

Discussion Document: Proposed Changes to the Alarm Services Bylaw

REORGANIZATION OF EXISTING ALARM PERMIT AND FALSE ALARM PROVISIONS

Version 7

The Alarm Services Bylaw will be amended in four ways:

1. certain defined terms contained in section 2 will be updated: “alarm system”, “audible alarm”, “false alarm”, “monitored alarm”
2. section 19, which addresses exemptions from the bylaw, will be amended so that no premises will be exempt from the alarm permit requirements and the false alarm provisions (as is currently the case).
3. section 25 (which addresses alarm permits) and section 26.1 (which addresses false alarms) will be separated into separate sections and re-organized into a more logical order, and some subsections will be re-worded to provide greater clarity.
4. a requirement that all alarm agencies register with the CPS will be added.

Note that this document includes excerpts from the existing Alarm Services Bylaw in black text. Changes to existing sections and new sections are identified by **bold text**.

Existing sections that are being deleted or replaced are included for reference and identified by ~~strikethrough text~~.

For ease of reference, defined terms are identified by *italics*.

Note that this document is not the actual amending bylaw; instead it is intended to show the proposed changes in context for ease of understanding. The amending bylaw will reflect the proposed changes as reflected in this document.

Note re: Effective date of amendments: the bylaw amendments will be effective as of January 1, 2017, except for the False Alarm Penalty Provisions (section 26.1 and Schedule “B”) which will take effect March 1, 2017.

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INTERPRETATION

2. (1) In this Bylaw unless the context otherwise requires:
- (a) "*agency*" means an alarm agency or a security consulting agency or both;
 - (b) "*agent*" means an alarm agent or security consultant when employed or engaged under license issued by this Bylaw;
 - (c) "*alarm agency*" means a person or body corporate who, for hire or reward,
 - (i) sells, supplies, provides or installs or offers to install *alarm systems*,
 - (ii) is in the business of monitoring *alarm systems*,
 - (iii) is in the business of responding to alarms,
 - (iv) repairs or maintains *alarm systems* that are installed on the property of another;
 - (d) "*alarm agent*" means any person employed or engaged within the City by an *alarm agency* whose duties include the altering, installing, maintaining, moving, repairing, replacing, selling, servicing, recommending, specifying, responding to or monitoring of an *alarm system*;
 - (e) "*alarm system*" means any mechanical or electrical device which is designed or used for the detection of an unauthorized entry into a premises, building, structure or facility or for alerting others of the commission of an unlawful act, or both, and which emits a sound or transmits a signal or message **a video or audio signal, or both, or any other message** when activated but does not include:
 - (i) a device that registers an alarm that is not audible, visible or perceptible outside of the protected premises, building, structure or facility, or
 - (ii) a device that is installed in a vehicle;
 - (e.1) "***alarm system permit***" or "***permit***" means a permit issued pursuant to section 25.2 of this Bylaw;
 - (f) "***audible alarm***" means an *alarm system* which generates an audible sound on the premises when it is activated but does not transmit a signal or message to another premises;
 - ~~(f) "*audible alarm*" means an *alarm system* designed or used for the detection of unauthorized entry onto premises and which generates an audible sound on the premises when it is activated;~~

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- (g) *"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 or any other signal intended to alert another person of a security occurrence or the existence of an emergency situation and which is designated to be transmitted over regular telephone lines but does not include a device commonly referred to as a telephone;

...

- (j) *"Chief of Police"* means the Chief of Police of The City of Calgary or a member or employee of the Calgary Police Service designated by him **the Chief** to act on his **the Chief's** behalf with respect to this Bylaw;

...

- (l) ***"false alarm"* means a signal from an *alarm system* that results in a request to the Calgary Police Service to attend at a premises but where investigation, law enforcement or other emergency services customarily provided by the Calgary Police Service are not required;**

- ~~(l) *"false alarm"* means an alarm signal necessitating response by the Calgary Police Service where crime investigation, law enforcement and other emergency services usually provided by the Police Service are not required;~~

...

