

MUNICIPALITY OF THE DISTRICT OF CHESTER  
BY-LAWS

**BY-LAW #141**  
**ALARM BY-LAW**

1. This By-Law is entitled the "Alarm By-Law".
2. Nothing in this By-Law shall be construed as authorizing non-compliance with any laws, regulations, by-laws, lawful orders or directives pursuant to any statute, regulation or statutory or regulatory authority that may require the installation, maintenance or operation of alarm systems or which may specify standards in respect of the manufacture, installation, maintenance or operation of such systems.
3. In this By-law:
  - a. "ALARM COORDINATOR" means the Municipal Clerk unless some other person has been appointed by the Chief Administrative Officer to administer this By-Law.
  - b. "ALARM SYSTEM" means any mechanical or electrical device which emits a sound or transmits a signal or message when activated and which is designed or used for:
    - i. the detection of fire, heat, or smoke; or
    - ii. the detection of an actual or attempted unauthorized entry into a building, structure, fenced enclosure or other facility, but does not include a device that is installed in a vehicle;
  - c. "AUDIBLE ALARM" means an alarm system containing as a component or feature an audible sound generated by an activated alarm system on the premises in which the alarm system is installed;
  - d. "AUTOMATIC CALLING DEVICE" means any device, or combination of devices, that will, upon activation, either mechanically, electronically or by any other automated means, initiate transmission of a signal or message, including a recorded message or an electronic signal, over telephone lines;
  - e. "FALSE ALARM" means an alarm which results in the dispatch of a publicly funded fire protection or police service organization except when a legitimate activation event has occurred, provided however that an alarm shall be not be considered false if the owner can demonstrate to the reasonable satisfaction of the Alarm

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Notice of Intention to Amend - By-Law Committee - December 8, 2008 (2008-624)

1<sup>st</sup> Reading - Council - December 11, 2008 (2008-631)

2<sup>nd</sup> Reading - Council - January 8, 2009 (2009-003)

Effective Date - January 20, 2009

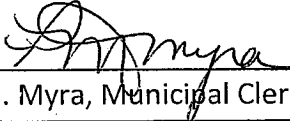
Coordinator that an alarm resulted from:

- i. a windstorm, lightning, earthquake or other violent act of nature; or
  - ii. from the wrongful activation of an alarm by a person other than an employee or contractor of the owner;
- f. "LEGITIMATE ACTIVATION EVENT" means:
- i. in the case of a fire, heat or smoke detection system, a condition of abnormal or excessive fire, heat or smoke; and
  - ii. In the case of a burglar alarm, an actual or attempted unauthorized entry.
- g. "MONITORED ALARM SYSTEM" means an alarm system where the signal of a legitimate activation event is automatically transmitted to a third party;
- h. "OWNER" means a person who owns, manages, possesses or controls premises or directs activity carried out on premises and includes a person shown on the Assessment Roll for the Municipality of the District of Chester as the assessed owner or occupant of the premises except where the Municipality of the District of Chester has been given notice in writing of a change in ownership or has been provided with the name of a person identified as having exclusive possession and control of the premises; and
- i. "PUBLICLY FUNDED FIRE PROTECTION OR POLICE SERVICES ORGANIZATIONS" includes the Royal Canadian Mounted Police, and all fire brigades, departments or commissions for whose direct or indirect benefit the Municipality of the District of Chester collects taxes, or rates.
4. No person shall willfully cause the activation of an alarm in the absence of a legitimate activation event.
5. Except for an alarm system designed and used to detect heat, smoke or fire, no person shall install or operate an audible alarm, and no owner shall permit or acquiesce in the installation or operation of an audible alarm which sounds continually at the alarm-protected premises for a period of greater than fifteen minutes after each separate activation, if the sound made by the alarm is audible off the property on which the alarm has been installed.

