

The Corporation of the Town of Kingsville

By-law 20-2026

Being a By-law to impose fees and charges for services provided by the Ontario Provincial Police in response to false security alarms on behalf of the Corporation of the Town of Kingsville

Whereas Sections 391 of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, (the "Municipal Act") provides that a municipality may pass by-laws imposing fees and charges on 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 any property for which all of the owners are responsible for paying the fees and charges in the local municipality and collect them in the same manner as municipal taxes;

And whereas the number of false alarms in the Town of Kingsville has been identified as consuming a significant amount of Ontario Provincial Police ("OPP") resources;

And whereas the 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 Municipalities across Ontario are seeking to address false alarms and decrease related calls for service;

And whereas the Council of the Corporation of the Town of Kingsville deems it necessary to impose fees for services of the OPP related to the reduction of false security alarms;

Now therefore The Council of the Corporation of the Town of Kingsville enacts as follows:

1. In this By-law:

"Alarm" means any signal activated for the legitimate purpose of notification of a criminal act, an attempted criminal act, or any Bona Fide emergency situation occurring at a premise;

"Alarm Business" means the business by an individual, partnership, corporation or other entity which sells, leases, maintains, services, repairs, alters, replaces, moves, installs, or monitors an Alarm Device, and may include reporting the occurrence of Alarms to the Police Service;

"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 or summon the Police Service, whether monitored by an Alarm Business or not. This definition does not include an Alarm installed in a vehicle or on a person unless the vehicle or personal alarm is permanently located at the premises;

"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;

"At Fault False Alarm" means any Alarm from an Alarm Device that prompts Police Service response to a premises where a Bona Fide emergency does not exist, or was not, on reasonable ground as

determined by the Police Service, believed to exist and includes, but is not limited to, the following:

- a) the testing of an Alarm Device without police knowledge and approval;
- b) Alarms caused by negligence or carelessness of the Alarm Business or Alarm System Owner;
- c) Alarms activated due to mechanical failure or improper installation; and/or
- d) Alarms activated by internal or external atmospheric conditions, vibrations, or power surges;

"Bona Fide" means an emergency where there is:

- a) an attempted or completed criminal act; or
- b) any other valid emergency situation occurring at, or in relation to the premise;

"Fees and Charges By-law" means a by-law passed by Council setting the fees and charges for municipal services, as may be amended from time to time;

"Police Service" means the Ontario Provincial Police (OPP), Kingsville Detachment specifically contracted by the Town of Kingsville to provide policing services or their contracted or designated successors thereof;

"Town" means The Corporation of the Town of Kingsville.

Fees for False Alarms

2. The Police Service will respond to one (1) At Fault False Alarm, as defined herein, to any property during each calendar year without fees or charges to the Alarm System Owner.
3. A charge in the amount set out in the Fees and Charges By-law will be imposed on the Alarm System Owner of any property for a response made by the Police Service for the second and each subsequent At Fault False Alarm within each calendar year.
4. An Alarm shall not be classified as an At Fault False Alarm if the Alarm System Owner or an Alarm Business furnishes evidence satisfactory to the Police Service that an Alarm was caused by:
 - a. an unauthorized entry or attempted unauthorized entry into the building, structure, or facility; or
 - b. an extraordinary circumstance as determined by the sole discretion of the Police Service Detachment Staff Sergeant whose decision thereof is final and binding.

Collection of False Alarm Fees

5. The Police Service shall provide Town Administration with the required information within 15 days of the end of each calendar month regarding At Fault False Alarm occurrences in the preceding month for invoicing and collection purposes. Required information includes, at minimum, the name of the Alarm System Owner, address, date and time of occurrence and responding Police Service Officer name/badge number.
6. Fees and charges shall be invoiced and collected by the Town. Invoices shall be issued within 30 days from the end of each calendar month when an At Fault False Alarm occurred. Unless otherwise specified, all fees and charges collectable shall be due and payable at the time of invoicing.
7. In the event that the Alarm System Owner fails to pay an At Fault False Alarm charge within thirty (30) days of invoicing, the Town will take

appropriate steps in relation to collection thereof which may include civil action and/or the addition of the fee or charge to the municipal tax roll for any real property in the municipality to be collected in a like manner as municipal taxes.

Notice

8. Any notice or invoice required by this By-law shall be in writing, and may be delivered by way of:
 - a. hand delivery, in which case the notice shall be deemed received on the date of delivery; or
 - b. e-mail, in which case the notice shall be deemed received on the date of sending; or
 - c. by regular mail, in which case the notice shall be deemed received on the fifth (5th) day following the date of mailing.

Additional Regulations

9. Should the Alarm System Owner or designate not attend the premises where the Alarm is activated within thirty (30) minutes of the activation, to allow access to the premises where an Alarm is located for inspection purposes and to answer inquiries from the Police Service, the Alarm shall be deemed an At Fault False Alarm.

Validity

10. If any term of this By-law or the application thereof shall, to any extent, be invalid or unenforceable, the remainder of this By-law and/or the application of such term to circumstances, other than those to which it is held invalid or unenforceable, shall not be affected thereby and each term of this By-law shall be separately valid and enforceable to the fullest extent permitted by law.

Enactment

11. This By-law shall come into force and take effect on the day of the final passing thereof.

Read a first, second and third time and finally passed this 23rd day of March, 2026.

Mayor, Dennis Rogers

Clerk, Angela Toole