

**CANADA
PROVINCE OF QUEBEC
REGIONAL COUNTY OF ARGENTEUIL
MUNICIPALITY OF THE TOWNSHIP OF WENTWORTH**

**PUBLIC SAFETY BY-LAW
NUMBER 110-2019
CONCERNING ALARM SYSTEMS**

WHEREAS the agreement regarding the provision of police services with in the territory of the MRC of Argenteuil authorizes the Sûreté du Québec to enforce, in all or in part, municipal By-Laws;

WHEREAS the Municipal Council wishes to regulate the installation and functioning of alarm systems within its territory;

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

WHEREAS a Notice of motion of the present By-Law was previously given by Councillor Maurice Pilon at the regular meeting of June 3rd, 2019;

WHEREAS a copy of the Draft By-Law was presented and made available to the public and to the members of Council on June 3rd, 2019 in accordance with article 445 of the Quebec Municipal Code(C-27.1).

THEREFORE, it is proposed by Councillor Bill Gauley and
RESOLVED

THAT the By-Law be adopted as follows:

ARTICLE 1

The preamble is an integral part of the present By-Law.

ARTICLE 2

The present By-Law repeals and replaces By-Law number RM 110 and its amendments.

ARTICLE 3

The Municipal Council declares that it has adopted this By-Law, section by section, article by article, paragraph by paragraph, so that if any one of these sections should be declared null by a competent court of law, the other sections of the By-Law continue to apply.

ARTICLE 4 – Definitions

For the purposes of the present By-Law, the following words and expressions mean:

Protected area

A lot, a construction or any work protected by an alarm system.

Alarm system

Any apparatus, panic button, or equipment which serves to alert the presence of an intruder, the carrying out of an offence, attempted burglary, or of a fire in a protected area within the territory of the Municipality.

User

Any physical or moral person who is the owner or occupant of a protected area.

ARTICLE 5 – Application

The present By-Law applies to all alarm systems, including those already installed or in use the day that the present By-Law becomes effective.

ARTICLE 6 – Signal

When an alarm system is equipped with a bell or any audible signal to give a protected area an exterior alarm, that alarm system must be devised in such a way as not to emit an audible signal for more than twenty consecutive minutes.

ARTICLE 7 – Power to intervene

If no one is present at the time, the officer in charge of the application of all or part of the present By-Law is authorized to enter any area protected by an alarm system in order to interrupt the audible signal if it has lasted for more than twenty consecutive minutes. By virtue of this By-Law, under no circumstance will the Municipality be held responsible for any damage caused as a result of the de-activating of an alarm system.

ARTICLE 8 – Costs

In addition to the fines outlined in Article 13, the Municipality is authorized to claim, from any user of an alarm system, the costs the Municipality has incurred because of a defect or a malfunction of an alarm system, notably the costs incurred to enter a building, and all in accordance with Article 7.

ARTICLE 9

Any violation of the present By-Law constitutes an infraction.

ARTICLE 10 – Offence

Any defect or malfunction of an alarm system which sets off the system more than once during the period of twelve consecutive months will constitute an offence and will render the user liable to the fines indicated in Article 13.

ARTICLE 11 – Presumption

Any setting off of an alarm system is presumed, in the absence of any proof to the contrary, to be due to a defect or malfunction of the system when no proof or trace of the presence of an intruder, or the commission of an

offence, or of a fire or the lighting of a fire is discovered at the arrival of the police, the firefighters or the officer in charge of the application of all or part of the present By-Law.

ARTICLE 12 – Inspection

The officer in charge of the application of the present By-Law is authorized to visit and examine, between 7:00 A.M. and 7:00 P.M., any moveable or immovable property in order to ascertain that the present By-Law is applied.

PENAL PROVISIONS

ARTICLE 13

The Council authorizes police and/or the municipal inspector or any other person designated by the Council to apply the present By-Law and to issue statements of offence (offence notices, tickets or other) and to undertake the following penal procedures:

- Any person who contravenes to one or any provisions of the present By-Law commits an infraction and is liable to a fine with or without costs;
- For a first infraction, the amount of the fine is set at a minimum of two-hundred and fifty dollars (\$ 250) and a maximum of five hundred dollars (\$500) if the person who contravenes is a physical person and double the amount if the offender is a moral person;
- If the infraction continues, this continuity constitutes, day by day, a separate offence and the offender is liable to the fine, with or without costs, for each day during which the infraction continues.
- In all cases, the costs of any legal proceedings are extra
- The time limits for the payment of fines and fees imposed under this section, and the consequences of failure to pay such fines and costs within the prescribed time, are established in accordance with the Quebec Code of Penal Procedure (L.R.Q., c.C-25.1).

The competent authority may use all legal, penal and / or civil resources, applicable against any person who contravenes this By-Law, alternatively or cumulatively if necessary.

ARTICLE 14 – Effective date

The present By-Law comes into effect in accordance with the law.

Jason Morrison
Mayor

Natalie Black
General Manager and
Secretary-Treasurer

Notice of Motion:	June 3 rd , 2019
Presentation of the Draft By-Law:	June 3 rd , 2019
Adoption of By-Law:	July 8 th , 2019
Notice of coming into effect:	July 16, 2019