

**CITY OF THOMPSON
BY-LAW NUMBER 1384-91**

[As amended by AM B/Ls 1755-2007 and 1791-2009]

BEING A BY-LAW OF THE CITY OF THOMPSON TO REGULATE AND CONTROL ALARM SYSTEMS.

WHEREAS pursuant to Section 287 of "The Municipal Act", the council of a municipality may by By-Law make provision for the regulation of any matter or thing for the protection of persons, property, or environment, or any of them;

AND WHEREAS pursuant to Section 291 (e) of "The Municipal Act", the council of a municipality may pass By-Laws for rendering the police efficient in the discharge of their duties;

AND WHEREAS pursuant to Section 370 of "The Municipal Act", the council of a municipality may pass By-Laws regulating noises liable to disturb or annoy residents of the municipality;

AND WHEREAS pursuant to Sections 713 (2) and (3) of "The Municipal Act", the council of a municipality may by By-Law license and regulate any business carried on within the municipality which includes the power to license and regulate machines, devices or other personal property used in carrying on business;

AND WHEREAS council deems it expedient to enact a By-Law regulating and controlling private alarm systems within the City of Thompson pursuant to the powers herein before recited;

NOW THEREFORE be it and it is hereby enacted as a By-Law of the City of Thompson as follows:

PART 1 DEFINITIONS

1. In this By-Law, unless the context otherwise requires:
 - (1) "Alarm Inspector" means the officer commanding the Thompson Detachment of the Royal Canadian Mounted Police, or his designate.
 - (2) "Alarm System" means any mechanical, electrical or electronic device which is designed or used for the detection of an unlawful act in, or unauthorized entry into a building, structure or facility and which emits a sound or transmits a signal or message when actuated, but does not include:

- (a) a device which registers an alarm that is not audible, visible or perceptible out side of the protected building, structure or facility; or
 - (b) a device that is installed in a motor vehicle or motor home as those terms are defined in "The Highway Traffic Act", R.S.M. 1987, C.H.60;
- (3) "Audible Alarm" means an alarm system which generates an audible sound only in, on, or about the premises where it is located when it is actuated;
 - (4) "Automated Calling Device" means any device or combination of devices that will on 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;
 - (5) "Excessive False Alarms" means three (3) or more false alarms in any six (6) calendar months not including any false alarms that are caused by a storm, lightning, fire, earthquake, or other act of God;
 - (6) "False Alarm" means the actuation of an alarm system resulting in a response by police to premises where the alarm system is located where there has been no unauthorized entry or commission of an unlawful act on the premises;
 - (7) "Monitored Alarm System" means an alarm system, excluding an audible alarm which when actuated transmits a search, signal or message to a location where personnel are in attendance at all times and one whose functions it is to notify police of the alarm system actuated;
 - (8) "Permittee" means the holder of an alarm permit;
 - (9) "Police" and "Police Officer" means the Thompson Detachment of the Royal Canadian Mounted Police and an officer of that detachment respectively.

PART II NON-RESIDENTIAL ALARM SYSTEMS

2. This part does not apply to residential premises.
3.
 - (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 issued with respect thereto;
 - (2) An applicant for an alarm system permit shall:
 - (a) provide the information required in the form attached hereto as Schedule "A" to this By-Law to the alarms inspector;
 - (b) pay a fee of ~~\$25.00~~ as established in the City of Thompson Fee and Fine Schedule as it exists, or as it may be amended;
[AM B/L 1791-2009]
 - (3) Alarm System Permits shall be issued under:
 - (a) the personal signature of the alarms inspector; or his designate; or
 - (b) the mechanically reproduced signature of the alarms inspector or his designate.
 - (4) An alarm system permit shall be issued in the name of the person in actual occupation of the premises which the alarm system is designated to protect;
 - (5) An alarm system permit shall not be assigned or transferred and shall become void upon a change of the person actually occupying the premises in which the alarm system is located;
 - (6) 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.
4. A permittee shall ensure that all information provided by him pursuant to Section 3 (2) (a) hereof is kept current and correct and shall forthwith notify the alarms inspector in writing of any and all changes or corrections to such information.

