

**BY-LAW 06-RM-01 -2**

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**CONCERNING ALARMS WITHIN THE LIMITS OF THE MUNICIPALITY OF CHELSEA  
AND REVOKE BY-LAW NUMBER 06-RM-01-1.**

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**WHEREAS** the municipality of Chelsea wishes to adopt the by-law 06-RM-01-2 concerning alarms.

**WHEREAS** Council deems necessary and in the public's interest to regulate the installation and operation of alarm systems on its territory;

**WHEREAS** a notice of motion was given at the regular council meeting of December 4<sup>th</sup> 2002, to the effect that this by-law would be submitted for approval;

**THEREFORE** It is ordered and decreed by the council of the Municipality of Chelsea, and said council orders and decrees by this by-law, as follows:

**SECTION 1 - DEFINITIONS**

For the purpose of interpreting this by-law, unless otherwise stated and without restricting their generality, the following words and expressions are defined as:

1.1 Calendar year:

Refers to a calendar year starting January 1st and ending December 31st of the same year.

1.2 Protected premises:

Refers to a property, a building or a structure which is protected by an alarm system.

1.3 Municipality:

Refers to the Municipality of Chelsea.

1.4 Alarm system:

Refers to any equipment or system designed to signal a danger or specific problem such as a break-in, a fire, a person in distress, a gas leak or a flood, by means of an alarm or light signal which can be heard or seen outside a building or by a direct dialled call to an emergency service or alarm company.

**SECTION 2 - ENFORCEMENT OF THE BY-LAW**

2.1 Police officers of the MRC des Collines-des-l'Outaouais are authorized to prosecute anyone who violates a provision to this by-law. Said officers are responsible for enforcing this by-law.

By and large, the Municipality also authorizes the secretary treasurer, as well as any other legally designated person, to prosecute anyone who violates a provision of this by-law. Said persons are responsible for the enforcement of all provisions s of this by-law.

2.2 In addition to the powers conferred by article 2.1, the officer responsible for the enforcement of this by-law is authorized to visit and inspect, between 7:00 a.m. and 7:00 p.m. any personal property or real estate property, as well as the interior and exterior of any house, building or structure, to ascertain compliance with this by-law and, any owner, tenant or occupant of these properties, structures or buildings must admit them, allow them to inspect and must answer any questions with regards to the enforcement of this by-law.

## **SECTION 3 - GENERAL PROVISIONS**

3.1 This by-law applies to all alarm systems, including the systems installed or in use prior to the date of coming into force of this by-law.

3.2 Permits required for the installation or use of an alarm system is free of charge.

3.3 No one may install or continue to use an alarm system without obtaining a permit from the Municipality before hand for said use.

3.4 The permit is issued upon request from the owner, tenant or occupant of the premises, building or structure which is protected by an alarm system.

3.5 The permit is valid until it is cancelled or forfeited by the owner and returned to the Public security department of the Municipality.

3.6 The permit is no longer valid when there is a change of owner, tenant or occupant of the premises protected by the alarm system for which the permit was issued.

3.7 Anyone using an alarm system on the date of coming into force of this by-law must give notice to the Municipality, within sixty days of said date.

The notice must be given in writing and include all the information required in accordance with article 3.7. The terms stipulated in article 3.8 must also be respected.

3.8 Application for a permit must be-submitted in writing and include:

a) the applicant's name, surname, address and numbers: telephone cellular, pager or other communication devices.

b) the owner's name, surname and numbers: telephone, cellular, pager or other communication devices if the applicant does not own the premises;

c) the address and a description of the protected premises;

d) the name and address of any agency or central station to which the alarm system is linked;

e) in the case of a corporate entity, the name(s), surname(s), address(es) and numbers: telephone, cellular, pager or other communication devices of the representative(s) of the corporate entity;

f) the names, surnames and numbers: telephone, cellular, pager or other communication devices of 3 persons who, if the alarm goes off, can be contacted and are authorized to go onto the premises to shut off the alarm.

g) the date the alarm system is put into operation.

