



MUNICIPALITY OF KAZABAZUA

BY-LAW NUMBER: SQ 2017-007

Notice of motion: February 7, 2017
Adopted: March 7, 2017
Publication and Entry into force: March 9, 2017

**CANADA
PROVINCE OF QUEBEC
MUNICIPALITY OF KAZABAZUA**

**BY-LAW CONCERNING ALARM SYSTEMS
APPLICABLE BY THE SÛRETÉ DU QUÉBEC**

WHEREAS the Council wishes to regulate the installation and operation of alarm systems in the territory of the municipality;

WHEREAS it is necessary to remedy the problems caused by the high number of false alarms;

WHEREAS a copy of by-law 2017-007 was provided to the members of the council no later than 2 legal days before the regular meeting of March 7, 2017, that all the members present declare that they have read the draft by-law and that they forfeit its reading .

CONSEQUENTLY, IT IS MOVED by Sandra Lacharity, **SECONDED** by Tanya Gabie and resolved at the majority

THAT: This by-law be adopted.

ARTICLE 1 The Preamble shall form an integral part of this By-Law.

ARTICLE 2 « **DEFINITIONS** » For the purposes of these By-Laws, the following words and expressions mean:

« **PROTECTED PLACE** » means a structure, a work protected by an alarm system.

« **ALARM SYSTEM** » means any device, panic button or device intended to warn of the presence of an intruder, to warn of the commission of an offense or an attempt to break into or break into a protected place on The territory of the municipality.

« **USER** » means any natural or legal person who owns or occupies a protected place.

ARTICLE 3 « **APPLICATION** » This By-Law applies to any alarm system including alarm systems already installed or in use on the day of entry into force of this By-Law.

ARTICLE 4 « **SIGNAL** » When an alarm system is fitted with a bell or other sound signal to alert outside protected premises, the alarm system shall be so designed as not to Beep for more than twenty-five consecutive minutes.

ARTICLE 5 « **INSPECTION** » A peace officer is authorized to enter any place protected by an alarm system if no person is in the premises for the purpose of interrupting the audible signal.

ARTICLE 6 « **CHARGES** » The municipality may claim from any user of an alarm system the expenses incurred by it in the event of defect or malfunction of an alarm system, the costs are set at five hundred dollars (\$ 500) that may be claimed in addition to the penalty set out in section 11 of these By-Laws.

ARTICLE 7 « **INFRINGEMENT** » It shall constitute an offense and shall render the user liable to the fines provided for in article 11 and to the costs provided for in article 6, any triggering beyond the second triggering of the system during a consecutive period of Twelve (12) months due to malfunction or malfunction. Beginning on January 1 of each year and ending on December 31 of each year.

ARTICLE 8 « **PRESUMPTION** » The triggering of an alarm system is presumed, in the absence of evidence to the contrary, to be due to faulty or

malfunctioning, where no proof or trace of the presence of an intruder, The commission of the offense shall be recorded on the protected premises upon the arrival of the peace officer or the officer in charge of the application of all or part of this by-law.

« **NON-FOUNDED SAFETY ALARM TRIGGER** » means the activation of a security alarm for which there is no evidence that an unauthorized entry or a criminal offense has been attempted or has been committed Place in, on or in respect of a building or place; Also means the triggering of a safety alarm for which there is no evidence of smoke or fire and includes, in particular:

- a) The triggering of a safety alarm system during testing;
- b) The triggering of a safety alarm system by defective, faulty or inadequate equipment;
- c) The triggering of a safety alarm system due to atmospheric conditions, vibration or power failure;
- d) The inadvertent, unnecessary or negligent release of a safety alarm system by any user;
- e) The triggering of an alarm system shall be presumed, in the absence of evidence to the contrary, to be unfounded where no evidence or record of the presence of an intruder, the commission of an offense, A fire, a start of a fire or a hazard is detected on the premises protected at the arrival of the peace officer, the fire brigade or the officer in charge of the application of the present by-law ;
- f) When a safety alarm has been triggered by any animal.

ARTICLE 9 « **RIGHT OF INSPECTION** » The council authorizes the officers of the municipality or any person appointed by the council and the peace officers to visit and examine between 7 am and 7 pm or beyond these hours for one Reason, any movable or immovable property and the exterior or interior of any house, building Or any building, to ascertain whether these by-laws are executed therein, and so any owner, tenant or occupant of such houses, buildings or buildings shall allow them to enter and answer all questions put to them in connection with the execution of the By-Law.

PENAL PROVISION

ARTICLE 10 « **APPLICATION** » The Council authorizes all peace officers of the Sûreté du Québec to institute criminal proceedings against any offender and to issue statements of offense for any contravention of one of the provisions of this by-law.

The council also authorizes any municipal officer or employee appointed by the council to undertake criminal proceedings on behalf of the municipality against any offender and to issue statements of offense for any contravention of any of the provisions of the by-law.

ARTICLE 11 « **PENALTY** » Any person who contravenes any of the provisions of this by-law is guilty of an offense.

A person who commits a first offense is liable to a fine of not less than two hundred dollars (\$ 200.00) and not more than five hundred dollars (\$ 500.00) in the case of a natural person, And not less than three hundred dollars (\$ 300.00) and not more than one thousand dollars (\$ 1,000.00) in the case of a legal person.

A person who commits a second offense under the same provision within a period of two (2) years of the first offense is liable to a fine of not less than four hundred dollars (\$ 400.00) and not more than one thousand dollars In the case of a natural person, not less than five

hundred dollars (\$ 500.00) and not more than one thousand five hundred dollars (\$ 1,500.00) if Is a legal person.

Any person who commits a subsequent offense under the same provision within a period of two (2) years of the first offense is liable to a fine of not less than five hundred dollars (\$ 500.00) and not more than one thousand two hundred dollars (\$ 1,200.00) in the case of a natural person, and not less than one thousand dollars (\$ 1,000.00) and not more than two thousand dollars (\$ 2,000.00) It is a legal person.

ARTICLE 12 « ABROGATION » This by-law repeals and replaces in its entirety and for any purpose that By-Law 2011-007 and any previous municipal by-law inconsistent with the provisions of this by-law.

This abrogation shall not be construed as affecting any matter or thing done or to be done under the by-law so repealed. Any offense or prosecution under the repealed By-law or any By-Law referred to therein may be continued in the manner prescribed in those by-laws.

ARTICLE 13 « ENTRY INTO FORCE » This By-Law shall enter into force in accordance with the law.

Pamela Lachapelle registers her dissidence.



Mayor

Secretary-treasurer