

OFFICE CONSOLIDATION

BYLAW NUMBER 31M95

**BEING A BYLAW OF THE CITY OF CALGARY
TO LICENSE AND REGULATE ALARM AGENTS
AND ALARM AGENCIES AND TO REGULATE
AND CONTROL INTRUSION ALARM SYSTEMS
AND TO REQUIRE PERMITS THEREFOR**

(Amended by 66M95, 34M97, 5M99, 52M99, 37M2000, 40M2003, 42M2004, 40M2005, 50M2005, 60M2005, 61M2005, 57M2008, 58M2008, 59M2008, 50M2011, 70M2011, 71M2011, 72M2011, 56M2014, 43M2016, 60M2016, 51M2018, 36M2019, 72M2021, 40M2022, 45M2023)

WHEREAS professionally installed and monitored intrusion alarm systems are useful instruments in deterring crime and in providing peace of mind for the users of such systems;

AND WHEREAS the Calgary Police Service has determined, through the collection and analysis of statistics relating to alarm responses, that many alarms have been falsely activated on a frequent basis;

AND WHEREAS in addition to posing a threat to the safety of police officers and the public by creating unnecessary hazards, false alarms result in considerable unnecessary expense;

AND WHEREAS the Municipal Council of the City of Calgary deems it advisable to license and regulate businesses that supply, monitor, repair and respond to such alarm systems;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

TITLE

1. This Bylaw may be cited as "The Alarm Services Bylaw".

INTERPRETATION

2. (1) In this Bylaw unless the context otherwise requires:
- (a) "*agency*" means an alarm agency or a security consulting agency or both;
 - (b) "*agent*" means an alarm agent or security consultant when employed or engaged under license issued by this Bylaw;
 - (c) "*alarm agency*" means a person or body corporate who, for hire or reward;
 - (i) sells, supplies, provides or installs or offers to install alarm systems,

- (ii) is in the business of monitoring alarm systems,
 - (iii) is in the business of responding to alarms,
 - (iv) repairs or maintains alarm systems that are installed on the property of another.
- (d) "*alarm agent*" means any person employed or engaged within the City by an alarm agency whose duties include the altering, installing, maintaining, moving, repairing, replacing, selling, servicing, recommending, specifying, responding to or monitoring of an alarm system;
- (e) "*alarm system*" means any mechanical or electrical device which is designed or used for the detection of an unauthorized entry into a premises, building, structure or facility or for alerting others of the commission of an unlawful act, or both, and which emits a sound or transmits a video or audio signal, or both, or any other message when activated but does not include;
- (i) a device that registers an alarm that is not audible, visible or perceptible outside of the protected premises, building, structure or facility, or
 - (ii) a device that is installed in a vehicle. (60M2016, 2017 January 01)
- (e.1) "*alarm system permit*" or "*permit*" means a permit issued pursuant to section 25.2 of this Bylaw; (60M2016, 2017 January 01)
- (f) "*audible alarm*" means an alarm system which generates an audible sound on the premises when it is activated but does not transmit a signal or message to another premises; (60M2016, 2017 January 01)
- (g) "*automatic calling device*" means any device, or combination of devices, that will upon activation, either mechanically, electronically or by any other automatic means, initiate a telephonic or recorded message or any other signal intended to alert another person of a security occurrence or the existence of an emergency situation and which is designated to be transmitted over regular telephone lines but does not include a device commonly referred to as a telephone;
- (h) "*Board*" means the Licence and Community Standards Appeal Board; (50M2011, 2011 September 19)
- (i) DELETED BY 72M2021, 2022 JANUARY 01;

