maintenance of Records - The Alarm Coordinator shall establish a procedure to record such information on Alarm Dispatch Requests necessary to permit the Alarm Coordinator to maintain records, including, but not limited to, the following information:
  - Identification of the registration number for the Alarm Site;
  - (a) (b) Identification of the Alarm Site;
  - Date and time the Alarm Dispatch Request was received; (c)
  - (d) Date and time of police officer(s) arrival at the Alarm Site;
  - (e) Zone if available:
  - Name of the Alarm User's Keyholder on premises, if any; (f)
  - Identification of the responsible Alarm Company, if applicable.
- Registration and Fee Collection The Alarm Coordinator shall collect all applicable 11.3 fees and receive applications for Alarm Registration.

#### **SECTION 12 - DUTIES OF THE ALARM USER**

- 12.1 Maintenance of Premises and Alarm System - An Alarm User shall:
  - Maintain the applicable premises and the Alarm System in a manner that will minimize or eliminate False Alarms;
  - Make every reasonable effort to respond, or cause a Keyholder to respond, to the (b) Alarm System's location within thirty (30) minutes when notified to deactivate a malfunctioning Alarm System;
    - (c) Provide RCMP access to the premises when an Alarm Dispatch Request is made, and where necessary ensure security for the premises such that RCMP resources may be released as soon as possible after responding to such a request;

- (d) Not manually activate an Alarm for any reason other than an occurrence of an event that the Alarm System was intended to report; and
- (e) Ensure that current and accurate information with regard to the Alarm Registration (including Keyholder information) is supplied to any applicable Monitoring Alarm Company and to the Alarm Coordinator.
- **12.2 Alarm Signal Duration** An Alarm User shall adjust the mechanism or cause the mechanism to be adjusted so that an alarm signal audible on the exterior of an Alarm Site will sound for no longer than five (5) minutes after being activated.
- 12.3 Inspection of Alarm System After False Alarms An Alarm User shall have a properly Licensed Alarm Company inspect the Alarm System, and complete the Alarm System Inspection Report as set out in Schedule E to this bylaw, after two (2) False Alarms in a 365 day period. The Alarm Coordinator may waive an inspection requirement if it is determined that a False Alarm could not have been related to a defect or malfunction in the Alarm System. After four (4) False Alarms within a 365 days period, the Alarm User must have an Approved Alarm Service Technician modify the Alarm System to be more False Alarm resistant or provide proper training as appropriate.
- **12.4 Operating Instructions** An Alarm User shall maintain at each Alarm Site, a set of written operating instructions for each Alarm System and shall ensure that all Persons (whether employees or third parties such as contractors, sub-contractors, maintenance staff and the like) who are authorized to use the Alarm System are properly trained in its use and the requirements of Keyholders under this Bylaw.

#### **SECTION 13 - GENERAL**

- **13.1** Administration of Bylaw Administration of this bylaw is the responsibility of the RCMP or the Alarm Coordinator, or both.
- **13.2 No Liability** Registration of an Alarm System is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained.
- **13.3 Offence and Penalties** Every Person who:
  - (a) Violates any provision of this bylaw;
  - (b) Permits any act or things to be done in contravention or in violation of any of the provisions of this bylaw;
  - (c) Neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw;
  - (d) Fails to comply with any order, direction, or notice given under this bylaw;

commits an offence and, except as hereinbefore specifically provided, shall be liable, on summary conviction, to a penalty not exceeding ten thousand dollars (\$10,000.00) and the costs of prosecution. Where the offence is a continuing one, each day that the offence continues shall be a separate offence.

- **13.4** Schedules Schedules A, B, C, D, and E are attached to and form part of this bylaw.
- 13.5 Freedom of Information and Protection of Privacy Personal information collected by an Alarm Company as a result of the operation of this bylaw is subject to the provisions of the Personal Information Protection Act. Information collected by the Regional District Central Okanagan as a result of the operation of this bylaw, including personal information disclosed to the Regional District Central Okanagan by an Alarm Company, is subject to the provisions of the Freedom of Information and Protection of Privacy Act.
- 13.6 Unpaid Fees Form Part of Taxes in Arrears Pursuant to the provisions of the Community Charter and Local Government Act, any fees required to be paid by this

bylaw in relation to a response to a False Alarm, which remain unpaid at December 31<sup>st</sup> of the year in which they are imposed, shall be added to and form part of the taxes in arrears on the subject property.