5. AUDIBLE ALARM SYSTEMS:

- (1) A permittee maintaining an audible fire alarm system shall keep the alarms inspector informed by notice in writing of the names, addresses, and telephone numbers of at least two (2) persons at different locations to be contacted in the event that the audible alarm system is actuated;
- (2) At least one (1) of the persons to be contacted pursuant to subsection (1) shall:
 - (a) be available to receive telephone calls from the police made in respect of the audible alarm at any time, and
 - (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 police officer.
- (3) This provision does not apply to a premises containing both an audible alarm and a monitored system.

6. MONITORED ALARM SYSTEMS:

- (1) When a person attending 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 any police officer of the alarm, attempt to verify that the alarm is not a false alarm by telephone the said premises;
- (2) A person who attends a monitored alarm system and who informs any police officer that the monitored alarm system has been actuated shall:
 - (a) advise such police officer 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 that the police are informed of the actuation of the monitored alarm system;

- (3) In the event the person attending a monitored alarm system is unable to comply with Section 6(2) (b) within ten (10) minutes of actuation of the alarm, the police shall not, upon inspecting the exterior of the premises and finding nothing amiss, remain at the premises.

7. INSPECTION AND REMEDYING OF MALFUNCTIONS:

- (1) Where an alarm system actuates excessive false alarms, the alarms inspector may by notice in writing require the permittee:
- (a) to have the alarm system inspected by a person knowledgeable in the installation and use of alarm systems;
 - (b) to provide a report in writing from that person so inspecting the system verifying that an inspection has been carried out and indicating the results of that inspection.
- (2) If the report referred to in Section 7(1) (b) indicates that the alarm system is malfunctioning due to a fault or deficiency in the alarm system, the permittee shall forthwith remedy such fault or deficiency.

8. SUSPENSION OR REVOCATION OF PERMIT:

- (1) The alarms inspector may revoke or suspend any alarm system if:
- (a) the permittee has contravened any of the provisions of this By-Law;
 - (b) the persons to be contacted pursuant to Section 5 (1) of the By-Law are not available to receive telephone calls as contemplated by Section 5 (2) (a);
 - (c) the person contacted is not capable of affording access by police to the premises where the audible alarm is located in accordance with

Section 5 (2) (a) or fails to attend the premises where the audible alarm is located in accordance with Section 5(2) (c);

- (d) the person attending a monitored alarm system fails to comply with Section 6; or
- (e) the permittee fails to comply with a notice given pursuant to Section 7 (1) of this By-Law;

(2) When the alarms inspector:

- (a) refuses to issue an alarm system permit to any person; or
- (b) suspends or revokes the alarm system permit held by any such person;

The alarms inspector shall notify such person of such refusal, suspension or revocation;

(3) Where an alarm system permit has been revoked and the person responsible for said alarm system has been advised as such pursuant to sub section (2), the alarm system shall conditional upon Article 9 be forthwith rendered inoperable by disconnecting the power source to the system.

The alarm system shall remain inoperable until a new permit is issued.

(4) Where an alarm system permit has been revoked, the alarms inspector may refuse to issue a further alarm system permit for such alarm system for a period of six (6) months from the revocation.

9. APPEAL

- (1) A person who has been refused an alarm system permit or whose alarm system permit has been suspended or revoked may within thirty (30) days of receipt of the notice of refusal, suspension, or revocation by notifying the City Clerk in writing of his intention to appeal;
- (2) An appeal referred to in Section 9(1) shall be heard by the Recreation and Protection Committee. The decision

of the Committee on the appeal shall be final and binding and not subject to further appeal;

- (3) When a suspension or revocation is appealed pursuant to Section 9 (1), the suspension or revocation shall be automatically stayed until the appeal is determined.

10. TERM OF PERMIT:

An alarm system permit shall remain in force until suspended or revoked.

PART III **GENERAL**

11. 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.
12. No person shall use, maintain or program or permit the use, maintenance or programming of any automatic calling devise to transmit any message to any telephone number assigned to the Thompson Detachment of the Royal Canadian Mounted Police concerning any unauthorized entry into a building structure or facility or the commission of any unlawful act or requesting police assistance.
13. Any person who keeps or uses or permits the keeping or use of an alarm system which actuates excessive false alarms is guilty of an offense.
14. Penalties will be assessed in accordance with the terms and provisions of the City of Thompson Compliance By-law No. 1735-2007.
[AM B/L 1755-2007]
15. Any notice which may be required or permitted by this By-Law shall be sufficiently delivered if mailed to a person to whom the notice is to be given by registered mail at that person's last known address and shall be deemed to be received by that person within two (2) days of such mailing.
16. This By-Law shall apply to all alarm systems whether installed, kept or used prior to after the coming into force of this By-Law.