- (o) ***"monitored alarm system"* means an *alarm system* which is intended to transmit a video or audio signal, or both, or any other message when it is activated to:**

- (i) **the occupant of the premises; or**
- (ii) **a *person* who is in the business of receiving that signal or message**

regardless of whether the *alarm system* generates an audible sound on the premises;

- ~~(o) *"monitored alarm system"* means an *alarm system* which is intended to send a signal to a person who is in the business of receiving that signal;~~

- ~~(p) *"permit"* means an *alarm system* permit issued pursuant to section 25 of this Bylaw;~~

- (q) ***"permittee"* means the holder of an *alarm system permit*;**

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EXEMPTION FROM BYLAW

19. This Bylaw, **except the provisions regarding alarm system permits and false alarms contained in sections 25 to 25.16 and section 26.1**, does not apply to:
- (a) members of a recognized police service while acting within the authority of their police appointments;
 - (b) barristers and solicitors in the regular practice of their profession;
 - (c) insurance adjustment agencies, insurance companies or the Insurance Crime Prevention Bureau while engaged in the usual course of their business or their employees or agents while acting in the usual and regular scope of their employment;
 - (d) a person who installs an alarm system in his private residence;
 - (e) person who is not in the employ of an alarm agency and who acts as an operator to receive a signal from an alarm system where such service is provided without remuneration;
 - (f) collection agencies and collectors registered under the *Collection Practices Act* in the usual and regular scope of their employment;
 - (g) private investigators, security guards, security consultants or alarm agents who are permanently employed by one employer in the business or undertaking other than a business licensed under this Bylaw and whose work is confined to the affairs of that employer; or
 - (h) where a person
 - (i) resides outside the City and is a *bona fide* employee there, by or on behalf of an employer or client who resides outside the City to make an investigation or inquiry partly outside the City and partly in the City, and
 - (ii) temporarily comes into the City solely for the purpose of that investigation or inquiry. Nothing in this section requires that person or his employer to be the holder of a license under this Bylaw so long as the work of that person within the City is confined to the making of the investigation or any inquiry for which he was so employed outside the City.

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ALARM PERMITS

25. A person must not use an *alarm system* at a premises unless there is a valid and subsisting alarm system permit issued for each *alarm system* at that premises.

- ~~25(4) (a) (i) No person shall install, use or permit the installation, or use of an *alarm system* unless there is a valid and subsisting *alarm system permit* therefor.~~
- ~~(ii) Notwithstanding subsection (a), a person may install or use an *alarm system* without a *permit* or during the *alarm permit* suspension but only if the alarms generated by that system are confirmed to be valid alarms by a person who responds to the location of the alarm prior to the Calgary Police Service being requested to attend at the premises where the alarm has been activated.~~

APPLICATION FOR AN ALARM PERMIT

25.1 (1) An applicant for an *alarm system permit* must make application to the *Chief of Police* on a form supplied by the *Chief of Police* furnishing such information as the *Chief of Police* may require.

(2) A *permittee* must provide such additional information as the *Chief of Police* may request from time to time.

~~25(4) (b) An applicant for an *alarm system permit* shall make application to the *Chief of Police* on a form supplied by the *Chief of Police* furnishing such information as the form may require and such additional information as the *Chief of Police* may from time to time require.~~

ISSUANCE OF ALARM PERMITS

25.2 (1) The *Chief of Police* is authorized to issue *alarm system permits*.

(2) An *alarm system permit* is not valid unless it includes:

- (a) the personal signature of the *Chief of Police*; or
- (b) the mechanically reproduced signature of the *Chief of Police*.

(3) An *alarm system permit* must be issued in the names of the *person* or *persons* who occupy the premises where the *alarm system* is installed.

~~25(4) (c) *Alarm system permits* shall be issued under~~

- ~~(i) the personal signature of the *Chief of Police*, or~~
- ~~(ii) his mechanically reproduced signature.~~

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~~25(4) (d) An alarm system permit shall be issued in the name of the person in possession of the premises which the alarm system is designed to protect.~~

~~25(4) (e) After an alarm system permit has been issued the permittee shall supply the Chief of Police with such information concerning the alarm system as the Chief of Police may from time to time require.~~

TRANSFER OF ALARM PERMITS

25.3 An alarm system permit cannot be transferred or assigned.

~~25 (f) An alarm system permit is not capable of being transferred or assigned.~~

TERM OF ALARM PERMIT

25.4 (1) An alarm system permit is issued for a term set by the Chief of Police with the approval of the Calgary Police Commission.

(2) An alarm system permit commences on the date designated by the Chief of Police.

