



**CITY OF MOOSE JAW**

# **Alarm Monitoring Bylaw**

Bylaw No. 5154

Date of Passage January 21, 2002  
(effective date January 21, 2002)

**Disclaimer:**

**This information has been provided solely for research convenience. Official bylaws are available at the Office of the City Clerk and must be consulted for purposes of interpretation and application of the law.**

**BYLAW NO. 5154**

**A BYLAW OF THE CITY OF MOOSE JAW  
TO ESTABLISH AND REGULATE  
AN ALARM BUSINESS RESPONSE SERVICE**

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**WHEREAS** section 83 of *The Urban Municipality Act, 1984*, S.S. 1983-84, c. U-11 (hereinafter the "Act"), provides, in part, as follows:

83 Subject to the other provisions of this Act and to the provisions of any other Act, a council may pass any bylaws that it considers expedient:

(a) for the peace, order and good government of the urban municipality . . . ;

**AND WHEREAS** section 103(1) of the Act provides as follows:

103(1) An urban municipality may license, regulate and control all persons who carry on a business;

**AND WHEREAS** section 201.1 of the Act provides as follows:

201.1(1) Except as otherwise provided in this Act, a council may, by bylaw:

- (a) set fees in connection with any services provided by the urban municipality;
- (b) set times by which, places where, and the manner in which the fees are to be paid;
- (c) set terms and conditions in connection with the fees and the services provided; and
- (d) provide for enforcing the terms and conditions and the payment of the fees by discontinuing service until the terms and conditions have been complied with or the fee has been paid;

**AND WHEREAS** the City's council deems it expedient and in the public interest to establish and regulate an Alarm Business response service in the manner set forth herein;

**NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF MOOSE JAW ENACTS AS FOLLOWS:**

**Title**

1 This bylaw may be cited as The Alarm Monitoring Bylaw.

## **Purpose**

- 2 The purpose of this bylaw is as follows:
- (a) to allow for the establishment of an Alarm Business response service;
  - (b) to set the terms and conditions of the use of the Alarm Business response service;
  - and
  - (c) to set the fees for the use of the Alarm Business response service.

## **Interpretation**

3 In this bylaw, in any amending bylaws, and in any schedules attached hereto, the following words and terms shall have the following meanings unless there is something in the subject matter or context inconsistent therewith:

- (a) **"Alarm Business"** means any person, other than the Moose Jaw Fire Department, in the business of monitoring any Alarm System located in the City of Moose Jaw and reporting to the Police Service when the Alarm System has been activated;
- (b) **"Alarm System"** means any device which detects an unauthorized entry into or any emergency situation at the Property where the Alarm System is located;
- (c) **"False Alarm"** means the activation of an Alarm System absent both an unauthorized entry into and an emergency situation at the Property where the Alarm System is located that results in a request for service being made to the Police Service by the Alarm Business that monitors the Alarm System;
- (d) **"1-900 Telephone Alarm Line"** means a telephone line designated for the use of any Alarm Business to request the service of the Police Service resulting from the activation of an Alarm System monitored by the Alarm Business and for the use of which a fee may be charged;
- (e) **"Property"** includes land and buildings and may refer to distinct premises within a building;
- (f) **"Police Service"** means the Moose Jaw Police Service;
- (g) **"Telephone Company"** means the company which provides the 1-900 Telephone Alarm Line; and
- (h) **"Valid Alarm"** means the activation of an Alarm System caused by the unauthorized entry into or any emergency situation at the Property where the Alarm System is located.

### **Establishment of the Alarm Business Response Service**

4 The Moose Jaw Board of Police Commissioners may establish an Alarm Business response service and a 1-900 Telephone Alarm Line may be utilized in providing the service.

### **Reporting Requirements of Alarm Businesses and Annual Fees**

5(1) Each Alarm Business shall provide to the Police Service the following information about the Alarm Business:

- (a) the name of the Alarm Business;
- (b) the name of the person carrying on the Alarm Business;
- (c) the address of the Alarm Business;
- (d) the name of a contact person for the Alarm Business; and
- (e) such other information as the Police Service may reasonably request.

(2) Each Alarm Business shall provide to the Police Service the following information about each Alarm System located in the City of Moose Jaw that is monitored by the Alarm Business:

- (a) the address of the Property where the Alarm System is located;
- (b) the name of the occupant of the Property;
- (c) the name and address of a contact person for the Alarm System; and
- (d) such other information as the Police Service may reasonably request.

(3) Each Alarm Business shall pay to the Police Service a subscription fee of \$15.00 per year for each Alarm System located in the City of Moose Jaw that is monitored by the Alarm Business.

(4) Each Alarm Business shall provide the information referred to in subsection (1) within 90 days of the enactment of this bylaw or within one week of the Alarm Business commencing monitoring any Alarm System located in the City of Moose Jaw whichever is later.

