

THE CORPORATION OF THE TOWN OF PLYMPTON-WYOMING

BY-LAW NUMBER 140 of 2024

Being a By-Law to impose fees and charges for services or activities provided by the Ontario Provincial Police (OPP), on behalf of the Corporation of the Town of Plympton-Wyoming in relation to alarms

“False Alarm By-Law”

WHEREAS pursuant to section 391 of the *Municipal Act*, 2001, as amended, a municipality is authorized to pass by laws imposing fees or charges on persons for services or activities provided or done by or on behalf of it; and

WHEREAS section 398(2) of the 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 to collect them in the same manner as municipal taxes: and property for which all the owners are responsible for paying the fees and charges; and

WHEREAS section 345 of the 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 Corporation of the Town of Plympton-Wyoming receives policing services from the OPP; and

WHEREAS The Corporation of the Town of Plympton-Wyoming is part of the Lambton Group OPP Detachment Board that Represents the Township of Brooke-Alvinston | Township of Dawn-Euphemia | Township of Enniskillen | Municipality of Lambton Shores | Village of Oil Springs | Town of Petrolia | Township of St. Clair | Township of Warwick; and

WHEREAS the number of false alarms in the Corporation of the Town of Plympton-Wyoming has been identified as consuming a significant quantity of OPP resources, which could be better directed to enhancing police presence in the community through the reduction of false alarms; and

WHEREAS response to these false alarms interferes with the ability of the OPP to respond to actual emergencies, posing a threat to officer safety and members of the public by creating unnecessary delays; and

WHEREAS Police Detachment Boards and Municipalities across Ontario are seeking to address false alarms and decrease related calls for service; and

WHEREAS the Lambton Group OPP Detachment Board deems it expedient to pass a by-law relating to the reduction of false security alarms and to impose fees for services provided by the OPP; and

WHEREAS the municipality incurs costs when OPP responds to False Alarms; and

WHEREAS responses to False Alarms interfere with the ability of the OPP to respond to actual incidents; and

WHEREAS the Lambton Detachment of the OPP have agreed to maintain a register of alarms responded to in the municipality;

NOW THEREFORE The Corporation of the Town of Plympton-Wyoming enacts as follows:

1. In this bylaw and recitals
 - a) “Alarm” or “Alarms” means any form of notification to the OPP central dispatch of a criminal act, an attempted criminal act, or any bonafide emergency situation at a premise or an False Alarm;

- b) "Alarm Device" means any device or series of devices installed on real property and designed to detect criminal activity or unauthorized entry or emergency which when activated, emits or transmits a local or remote audible, visual or electronic signal intended to alert the "alarm system owner", summon the police service, whether monitored by an "Alarm Business" or not;
- c) "Alarm System Owner" means the owner, occupant or lessee of a building, structure or premise that has a security alarm system or the lessee of a security alarm system;
- d) "False Alarm" means any one of the following:
 - i. the testing of an alarm without advance notification to OPP central dispatch;
 - ii. an alarm caused by the carelessness or negligence of any person at a premise;
 - iii. an alarm caused by the mechanical failure or improper installation of any warning device; or
 - iv. an alarm inadvertently activated by any means including internal or external conditions;
- e) "False Alarm" does not include alarms where OPP dispatch is notified within forty-eight (48) hours advance that a response is not required;
- f) "Emergency situation" means:
 - i. an alarm caused by an attempted or completed criminal act at a premise; or
 - ii. any type of emergency occurring at or in relation to any business or residential premises located within the geographic boundaries of the Corporation of the Town of Plympton-Wyoming;
- g) "OPP" means the Lambton Detachment of the Ontario Provincial Police;
- h) "Premise" or "Premises" means any business or residential premises located within the geographic boundaries of the Corporation of the Town of Plympton-Wyoming containing an unlawful entry alarm which automatically notifies OPP central dispatch of an emergency situation;
- i) "Municipality" means the Corporation of the Town of Plympton-Wyoming; and
- j) OPP central dispatch means the OPP communications centre.

2. The OPP shall maintain the following;

- i. a written record of each separate alarm, which record shall include, without limiting generality, the date time and location of such alarm.

3. Fees for False Alarms

- i. where there is an OPP response to a false alarm, the alarm system owner shall be responsible for the fee as set out in the Corporation of the Town of Plympton-Wyoming Fees and Charges By-law, as amended;
- ii. an Alarm shall not be classified as a False Alarm when an extraordinary circumstance as determined by the police service Detachment Commander has occurred;

4. Notwithstanding any other provision of this bylaw:

- i. the owner or occupier of a premise shall pay to the municipality the sum of:

First false alarm in any calendar year	No fee
Second false alarm in any calendar year	\$250.00
Third false alarm in any calendar year	\$350.00
Fourth false alarm in any calendar year	\$700.00

Fifth false alarm in any calendar year	\$1400.00
Sixth false alarm in any calendar year	Notice of suspension of service will be issued for the remainder of the calendar year.

5. Collection of False Alarm Fees

- i. the OPP shall provide The Corporation of the Town of Plympton-Wyoming's Treasurer with the required information within 15 days of the end of a calendar month, regarding False Alarm occurrences in the preceding month for invoicing and collection purposes. Required information includes at a minimum the name of the alarm system owner and the address.
- ii. fees shall be invoiced and collected by The Corporation of the Town of Plympton-Wyoming in accordance with the Accounts Receivables established processes and procedures. Invoices shall be printed and mailed to the alarm system owner.
- iii. The Corporation of the Town of Plympton-Wyoming will take appropriate steps as provided for in the *Municipal Act*, to collect outstanding false alarms fees.

6. Automatic Dialing Alarm

- i. No person shall install maintain or use an automatic dialing device designed to transmit a message to either the OPP or the OPP central dispatch;
- ii. Automatic Dialing Alarms causing False Alarms requiring response by the OPP shall be subject to the fees as set out in the Corporation of the Town of Plympton-Wyoming's Fees and Charges By-law.

7. The alarm system owner occupier or key holder of each premise shall:

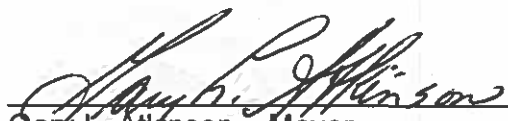
- i. attend their premise when its alarm is activated within 30 minutes of the activation; and
- ii. allow access to the premise for inspection purposes and to answer inquiries from the OP

8. Severability

- i. each and every one of the foregoing provisions of this by-law is severable and if any provisions of this by-law should, for any reason, be declared invalid by any court, it is the intention and desire of this council that each and every one of the then remaining provisions shall remain in full force and effect.

9. This by-law shall come into full force and effect upon final passing thereof.

READ a first, second and third time and finally passed this 8th day of January 2025.



 Gary L. Atkinson – Mayor



 Erin Kwardiak – Clerk

Lambton Group OPP Detachment Board Members

Township of Brooke-Alvinston passed on:

Township of Dawn-Euphemia passed on:

Township of Enniskillen passed on:

Municipality of Lambton Shores passed on:

Village of Oil Springs passed on:

Town of Petrolia passed on:

Town of Plympton-Wyoming passed on:

Township of St. Clair passed on:

Township of Warwick passed on: