

CITY OF SURREY

BY-LAW NO. 13168

SURREY SECURITY AND FIRE ALARM BY-LAW, 1997

.....

As amended by By-law No. 14452, 07/30/01; 16208, 01/15/07; 16529, 01/14/08; 16856, 01/19/09; 17079, 12/14/09; 17322, 01/10/11; 17566, 02/06/12; 17842, 12/17/12; 18135, 01/13/14; 18357, 01/12/15; 18589, 12/14/15; 18981, 12/19/16; 19427, 12/18/17; 19553, 04/23/18; 19999, 12/16/19

THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BY-LAW PROVISIONS.

- (a) WHEREAS there are excessive numbers of false alarms from security and fire alarm systems which are costly to attend to;
- (b) AND WHEREAS there is a resultant threat to the safety of the Police, Fire Departments and the public when emergency responses are provided for false alarms; and
- (c) AND WHEREAS there is a resultant danger to public safety when police responses to true emergencies are delayed.

Under its statutory powers, including sections 679, 724 and 726(1) of the *Municipal Act*, R.S.B.C. 1996, c.323, as amended, the Council of the City of Surrey enacts the following provisions:
INTENT OF BY-LAW

- (a) to establish fees for Police Force or Fire Department responses to false alarms.

Contents

Part 1

Introductory Provisions

- 1. Title
- 2. Definitions

Part 2

Alarm Systems Registry

- 3. Registry

Part 3
Use of Alarm Systems

- 4. General Provisions for Alarm Operation, Inspection and Use
- 5. Monitoring Alarm Systems and Reporting to Police
- 6. False Alarm Fees

Part 4
General Provisions

- 7-8. Offences and Penalties

Part 1
Introductory Provisions

Title

- 1. This By-law may be cited as the "Surrey Security and Fire Alarm By-law, 1997, No. 13168."

Definitions

- 2. In this By-law,

"Alarm Business"

means a person who is engaged in the business of selling, installing, maintaining, servicing and monitoring Alarm Systems and reporting the occurrence of alarms to the Police Department or the Fire Department.

"Alarm System"

- (a) means any mechanical, electrical, or electronic device that
 - (i) is designed, intended or used for the detection of an unauthorized entry into property or for alerting others to the commission of an unlawful act or emergency situation, including potential for fire or smoke damage, to which the Police Department or Fire Department is or could reasonably be expected to respond; and
 - (ii) emits a sound or transmits a message, or does both; but
- (b) excludes a device that
 - (i) registers an alarm that is not audible, visible or otherwise perceptible outside of the property containing that device, or
 - (ii) is installed in a motor vehicle or motor home as those terms are defined in the *Motor Vehicle Act*, as amended; or
 - (iii) a personal panic, hold-up and financial institution alarm.

"Chief By-law Officer"

means the Manager of Licensing and By-law Enforcement Officer or his/her designate;

"False Alarm"

- (a) means the activation of an Alarm System resulting in the direct or indirect notification of the Police or Fire Department and their actual attendance at the address of the Alarm System where there is no evidence of
 - (i) an unauthorized entry or the commission of an unlawful act on or in relation to the property protected by the Alarm System, or
 - (ii) smoke damage or any other visible sign of fire or
 - (iii) an emergency situation; and
- (b) includes, but is not limited to:
 - (i) the testing of an alarm that results in a Police Department or Fire Department response;
 - (ii) an alarm that is actually or apparently activated by mechanical failure, malfunction or faulty equipment;
 - (iii) an alarm that is activated by user error;
 - (iv) an alarm that is actually or apparently activated by atmospheric conditions, excessive vibrations, or power failures;

"Fire Chief"

means the person appointed by the City to be the head of its fire services or such person's authorized delegate;

"Police Department"

means the Royal Canadian Mounted Police, Surrey Detachment;

"property"

means real property.

Part 2
Alarm Systems Registry

Registry

3. (1) A person may register an Alarm System by providing the following information to the Chief By-law Officer.
 - (a) the type of Alarm System used;
 - (b) the name, address and telephone number of the applicant and the owner of the property that contains the Alarm System;
 - (c) the address of the property that contains the Alarm System;
 - (d) the name and telephone number of property references to verify alarms, permit entry, operate the Alarm System and secure the Premises.

Part 3
Use of Alarm Systems

General Provisions for Alarm Operation Inspection and Use

4. (1) A person must not sound, or cause, permit or suffer the sounding of an alarm from the Alarm System in violation of the Surrey Noise By-law for more than five (5) minutes after activation, unless the alarm is from an Alarm System designed or intended to be used for the detection of smoke or fire damage in which case the violation shall not exceed twenty (20) minutes after activation.
- (2) No person shall use or operate or permit the use or operation of any automatic calling device to transmit messages concerning the report of an alarm to any telephone number assigned to the Police Department, Fire Department or enhanced 911 emergency response system.

Monitoring Alarm Systems and Reporting to Police

5. (1) Before notifying the Police Department of an alarm received from an Alarm System monitored by an Alarm Business, that Alarm Business must attempt to verify and establish if the alarm is a false alarm by attempting to contact a person who is located at the property containing the Alarm System unless the alarm is from an Alarm System designed or intended to be used for the detection of smoke or fire damage.

- (2) When notifying the Police Department or Fire Department of the activation of an Alarm System, an Alarm Business must
 - (a) provide to the Police Department or Fire Department
 - (i) all information that is available to the Alarm Business about the property containing the Alarm System; and
 - (ii) specific details about the activation of the Alarm System; and
 - (b) notify a person who is capable of giving access to the property containing the Alarm System to go there and assist the police.
- (3) An Alarm Business must give the notice described in subsection 5 (2)(b) if that is requested by the Police Department or Fire Department, as the case may be, when after responding to the activation of an Alarm System, they find evidence
 - (a) of an unlawful act, unauthorized entry, fire, presence of smoke or emergency situation at the property containing the Alarm System, or
 - (b) that the property containing the Alarm System is insecure.

Fees for Attendance at False Alarms

- 6. (1) The Chief By-law Officer may invoice the owner of property containing the Alarm System, if the Police Department responds to a False Alarm from that Alarm System.
 - (1.a) The Fire Chief may invoice the owner of property containing the Alarm System, if the Fire Department responds to a False Alarm from that Alarm System.
 - (2) The invoice given under subsection (1) or (1.a) must inform the owner:
 - (a) of the occurrence of the False Alarm; and
 - (b) of the provisions of subsections (3), (5), and (6).
 - (3) The owner of the Alarm System must pay to the City a fee for each False Alarm as specified in *Surrey Fee-Setting By-law, 2001, No. 14577*, as may be amended or replaced from time to time.
 - (4) Deleted by Bylaw No. 19427
 - (5) An invoice issued under this section will be due and payable upon receipt.
 - (6) If the fees imposed under subsection (3) are unpaid on December 31 of the calendar year in which they are imposed, they must be added to and form part of the property taxes payable as taxes in arrears on the property to which the fees apply.