(3) An alarm system permit is valid until the date specified on the permit, unless earlier suspended or revoked by the Chief of Police pursuant to section 25.6.

~~25(6) (a) Unless an annual term is specified for alarm system permits pursuant to subsection (b), an alarm system permit shall remain in force until suspended or revoked.~~

~~(b) The Chief of Police may issue alarm system permits for a term of one year commencing on such date as the Chief of Police may designate.~~

ALARM PERMIT FEE

25.5 The fee payable for an alarm system permit shall be set by the Chief of Police with the approval of the Calgary Police Commission.

~~25(7) If alarm system permits are issued for a term of one year, the annual fee payable shall be that fee specified by the Chief of Police with the approval of the Calgary Police Commission.~~

REFUSAL, SUSPENSION AND REVOCATION OF ALARM PERMITS

25.6 The Chief of Police may refuse to issue or may suspend or revoke any alarm system permit if:

(a) the application for the permit fails to provide all information required by the Chief of Police pursuant to section 25.1;

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- (b) where the *alarm system* is administered by an *alarm agency*, the *alarm agency* is not licenced pursuant to this Bylaw;
- (c) the *permittee* has contravened any provision of this Bylaw; or
- (d) the *alarm system* for which the *permit* is issued generates excessive *false alarms*, as set out in section 25.15.

~~25(4) (g) The *Chief of Police* may revoke or suspend any *alarm system permit* if he finds that:~~

- ~~(i) the *permittee* has contravened any of the provisions of this Bylaw;~~
- ~~(ii) the persons to be contacted pursuant to subsection (2)(c) are not available to receive telephone calls required by subsection (2)(d)(i);~~
- ~~(iii) a person contacted pursuant to subsection (2)(c)
 - ~~(A) is not capable of affording access to the premises where the audible alarm is located in accordance with subsection (2)(d)(ii); or~~
 - ~~(B) fails to attend at the premises where the audible alarm is located in accordance with subsection (2)(d)(iii);~~~~
- ~~(iv) the person monitoring the alarm system, in the case of a *monitored alarm system*, fails to comply or is in breach of subsection (3); or~~
- ~~(v) the *alarm system* activates excessive *false alarms*.~~

~~25(4) (n) Where an *alarm system permit* has been revoked the *Chief of Police* may, during the six (6) months following such revocation, refuse to issue a further alarm system permit for such *alarm system*.~~

NOTICE OF REFUSAL, SUSPENSION OR REVOCATION

25.7 If the *Chief of Police*:

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

the *Chief of Police* must notify such person of the refusal, suspension or revocation by causing a notice in writing to be sent by regular mail or email to that person at the address or email address set out on the application for the *permit* or the *permit*.

~~25(4) (o) When the *Chief of Police*~~

- ~~(i) refuses to issue an *alarm system permit* to any person, or~~

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(ii) ~~— suspends or revokes the *alarm system permit* held by any person,~~

~~the Chief of Police shall notify such person of the refusal, suspension or revocation by causing a notice in writing to be sent by regular mail to that person at his last known address~~

25(4) (p) ~~— When the Chief of Police refuses to issue or suspends or revokes an *alarm system permit* he shall cause a notice of such decision to be mailed to the applicant or holder of such permit by regular mail at his last known address.~~

APPEAL OF REFUSAL, SUSPENSION OR REVOCATION

25.8 (1) **A person who has been refused an *alarm system permit* or whose *alarm system permit* has been suspended or revoked may, within 30 days of the date of the written notice of decision of the refusal, suspension or revocation, appeal the refusal, suspension or revocation to the Licence and Community Standards Appeal Board by notifying the City Clerk in writing of his or her intention to appeal and the provisions of the Licence and Community Standards Appeal Bylaw, as amended, shall apply, as the circumstances require, to the appeal.**

(2) **When a suspension or revocation is appealed in accordance with subsection (1), the suspension or revocation shall be automatically stayed until the next sitting of the Licence and Community Standards Appeal Board.**

(3) **If the appeal is not determined at the next sitting of the Licence and Community Standards Appeal Board, the Board may order that the stay of the suspension or revocation continue in place for a further period of time.**

25(4) (q) ~~— 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 the date of the written notice of decision of the refusal, suspension or revocation, appeal such refusal, suspension or revocation to the Licence and Community Standards Appeal Board by notifying the City Clerk in writing of his intention to appeal and the provisions of the Licence and Community Standards Appeal Bylaw, as amended, shall apply, as the circumstances required, to the appeal.~~

