

**The Corporation of the
Township of Douro-Dummer**

By-Law No. 2023-45

**Being a By-law to Reduce False Alarms that Require the Deployment of
Fire and Rescue Resources
Within the Township of Douro-Dummer**

Whereas the purpose of this By-law is to reduce the number of false alarms requiring the deployment of fire and rescue resources within the Township of Douro-Dummer;

And Whereas Section 11 (2) (6) of the Municipal Act 2001, S.O. 2001, C.25, as amended, provides that a lower tier municipality may pass By-laws respecting the health, safety and well-being of the inhabitants of this municipality;

And Whereas Section 391 of the Municipal Act 2001, S.O., C.25, as amended provides that a municipality and a local board may pass By-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it and for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board and for the use of its property including property under its control;

Now Therefore the Council of the Corporation of the Township of Douro-Dummer
Enacts As Follows:

1. In this By-law, unless the context otherwise specifies:

- (1) "alarm" means any mechanical or electrical device which is designed or used for the detection or warning of a fire in any building, structure, or facility or for alerting others to the detection of a fire, or both, and which emits a sound or transmits a signal or message when activated.
- (2) "alarm system"
 - (a) means an alarm or all alarms which:
 - (i) are installed on or in real property; and
 - (ii) can be turned on or off independently of other alarms from an operating control; and
 - (iii) are designed to issue a warning of a fire by activating an audible alarm signal or alerting a monitoring service but does not include a fire alarm system that is intended to alert only the occupants of a single-family dwelling unit.
- (3) "automatic calling device"
 - (a) means a device, or combination of devices, that will, upon activation, either mechanically, electronically or by any other automatic means initiate a telephone or recorded message which is designed to be transmitted over regular telephone lines.
- (4) "approved"
 - (a) means approved by the Fire Chief of Douro-Dummer Fire Services
- (5) "false alarm"
 - (a) includes but is not limited to, an alarm activated unnecessarily, or improperly, resulting in a fire response and includes:

- (i) the testing of an alarm without notifying the Fire Chief or their designate; and/or
 - (ii) an alarm actually or apparently activated by mechanical malfunction or faulty equipment; and/or
 - (iii) an alarm activated accidentally by the owner or occupier of the premises, his agent or employee; and/or
 - (iv) an alarm reporting an emergency situation occurring on or in relation to the premise in which the alarm device or system is installed where there is no evidence of fire, fire damage or smoke.
 - (b) but does not include:
 - (i) any alarm which the owner can demonstrate was actually caused by the act of some person other than:
 - (a) the owner or occupier, agents, employees, independent contractors or any other person subject to the direct or indirect control of the owner
 - (b) the person who installed, connected, operated, maintained, or services the alarm system, or
 - (c) the manufacturer of the alarm system, including the manufacturers officers, agents and employees, independent contractors or any person subject to the direct or indirect control of the manufacturer.
2. No person shall install, maintain or use an automatic calling device designated to transmit a message directly to Douro-Dummer Fire Services.
 3. Every alarm holder and/or the registered title owner shall:
 - (a) supply the 911 emergency services address to the alarm monitoring company to aid in the speedy location of the premises
 - (b) be available at any time to receive calls from a member of Douro-Dummer Fire Services in respect of an alarm;
 - (c) be capable of obtaining or allowing access to the premises where the alarm is located;
 - (d) attend the premises, or have a key holder attend the premises, where the alarm is located within thirty (30) minutes of being requested to do so by a member of Douro-Dummer Fire Services following the activation of the alarm;
 - (e) identify, where there is more than one alarm system within a building, which alarm system has experienced an activation of an alarm; and
 - (f) supply the Fire Chief with the alarm monitoring company phone number and address.
 4. If an alarm owner has installed an approved lock-box containing keys, codes or cards to provide access to the building, a person or key holder does not have to be present to satisfy the access requirements as set out in subsection 3(d). If no persons present, the fire department will attempt to secure the premises upon completion of fire department activities, but the building owner is ultimately responsible for building security.
 5. In the event an alarm owner or key holder is unable to attend the premises within the 30-minute time frame, and/or circumstances of the incident warrant immediate entry, fire department personnel may enter and investigate the premises. In the event fire department personnel cause forced entry damage to the premises due to a false alarm, all costs incurred to secure the building will be the responsibility of the alarm owner.
 6. If a building(s) requires a fire alarm as per the Ontario Building Code (OBC) or Ontario Fire Code (OFC), and the alarm is offline due to repairs, maintenance, testing, etc. a fire watch shall be carried out in accordance with OFC requirements Section 2.8.

7. Every alarm holder and/or every registered title owner who causes, or permits to be caused, a false alarm as defined under Section 1 (5) of this By-law, will for the second false alarm receive a warning notice. For each false alarm following the second false alarm, a letter from the alarm holder and/or the registered title owner, or the alarm company which installed the system, shall be submitted to the Fire Chief of Douro-Dummer Fire Services summarizing the steps that have been taken to curb the problem.
8. The determination of the number of false alarms for the purposes of calculating the above noted fees will be based on the total number of false alarms in the twelve-month period immediately preceding the last false alarm.
9. Where a fee is charged in accordance with Section 7 of this By-law, and at the discretion of the Fire Chief of Douro-Dummer, the Township of Douro-Dummer will invoice the alarm holder and/or registered title owner of the real property for the response for service. The alarm holder and/or registered title owner of the real property shall be liable for the costs set out in Schedule A to respond to the said false alarm incident, at which time the costs will be calculated in accordance with the current Ministry of Transportation (MTO) rate. The cost schedule, attached hereto as Schedule A, may be revised from time to time by the Council of the Township of Douro-Dummer. The MTO rate for service is set annually by the MTO.
10. The Corporation shall, if such amounts remain unpaid sixty (60) days following notification of the amounts owing, have the right to collect any unpaid costs, including interest, as authorized by this By-law by adding such charges to the tax roll where they may be collected in a like manner as municipal taxes, all of which is in accordance with Section 398 of the Municipal Act, 2001, c. 25, as amended. Once added to the tax roll interest will be applied to unpaid costs in accordance with the Township's annual Tax By-law.
11. This By-law is applied commencing from the first reported false alarm as defined under Section 1(5) of this By-law.
12. Upon the passage of this By-law, By-law 2004-63 and all amendments thereto shall be repealed on January 1, 2024.
13. This By-law shall become effective on the January 1, 2024.

Passed in Open Council This 17th Day Of October, 2023.

Mayor,
Heather Watson

Clerk,
Martina Chait-Hartwig

Schedule “A”
Fees, Interest and Penalties

In accordance with By-law 2023-45, the following fees shall apply where Douro-Dummer Fire Services respond to a False Alarm and shall be reflected in the User Fees and Charges By-law.

Section A - Costs:

1. As per MTO fee for service, the following costs shall apply:
 - 3rd false alarm – 2 times the current MTO hourly rate
 - 4th and all subsequent false alarms – 3 times the current MTO hourly rate