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- (j) "*Chief of Police*" means the Chief of Police of The City of Calgary or a member or employee of the Calgary Police Service designated by the Chief to act on the Chief's behalf with respect to this Bylaw;
(60M2016, 2017 January 01)
- (k) "*City*" means The City of Calgary a municipal corporation in the Province of Alberta and where the context so requires means the area contained within the corporate boundaries of the said municipality;
- (k.1) "*Chief Administrative Officer*" means the Chief Administrative Officer of The City of Calgary or the employee of The City of Calgary who has been delegated the authority to exercise the powers, duties, and functions of the Chief Administrative Officer under this Bylaw;
(72M2021, 2022 January 01)
(45M2023, 2023 October 17)
- (k.2) "*Director, Development, Business & Building Services*" or "*Director*" means the *Chief Administrative Officer*;
(72M2021, 2022 January 01)
(45M2023, 2023 October 17)
- (l) "*false alarm*" means a signal from an alarm system that results in a request to the Calgary Police Service to attend at a premises but where investigation, law enforcement or other emergency services customarily provided by the Calgary Police Service are not required;
(60M2016, 2017 January 01)
- (m) "*license*" means a license issued under this Bylaw;
- (n) "*licensee*" means the holder of a license issued under this Bylaw;
- (o) "*monitored alarm system*" means an alarm system which is intended to transmit a video or audio signal, or both, or any other message when it is activated to:
- (i) the occupant of the premises; or
 - (ii) a person who is in the business of receiving that signal or message;
- regardless of whether the alarm system generates an audible sound on the premises;
(60M2016, 2017 January 01)
- (p) DELETED BY 60M2016, 2017 JANUARY 01;
- (q) "*permittee*" means the holder of an alarm system permit;
- (r) "*person*" means a natural person, an association of natural persons, a partnership or a corporation;
- (s) "*security consultant*" means a person engaged or employed for gain or

reward by a security consulting agency and who advises and consults on security systems for premises or other property;

- (t) "*security consulting agency*" means the business of providing the services of security consultants;
- (u) "*vehicle*" means a device designed or intended to be used for the transportation of persons or things;

(5M99, 1999 June 01)

APPLICATION FOR LICENSES

- 3. (1) (a) All applications for licenses or renewal of licenses under this Bylaw shall be made to the *Director* in a form prescribed by the Inspector.
- (b) An applicant for a license under this Bylaw:
 - (i) shall be at least eighteen (18) years of age in the case of an applicant for an agency license issued under this Bylaw,
 - (ii) shall be of good character, and
 - (iii) shall be a Canadian citizen or a person lawfully admitted to Canada for permanent residence and ordinarily resident in Canada.
- (c) An applicant for a license or renewal of a license as an alarm agency or security consulting agency shall forward to the *Director* an application for such license or renewal of such license.
- (d) An applicant for a license or renewal of a license as an alarm agent or security consultant shall forward to the *Director* an application for such license or renewal of such license.

(72M2021, 2022 January 01)

- (2) In the consideration of all applicants under subsection (1) the *Director* shall consider the recommendation of the Chief of Police or his designate.

(72M2021, 2022 January 01)

- (3) An application for a license as an alarm agency or security consulting agency shall be made, in the prescribed form, to the *Director* and shall be accompanied by:

- (a) an affidavit or declaration of
 - (i) the applicant, or
 - (ii) where the applicant is a partnership, of each of the partners, or
 - (iii) where the applicant is a corporation, by the local manager or a director of the corporation showing what, if any, criminal

convictions or criminal charges there are against the applicant, the partnership, any members of the board of directors or local managers of the corporation.

- (b) the prescribed license fee, and such other information as may be required by the *Director*.

(72M2021, 2022 January 01)

- (4) An application for a license as an

- (a) alarm agent, or
- (b) security consultant

when requested by the *Director*, shall be accompanied by:

- (i) an affidavit or declaration of the applicant showing what, if any, criminal convictions or criminal charges and outstanding judgements are against him.
- (ii) a letter signed by the employing or engaging agency in the case of an agent application stating the capacity in which the applicant will be employed by the agency.

(72M2021, 2022 January 01)

LICENSES

- 4. Licenses issued by the *Director* shall be:

- (1) alarm agency license;
- (2) alarm agent license;
- (3) security consulting agency license; and
- (4) security consultant license.

(72M2021, 2022 January 01)

REQUIREMENT FOR LICENSE

- 5. (1) Reference to a license in this Bylaw shall mean a license granted to alarm agencies, security consulting agencies, alarm agents, and security consultants. For the purposes of this Bylaw, a person is engaged or employed in the services of an agency when such services are available from the agency to more than one person or involve more than one location.
- (2) (a) No person shall engage in the business of an alarm agency or a security consulting agency without possessing a valid license issued under this Bylaw.
- (b) No person shall act as an alarm agent or security consultant without

possessing a valid license for such activity issued under this Bylaw.