25(4) (r) (i) ~~— When a suspension or revocation is appealed in accordance with subsection (q), the suspension or revocation shall be automatically stayed until the next sitting of the Licence and Community Standards Appeal Board.~~

(ii) ~~— If the appeal is not determined at the next sitting of the Licence and Community Standards Appeal Board, the Board may order that the stay continue in place for a further period of time.~~

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REGISTRATION OF ALARM AGENCIES

25.9 Any *alarm agency* that installs or monitors, or both, *alarm systems* within the City of Calgary must register with the Calgary Police Service by using a form prescribed by the *Chief of Police*.

ALARM SYSTEMS

- 25.10** (1) The *Chief of Police* may prescribe minimum standards for the installation and maintenance of all *alarm systems* installed in the City.
- (2) A *person* must not install, maintain or use an *alarm system* which does not meet all of the standards prescribed by the *Chief of Police*.
- (3) Notwithstanding the provisions of subsections (1) or (2) every *alarm system* installed within the City of Calgary shall be listed by or approved by a testing authority authorized by the Standards Council of Canada.
- ~~25(1) (a) The Chief of Police may prescribe minimum standards for the installation and maintenance of all *alarm systems* installed in the City.~~
- ~~25(1) (b) No person shall install, maintain or use an alarm system which does not meet all of the standards prescribed by the Chief of Police.~~
- ~~25(1) (c) The Chief of Police or any member of the Calgary Police Service may inspect any alarm system.~~
- ~~25(1) (d) Notwithstanding the provisions of subsections (a), (b) or (c) every alarm control device installed within the City of Calgary subsequent to July 1, 1993 shall be listed by or approved by a testing authority authorized by the Standards Council of Canada.~~

NOTICE OF CONTACT PERSONS

- 25.11** (1) Every *person* maintaining an *alarm system* shall keep the *Chief of Police* informed, by notice in writing, of the names and telephone numbers of:
- (a) at least two individuals who do not reside at the premises at which the *alarm system* is installed; or
- (b) an *alarm agency* or other *person* that is in the business of providing security services and responding to alarms;
- who may be contacted in the event that the *alarm system* is activated.
- (2) The *persons* to be contacted pursuant to subsection (1):
- (a) must be available to receive telephone calls made in respect of the *alarm system*,

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- (b) must be capable of affording access to the premises where the *alarm system* is located, and
- (c) must attend at the premises where the *alarm system* is located within 30 minutes of being requested to do so by a member of the Calgary Police Service.

AUDIBLE ALARMS

- 25.12 (1) Every person maintaining an *audible alarm* must keep posted a notice in a form approved by the *Chief of Police* containing such information as the *Chief of Police* may from time to time require.
- (2) Such notice shall be posted near the *audible alarm* in such a position as to be legible from the ground level adjacent to the premises where the *audible alarm* is located.
 - (3) A person must not install, maintain or use an *audible alarm* that sounds continually for a period of greater than 15 minutes after any activation.
- ~~25(2) (a) Every person maintaining an *audible alarm* shall keep posted a notice in a form approved by the *Chief of Police* containing such information as the *Chief of Police* may, from time to time, require.~~
- ~~25(2) (b) Such notice shall be posted near the *audible alarm* in such a position as to be legible from the ground level adjacent to the premises where the audible alarm is located.~~
- ~~25(2) (c) Every person maintaining an *audible alarm* shall keep the *Chief of Police* informed, by notice in writing, of the names and telephone numbers of the persons to be contacted in the event that the audible alarm is activated.~~
- ~~25(2) (d) The persons to be contacted pursuant to subsection (3) of this section:~~
- ~~(i) shall be available to receive telephone calls made in respect of the *audible alarms*,~~
 - ~~(ii) shall be capable of affording access to the premises where the *audible alarm* is located, and~~
 - ~~(iii) shall attend at the premises where the *audible alarm* is located within thirty (30) minutes of being requested to do so by a member of the Calgary Police Service.~~
- ~~25(2) (e) 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 activation.~~