**13.7 Effective Date** - This bylaw shall come into force and effect on the date of adoption and shall apply to all Alarm Systems, including but not limited to those installed, kept, or used prior to the effective date of this bylaw.

This bylaw may be cited as the "Regional District of Central Okanagan Security Alarm Systems Bylaw No. 1081, 2004".

READ A FIRST TIME THIS	13th	DAY OF	December	2004.
READ A SECOND TIME THIS	13th	DAY OF	December	2004.
READ A THIRD TIME THIS	13th	DAY OF	December	2004.
RECONSIDERED AND ADOPTED	THIS	DAY C	)F	

CHAIR DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1081 cited as the "Regional District of Central Okanagan Security Alarm Systems Bylaw No. 1081, 2004", as read a third time by the Regional Board on the 13<sup>th</sup> day of December, 2004.

Dated at Kelowna, B.C. this 16<sup>th</sup> day of December, 2004.

#### DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1081 cited as the "Regional District of Central Okanagan Security Alarm Systems Bylaw No. 1081, 2004", as adopted by the Regional Board on the day of

Dated at Kelowna, B.C. this day of

DIRECTOR OF CORPORATE SERVICES

# **SCHEDULE A**

Regional District of Central Okanagan Security Alarm Systems Bylaw No. 1081, 2004

### **FEES** (not including GST, where applicable):

Registration Fees	
Residential	\$10.00
Other	\$15.00

Late Registration Fe	es (Additional)
Residential	\$10.00
Other	\$15.00

False Alarm Fees			
# of False Alarms in a one (1) year period	Residential Fee	Non-Residential Fee	Hold-up Fee
1	\$0.00	\$0.00	\$0.00
2	\$0.00	\$0.00	\$100.00
3	\$50.00	\$100.00	\$200.00
4 or more	\$100.00	\$200.00	\$300.00

Use of Automatic Voice Dialer to Notify RCMP Fee	\$100.00
Toda of Atatomatic Voice Blaich to Hothly Rollin 1 co	ψ100.00

RCMP Response to Unregistered Alarm System Fee \$	\$100.00
---	----------

Alarm Dispatch Request Where Alarm Registration	
Suspended (without verification of alarm)	\$100.00

Registration Reinstatement Fee	
	040000
(not including any other outstanding fees)	\$100.00

# **SCHEDULE B**

Regional District of Central Okanagan Security Alarm Systems Bylaw No. 1081, 2004

# INSTALLER FALSE ALARM PREVENTION PROGRAMME CHECKLIST

YES	NO		
		1.	I confirmed that the control panel has been programmed so that:
			(a) it will not transmit more than alarm signals from the same zone until manually restored at the premises. (Recommend no more than two.)
			(b) it has adequate delay time on entry/exit doors (delay of 45 seconds or more is recommended).
		2.	I verified that the Keypad(s) emit sufficient sound to inform occupants when an entry/exit door sensor has been triggered.
		3.	Installed and tested standby/back-up power.
		4.	I reviewed the "Customer False Alarm Prevention Checklist" with the customer.
		5.	I determined whether the customer had special telephone features, such as call waiting, and took appropriate steps to allow proper control panel dialing and Monitoring centre verification.
		6.	I made sure the control panel was properly grounded.
		7.	I made sure that all door and window contacts were properly selected, installed and tested. I considered loose fitting doors and windows, whether wide gap contacts were needed, and steel doors and windows. I followed the manufacturer's installation instructions.
		8.	I made sure all glass breakage sensors were properly selected, installed and tested. I gave consideration to pets, on site noises and the general environment. I followed the manufacturer's installation instructions.
		9.	All motion type detectors were properly selected, properly installed and tested. I gave consideration to pets, sunlight, other heat sources, and harsh environments. I followed the manufacturer's installation instructions.
Please	explain if	you an	swered "no" to any of the above items:
Installat	ion Techr	nician:	
(Print) N	lamo:		
armin iv iv	vallic.		Dal€.