IDENTIFICATION

6. An applicant for a license shall produce, when requested by the *Director*, or his designate, two (2) pieces of identification as proof that the person is the person named in the application.

(72M2021, 2022 January 01)

ISSUE OF LICENSE

7. (1) The *Director* may make such inquiries and investigations as he considers necessary regarding each application for a license and may issue or not issue the license applied for where in his opinion such action is in the public interest.

(72M2021, 2022 January 01)

- (2) Where a license for an alarm agency or security consulting agency has been issued, the *Director*, or a person appointed by him, may make periodic inspections or inquiries of the licensee to determine whether the provisions of this Bylaw are being adhered to by such licensee.

(72M2021, 2022 January 01)

- (3) A license for an alarm agency or security consulting agency is not transferable or assignable.

- (4) No person, other than the licensee to whom a license has been issued under this Bylaw shall have in his possession or display any license issued under this Bylaw.

EXPIRY OF LICENSE

8. (1) Subject to subsection (2) of this section, a license issued pursuant to this Bylaw expires on the date set out on the license unless sooner cancelled.

- (2) The license of an agent

- (a) is terminated upon his ceasing to be employed as an agent, or
- (b) is suspended, or cancelled as the case may be, upon the suspension or cancellation of the agency license of his employer.
- (c) must be reapplied for and re-issued on change of employment except where such agent remains continuously employed by an alarm agency or security consulting agency following the issuance of the agent's license.
- (d) is not assignable or transferable.

SUSPENSION, CANCELLATION OR REFUSAL OF LICENSE

9. (1) The *Director* may, after providing an opportunity for the affected person to be heard, refuse to issue or renew, or may suspend or revoke the license of an

alarm agency or security consulting agency or applicant for such license, where the licensee or applicant, or one of the partners, managers or directors of the licensee or applicant:

- (a) is convicted of any criminal offence which relates to the holding of the license such that, in the opinion of the *Director*, the person is not fit to hold or continue to hold the license,
- (b) is charged with a criminal offence which relates to the holding of the license such that, in the opinion of the *Director*, it is inappropriate for the licensee or applicant to hold or continue to hold a license,
- (c) is convicted of a contravention of this Bylaw,
- (d) fails to pay a judgement against himself for damages sustained by reason of an act or omission of his or of an employee of his, done or occurring in or in connection with the business or employment in respect of which the license is held or application is made,
- (e) has made an untrue statement
 - (i) in his application for a license, or
 - (ii) in information required by or provided to the *Director*,
- (f) refuses to produce to the *Director* any information required pursuant to this Bylaw,
- (g) is not, in the opinion of the *Director*, a fit or proper person to hold a license.
- (h) has failed to pay any false alarm penalty levied against such agency pursuant to Section 26.1 within the time allowed for the payment of such penalties.

(5M99, 1999 June 01)
(72M2021, 2022 January 01)

- (2) The *Director* may refuse to issue or renew, or may suspend or cancel an agent's license, where the applicant or licensed agent
 - (a) is convicted of any criminal offence which relates to the holding of the license such that, in the opinion of the *Director*, the person is not fit to hold or continue to hold the license,
 - (b) is charged with a criminal offence which relates to the holding of the license such that, in the opinion of the *Director*, it is inappropriate for the licensee or applicant to hold or continue to hold a license,
 - (c) is convicted of a contravention of this Bylaw,
 - (d) has made an untrue statement

- (i) in his application for a license, or
 - (ii) in information produced to the *Director*,
 - (e) refuses to produce to the *Director* any information required pursuant to this Bylaw,
 - (f) is not, in the opinion of the *Director*, a fit or proper person to hold a license.
(72M2021, 2022 January 01)
- (3) Every applicant for renewal of a license issued under this Bylaw shall apply to the *Director* in accordance with this Bylaw and not less than sixty (60) days prior to the expiration of the existing license.
(72M2021, 2022 January 01)

