

**PROVINCE DE QUÉBEC
MUNICIPALITÉ DE LA PÊCHE**

BY-LAW NUMBER 14-RM-01

**CONCERNING ALARMS WITHIN THE LIMITS OF THE MUNICIPALITY OF LA PÊCHE
AND ABROGATING THE BY-LAW NUMBER 06-RM-01**

Whereas Council deems necessary and in the public's interest to regulate the installation and operation of alarm systems on its territory;

Whereas the Municipality of La Pêche adopted at a regular council meeting, held June 16, 2003, the resolution number 03-428 to adopt the by-law number 02-RM-01 concerning the alarms;

Whereas the Municipality of La Pêche adopted at a regular council meeting held May 15, 2006, the by-law number 06-483 to modify the by-law numbers 02-RM-01 "Alarm", 02-RM-02 "animal", 02-RM-03 "circulation and parking" and 02-RM-04 "piece and good order" by the by-law number 06-RM-01 "Alarm", 06-RM-02 "animal", 06-RM-03 "circulation and parking" and 06-RM-04 "piece and good order" by the number concerning the alarms;

Whereas the Municipality of La Pêche adopted at a regular council meeting held May 7, 2007, the by-law number 06-RM-01-1 concerning the alarms;

Whereas the Municipality of La Pêche adopted at a regular council meeting held September 4th, 2007, the by-law number 06-RM-01-2 to abrogate and replace the by-laws number 06-RM-01 and 06-RM-01-1 concerning alarms in the limits of the Municipality of La Pêche;

Whereas it is necessary to modify the by-laws above mentioned concerning alarms in the limits of the Municipality of La Pêche;

Whereas a notice of motion was given in a regular council meeting of this municipality of La Pêche on April 2nd, 2012 to adopt the present by-law;

Therefore it is ordered and decreed by the council of the Municipality of La Pêche, and said council orders and decrees by this by-law, as follows:

SECTION 1 – DEFINITIONS

For the purpose of interpreting this by-law, unless otherwise stated and without restricting their generality, the following words and expressions are defined as:

1.1 CALENDAR YEAR

A calendar year start January 1st and finish December 31 of the same year.

1.2 PROTECTED PREMISES

Refers to a property, a building or a structure which is protected by an alarm system.

1.3 MUNICIPALITY

Refers to the Municipality of La Pêche

1.4 PERSON

Refers and includes all physical or moral person

1.5 ALARM SYSTEM

Refers to any equipment or system designed to signal a danger or specific problem such as a break-in, a fire, a person in distress, a gas leak or a flood, by means of an alarm or light signal which can be heard or seen outside a building or by a direct dialled call to an emergency service or alarm company.

1.6 USER

Refers all person who is owner, tenant or in possession of a immovable.

SECTION 2 – ENFORCEMENT OF THE BY-LAW

2.1 Police officers of the MRC des Collines-de-l’Outaouais are authorized to prosecute anyone who violates a provision of this by-law. Said officers are responsible for enforcing this by-law.

By and large, the Municipality also authorizes the secretary-treasurer, as well as any other legally designated person, to prosecute anyone who violates a provision of this by-law. Said persons are responsible for the enforcement of all provisions of this by-law.

2.2 In addition to the powers conferred by article 2.1, the officer responsible for the enforcement of this by-law is authorized to visit and inspect, between 7:00 a.m. and 7:00 p.m., any personal property or real estate property, as well as the interior and exterior of any house, building or structure, to ascertain compliance with this by-law and, any owner, tenant or occupant of these properties, structures or buildings must admit them, allow them to inspect and must answer any questions with regards to the enforcement of this by-law.

SECTION 3 - GENERAL PROVISIONS

- 3.1 This by-law applies to all alarm systems, including the systems installed or in use prior to the date of coming into force of this by-law.
- 3.2 Permits required for the installation or use of an alarm system is free of charge.
- 3.3 No one may install or continue to use an alarm system without obtaining a permit from the public security of the MRC des Collines- de- l'Outaouais.
- 3.4 The permit is issued upon request from the owner, tenant or occupant of the premises, building or structure which is to be protected by an alarm system.

If the owner of the immovable where an alarm system is in function, lend, rent or give temporary access to the use of an immovable, the renter and/or the person that use the immovable is presumed to be the user.

- 3.5 The permit is no longer valid when there is a change of owner, tenant or occupant of the premises protected by the alarm system for which the permit was issued.
- 3.6 Anyone using an alarm system on the date of coming into force of this by-law must give notice to the Municipality, within sixty days of said date.

The notice must be given in writing and include all the information required in accordance with article 3.7. The terms stipulated in article 3.8 must also be respected.

