

TOWN OF AMHERST

BY LAW  
RESPECTING INTRUSION, ROBBERY AND FIRE ALARM SYSTEMS

SHORT TITLE

1. This By-Law may be cited as the “Alarm By-Law”.

DEFINITIONS

2. In this By-Law:
  - (a) “Alarm Coordinator” means the person appointed by the Treasurer to administer the Alarm By-Law.
  - (b) “Alarm System” - means any mechanical or electrical device which is designed or used for the detection of an unauthorized entry into a building structure or facility, or for alerting others of the commission of an unlawful act, or a fire detection device which emits a sound or transmits a signal or message when activated, but does not include:
    - (a) personal alerting devices
    - (b) a device that is installed in a vehicle
    - (c) residential smoke detector
  - (c) ”Audible Alarm” - means an alarm system which generates an audible sound on the premises where it is activated;
  - (d) “Automatic Calling Device” - means any device, or combination of devices, that will upon 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;
  - (e) “False Alarm” - means a response to an alarm by the Amherst Police Department or Amherst Fire Department resulting from the activation of an alarm system where an emergency situation does not exist;
  - (f) “Monitored Alarm System” - means an alarm system where the signal of an

intrusion, the commission of an unlawful act, or the detection of a fire is received by a third party;

- (g) "Town" - means the Town of Amherst;
- (h) "Owner/lessee"- includes an occupant, lessee or person having possession or control of the property in question and also includes prime facie the person whose name appears on the assessment role for the Town as the assessed owner.
- (i) "Permittee" - means the holder of an alarm system permit;
- (j) "Personal Alerting Device" - means any device carried on one's person that when activated is designed to emit a sound or transmit a signal or message;
- (k) "Treasurer" means the Treasurer of the Town of Amherst or his designate.

### **PERMIT REQUIRED**

- 3. (1) No owner/lessee shall install, keep, use, permit or suffer the installation, keeping or use of an alarm system unless there is a valid and subsisting alarm system permit for that system.
- (2) An applicant for an alarm system permit shall apply to the Treasurer on a form as described in Schedule "A" attached hereto.
- (3) Alarm system permits shall be issued by the Treasurer.
- (4) An alarm system permit shall be issued in the name of the owner/lessee of the building or property which the alarm is intended to protect.
- (5) An alarm system permit is required for each alarm system that is installed in any one location.
- (6) An alarm system permit may be transferred or assigned to a new owner/lessee of the property on submission to the Treasurer of a fully completed permit application form as described in Schedule "A".
- (7) The permittee shall be responsible for informing the Treasurer or his designate of any and all changes in the information contained in the permit application.

## **AUDIBLE ALARM SYSTEMS**

4. (1) No person shall install, maintain or use an audible alarm that is capable of being sounded outside of the premises continually for a period of greater than fifteen minutes after each separate activation except for an alarm system designed or used to detect heat, smoke or fire.

## **FALSE ALARMS**

5. (1) No person shall cause, permit, suffer or allow false alarms to emanate from a location where an alarm system is installed.
  - (2) Alarms activated in the following manner are hereby deemed **not** to be false alarms;
    - (a) Where the owner can demonstrate that the alarm was caused by a storm, lightning, earthquake or other violent act of nature; or
    - (b) Where the Alarm Co-ordinator is satisfied that the occurrence is isolated and due to a mechanical failure that has since been corrected by a qualified contractor, proof of which has been provided.

## **AUTOMATIC CALLING DEVICES**

6. (1) No person shall use, maintain or install, or permit the use, maintenance or installation of any automatic calling device which is programmed to transmit a message to any telephone number assigned to the Amherst Police Department, Amherst Fire Department or any dispatch or communication centre responsible for the receiving and dispatching of alarm calls to these agencies unless a contract has been entered into with the Police/Fire Department to provide an alarm monitoring service.

## **MONITORED ALARM SYSTEMS**

7. (1) When a third party is responsible for monitoring an alarm system for intrusions only, that third party shall verify that the alarm activation is not accidental by contacting the premise where the alarm is installed prior to notifying the appropriate police agency. If a police agency is dispatched prior to verification, there will be no waiver of fee if the call is cancelled subsequent to police being dispatched.
2. Where the original alarm activation signal is received by a third party who then notifies the Amherst Police Department or the Amherst Fire Department of the alarm, the third party shall supply the alarm permit number to the police/fire dispatcher receiving the call.

## **FEE FOR FALSE ALARMS**

8. 1. On the occurrence of a third and for each subsequent false alarm during any one calendar year, the permittee will be required to pay a fee of \$50.00 for each such occurrence.
2. Where a fee is charged in accordance with this by-law, the Town shall invoice the permittee of the real property. The fee shall be payable within 14 days.
3. An invoice issued under this by-law shall be due upon receipt and payable to the Town.
4. All fees collected become the property of the Town.

## **NOTIFICATION TO OWNERS**

9. (1) Upon the first occurrence of a false alarm, a notice will be provided to the permittee of the subject real property that a false alarm has occurred and advised of the fees to be imposed for more than two (2) false alarms in any one calendar year.
- (2) The notice required by this section shall be in writing and delivered by hand or regular mail to the subject property or the address in the permit. A notice sent in accordance with this section shall be deemed to have been received.