17. If any provision of this By-Law be contrary to any express provision of any applicable statute, such provision shall be read subject thereto and except as aforesaid this By-Law and all provisions thereof shall be valid and binding.
18. This By-Law shall come into force **JUNE 1, 1991**.
19. This By-Law may be cited as the "Alarm By-Law".

READ A FIRST TIME THIS 18TH DAY OF FEBRUARY 1991 A.D.

READ A SECOND TIME THIS 4TH DAY OF MARCH 1991 A.D.

READ A THIRD TIME THIS 4TH DAY OF MARCH 1991 A.D.

DONE AND PASSED IN COUNCIL ASSEMBLED THIS 4TH DAY OF MARCH A.D. 1991

THE CITY OF THOMPSON

**PER: _____
MAYOR**

**PER: _____
CITY MANAGER**

ALARM PERMIT APPLICATION FORM

**SCHEDULE "A"
TO BY-LAW 1384-91
CITY OF THOMPSON
RCMP DETACHMENT**

PLEASE READ BEFORE COMPLETING THIS APPLICATION
Incomplete applications will be returned to the applicant

AUDIBLE ALARM SYSTEMS:

If the Alarm System you wish to operate is of the audible or local alarm, and is **NOT** monitored by an alarm company, then, in accordance with Section 5 of By-Law 384-91, you must inform the Chief of Police in writing, of the names, addresses and telephone numbers of at least two persons at different locations who will attend the premises within 45 minutes and be able to provide access to where the audible alarm is located, when required to do so by a member of the Thompson RCMP.

Space is provided in this application for the information required:
Particulars of a least two key holders required:

NAME: _____ **NAME:** _____

ADDRESS: _____ **ADDRESS:** _____

Do not use residents of the protected premises:

TELEPHONE:

BUSINESS: _____ **BUSINESS:** _____

RESIDENCE: _____ **RESIDENCE:** _____

MONITORED ALARM SYSTEMS:

If the Alarm System you wish to operate is **MONITORED BY AN ALARM COMPANY**, it is your responsibility to provide that company with any information they may require in order to comply with Section 5 (2) (3) of By-Law 1384-91 which requires them to”Notify a person capable of affording access to the premises where the monitored Alarm System is located, to attend at such premises within 45 minutes of so informing such member of the Thompson RCMP of the actuation.”

Do not complete the key holder section of this application.

Forward all copies of the completed Alarm Permit Application Form to the
**OFFICER COMMANDING THE CITY OF THOMPSON RCMP DETACHMENT, 122
SELKIRK AVENUE, THOMPSON, MANITOBA R8N 0M9**

**CHANGES TO ANY INFORMATION CONTAINED IN THIS APPLICATION MUST BE
COMMUNICATED IMMEDIATELY IN WRITING TO THE THOMPSON RCMP
DETACHMENT, 122 SELKIRK AVENUE, THOMPSON, MANITOBA R8N 0M9.**

SYNOPSIS

The main features of By-Law 1384-91 are:

1. Everyone having an alarm system to detect or prevent unlawful acts or entry (e.g. burglary, theft, robbery, break and enter) must have a permit issued by the Chief of Police (Section 3).
2. There must be persons available who can attend and give access to the protected premises within 45 minutes of being requested to do so by the police (Sections 5 and 6).
3. A permit may be revoked or suspended by the Chief of Police in the circumstances listed in Subsection 8(1) of By-Law 1384-91, including where three or more false alarms are received from the premises within six calendar months. Such revocation is for a maximum of six months (Section 8(3)).
4. The Chief of Police can also require an alarm system to be inspected if three or more false alarms have been received (Section 7(1) and (2)).
5. An appeal to the Committee on Protection and Recreation is provided for where the Chief of Police refuses to issue, or revokes, a permit (Section 9(1) and (2)). Where a person does appeal, the revocation does not take effect until the appeal is decided, unless further false alarms are received in the interim (Section 9(3)).
6. Automatic calling devices as defined in Subsection 1(4) may not be used to call any Police Department telephone number (section 12).
7. The penalties for contravening By-Law 1384-91 are those set forth in Subsection 14 of The By-Law, namely, a maximum fine of \$500.00.
8. By-Law 1384-91 will apply to all burglary and robbery alarm systems whether installed, kept or used prior to or after the coming into force of this By-Law.