



# The Corporation of the Town of Orangeville

## By-law Number 2025-

### A by-law to Impose Fees for At Fault False Alarm Calls for Service within the Town of Orangeville

**WHEREAS** pursuant to the Police Services Act, R.S.O. 1990, c.P.15, police services are provided within the Town of Orangeville by the Ontario Provincial Police (O.P.P.), subject to payment by the Municipality of O.P.P. contracted charges; and

**WHEREAS** Section 391 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended hereinafter referred to as the "*Municipal Act*" provides authority for a municipality and a local board to pass by-laws imposing fees or charges on any class of persons for service or activities provided or done by or on behalf of it; and

**WHEREAS** Section 398(2) of the *Municipal Act* provides for the addition of fees and charges imposed by the municipality or local board, respectively, to the tax roll for the following property in the local municipality and collect them in the same manner as municipal taxes: any property for which all the owners are reasonable for paying the fees and charges; and

**WHEREAS** Section 345 of the *Municipal Act* authorizes the Council of a local municipality to establish: penalty and interest charges, notice as to time and notice of payment, payment of installments and options; and

**WHEREAS** the number of false alarms in the Town of Orangeville has been identified as consuming a significant quantity of Police Service resources, which could be better directed to enhancing police presence in the community through the reduction of false alarms.

**NOW THEREFORE** the Council of the Corporation of the Town of Orangeville hereby enacts as follows:

#### 1. DEFINITIONS

1.1. In this By-law:

**"Alarm Incident"** means the activation of an **Alarm System** and direct or indirect reporting of the incident to the **Police Service**;

**“Alarm System”** means an assembly of mechanical or electrical devices which is designed or used for:

- (a) the detection of entry into or damage to a building, structure or premises and which emits sound or transmits sound, signal or message when activated, but does not include a device that is installed in a “motor vehicle” or “motor home” as those terms are defined in the Highway Traffic Act; or
- (b) the transmission of manually activated emergency signal to an alarm monitoring company but does not include a device designed to alert in case of a medical emergency;

**“Alarm System Owner”** means the owner, occupant, or lessee of a building, structure or premise that has an **Alarm System** or the lessee of an **Alarm System**;

**“At Fault False Alarm”** is any **Alarm Incident** where there is no evidence that an unauthorized entry or unlawful act has been attempted or made into, on or in respect of a building, structure or premises and includes, but is not limited to:

- (a) the activation of an **Alarm System** during testing;
- (b) an **Alarm System** activated by mechanical failure, malfunction, faulty equipment, sensitive or inappropriate placement of motion detectors or a battery failure;
- (c) an **Alarm System** activated by atmospheric conditions, vibrations, power failure or by an animal;
- (d) an **Alarm System** not maintained or cleaned;
- (e) an **Alarm System** activated by user error;

**“Data Analysis Report”** means a report provided by the **Police Service** including sufficient information related to the occurrence of the **At Fault False Alarm** and the **Alarm System Owner**;

**“Police Service”** shall mean the Ontario Provincial Police (O.P.P.) or a police service maintained by the **Town**;

**“Town”** means the Corporation of the Town of Orangeville and land within the geographic limits of the Town of Orangeville as the context requires.

## 2. GENERAL ADMINISTRATION

- 2.1. The Short Title of this By-law is the “False Alarm By-law”.
- 2.2. This By-law shall be administered by the Clerk and or their designate.
- 2.3. The provisions of this By-law do not apply to activities or matters undertaken by the **Town** or the County or a local board of the **Town** or the County.

## 3. False Alarm Reduction

- 3.1 The **Alarm System Owner** and the registered title owner of the property containing an **Alarm System** is responsible to ensure at all times that the **Alarm System** is kept in good working order and condition and that users and the owner of the subject premises are kept fully apprised of the operation of the **Alarm System**.
- 3.2 The **Alarm System Owner** and the registered title owner of a property containing an **Alarm System** which causes an **At Fault False Alarm** occurrence and a response or responses by the **Police Service** shall be jointly liable to pay the **Town** fees set out in Schedule A of this By-law.
- 3.3 Where there is a **Police Service** response to an **At Fault False Alarm** occurrence, the **Town** shall upon receipt of the **Data Analysis Report**:
  - (a) on the first **At Fault False Alarm** – a fee shall be imposed on the **Alarm System Owner** and/or the registered title owner of the property as set out in Schedule A of this By-law;
  - (b) on the second and subsequent **At Fault False Alarm** occurrence within a twelve (12) month period at the same premises – an increased fee shall be imposed on the **Alarm System Owner** and/or the registered title owner of the property as set out in Schedule A of this By-law.
- 3.4 The **Town** may take any action described in Section 4 of this By-law, regardless of whether the **Town** has taken any previous action in regards to any one or more responses to **At Fault False Alarm(s)** at the subject premises.

## 4. Collection of At Fault False Alarm Fees

- 4.1 The **Town** shall be provided with a **Data Analysis Report** outlining the **At Fault False Alarm** occurrences for administration of this By-law by the **Police Service**. The **Data Analysis Report** is to include sufficient information related to the occurrence of the **At Fault False Alarm** and the **Alarm System Owner**.
- 4.2 The frequency of submissions of the **Data Analysis Report** to the **Town** will be considerate of Section 3.2 of this By-law and, at a minimum, provided on a monthly basis to ensure the **Town** can provide the required notice in a timely manner to the **Alarm System Owner**.
- 4.3 Fees not paid within the applicable time shall be added to the tax roll in accordance with the terms of Section 398 of the Municipal Act, 2001, S.O. 2001, c.25.

## 5. SEVERABILITY

- 5.1 If a court of competent jurisdiction declares any section or part of this By-law invalid, it is the intention of Council that the remainder of this By-law shall continue in force unless the court makes an order to the contrary.

## 6. INTERPRETATION

- 6.1 References in this By-law to any statute or statutory provision include references to that statute or statutory provision as it may from time to time be amended, extended or re-enacted.
- 6.2 In this By-law, unless the context otherwise requires words importing the singular shall include the plural and use of the masculine shall include the feminine, where applicable.

## 7. EFFECTIVE DATE

- 7.1 This By-law shall come into effect on January 27, 2025.

Read three times and finally passed this 27th day of January, 2025.

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Lisa Post, Mayor

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Raylene Martell, Town Clerk

SCHEDULE 'A' to BY-LAW 2025-

FEES

1. The table below outlines the fees payable under this By-law for 2025:

<b>At Fault False Alarm</b>	<b>Fee (Applicable during each 12-month period from the previous occurrence)</b>
First occurrence	\$150.00
All subsequent occurrences	\$300.00

2. Fees for subsequent years are as per the Fees and Charges by-law currently in effect at the time of the false alarm incident.