

## Bylaw No. 2021 - 42

### RM of Edenwold No. 158

#### A Bylaw to Control and Regulate False Alarm Fire Response

Whereas, pursuant to Clause 8(1)(d) of *The Municipalities Act*, a municipality is authorized to make bylaws respecting nuisances, including property, activities or things that affect the amenity of a neighbourhood.

The Council of the Rural Municipality of Edenwold No. 158, in the Province of Saskatchewan, enacts as follows:

#### 1. DEFINITIONS

In this Bylaw, including this section:

- 1.1 **Administrator** shall mean the employee or representative of the RM tasked with enforcing this Bylaw, or their delegate.
- 1.2 **Alarm Company** shall mean any person or organisation engaged in selling, leasing, maintaining, repairing, altering, replacing, moving, installing, or monitoring Alarm Systems, and reporting alarms to the Saskatchewan Public Safety Agency (SPSA).
- 1.3 **Alarm System** shall mean any device installed on or at an Alarm Site that produces an audible signal or alerts an Alarm Company of an emergency.
- 1.4 **Alarm Site** shall mean a single fixed premise or location served by an Alarm System and includes a tenancy within multi-tenant buildings.
- 1.5 **Alarm User** shall mean a person or organisation responsible for maintaining an Alarm System or Alarm Site.
- 1.6 **Designated Officer** shall mean an employee or representative of the municipality, a member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer, Community Safety Officer, Development Officer, Chief Operating Officer, Administrator, or a senior member of the Regina, Balgonie, Pilot Butte, Village of Edenwold, Kronau, or White City Fire Departments.
- 1.7 **False Alarm** shall mean the triggering of an Alarm System that results in an emergency response where a situation requiring such response does not exist, and includes, but is not limited to, a situation where the Alarm System has malfunctioned or has been activated:
  - a. through Alarm User or Alarm Company error;
  - b. during testing;
  - c. because of atmospheric conditions, including excessive vibrations and power failure; or
  - d. in response to an emergency where there is no evidence of fire or smoke.
- 1.8 **False Alarm Fine** shall mean the fine set out in Schedule "A" of this Bylaw.
- 1.9 **RM** shall mean the Rural Municipality of Edenwold No. 158.

#### 2. GENERAL REGULATIONS

- 2.1 This bylaw shall be referred to as the False Alarm Bylaw.



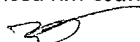
- 2.2 All Alarm Users shall install, maintain, use, and operate their Alarm System in a manner that prevents False Alarms.
- 2.3 Alarm Companies shall make every reasonable attempt to verify the veracity of each alarm before requesting an emergency response.

### **3. ENFORCEMENT AND PENALTIES**

- 3.1 The administration and enforcement of this Bylaw is hereby delegated to the Administrator.
- 3.2 This Bylaw may be enforced by a Designated Officer.
- 3.3 Where an Alarm User or Alarm Company reports a False Alarm, they shall:
  - a. upon the first offence within a 365-day period, be issued one (1) written warning; and
  - b. upon a second, or subsequent offence occurring within 365 days of the first offence, pay to the RM a False Alarm Fine.
- 3.4 Notwithstanding 3.3, where the Alarm User or Alarm Company purposefully reports a False Alarm, they shall receive no written warning and shall instead pay to the RM a False Alarm Fine.
- 3.5 False Alarm Fines and first offence warnings are considered served:
  - a. immediately when served personally;
  - b. immediately when physically posted at the Alarm Site; or
  - c. within five (5) business days of being sent via Canada Post to the Alarm Site, Alarm User, or Alarm Company.
- 3.6 A person contravening any provisions of this bylaw who has been served with a summons ticket and who wishes to plead guilty and pay a voluntary payment within 14 days of the date of the summons ticket, may deliver the summons and an amount equal to 50% of the specified penalty sum for the offence to a place indicated on the summons ticket on or before the date specified on the summons.
- 3.7 Pursuant to Clause 369(1)(c) of *The Municipalities Act*, any Alarm User or Alarm Company who does not pay their False Alarm Fine within ninety (90) days of being served shall have said fine added to the associated Alarm Site's tax roll.
- 3.8 Alarm Users or Alarm Companies fined pursuant to this Bylaw may apply for a review of their fine within 20 days of being served by making a written application to the Administrator, and the Administrator may confirm, modify, or revoke the fine; following review, the Administrator's decision shall be final and binding.

### **4. SEVERABILITY**

- 4.1 This Bylaw shall not be construed to hold the RM or its agents responsible or liable for any damage to persons or property caused by the administration of this Bylaw.
- 4.2 If a court of competent jurisdiction should declare any part, section, sentence, clause, phrase, or other portion of this Bylaw to be invalid, that portion shall not be construed as having persuaded or influenced RM Council to pass the



remainder of this Bylaw; the part, section, sentence, clause, phrase, or other portion of this Bylaw is to be deemed a separate, distinct, and independent provision, and the holding of the Court shall not affect the validity of the remaining portions of this Bylaw.

**5. COMING INTO FORCE**

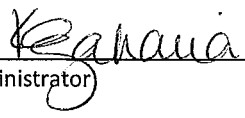
5.1 This Bylaw shall come into force and take effect on the final passing thereof.

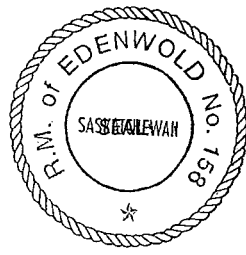
First Reading: July 27, 2021

Second Reading: July 27, 2021

Third Reading: July 27, 2021

  
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Reeve

  
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Administrator



CERTIFIED A TRUE AND CORRECT COPY OF  
Bylaw No 2021-42  
Kahana Administrator  
DATED AT EMERALD PARK, SASK.  
THIS 27<sup>th</sup> DAY OF July 2021.

**Schedule "A"**  
**False Alarm Fines**

	<b>Offence</b>	<b>Fine</b>
<b>Alarm User</b>	First False Alarm	Written Warning
	Second False Alarm	\$100
	Third or Subsequent False Alarms	\$250
	Purposeful False Alarm	\$500

	<b>Offence</b>	<b>Fine</b>
<b>Alarm Company</b>	First False Alarm	Written Warning
	Second or Subsequent False Alarms	\$250
	Purposeful False Alarm	\$500