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MONITORED ALARMS

- 25.13 (1) When a *person* monitoring a *monitored alarm* receives an alarm from such system such *person* must, before informing any member of the Calgary Police Service that the *monitored alarm* has been activated, attempt to contact either:
- (a) both individuals referred to in section 25.11(1)(a); or
 - (b) the *person* referred to in section 25.11(1)(b).
- (2) Subsection (1) does not apply to a *monitored alarm* installed in a bank, trust company, credit union or other financial institution.
- (3) An *agency* must not inform any member of the Calgary Police Service that a *monitored alarm* has been activated unless a valid and subsisting *alarm system permit* exists in respect of that *alarm system*.
- (4) A person who monitors a *monitored alarm* and who informs any member of the Calgary Police Service that the *monitored alarm* has been activated must:
- (a) at the same time inform such member of the Calgary Police Service of:
 - (i) the *alarm system permit* number for such system; and
 - (ii) where the person monitoring the *monitored alarm* is an *agent*, the registration number of the *alarm agency*;
 - (b) cause a *person* capable of affording access to the premises where the *monitored alarm system* is located to attend at such premises within 30 minutes of so informing such member of the Calgary Police Service of the activation.
- (5) An *agency* must not inform any member of the Calgary Police Service that a *monitored alarm system* has been activated unless such agency is licensed pursuant to this Bylaw and has registered with the Calgary Police Service pursuant to section 25.9.
- (6) A *person* must not notify the Calgary Police Service concerning the activation of any alarm by a *monitored alarm system* within 14 days of
- (a) the installation of a new *monitored alarm system*; or
 - (b) changes to an existing *monitored alarm system*;
- unless the alarms generated by that system are confirmed to be valid alarms by a *person* who attends at the location of the alarm prior to the

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Calgary Police Service being requested to attend at the premises where the alarm has been activated.

- ~~25(3) (a) When a person monitoring a *monitored alarm system* receives an alarm from such system such person shall, before advising any member of the Calgary Police Service of the alarm, verify that such alarm is not a false alarm.~~
- ~~25(3) (b) Subsection 3(a) does not apply to a *monitored alarm system* installed in a bank, trust company or a credit union.~~
- ~~25(3) (c) No agency shall inform any member of the Calgary Police Service that a *monitored alarm system* has been activated unless a valid and subsisting *alarm system permit* exists in respect of that *alarm system*.~~
- ~~25(3) (f) Notwithstanding subsection (e), an agency may inform a member of the Calgary Police Service that a *monitored alarm system* has been activated when such *alarm system* is not the subject of a valid and subsisting *alarm system permit* if, prior to contracting the Calgary Police Service, the alarms generated by the system are verified to be valid alarms by a person who responds to the location of the alarm.~~
- ~~25(3) (c) A person who monitors a *monitored alarm system* and who informs any member of the Calgary Police Service that the *monitored alarm system* has been activated shall:~~
- ~~(i) at the same time inform such member of the Calgary Police Service of the *alarm system permit* number for such system, and~~
 - ~~(ii) cause a person capable of affording access to the premises where the *monitored alarm system* is located to attend at such premises within thirty (30) minutes of so informing such member of the Calgary Police Service of the activation.~~
- ~~25(3) (d) No *alarm agency* or *security consulting agency* shall inform any member of the Calgary Police Service that a *monitored alarm system* has been activated unless such agency is a licensed agency.~~
- ~~25(4) (a) (iii) No person shall notify the Calgary Police Service concerning the activation of any alarm by a *monitored alarm system* within fourteen (14) days of the installation of a new *monitored alarm system* unless the alarms generated by that system are confirmed to be valid alarms by a person who attends at the location of the alarm prior to the Calgary Police Service being requested to attend at the premises where the alarm has been activated.~~

AUTOMATIC CALLING DEVICES

25.14 A person must not provide, use, maintain or install or permit the use, maintenance or installation of any *automatic calling device* which is programmed to access any

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phone number assigned to the Calgary Police Service and includes the emergency telephone number "9-1-1".