# **SCHEDULE C**

Regional District of Central Okanagan Security Alarm Systems Bylaw No. 1081, 2004

# CUSTOMER FALSE ALARM REINSTATEMENT PREVENTION CHECKLIST YES NO

	1.	I have been trained in the proper operation of the system.
	2.	I have been given a summary operating sheet.
	3.	I have been given the security system operating manual.
	4.	I know how to cancel an accidental alarm activation.
	5.	I have the Cancellation code.
	6.	I know how to turn off motion detectors while leaving other sensors on.
	7.	I know how to test the system, including the communication link with the Monitoring centre.
	8.	I understand the length of the delay time on designated entry/exit doors and I believe this will provide sufficient time to get in and out of the premises. My entry time is My exit time is
	9.	I have the Alarm Company phone number to request repair service or to ask questions about the Alarm System.
	10.	I have been offered the option of a training/no dispatch period.
	11.	I understand that indoor pets can cause False Alarms and I will contact Alarm Company to adjust the system if I acquire any additional indoor pets.
	12.	I know where the main control panel and transformer are located.
	13.	I have received an alarm sheet which describes how the Alarm Company will communicate with me in the event of various alarm signals.
	14.	I understand the importance of keeping my emergency contact information updated and I know how to do this.
	15.	I understand the importance of immediately advising the Alarm Company if my phone number changes (including area code changes).
	16.	I understand the importance of any other changes to my telephone service such as call waiting or a fax line or high speed internet connection.
	17.	I have been made aware of the alarm bylaw, if any, that governs the operation of my Alarm System and I will comply with applicable requirements (permits, fees, etc.).
	18.	I will advise the Alarm Company if I do any remodelling (such as extensive painting, moving walls, doors or windows).

Schedule C – page 2

	19.	understand that certain building defects (such as loose fitting doors or windows, rodents, inadequate power, and roof leaks) can cause False Alarms. I will correct these defects as I become aware of them.
	20.	The Alarm Company has given me written False Alarm prevention techniques to help me prevent False Alarms.
	21.	I understand it is my responsibility to prevent False Alarms and I understand it is critical and my responsibility to assure that all users of the system (such as residents, employees, guests, cleaning people, and repair people) are trained on the proper use of the system.
Comments:		
Alarm Compan	y Custor	ner
Print Name(s):		
Signature(s)/Da	ate:	

# SCHEDULE D

Regional District of Central Okanagan Security Alarm Systems Bylaw No. 1081, 2004

# **REGISTRATION FORM**

350 Doyle Kelowna,	B.C. V1\	<b>Y 6V7</b>	250-470-6348		
Office Use	e Only				
Permit #		Date Issue	ed	Amount Paid	
APPLICA	NT/ALARI	W USER IN	IFORMATION (Please print clearly or type)		
Name of residence or Name of business (should be the same name Alarm Company uses for dispatch).			Telephone location	number at	
Street #	Street Name of Alarmed Location			J	Apt. #
TYPE	Residence	е	Other	Normal opera	ating hours

APPLICANT/ALARM USER MAILING ADDRESS			
Attention			
Address			
City	Province		Postal Code
Name of Residence/ Business Owner			
Alternate Telephone Number t	or Owner ( )		
ALARM COMPANY AND/OR	MONITORING ALARM CO	MPANY	Fax Number ( )
Installed/serviced by: (Name	of Alarm Company)	Telephone Nun	nber ( )
Monitored by: (Name of Mor	itoring Alarm Company)	Telephone Nun	nber ( )

TYPE OF ALARM (Check all that apply.)	Intrusion Al	larm Pa Silent	nic Alarm	Audible
	Hold Up A	Alarm		Other
Date of installation:				
PREMISES INFORMATION (check all that apply).	Dangerous	Pet(s)	Chemicals	
	Hazardous	Structures		Other
<b>Keyholders</b> (List two Keyholders [other than applicant] who will respond to an alarm activation to assist the police in determining the cause of the alarm activation and to secure the premises.)				
Name	)	Day Telephon	е	Night Telephone ( )
Name	[	Day Telephon	e	Night Telephone ( )
The application fee of \$10 (residential) or \$15 (other) must be included with the application. Please make cheque or money order payable to the Regional District of Central Okanagan. An addressed envelope has been included for your convenience.				
Applicant signature		Date		

#### SCHEDULE E

Regional District of Central Okanagan Security Alarm Systems Bylaw No. 1081, 2004

#### ALARM SYSTEM INSPECTION REPORT

Important - Prior to commencing any inspection work on the Alarm System, notify the Monitoring Alarm Company that the Alarm System is being tested/inspected. Do not be the cause of a False Alarm!

