
Town of Annapolis Royal

Fire and Intruder Alarm By-law

Title

1. This By-Law is entitled the "Fire and Intruder Alarm Bylaw".

Definitions

2. Nothing in this By-Law shall be construed as authorizing non-compliance with any laws, regulations, by-laws, lawful orders or directives pursuant to any statute, regulation or statutory or regulatory authority that may require the installation, maintenance or operation of alarm systems or which may specify standards in respect of the manufacture, installation, maintenance or operation of such systems.
3. In this By-law:
 - (a) "Alarm Coordinator" means the Building Inspector unless some other person has been appointed by the Chief Administrative Officer to administer this By-Law.
 - (b) "alarm system" means any mechanical or electrical device which emits a sound or transmits a signal or message when activated and which is designed or used for
 - i. the detection of fire, heat, or smoke; or
 - ii. the detection of an actual or attempted unauthorized entry into a building, structure, fenced enclosure or other facility, but does not include a device that is installed in a vehicle;
 - (c) "assessment roll" means the Assessment Roll of the Town of Annapolis Royal
 - (d) "audible alarm" means an alarm system containing as a component or feature an audible sound generated by an activated alarm system on the premises in which the alarm system is installed;
 - (e) "automatic calling device" means any device, or combination of devices, that will, upon activation, either mechanically, electronically or by any other automated means, initiate transmission of a signal or message, including a recorded message or an electronic signal, over telephone lines;
 - (f) "false alarm" means an alarm which results in the dispatch of a publicly funded fire protection service or publicly funded police service except when a legitimate activation

event has occurred, provided however that an alarm shall be not be considered false if the owner can demonstrate to the reasonable satisfaction of the Alarm Coordinator that an alarm resulted from

- i. a windstorm, lightning, earthquake or other violent act of nature;
- ii. the wrongful activation of an alarm by a person other than the owner or any person under direct or indirect control of the owner, including officer, agents and employees of the owner;

(g) "legitimate activation event" means

- i. in the case of a fire, heat or smoke detection system, a condition of abnormal or excessive fire, heat or smoke; and
- ii. in the case of a intruder alarm, an actual or attempted unauthorized entry;

(h) "monitored alarm system" means an alarm system where the signal of a legitimate activation event is automatically transmitted to a third party;

(i) "owner" means a person who owns, manages, possesses or controls premises or directs activity carried out on premises and includes a person shown on the Assessment Roll for the Town of Annapolis Royal as the assessed owner or occupant of the premises except where the Town of Annapolis Royal has been given notice in writing of a change in ownership or has been provided with the name of a person identified as having exclusive possession and control of the premises;

(j) "publicly funded fire protection or police services organizations" includes all fire brigade departments or commissions for whose direct or indirect benefit the Town of Annapolis Royal collects taxes or rates; and

(k) "publicly funded police service" includes the Annapolis Royal Police Department and all departments such as the Royal Canadian Mounted Police or commissions for whose direct or indirect benefit the Town of Annapolis Royal collects taxes or rates.

(l) "Town" means the Town of Annapolis Royal

4. No person shall willfully cause the activation of an alarm in the absence of a legitimate activation event.
5. Except for an alarm system designed and used to detect heat, smoke or fire, no person shall install or operate an audible alarm, and no owner shall permit or acquiesce in the installation or operation of an audible alarm which sounds continually at the alarm-protected premises for a period of greater than fifteen minutes after each separate activation, if the sound made by the alarm is audible off the property on which the alarm has been installed. The owner of the property to which an alarm system is installed, must ensure that they are available in the event of an alarm. If the owner is not available, a

contact person must be available.