~~25(5) No person shall provide, use, maintain or install or permit the use, maintenance or installation of any *automatic calling device* which is programmed to access any phone number assigned to the Calgary Police Service and includes the emergency telephone number "9-1-1".~~

EXCESSIVE FALSE ALARMS

- 25.15 (1)** For the purpose of this Bylaw, "*excessive false alarms*" means 3 or more *false alarms* in any 12 month period.
- (2)** The following shall not be included when computing the number of *false alarms* which have occurred for the purposes of subsection (1) and when determining whether a *false alarm* penalty is payable pursuant to section 26.1:
- (a)** any *false alarm* which the *permittee* can demonstrate was caused by a storm, lightening, earthquake or other violent act of nature, or
 - (b)** any *false alarm* which the *permittee* can demonstrate was actually caused by the act of some *person* other than:
 - (i)** the *permittee* including the *permittee's* officers, agents, employees, independent contractors or any other person subject to the direct or indirect control of the *permittee*,
 - (ii)** the *person* who installed, connected, operated, maintained or serviced the *alarm system*, or
 - (iii)** the manufacturer of the *alarm system*, including the manufacturer's officers, agents, employees, independent contractors or any *person* subject to the direct or indirect control of the manufacturer.
 - (3)** Despite the provisions of subsection (1) in the event that an *alarm system permit* is suspended or revoked, any *false alarm* which occurred prior to the suspension or revocation shall not be included when determining whether the *alarm system* activates excessive *false alarms* in a subsequent proceeding taken pursuant to subsection 25.6(d).
- ~~25(4) (h) For the purpose of this Bylaw, "*excessive false alarms*" means three (3) or more *false alarms* in the immediately preceding twelve (12) month period.~~
- ~~25(4) (i) The following shall not be included when computing the number of *false alarms* which have occurred for the purposes of subsection (h) and when determining whether a *false alarm* penalty is payable pursuant to Section 26.1~~

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- ~~(i) any false alarm which the permittee can demonstrate was caused by a storm, lightening, earthquake or other violent act of nature, or~~
 - ~~(ii) any false alarm which the permittee can demonstrate was actually caused by the act of some person other than:
 - ~~(A) the permittee including the permittee's officers, agents, employees, independent contractors or any other person subject to the direct or indirect control of the permittee,~~
 - ~~(B) the person who installed, connected, operated, maintained or serviced the alarm system, or~~
 - ~~(C) the manufacturer of the alarm system, including the manufacturer's officers, agents, employees, independent contractors or any person subject to the direct or indirect control of the manufacturer.~~~~
- ~~25(4) (j) Notwithstanding the provisions of subsection (h) in the event that an alarm system permit is suspended or revoked, any false alarm which occurred prior to the suspension or revocation shall not be included when determining whether the alarm system activates excessive false alarms in a subsequent proceeding taken pursuant to subsection (g)(v).~~

INSPECTION

- 25.16 (1) Where an alarm system activates excessive false alarms the Chief of Police may, by notice in writing, require the permittee to have the alarm system inspected by a person knowledgeable in the installation and use of alarm systems.**
- (2) Within 30 days of issuance of the notice referred to in subsection (1) a permittee shall provide the Chief of Police with a report in writing, in the form prescribed by the Chief of Police, verifying that the inspection has been carried out and indicating the results of the inspection.**
 - (3) If the report referred to in subsection (2) indicates, in any way, 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.**
 - (4) If the permittee fails to provide a satisfactory inspection report as required by this section the Chief of Police may suspend or revoke the alarm system permit.**
- ~~25(4) (k) Where an alarm system activates excessive false alarms the Chief of Police may, by notice in writing, require the permittee to have the alarm system inspected by a person knowledgeable in the installation and use of alarm systems.~~
- ~~25(4) (l) Within fourteen (14) days of receipt of the notice referred to in subsection (k) a permittee shall provide the Chief of Police with a report in writing, in the form~~

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~~prescribed by the *Chief of Police*, verifying that the inspection has been carried out and indicating the results of the inspection.~~

~~25(4) (m) If the report referred to in subsection (l) indicates, in any way, 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.~~