3.9 The Municipality must be notified within twenty four hours of any changes regarding the information provided in accordance with article 3.8;

3.10 No permit shall be issued for an alarm system that does not meet the requirements of this by-law;

3.11 When an alarm system is equipped with a bell or any other sound set off outside the protected premises, the alarm system must be installed in such a way so as not to sound off for more than ten minutes.

3.12 The owner, tenant or occupant of the premises or establishment protected by an alarm system, as well as the officers, employees or other persons representing him, by contract or otherwise, must abide by the requirements of the by-law, cooperate at all times with the designated person responsible for enforcement and compliance with this by-law, according to article 2.1, act upon requests made by this person in this respect and, take the necessary measures to ensure that the system is functioning properly. Especially and, without limiting the generality of this article, the owner, tenant or occupant of the premises or establishment must:

Be available at all times for the public security department or the alarm company to contact, in the location and at the numbers given, when the alarm system is set;  
Immediately go to the premises when the alarm has been set off, give the police access to the premises, stop the alarm and reset the system.

3.13 The officer responsible for enforcing this by-law is authorized to go onto premises where an alarm has been set off, if no one is available to turn off the sound alarm when it affects the public's peace and quiet.

3.14 The Municipality is authorized to claim from any owner, tenant or occupant of premises or establishment protected by an alarm system, the expenses incurred due to a defective alarm system, especially for accessing the premises in accordance with article 3.12.

3.15 It is considered an offence against this by-law when an alarm system goes off more than twice in the same calendar year, due to non-justifiable alarms.

3.16 "Non-justifiable alarm system initiation": implying the activation of an alarm system without any proof that a non authorized entry or criminal offence has taken place, to or in respect of a building or a site; also implying initiation of an alarm system without existence of smoke or fire including:

- a) Initiation of an alarm system during testing;
- b) Initiation of an alarm system by failing equipment;
- c) Initiation of an alarm system by atmospheric condition, vibrations or power failure;
- d) Initiation of an alarm system by mistake, without necessity or carelessly by any users;
- e) Unless proven otherwise, an alarm system is considered defective in the absence of any evidence or indication of a break in, violation, fire or onset of a fire or a hazard on the premises, upon the arrival of the peace officer, firemen or designated officer responsible for the enforcement of this by-law;
- f) When initiation of an alarm system is caused by any animal.

3.17 It is unlawful for anyone to open, break or damage an alarm box.

#### **SECTION 4 - PENAL PROVISIONS**

4.1 Anyone violating a provision of this by-law commits an offence and is liable to the following:

- a) A fine between \$200 minimum and \$1000 maximum,
- b) A continuing offence creates a separate offence on a daily basis and, the offender is liable to a fine for each day for the duration of the offence.

4.2 Upon sentencing, a court of competent jurisdiction may, with fining the offender in accordance with article 4.1, order offender to take appropriate action to put a stop to the nuisance and, in the case of the offender refusing to act within the prescribed time, the Municipality may take appropriate action at the offender's expense.

#### **SECTION 5 -INTERPRETATION PROVISIONS**

5.1 The preamble is an integral part of this by-law.

5.2 The masculine gender is used universally and includes the feminine.

#### **SECTION 6 - REVOCATION AND COMMENCEMENT**

6.1 For all legal purposes, this by-law revokes by-law 06-RM-01-1.

6.2 This by-law will come into force in accordance with the Law.

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Given at Chelsea, Quebec this 8<sup>th</sup> day of January, 2007.

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Jean Perras  
Mayor

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Paul St-Louis  
Secretary - treasurer

NOTICE OF MOTION: December 4, 2006  
ADOPTION OF BY-LAW: January 8, 2007  
RESOLUTION N°: 08-07  
DATE OF PUBLICATION: January 10, 2007