6. Except for an alarm system designed and used to detect heat, smoke or fire, no person shall install or operate, or permit or acquiesce in the installation or operation of any automatic calling device designed or programmed to transmit a message to any telephone number assigned to a publicly funded fire protection or publicly funded police service, or to a dispatch or communication centre responsible for the receiving and dispatching of alarm calls to such organizations. When a third party is responsible for monitoring an alarm system for the detection of an actual or attempted unauthorized entry into a building, structure, fenced enclosure, or other facility, that third party shall endeavor to verify that the alarm activation is not accidental by contacting the owner or occupant of the premises where the alarm is installed before notifying a publicly funded police services organization.
7. No owner shall cause, permit, or allow more than three (3) false alarms to emanate from an alarm system during any consecutive 12 month period. Each additional false alarm within such period shall constitute a separate offence.
8. Following the first occurrence of an apparently false alarm and any occurrence thereafter within any consecutive period of 12 months,
 - (a) a notice that a false alarm has apparently occurred which conforms with section 11 of this By-law shall be issued to the owner;
 - (b) if the owner disagrees that there was a false alarm, the owner shall have 30 days from the date of delivery of the notice to show cause to the Alarm Coordinator why the Alarm should not be considered false;
 - (c) the Alarm Coordinator shall then make a determination as to whether there was a false alarm, and the Alarm Coordinator's decision shall be final.
9. Where an owner does not respond to a notice pursuant to section 9(2), it shall be deemed that the false alarm has occurred.
10. Where a notice that a false alarm has apparently occurred is given pursuant to section 9(1):
 - (a) the notice shall be delivered by hand or sent by regular mail to
 - (i) the premises where the false alarm occurred to the attention of the occupant; and
 - (ii) to the owner's name and address as contained in the Assessment Roll.
 - (b) the notice shall state that:
 - (i) a copy of this By-law can be found on the Town's website at <https://annapolisroyal.com/fire-intruder-alarm/> or can be picked up from the Town Offices at 285 Saint George Street, Annapolis Royal; and
 - (ii) the owner may submit an alarm appeal pursuant to section 9(2) of this By-law;

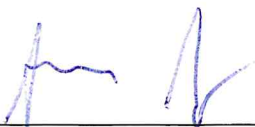
- (c) The first three (3) occurrence of a false alarm within a consecutive 12 month period, the notice shall be marked as a “warning”, and “ second warning” and “final notice” an shall state that any subsequent false alarms in the following 12 months will be subject to the fee outlined in this By-law;
 - (d) if it is a fourth (4th) or subsequent false alarm within a consecutive 12 month period, the notice shall state that the owner will be assessed a fee pursuant to section 12 of this By-law;
 - (e) a notice sent in accordance with this section is deemed to have been delivered and received and, in the case of delivery by regular mail, is deemed to have been delivered 3 days after the date of mailing.
11. On the fourth occurrence or any repeat occurrence of a false alarm within a consecutive 12 month period contrary to this By-law, the owner will be required to pay the following fees to the Town of Annapolis Royal
 - (a) \$250.00 for a fourth occurrence; and
 - (b) \$50.00 additional to section 12(a) for any subsequent occurrence.
 12. Any fees levied under this By-law shall be due within 30 days of official invoice date and payable to the Town of Annapolis Royal.
 13. In addition to any fees pursuant to section 12,
 - (a) interest on any fees shall accrue, starting 30 days after the date of such fee, at a rate set from time to time by the Town.
 - (b) any such fee that remains outstanding for an excess of 30 days, including the interest as it accrues, is a first lien on the real property from which the false alarm came, and is added to and forms part of the taxes payable on the real property as taxes in arrears pursuant to Section 507 of the *Municipal Government Act*.
 14. Any person who violates section 4 of this By-law is guilty of an offence punishable on summary conviction by a fine of not less than \$250.00 and not more than \$10,000.00 and to imprisonment of not more than 60 days in default of payment thereof.
 15. Any person who violates any other provision of this By-law is guilty of an offence punishable on summary conviction by a fine of not less than \$100.00 and not more than \$10,000.00 and to imprisonment of not more than 60 days in default of payment thereof.

REPEAL

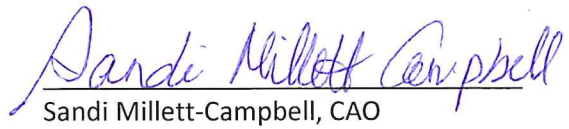
16. A bylaw, known as the Fire and Burglar Alarm Bylaw as adopted by Town Council on the 20th day of September 2004, is hereby repealed.

EFFECTIVE DATE

17. This Bylaw shall be effective date of publishing.



Amery Boyer, Mayor



Sandi Millett-Campbell, CAO

This is to certify that the foregoing is a true copy of a bylaw passed at a duly convened meeting of the Council of the Town of Annapolis Royal, held the 15 day of June 2022.

Given under the hand of the Mayor and Chief Administrative Officer and the seal of the Town of Annapolis Royal this 16 day of June 2022.

FIRST READING:	May 18, 2022
"NOTICE OF INTENT" PUBLICATION:	May 19, 2022
SECOND READING:	June 15, 2022
MINISTERIAL APPROVAL:	N/A
DATE OF PUBLISHING:	June 23, 2022
FORWARDED TO THE MINISTER:	N/A
FORWARDED TO WEBSITE:	June 23, 2022