FALSE ALARM PENALTY

- 26.1 (1) There is hereby imposed a *false alarm* penalty of as set out in Schedule “B” payable by an *agency* to the Calgary Police Service for each *false alarm* communicated to the Calgary Police Service by the *agency* in any 12 month period.**
- (2) Where the Calgary Police Service is requested to attend at a premises as a result of the activation of an *alarm system*, and it is determined, with reference to sections 2(1)(l) and 25.15(2), that the alarm signal was a *false alarm* and that a *false alarm* penalty is payable, the *Chief of Police* may send a notice in writing or by email to the *agency* notifying it of the penalty.**
- (3) An *agency* must pay the *false alarm* penalty imposed within 6 weeks after the date of the written notification.**
- (4) Where an *agency* receives a written notice of the imposition of a *false alarm* penalty prepared and delivered pursuant to subsection (2), the *agency* may, within 6 weeks of the date of the issuance of the notice, apply for a review of the determination that a *false alarm* penalty is payable by notifying the Calgary Police Service, in writing, of the *agency's* application for review, and by delivering the notification to the Calgary Police Service in accordance with the instructions contained within the *false alarm* penalty notice prepared and delivered to the *agency* pursuant to subsection (2).**
- (5) Where the Calgary Police Service receives a written notification for review delivered pursuant to subsection (4), the *Chief of Police* must, within 45 days, review the determination that a *false alarm* penalty is payable, having regard to all the circumstances made known to the *Chief of Police* which are relevant to the subject alarm activation, and having regard to the provisions of sections 2(1)(l) and 25.15(2).**
- (6) When a review is proceeding pursuant to subsection (5), the imposition of the *false alarm* penalty shall be automatically stayed until such time as the review is completed.**
- (7) Upon completion of a review pursuant to subsection (5), the *Chief of Police* shall notify the *agency* of the result of the review by causing a notice in writing to be sent by regular mail or by email to the *agency* at its last known address**

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- (8) Where the result of a review commenced pursuant to subsection (5) is the confirmation of the imposition of the *false alarm* penalty, the *agency* must pay the penalty within 30 days after the date of the notification sent to the agency pursuant to subsection (7).
- ~~26.1 (1) There is hereby imposed a *false alarm* penalty of seventy-five dollars (\$75.00) payable by an agency to the Calgary Police Service in respect of a breach of Section 25(3)(a) for each *false alarm* communicated to the Calgary Police Service by the agency.~~
- ~~26.1 (2) Where the Calgary Police Service is requested to attend at a premises as a result of the activation of an *alarm system*, and it is determined, with reference to Sections 2(1)(k) and 25(4)(i), that the alarm signal was a *false alarm* and that a *false alarm* penalty is payable, the Chief of Police shall notify the agency of the imposition of said penalty by causing a notice in writing to be sent by regular mail to the agency at its last known address, and the said agency shall pay the false alarm penalty imposed within thirty (30) days after the date of the written notification.~~
- ~~26.1 (3) Where an agency receives a written notice of the imposition of a *false alarm* penalty prepared and delivered pursuant to subsection (2), the agency may, within thirty (30) days of the date of the agency's receipt of the notice, apply for a review of the determination that a *false alarm* penalty is payable by notifying the Calgary Police Service, in writing, of the agency's application for review, and by delivering said notification to the Calgary Police Service in accordance with the instructions contained within the *false alarm* penalty notice prepared and delivered to the agency pursuant to subsection (2).~~
- ~~26.1 (4) Where the Calgary Police Service receives a written notification for review delivered pursuant to subsection (3), the Chief of Police shall, within twenty-one (21) days, review the determination that a *false alarm* penalty is payable, having regard to all the circumstances made known to the Chief of Police which are relevant to the subject alarm activation, and having regard to the provisions of sections 2(1)(k) and 25(4)(i).~~
- ~~26.1 (5) When a review is proceeding pursuant to subsection (4), the imposition of the *false alarm* penalty shall be automatically stayed until such time as the said review is completed.~~
- ~~26.1 (6) Upon completion of a review pursuant to subsection (4), the Chief of Police shall notify the agency of the result of the review by causing a notice in writing to be sent by regular mail to the agency at its last known address.~~
- ~~26.1 (7) Where the result of a review commenced pursuant to subsection (4) is the confirmation of the imposition of the *false alarm* penalty, the agency shall pay the said penalty within thirty (30) days after the date of the notification prepared and delivered pursuant to subsection (6).~~
- ~~26.1 (8) Where an agency pays a *false alarm* penalty, it shall not be prosecuted for a contravention of Section 25(3) (a).~~

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SCHEDULE "B"

FALSE ALARM PENALTY

<u>Number of False Alarms</u> (in a 12 month period)	<u>Penalty</u>
1	\$0
2	\$75
3	\$150
4	\$225
5	\$300
6	\$375
7	\$450
8	\$525
9	\$600
10 or more	\$675