COMPLAINTS

10. (1) Any person, including any member or employee of the Calgary Police Service, may make a complaint in writing to the *Director*, respecting the carrying on of the business or providing of the services licensed under this Bylaw.
(72M2021, 2022 January 01)
- (2) Upon receipt of a complaint in writing, the *Director* shall have the complaint investigated. Where it is determined the complaint may be well founded, the nature of the complaint and reasonable notice of a hearing conducted by the *Director* shall be given to the person whose license or right to a license may be affected.
(72M2021, 2022 January 01)
- (3) After extending to the licensee the opportunity to be heard and to be represented by counsel, the *Director* may suspend or revoke the license where the *Director* is satisfied on reasonable grounds that:
(72M2021, 2022 January 01)
- (a) the licensee has abused or exceeded his authority or has improperly conducted himself in the execution of his employment or business as defined in this Bylaw,
 - (b) the licensee is in breach of any term or condition of this Bylaw,
 - (c) it is in the public interest to do so, or
 - (d) the character, conduct or state of health of the licensee is such that he is not a fit person, in the opinion of the *Director*, to hold a license.
(72M2021, 2022 January 01)
- (4) Where the *Director* receives a complaint in respect of the carrying on of any business or service licensed under this Bylaw, he may require the person carrying on the business or service to furnish him with information in respect of the matter complained of.

(72M2021, 2022 January 01)

- (5) The *Director*, on his own motion, may investigate or cause to be investigated the activities of any licensee that are related to this Bylaw and may suspend or revoke a license for any reason as set out in this Bylaw.

(72M2021, 2022 January 01)

APPEAL FROM SUSPENSION, CANCELLATION OR REFUSAL

11. (1) Where the *Director* refuses to issue or renew a license, or has suspended or proposes to suspend or cancel an existing license under this Bylaw, he shall forthwith inform the applicant or licensee by registered mail of his decision and reasons therefore. The applicant or licensee shall be informed in writing that he may within thirty (30) days after the decision, submit a request in writing to the City Clerk requesting an appeal of the *Director's* decision.

(72M2021, 2022 January 01)

- (2) The *Director* may, by notice in writing served on a licensee and without a hearing, provisionally refuse to renew or suspend or revoke his license where in the opinion of the *Director* it is necessary to do so for the immediate protection of the public and the *Director* so states in such notice giving his reasons therefore.

(72M2021, 2022 January 01)

- (3) Notification of a decision of the *Director* under Subsections (1) and (2) may be sent to a person who is not a licensee by registered mail to the last known address of the person.

(72M2021, 2022 January 01)

- (4) The Licence and Community Standards Appeal Board shall hear an appeal by way of a new hearing to determine whether the license should be issued, renewed, suspended or revoked and may, after the hearing, confirm, vary or alter the decision of the *Director* or direct the *Director* to do any act he is authorized to do under this Bylaw and as the Board considers proper and, for such purpose, the Board may substitute its opinion for that of the *Director*.

(50M2011, 2011 September 19)

(72M2021, 2022 January 01)

- (5) The *Director*, the appellant and such other persons having a direct and immediate interest in the outcome of the appeal as are recognized by the Board are parties to any proceedings before the Board.

(72M2021, 2022 January 01)

- 11.1 (1) Where the *Director* has suspended, revoked, or cancelled an existing *licence* under this Bylaw, then, unless such suspension, revocation or cancellation is overturned in whole by the *Licence and Community Standards Appeal Board*, the *licencee* shall, as a condition of any reinstatement or renewal of the *licence*, including any reinstatement on the conclusion of a suspension for a fixed term, and before receiving a *licence* if the *Licencee* applies for a new *licence*, pay a reinstatement fee as follows:

<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
\$1,363	\$1,363	\$1,363	\$1,363

(40M2005, 2005 July 25)
 (50M2011, 2011 September 19)
 (70M2011, 2012 January 01)
 (71M2011, 2013 January 01)
 (72M2011, 2014 January 01)
 (56M2014, 2015 January 01)
 (43M2016, 2017 January 01)
 (51M2018, 2019 January 01)
 (72M2021, 2022 January 01)
 (40M2022, 2023 January 01)

- (2) Notwithstanding subsection (1), where the *licence* was suspended or revoked by the *Director* pursuant to subsection 10(5) of this Bylaw, the reinstatement fee shall be as follows:

<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
\$409	\$409	\$409	\$409

(40M2005, 2005 July 25)
 (70M2011, 2012 January 01)
 (71M2011, 2013 January 01)
 (72M2011, 2014 January 01)
 (56M2014, 2015 January 01)
 (43M2016, 2017 January 01)
 (51M2018, 2019 January 01)
 (72M2021, 2022 January 01)
 (40M2022, 2023 January 01)

- (3) A reinstatement fee is not refundable.

