

CORPORATION OF THE TOWN OF HAWKESBURY

By-law N° 36-2026

Being a by-law to impose fees and charges for false alarms in the Town of Hawkesbury

WHEREAS the Municipal Council of the Corporation of the Town of Hawkesbury is responsible for the provision of police services within the Town of Hawkesbury;

AND WHEREAS Subsection 391 (1) (a) of the Municipal Act, 2001, as amended, authorizes a municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it;

AND WHEREAS the Municipal Council deems expedient to revise By-law N° 27-2026 on false alarms.

NOW THEREFORE the Municipal Council of the Corporation of the Town of Hawkesbury enacts as follows:

DEFINITIONS

1. For the purpose of this by-law:

- a) **"Alarm Incident"** means the activation of a Security Alarm System and the direct or indirect reporting of the activation to the Police Service;
- b) **"Chief of police"** means the Detachment Commander of the Hawkesbury Ontario Provincial Police, or his or her designate;
- c) **"False Alarm"** means an 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:
 - i. the activation of a security alarm system during its testing;
 - ii. a security alarm system activated by mechanical failure, malfunction or faulty equipment;
 - iii. a security alarm system activated by user error.
- d) **"False Alarm Appeal Form"** means the official form prescribed by the Town of Hawkesbury that an owner or tenant must complete and submit in order to appeal a Penalty Notice within fifteen (15) days of receiving the order.

- e) **“First Notice”** means the initial written letter issued by the Town of Hawkesbury to the owner or tenant advising them that a False Alarm has occurred, informing them of the Police Service’s response, and stating that any subsequent false alarms within a twelve(12) month period will result in applicable fees or charges.
- f) **“Owner”** means a person, persons, individuals, or a corporation(s) who are the legal and registered owner or owners of a property, and shall include the tenant(s) of a property;
- g) **"Police Service"** means the Ontario Provincial Police Detachment for the Town of Hawkesbury, the officers working for it, and officers of any detachment of the Ontario Provincial Police;
- h) **“Penalty Notice”** means a written notice (accompanied by a corresponding invoice) issued by the Town of Hawkesbury imposing a penalty on an owner or tenant for a False Alarm in accordance with this by-law.
- i) **"Security Alarm System"** means an assembly of mechanical or electrical devices which is designed or used for:
 - i) the detection of entry into or damage to a building, structure or premises and which emits sound or transmits a 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
 - ii) the transmission of a manually activated emergency signal to an alarm monitoring company, but does not include a device designed to alert in case of medical emergency.

APPEAL

2. **THAT** any interested person may appeal a Penalty Notice issued by the Town by filing the False Alarm Appeal Form of the Town of Hawkesbury within 15 days of receiving the Penalty Notice.
3. **THAT** upon receipt of a completed False Alarm Appeal Form, the administration of the Town of Hawkesbury shall undertake a thorough review of any evidence provided in support of the appeal.
4. **THAT** security alarms activated in the following manner are hereby deemed not to be false alarms;

- i) Where the owner can demonstrate that the alarm was caused by a storm, lightning, earthquake or other violent act of nature; and
 - ii) Where the administration is satisfied that the occurrence is isolated and due to a mechanical or electrical failure that has since been corrected by a qualified contractor or installer, proof of which has been provided.
5. **THAT** the administration shall determine an appeal within 30 days of receiving the False Alarm Appeal Form from the owner. The administration may:
- i) Confirm the Penalty Notice
 - ii) Vary the Penalty Notice
 - iii) Cancel the Penalty Notice

FALSE ALARM REDUCTION

6. **THAT** where the Police Service is required to attend at a building, structure or premises as a result of an alarm incident that is a false alarm, the Chief of Police shall advise the Treasurer of the Corporation of the Town of Hawkesbury as to the location, name of the owner including the date of the alarm incident.
7. **THAT** a fee of two hundred and fifty dollars (\$250.00) shall be levied against the owner with respect to the second False Alarm within a twelve (12) month period from the date of the first False Alarm incident.
8. **THAT** a fee of five hundred dollars (\$500.00) shall be levied against the owner with respect to every additional false alarm within a twelve (12) month period from the date of the latest occurrence.
11. **THAT** upon notification of a false alarm pursuant to the provisions of the Section 2 of this by-law, the Treasurer shall advise the owner, in writing, of the response by the Police Service, and shall also state that the next False Alarm is subject to a fee of two hundred and fifty dollars (\$250.00) and any additional false alarms within a twelve (12) month period a fee of five hundred dollars (\$500.00) shall be imposed.
12. **THAT** all fees imposed shall become due and payable within thirty (30) days from the date of issue of an invoice by the Corporation of the Town of Hawkesbury, and any collection costs for fees or charges imposed pursuant to the provisions of this by-law that are due and

unpaid shall be added to the outstanding amount including interest charges at a rate of two percent (2%) per month or fraction thereof.

13. **THAT** any fees or charges imposed pursuant to the provisions of this by-law shall be added to the tax roll for any real property the year following the year in which the false alarm(s) occurred and may be collected in the like manner as municipal taxes.
14. **THAT** if an Ontario Court of Justice or any court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, the remaining sections shall remain in effect until repealed.
15. **THAT** the owner shall be responsible to repair deficiencies on or malfunctioning of his/her Security Alarm System to avoid repetitive false alarms.
16. **THAT** any owner who fails to repair his/her Security Alarm System is guilty of an offence and is liable upon conviction to a fine under the *Provincial Offences Act*, and this notwithstanding the fees that may be imposed for each false alarm.
17. **THAT** by-law N° 27-2026 is hereby repealed.
18. **THAT** this by-law shall come into force and take effect on the date of the passing thereof.

**READ A FIRST, SECOND AND ADOPTED UPON THIRD READING
THIS 22nd DAY OF JUNE 2026.**

Robert Lefebvre, Mayor

Sonia Girard, Clerk