6. Except for an alarm system designed and used to detect heat, smoke or fire, no person shall install or operate, or permit or acquiesce in the installation or operation of any automatic calling device designed or programmed to transmit a message to any telephone number assigned to a publicly funded fire protection or police service organization, or to a dispatch or communication centre responsible for the receiving and dispatching of alarm calls to such organizations.
7. When a third party is responsible for monitoring an alarm system for the detection of an actual or attempted unauthorized entry into a building, structure, fenced enclosure or other facility, that third party shall endeavor to verify that the alarm activation is not accidental by contacting the owner or occupant of the premises where the alarm is installed before notifying a publicly funded police services organization
8. No owner shall cause, permit, or allow more than one false alarm to emanate from an alarm system during any consecutive 12 month period. Each additional false alarm within such period shall constitute a separate offence.
9. Following an occurrence of an apparently false alarm.
  - a. a notice shall be delivered to an owner of the alarm system that a false alarm has apparently occurred and that, in the event an owner disagrees that there was a false alarm, the owner shall have three (3) weeks from the date of delivery of the notice to show cause to the Alarm Coordinator why the Alarm should not be considered false;
  - b. the notice shall be in writing and may be delivered by hand or regular mail
    - i. to the subject property to the attention of the occupant; and
    - ii. to the owner's name and address as contained in the tax roll;
  - c. a notice sent in accordance with this section is deemed to have been delivered and received and, in the case of a notice sent by mail, is deemed to have been delivered 3 days after the date of mailing; and
  - d. when an owner responds to the notice, or fails to respond within the time allowed, the Alarm Coordinator shall make a determination of whether there was a false alarm, and the Alarm Coordinator's decision shall be final.
10. Any person who violates section (4) of this By-law is guilty of an offence punishable on

summary conviction by a fine of not less than \$1,000.00 and not more than \$10,000.00 and to imprisonment of not more than two (2) months in default of payment thereof.

11. Any person who violates any other provision of this By-law is guilty of an offence punishable on summary conviction by a fine of not less than \$500.00 and not more than \$5,000.00 and to imprisonment of not more than one (1) month in default of payment thereof.
12. Any person who contravenes section (8) of this By-Law and who is given notice of the contravention may pay to the Municipality of the District of Chester, at the place specified in the notice, the sum of \$100.00 within 14 days of the date of the notice and shall thereby avoid prosecution for that contravention.

Annotation for Official By-Law Book	
Date of First Reading	December 11, 2008 2008-631
Date of advertisement of Notice of Intent to Consider	December 23, 2008 Chester Clipper
Date of Second Reading	January 8, 2009 2009-003
Date of advertisement of passage of By-Law *	January 20, 2009 Chester Clipper
Date of mailing to Minister a certified copy of By-Law	January 21, 2009
I certify that this <b>Alarm By-Law #141</b> was amended by Council and published as indicated above	
 _____ P. M. Myra, Municipal Clerk	<u>January 21, 2009</u> Date
*Effective Date of the By-Law unless otherwise specified in the text of the By-Law	

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1<sup>st</sup> Reading - Council - December 11, 2008 (2008-631)

2<sup>nd</sup> Reading - Council - January 8, 2009 (2009-003)

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**MUNICIPALITY OF THE  
DISTRICT OF CHESTER**

**NOTICE RE: BY-LAWS**

Take notice that Chester Municipal Council considered adoptions and amendments to the By-Laws of the Municipality of the District of Chester at a meeting held on Thursday, January 8, 2009. Those adoptions/amendments were approved as follows:

<b>By-Law</b>	<b>Amendment</b>
<p><b>By-Law #74</b> Tax Exemption for Charitable, Non-Profit Organizations, Municipal Water Utilities, and Licensed Day Cares By-Law (2009-002)</p>	<ul style="list-style-type: none"> <li>• to add Simms Settlement Community Association to Schedule B; and</li> <li>• to add New Ross District Museum to Schedule B.</li> </ul>
<p><b>By-Law # 141</b> Alarm By-Law(2009-003)</p>	<ul style="list-style-type: none"> <li>• to allow follow-up following the first instance of a false alarm; and</li> <li>• to provide for review if the owner does not respond in the time frame allowed.</li> </ul>

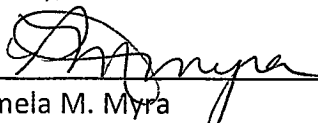
Further take notice that a copy of the amendments of the above-mentioned By-Laws may be reviewed or obtained between the hours of 8:30 a.m. and 4:30 p.m. at the offices of the Municipality of the District of Chester, 151 King Street, Chester, NS or on the website at [www.district.chester.ns.ca](http://www.district.chester.ns.ca).

And further take notice that the above-mentioned amendments will become effective as of the date of publication of this newspaper.

*Pamela M. Myra*  
Municipal Clerk

I, Pamela M. Myra, Municipal Clerk of the Municipality of the District of Chester do hereby certify that the above is a true copy of an advertisement duly advertised in the Chester Clipper on January 20, 2009.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this 21<sup>st</sup> day of January, 2009.

  
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Pamela M. Myra  
Municipal Clerk

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