(40M2005, 2005 July 25)

DISPLAY OF LICENSE

12. (1) The holder of an alarm agency license or security consulting agency license issued under this Bylaw shall display his license in a conspicuous position in the principal office of the agency and copies thereof in all branch offices or places in

the City where he is engaged or carries on the business in respect of which the license is issued.

- (2) Each person in charge of or employed in an office or place of business of an alarm agency or security consulting agency licensed under this Bylaw, other than in the principal office or place of business, shall upon the request of any person, inform that person of the address or location of the office or place of business in the City in which the license is displayed.
- (3) The license of agents shall be filed in the office of the agency which engages or employs them. The identification data card accompanying the agent's license must be issued to the agent forthwith upon receipt by the agency.

RECORDS

13. The holder of an alarm agency or security consulting agency license issued under this Bylaw, or his designate, shall keep complete records of the names and addresses of all agents acting for or employed by the holder in the carrying on of the business in respect of which the agency license is held, and shall retain these records for a minimum of five (5) years and shall produce these records for inspection at any time on the request of the *Director*, or his designate, during regular business hours.

(72M2021, 2022 January 01)

CONFIDENTIAL INFORMATION

14. (1) Except as legally authorized or required, a person who holds or has held a license under this Bylaw shall not divulge to anyone other than a client, any other person with the consent of the client, or employees of the agency, any information acquired by him in the course of the business or employment in respect of which the license is or was held.
- (2) No person engaged in the administration of this Bylaw shall disclose or be compelled to disclose any information or record respecting the licensee or any applicant for a license except:
 - (a) where disclosure is necessary in the administration of this Bylaw.
 - (b) in court proceedings,
 - (c) in proceedings in a hearing before the *Director* or the Licence and Community Standards Appeal Board, or
 - (d) as required by law.
- (3) No person employed by an alarm agency or security consulting agency in a capacity other than as an agent shall divulge information acquired by him in the course of his employment other than to his employer or otherwise as required by law.

(50M2011, 2011 September 19)
(72M2021, 2022 January 01)

IDENTIFICATION

15. (1) No person shall have in his possession or display any badge, shield, card or other object purporting to indicate that he is licensed under this Bylaw except the prescribed identification card issued to him under this Bylaw.
- (2) Any document issued under this Bylaw purporting to be signed by the *Director*, or any certified copy thereof, is receivable in evidence in any action, prosecution or other proceedings as proof that the document is signed by the *Director* without proof of the office or signature of the Inspector.
- (72M2021, 2022 January 01)
- (3) Every agent shall, while engaged in the business or employment in respect of which the license is held, carry on his person the prescribed identification card issued to him under this Bylaw and shall produce it for the inspection of any person upon request. No person shall carry or display any evidence of authority except the license or identification card issued to him under this Bylaw and a business card containing no reference to licensing under this Bylaw.

PROOF OF BEING LICENSED

16. (1) A document purporting to be signed by the *Director* and to the effect that the person named therein did or did not at any time or during any given period hold a license as
- (a) an alarm agency,
 - (b) an alarm agent,
 - (c) a security consulting agency, or
 - (d) a security consultant
- (72M2021, 2022 January 01)

shall be admitted in evidence as proof of the facts stated therein, without proof of the signature or appointment of the person signing the document.

- (2) A statement in a letter, advertisement, card or other document or paper to the effect that a person is engaged in any of the services or businesses licensed under this Bylaw is admissible in evidence as proof that he is so engaged or acting, as the case may be.

REPORTING

17. (1) A person holding an agency license shall within fourteen (14) days of the occurrence report to the *Director*:
- (a) changes of his business address,
 - (b) changes in ownership or management of the agency,

- (c) every charge laid against him for a criminal offence,
- (d) his every conviction for a criminal offence, or
- (e) every charge or conviction known to him of a person employed in connection with his agency.

(72M2021, 2022 January 01)

- (2) A person holding an agent's license shall within fourteen (14) days of the occurrence report to the *Director*:

- (a) every charge laid against him for an indictable offence, and
- (b) his every conviction for a criminal offence.