## **APPLICATION**

10. This by-law applies to all alarms in use within the Town whether installed before or after the coming into force of this by-law.

## **PENALTY**

11. 1. A person who contravenes any provision of this by-law shall upon summary conviction be liable to a minimum penalty of \$50.00 and a maximum penalty of \$1,000.00 and in wilful default of payment of the penalty the offender may be imprisoned for a maximum period not exceeding ninety days.
2. Every day during which a contravention of or failure to comply with the by-law continues is a separate offence.

# SCHEDULE "A"

I, \_\_\_\_\_, do hereby apply for an alarm permit pursuant to the "Alarm By-Law" for the Town of Amherst.

I acknowledge that I have been made aware that in the event of over two (2) false alarms in any calendar year, I must pay a fee of \$50.00 per false alarm.

This fee must be paid within a period of fourteen (14) days following the date of notice.

**APPLICANT:**      **Full Name:** \_\_\_\_\_  
                                 **Address:** \_\_\_\_\_      **Phone:** \_\_\_\_\_  
                                 **Signed:** \_\_\_\_\_

*The following persons are to be contacted in order of priority should an alarm be activated from our location:*

- 1.**      **Full Name:** \_\_\_\_\_  
                                 **Address:** \_\_\_\_\_      **Phone:** \_\_\_\_\_
  
- 2.**      **Full Name:** \_\_\_\_\_  
                                 **Address:** \_\_\_\_\_      **Phone:** \_\_\_\_\_
  
- 3.**      **Full Name:** \_\_\_\_\_  
                                 **Address:** \_\_\_\_\_      **Phone:** \_\_\_\_\_

**TOWN OF AMHERST  
P.O. BOX 516  
AMHERST, NOVA SCOTIA  
B4H 4A1**

DEAR \_\_\_\_\_,

THE AMHERST POLICE/FIRE DEPARTMENT HAS RESPONDED TO A FALSE ALARM  
AT YOUR PROPERTY LOCATED AT  
ON \_\_\_\_\_, 199\_\_.

THIS IS TO ADVISE THAT MORE THAN TWO (2) FALSE ALARMS IN ANY CALENDAR  
YEAR WILL RESULT IN A \$50.00 FEE LEVIED FOR EACH FALSE ALARM.

IF THERE ARE ANY FURTHER QUESTIONS REGARDING THIS MATTER, PLEASE FEEL  
FREE TO CONTACT TOWN OF AMHERST CORPORATE SERVICES.

YOURS TRULY,

GREG HERRETT  
TREASURER

**TOWN OF AMHERST  
P.O. BOX 516  
AMHERST, NOVA SCOTIA  
B4H 4A1**

DEAR \_\_\_\_\_,

THE AMHERST POLICE/FIRE DEPARTMENT HAS RESPONDED TO A THIRD FALSE ALARM AT YOUR PROPERTY LOCATED AT \_\_\_\_\_ ON \_\_\_\_\_, 199\_\_ .

THE DEPARTMENT HAS PREVIOUSLY RESPONDED TO TWO (2) ALARMS TO THIS PROPERTY ON \_\_\_\_\_, 199\_\_ AND ON \_\_\_\_\_, 199\_\_ .

WE THEREFORE REQUEST PAYMENT OF \$50.00 AS PER OUR PREVIOUS LETTER.

IF THERE ARE ANY FURTHER QUESTIONS REGARDING THIS MATTER, PLEASE FEEL FREE TO CONTACT THE TOWN OF AMHERST CORPORATE SERVICES.

YOURS TRULY,

GREG HERRETT  
TREASURER

THIS IS TO CERTIFY that the foregoing is a true copy of a by-law duly passed at a duly called meeting of the Council of the Town of Amherst duly held on the 27<sup>th</sup> day of September A.D., 1999.

GIVEN under the hand of the Town Clerk and under the corporate seal of the said Town this 6<sup>th</sup> day of October A.D., 1999.

A handwritten signature in dark ink, appearing to read "Ed Childs", is written over a horizontal dotted line. The signature is fluid and cursive, extending across the width of the line.

Ed Childs, Town Clerk



## NOTICE OF PUBLICATION

SUBJECT: BYLAW RESPECTING INTRUSION, ROBBERY AND  
FIRE ALARM SYSTEMS

Notice is hereby given that, following second reading given at a regular meeting held September 27, 1999, the Amherst Town Council approved the adoption of a BYLAW RESPECTING INTRUSION, ROBBERY AND FIRE ALARM SYSTEMS.

The objective of this bylaw is to encourage those who hold an alarm system permit to maintain their equipment in a responsible manner so as to lessen the incidents requiring response by the Police and/or Fire Departments to false alarms.

Copies of this new bylaw may be inspected at the office of the Town Clerk, Confederation Memorial Building, Ratchford Street during regular business hours.

Ed Childs  
Town Clerk

Amherst Daily News  
October 6, 1999

THIS IS TO CERTIFY that the foregoing is a Notice of Publication regarding the adoption of the above Town of Amherst Bylaw as published in the local paper on October 6, 1999.

GIVEN under the hand of the Town Clerk and under the seal of the Town of Amherst this 6<sup>th</sup> day of October, 1999.

  
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TOWN CLERK