

TOWN OF BIRCH HILLS

BYLAW NO. 11-2021

A BYLAW TO PROVIDE FOR THE CHARGING OF A CALL OUT FEE FOR FALSE ALARMS

The authority for this Bylaw is Section 8 of *The Municipalities Act* and Subsection 369(1)(d) of *The Municipalities Act*.

The Council of the Town of Birch Hills in the Province of Saskatchewan enacts as follows:

INTRODUCTION

1. The Bylaw shall be known and cited as the "*False Alarm Bylaw*" of the Town of Birch Hills.
2. The purpose of this Bylaw is to reduce fire department responses to false alarms through the establishment of a program of administration and fees in relation to response to alarms.

DEFINITIONS

3. In this Bylaw:
 - a. "Alarm System" means any device which detects an unauthorized entry into or any emergency situation at the commercial or residential property where the system is located which, when activated, emits or transmits a local or remote audible, visual or electronic signal;
 - b. "False Alarm" means the activation of an alarm system where there is no indication of unauthorized entry or emergency situation to create a valid alarm response;
 - c. "Fire Department" means the Birch Hills Volunteer Fire and Rescue Department established by the Town and Rural Municipality of Birch Hills;
 - d. "Controlled Burn" means a fire that is lit for the purpose of burning organic material including, without limitation, trees or stubble but does not include a Burning Barrel Fire, a Recreational Fire or a Smudge Fire.

DUTIES OF ALARM OWNERS

4. Any person who owns an alarm system must:
 - a. Make every reasonable effort to maintain the alarm system in a manner that will minimize or eliminate false alarms;
 - b. Make every reasonable effort to deactivate an alarm system which emits false alarms if requested to do so by the Police or Fire Department;

- c. Other than for the purpose of testing an alarm system, not manually activate an alarm system for any reason other than the occurrence of an event that the alarm system was intended to report.
- 5. Any person that lights a Controlled Burn upon land owned or occupied by such person must report the fire in advance to the Control Burn phone line;
 - a. In the event, no advance reporting of the Controlled Burn is made and should Fire Protection Services be dispatched to the site of the Controlled Burn, even though the Controlled Burn is being supervised and under control, the person supervising the Controlled Burn or the owner/occupant of the parcel of land shall be responsible for the fee in Schedule "A"

WARNINGS AND FEES

- 6. Fire Department Response to false alarms.
 - a. In this section and the sections which follow the terms "first" and "any subsequent" shall mean the first and all subsequent occurrences of a response to a false alarm within the same 365-day period.
 - b. After the first response to a false alarm by the Fire Department, the Town will issue a caution to the alarm owner stating:
 - i. The date and time of the response; and
 - ii. That the next false alarm at the alarm site will result in the fee in Schedule "A" being assessed.
 - c. After any subsequent responses to a false alarm by the Fire Department, the Town will assess a false alarm response fee against the alarm system owner in the amounts set forth in Schedule "A".
 - d. After a fourth response to a false alarm by the Fire Department, in addition to the fees assessed, the Town may send a warning to the alarm system owner indicating that deactivation of the alarm system may be required.
- 7. Fire Department Response with failure to report Control Burns:
 - a. The first response of failure to report a Control Burn to the Burn Control phone line shall be charged to the land owner at the fee set forth in Schedule "A"
 - b. All additional failures to report a Control Burn to the Burn Control phone line shall be charged to the land owner at the rate of the current Fire Rate Bylaw

INVOICING

- 8. Fire Department Response to false alarms shall be invoiced as follows:
 - a. The Town will issue invoices for the fees assessed pursuant to this Bylaw at such time and in such manner as the Town may deem appropriate.
 - b. The total amount of an invoice is due and payable on the first day of the month following the month in which the invoice was issued to the alarm system owner.

- c. Where a person fails to pay any fee assessed pursuant to this Bylaw, within 60 days after the amount becomes due and payable, the Town may add the outstanding amount associated with each alarm system to the tax roll of the parcel or parcels of land comprising the alarm system.

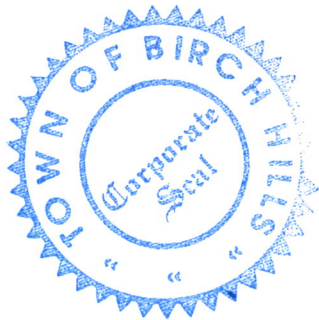
SERVICE


9. Invoices, warnings and notices of requires de-activation(s) may be given or served personally, through regular mail to the last known mailing address of the person being served or by leaving a copy of the invoice, warning or notice at the last known address of the person being served.
10. This Bylaw shall come into force on the date of final reading.
11. Bylaw no. 15-2018 is hereby repealed

Introduced and read a first time this 15th day of Dec, 2021.

Read a second time this 15th day of Dec, 2021.

Read three times and adopted this 15th day of Dec, 2021.




Mayor


Acting Chief Administrative Officer

Certified a true copy of Bylaw #11-2021
adopted by Council on the 15th day
of Dec 2021.


Acting Chief Administrative Officer

**Schedule A
to
Bylaw no. 11-2021**

Fire Department Response

First False Alarm

Letter of Warning Issued

Second and any subsequent False Alarm
within 365 days from letter of warning date

Penalty of \$1,000

First Failure to Call in Controlled Burn

Penalty of \$1,000

Second and any subsequent Failure to Call in
Controlled Burn within 365 days from letter
of warning date

Land owner will be charged according
to the regular Fire Department
call-out rates