(5) Each Alarm Business shall provide the information referred to in subsection (2) and make the initial payment of the fee referred to in subsection (3) within 90 days of the enactment of this bylaw or within one week of the Alarm Business commencing monitoring the Alarm System whichever is later.

(6) The Alarm Business shall advise the Police Service of any change in the information referred to in subsection (1) and subsection (2) within one week of becoming aware of the change.

- (7) After the initial payment of the fee referred to in subsection (3), the fee shall be paid by the Alarm Business to the Police Service on or before the anniversary of the initial payment for so long as the Alarm Business continues to monitor the Alarm System.
- (8) The Police Service shall assign an Alarm System identification number (hereinafter "ASIN") to each Alarm System in respect of which the information referred to in subsection (2) has been provided and the subscription fee referred to in subsection (3) has been paid.
- (9) The Police Service shall advise the Alarm Business that monitors an Alarm System of the ASIN assigned to the Alarm System.
- (10) If the fee that is payable in respect of an Alarm System pursuant to subsection (3) is 30 days or more past due, the ASIN assigned to the Alarm System shall be deemed to be invalid.
- (11) Compliance with this section does not relieve any Alarm Business of the requirements of The License Bylaw.

#### **Terms and Conditions of the 1-900 Telephone Alarm Line**

- 6(1) If the Police Service implements a 1-900 Telephone Alarm Line, the following terms and conditions shall apply:
  - (a) only an Alarm Business may use the 1-900 Telephone Alarm Line;
  - (b) subject to subsection (2), all requests for service made by an Alarm Business resulting from the activation of an Alarm System monitored by the Alarm Business must be made using the 1-900 Telephone Alarm Line; and
  - (c) the Alarm Business shall pay a fee of \$75.00 plus applicable taxes for each use of the 1-900 Telephone Alarm Line.
- (2) An Alarm Business may make a request for service resulting from the activation of an Alarm System monitored by the Alarm Business by calling the Communications Centre of the Police Service on a telephone line other than the 1-900 Telephone Alarm Line if:
  - (a) an ASIN has been assigned to the Property that is the subject of the request;
  - (b) the ASIN has not been deemed to be invalid pursuant to subsection 5(10); and
  - (c) the Property has not had two or more false alarms during the preceding 365 day period.

(3) The Police Service will not dispatch a Police Service unit in response to a request for service made by an Alarm Business resulting from the activation of an Alarm System monitored by the Alarm Business on a telephone line other than the 1-900 Telephone Alarm Line except in the circumstances described in either subsection (2) or subsection (3).

#### **Collection of Fees**

7 The fee for using the 1-900 Telephone Alarm Line and any applicable taxes shall be paid by the Alarm Business to the Telephone Company.

#### **Remittance to Police Service**

8 The Telephone Company shall remit to the Police Service the fees paid to the Telephone Company for the use of the 1-900 Telephone Alarm Line less the Telephone Company's reasonable costs of collecting the fees.

#### **Refund of Fees**

9(1) Subject to subsection (2), if an Alarm Business uses the 1-900 Telephone Alarm Line to make a request for service resulting from a valid alarm, the Police Service shall pay to the Alarm Business a sum equal to the sum paid to the Police Service by the Telephone Company in respect of the request for service.

(2) No payment shall be made pursuant to subsection (1) if an ASIN has not been assigned to the Alarm System in respect of which the request for service was made or if the ASIN is deemed to be invalid pursuant to subsection 5(10).

#### **Cancellations**

10(1) A request for service may be cancelled by an Alarm Business by calling the Communications Centre of the Police Service on a telephone line other than the 1-900 Telephone Alarm Line.

(2) Where an Alarm Business cancels a request for service made using the 1-900 Telephone Alarm Line, the Police Service shall pay to the Alarm Business a sum equal to the sum paid to the Police Service by the Telephone Company in respect of the request for service less \$10.00 if the cancellation request is made within three minutes of the dispatch of a Police Service unit in response to the request for service and the Police Service unit has not arrived at the Property where the Alarm System is located before the cancellation request is made.

**Severability**

11 If any section or part of this bylaw is found to be illegal or beyond the power of the City's council to enact, such section or part shall be deemed to be severable and all other sections or parts of this bylaw shall be deemed to be separate and independent therefrom and to be enacted as such.

**Coming Into Force**

12 This bylaw shall come into force on the day of its final passing.

PASSED AND ENACTED ON THE 21<sup>ST</sup> DAY OF JANUARY, 2002.

CERTIFIED A TRUE COPY

  
Steven D. Schiefner  
City Clerk

(Sgd.) "Al Schwinghamer"  
MAYOR

Seal

(Sgd.) "Steven D. Schiefner"  
CITY CLERK

Dated September 4, 2003

READ a first time the 21<sup>st</sup> day of January, A.D. 2002

READ a second time the 21<sup>st</sup> day of January, A.D. 2002

READ a third time the 21<sup>st</sup> day of January, A.D. 2002