(72M2021, 2022 January 01)

LICENSE FEES

- 18. (1) The fees, including renewal fees, payable for licenses under this Bylaw shall be set out in Schedule "A" which is declared to be a part of this Bylaw.

- (1.1) The *Director* is not required to consider any application of a licence or renewal of a licence unless and until the fees, including any fees for inspections or consultations required by this or any other bylaw or provincial regulation, have been paid by the applicant.

(40M2003, 2004 April 01)
(72M2021, 2022 January 01)

- (1.2) Fees paid by an applicant to The City as part of the application or renewal process are not refundable regardless of whether the application is refused or the licence is suspended or revoked.

(40M2003, 2004 April 01)

- (2) Where a person who holds an agency license dies, the *Director* may, without payment of a fee, grant a temporary license to a properly designated person and in such case, all employees of the deceased person who hold a license under this Bylaw shall be deemed to be licensed as employees of the designated person.

(72M2021, 2022 January 01)

EXEMPTION FROM BYLAW

- 19. This Bylaw, except the provisions regarding alarm system permits and false alarms contained in sections 25 to 25.16 and section 26.1, does not apply to:

- (a) members of a recognized police service while acting within the authority of their police appointments;
- (b) barristers and solicitors in the regular practice of their profession;
- (c) insurance adjustment agencies, insurance companies or the Insurance Crime Prevention Bureau while engaged in the usual course of their business or their

employees or agents while acting in the usual and regular scope of their employment;

- (d) a person who installs an alarm system in his private residence;
- (e) person who is not in the employ of an alarm agency and who acts as an operator to receive a signal from an alarm system where such service is provided without remuneration;
- (f) collection agencies and collectors registered under the Collection Practices Act in the usual and regular scope of their employment;
- (g) private investigators, security guards, security consultants or alarm agents who are permanently employed by one employer in the business or undertaking other than a business licensed under this Bylaw and whose work is confined to the affairs of that employer; or
- (h) where a person
 - (i) resides outside the City and is a *bona fide* employee there, by or on behalf of an employer or client who resides outside the City to make an investigation or inquiry partly outside the City and partly in the City, and
 - (ii) temporarily comes into the City solely for the purpose of that investigation or inquiry. Nothing in this section requires that person or his employer to be the holder of a license under this Bylaw so long as the work of that person within the City is confined to the making of the investigation or any inquiry for which he was so employed outside the City.

(60M2016, 2017 January 01)

INSURANCE

20. DELETED BY 66M95, 1995 NOVEMBER 13.

IDENTIFICATION DATA CARDS

21. The holder of an agent's license under this Bylaw shall be issued with an identification data card by the *Director* bearing the photograph, name, and signature of the holder, name of the agency with whom the agent is employed or engaged, the expiry date, and shall be signed by the *Director* or bear the mechanically reproduced signature of the *Director*.

(72M2021, 2022 January 01)

ADVERTISING

22. Where a complaint is made in writing to the *Director*, supported by documented evidence, of any agent or agency making false, misleading or deceptive statements in any advertisement, telephone directory listing, circular, pamphlet, or similar material, the *Director* may:

- (1) require evidence to support the advertising claims; or

- (2) order the immediate cessation of the use of such advertising material; or
- (3) where the evidence discloses that such statements are false, misleading or deceptive, levy a fine as being in contravention of this Bylaw; or
- (4) revoke the license of the agency; or
- (5) do any or all of the above.

(72M2021, 2022 January 01)

SURRENDER OF LICENSES

23. (1) Where a license under this Bylaw is suspended, cancelled or terminated, or where the licensee ceases to be employed by an agency, the license or licenses shall be returned by the agency operator forthwith to the *Director* together with the identification card or cards issued.

(72M2021, 2022 January 01)

- (2) When a license for an agent has been cancelled due to termination of employment with the agency for whom the license has been issued, it cannot be reactivated except through a new application and payment of the prescribed fee.
- (3) Where a license under this Bylaw has been suspended, cancelled, terminated or revoked the licensee shall return such license to the *Director* or surrender such license on demand to a peace officer and in no case shall a refund of any license fee be issued.