#### **INSPECTION OBJECTIVE**

The objective of this inspection report is to evaluate and report upon the condition and use of a security Alarm System. The use of the Alarm System and the system's operational stability will be examined and evaluated for the express purpose of identifying the causes of False Alarms and for making recommendations for improvements to the use or condition of the system to reduce/eliminate False Alarms.

#### **GENERAL PURPOSE**

The Approved Alarm Service Technician will evaluate the quality of the system components and standard of installation as a means to determine the system's ability to operate without causing False Alarms from electronic failure or malfunction. The Approved Alarm Service Technician will also review all available information relating to recent alarm activity, maintenance and installation design attributes, and will interview the user(s) of the Alarm System to establish the probably causes of False Alarms.

Through the completion of the Alarm System Inspection Report, the Approved Alarm Service Technician will provide information to the RCMP and/or the Alarm Coordinator. This report will be used to determine the conditions of the reinstatement of a Suspended Alarm Registration, or as the basis to issue an Alarm Registration in the first instance.

The Approved Alarm Service Technician will also make recommendations for: the improvement of system design, maintenance of the Alarm System, change in alarm or Monitoring Alarm Company procedures and/or training of the Alarm User(s), as a means to correct the past False Alarm record for the system.

DATE OF INSPECTION:			
ALARM SYSTEM DETAILS	ALARM INSPECTION INFORMATION		
Alarm Registration #	Approved Alarm Service Technician Last name First Name		
Alarm User Name	Security Employee File #		
Contact Person	T.Q. #		
Address	Alarm Company Name		
Phone	Phone		
Fax			
Date of Alarm System Installation	By: Invoice/Work Order/Estimate (circle one)		
BRAND NAME OF MODEL NUMBER OF CONTROL PANEL			

Review recent system activity and record the possible causes for the False Alarms. (Attach Activity Report for Monitored Alarm Systems.)

#### 2. Evaluation of the Alarm System

Determine the Alarm System's ability to operate without causing False Alarms. Report the problem(s) identified as result of your inspection. Consider the following common causes of False Alarms: a) user error, b) system design, c) system installation standards, d) service/maintenance, e) equipment malfunction, f) Monitoring station fault, g) telephone line fault.

3. Test all zones. For Monitored Alarm Systems, check for the correct transmission of event codes to the Monitoring station. Provide Monitoring Alarm Company Alarm Report upon request.

DONE
APPROVED ALARM SERVICE TECHNICIAN'S INITIALS

#### 4. Miscellaneous

- 1. Does the Alarm User have written operation instructions readily available? Yes No
- 2. Is the time delay for entry and exit sufficient for False Alarm free operation? Yes No
- 3. Is the Monitoring centre phone number know the user(s) to cancel alarm signals in the event of an error? Yes No
- 4. Does the Alarm User have information from the Alarm Company that will assist in minimizing/eliminating False Alarms? Yes No
- 5. Is the Alarm User/Keyholder/Private Security information current and correct? Yes No
- 6. Is the Alarm Company phone number known and is there 24 hour emergency service available? Yes No

#### APPROVED ALARM SERVICE TECHNICIAN

a)	From the list in section 2, please indicate below the main causes of Fa from this Inspection Report.	lse Alarms as determined		
b)	I certify that this Alarm System is functionally: Not currently capable of operating without causing Excessive False Alarms.	Currently capable		
	Signature:  Approved Alarm Service Technician			
c)	The users of this Alarm System: Require Do not require operating instructions on the proper use of this Alarm System.	training and/or written		
	Signature:  Approved Alarm Service Technician  If the Alarm System or the users of the Alarm System are not currently Alarm System without causing Excessive False Alarms - indicate on add problem(s) that are, or could be, the cause(s) of Excessive False Alarms	ditional pages, the specific		
d)	The problems identified on this report, or on attached pages to this report, have been corrected to my satisfaction and that the corrections are likely to reduce or eliminate False Alarms from this security Alarm System.			
	Signature:			

Security Employee File #

Attach Work Orders, Purchase Orders, Receipts, User Instruction Information, Signatures of

Approved Alarm Service Technician

System Trained Users etc. as proof of the above.

Note: Reinstatement, issuance, or refusal to issue an Alarm Registration using information provided in this Inspection Report in no way constitutes a representation or warranty by the City of Kelowna/Kelowna RCMP as to the effectiveness or otherwise of the Alarm System.