- 3.7 Application for a permit must be submitted in writing and include:
- a) The applicant's name, surname, address and numbers : telephone cellular, pager or other communication devices;
 - b) The owner's name, surname and numbers : telephone, cellular, pager or other communication devices if the applicant does not own the premises;
 - c) The address and a description of the protected premises;
 - d) The name and address of any agency or central station to which the alarm system is linked;
 - e) In the case of a corporate entity, the name(s), surname(s), address(es) and numbers : telephone, cellular, pager or other communication devices of the representative(s) of the corporate entity;
 - f) The names, surnames and numbers : telephone, cellular, pager or other communication devices of 3 persons who, if the alarm goes off, can be contacted and are authorized to go onto the premises to shut off the alarm;
 - g) The date the alarm system is put into operation.

- 3.8 The public security of the MRC des Collines de l'Outaouais must be notified within twenty four hours of any changes regarding the information provided in accordance with article 3.7.
- 3.9 No permit shall be issued for an alarm system that does not meet the requirements of this by-law.
- 3.10 When an alarm system is equipped with a bell or any other sound set off outside the protected premises, the alarm system must be installed in such a way so as not to sound off for more than ten minutes.
- 3.11 The owner, tenant or occupant of the premises or establishment protected by an alarm system, as well as the officers, employees or other persons representing him, by contract or otherwise, must abide by the requirements of the by-law, cooperate at all times with the designated person responsible for enforcement and compliance with this by-law, according to article 2.1, act upon requests made by this person in this respect and, take the necessary measures to ensure that the system is functioning properly. Especially and, without limiting the generality of this article, the owner, tenant or occupant of the premises or establishment must :
1. Be available at all times for the public security department or the alarm company to contact, in the location and at the numbers given, when the alarm system is set;
 2. Immediately go to the premises when the alarm has been set off, give the police access to the premises, stop the alarm and reset the system.
- 3.12 The officer responsible for enforcing this by-law is authorized to go onto premises where an alarm has been set off, if no one is available to turn off the sound alarm when it affects the public's peace and quiet.
- 3.13 The public safety of the MRC des Collines de l'Outaouais is authorized to claim from any owner, tenant or occupant of the premises or establishment protected by an alarm system, the fees made by this one in case of defect of an alarm system including cost incurred to enter a building.
- 3.14 It is considered an offence against this by-law when an alarm system goes off more than two times in a calendar year, due to a defect.
- 3.15 "Unfounded alarm system triggered" Means starting of an safety alarm for which there is not any proof that a not-authorized entry or that a criminal infraction was tried or took place in, on or with regard to a building or any place; also means release of a safety alarm for which there is not any proof of presence of smoke or fire and includes in particular:
- a) Tripped of a security alarm system when trying it;
 - b) Tripped of a security alarm system by a failing or inadequate equipment;
 - c) Tripped of a security alarm system by atmospheric condition, vibration or power failure;
 - d) Tripped by error, without necessity or by negligence of a security alarm system by any user;

- e) Unless proven otherwise, an alarm system is considered defective in the absence of any evidence or indication of a break-in, violation, fire or onset of a fire or a hazard on the premises, upon the arrival of the peace officer, firemen or designated officer responsible for the enforcement of this by-law.
 - f) When there is a security alarm trigger provoked by an animal.
- 3.16 It is unlawful for anyone to open, break or damage an alarm box.

SECTION 4 - PENAL PROVISIONS

- 4.1** Anyone violating a provision of this by-law commits an offence and is liable to the following :
- a) A minimum fine of \$ 200 and a maximum fine of \$ 1 000
 - b) A continuing offence creates a separate offence on a daily basis and, the offender is liable to a fine for each day for the duration of the offence.
- 4.2** Any corporation violating a provision of this by-law commits an offence and is liable to the following :
- a) A minimum fine of \$ 300 and a maximum fine of \$ 2 000
 - b) A continuing offence creates a separate offence on a daily basis and, the offender is liable to a fine for each day for the duration of the offence.
- 4.3** Upon sentencing, a court of competent jurisdiction may, along with fining the offender in accordance with article 4.1, order the offender to take appropriate action to put a stop to the nuisance and, in the case of the offender refusing to act within the prescribed time, the Municipality may take appropriate action at the offender's expense.

SECTION 5 – INTERPRETATION PROVISIONS

- 5.1** The preamble is an integral part of this by-law.
- 5.2** The masculine gender is used universally and includes the feminine.
- 5.3** In the event of any discrepancy between the French version and the English version, the French version is the one that predominates for the application of the by-law.

SECTION 6 - REVOCATION AND COMMENCEMENT

- 6.1** For all legal purposes, this by-law revokes by-laws 06-RM-01-2, abrogating the by-laws 06-RM-01-1, 06-RM-01 and 02-RM-01 concerning alarm in the limits of the Municipality of La Pêche.
- 6.2** This by-law will come into force in accordance with the Law.

Robert Bussière
Mayor

Annie Racine
General Director and Secretary Treasurer

Notice of motion:
Adoption of by-law:
Public notice:
Entry into force:

May 5th, 2014
May 20th, 2014
June 5th, 2014
June 5th, 2014