(72M2021, 2022 January 01)

RECORDS

24. In addition to the requirements set out in the Bylaw, the holder of an agency license shall keep complete records of the name and address of each agent acting for or employed by the holder of such agency license and record the exact date that employment or engagement commenced and terminated.

ALARM PERMITS

25. A person must not use an alarm system at a premises unless there is a valid and subsisting alarm system permit issued for each alarm system at that premises.

(60M2016, 2017 January 01)

APPLICATION FOR AN ALARM PERMIT

- 25.1 (1) An applicant for an alarm system permit must make application to the Chief of Police on a form supplied by the Chief of Police furnishing such information as the Chief of Police may require.
- (2) A permittee must provide such additional information as the Chief of Police may request from time to time.

(60M2016, 2017 January 01)

ISSUANCE OF ALARM PERMITS

- 25.2 (1) The Chief of Police is authorized to issue alarm system permits.
- (2) An alarm system permit is not valid unless it includes:
- (a) the personal signature of the Chief of Police; or
 - (b) the mechanically reproduced signature of the Chief of Police.
- (3) An alarm system permit must be issued in the names of the person or persons who occupy the premises where the alarm system is installed.
- (60M2016, 2017 January 01)

TRANSFER OF ALARM PERMITS

- 25.3 An alarm system permit cannot be transferred or assigned.
- (60M2016, 2017 January 01)

TERM OF ALARM PERMIT

- 25.4 (1) An alarm system permit is issued for a term set by the Chief of Police with the approval of the Calgary Police Commission.
- (2) An alarm system permit commences on the date designated by the Chief of Police.
- (3) An alarm system permit is valid until the date specified on the permit, unless earlier suspended or revoked by the Chief of Police pursuant to section 25.6.
- (60M2016, 2017 January 01)

ALARM PERMIT FEE

- 25.5 The fee payable for an alarm system permit shall be set by the Chief of Police with the approval of the Calgary Police Commission.
- (60M2016, 2017 January 01)

REFUSAL, SUSPENSION AND REVOCATION OF ALARM PERMITS

- 25.6 The Chief of Police may refuse to issue or may suspend or revoke any alarm system permit if:
- (a) the application for the permit fails to provide all information required by the Chief of Police pursuant to section 25.1;
 - (b) where the alarm system is administered by an alarm agency, the alarm agency is not licenced pursuant to this Bylaw;
 - (c) the permittee has contravened any provision of this Bylaw; or

- (d) the alarm system for which the permit is issued generates excessive false alarms, as set out in section 25.15.

(60M2016, 2017 January 01)

NOTICE OF REFUSAL, SUSPENSION OR REVOCATION

25.7 If the Chief of Police:

- (a) refuses to issue an alarm system permit to any person; or
- (b) suspends or revokes the alarm system permit held by any person;

the Chief of Police must notify such person of the refusal, suspension or revocation by causing a notice in writing to be sent by regular mail or email to that person at the address or email address set out on the application for the permit or the permit.

(60M2016, 2017 January 01)

APPEAL OF REFUSAL, SUSPENSION OR REVOCATION

- 25.8 (1) A person who has been refused an alarm system permit or whose alarm system permit has been suspended or revoked may, within 30 days of the date of the written notice of decision of the refusal, suspension or revocation, appeal the refusal, suspension or revocation to the Licence and Community Standards Appeal Board by notifying the City Clerk in writing of his or her intention to appeal and the provisions of the Licence and Community Standards Appeal Bylaw, as amended, shall apply, as the circumstances require, to the appeal.
- (2) When a suspension or revocation is appealed in accordance with subsection (1), the suspension or revocation shall be automatically stayed until the next sitting of the Licence and Community Standards Appeal Board.
- (3) If the appeal is not determined at the next sitting of the Licence and Community Standards Appeal Board, the Board may order that the stay of the suspension or revocation continue in place for a further period of time.

(60M2016, 2017 January 01)

REGISTRATION OF ALARM AGENCIES

25.9 Any alarm agency that installs or monitors, or both, alarm systems within the City of Calgary must register with the Calgary Police Service by using a form prescribed by the Chief of Police.

(60M2016, 2017 January 01)

ALARM SYSTEMS

- 25.10 (1) The Chief of Police may prescribe minimum standards for the installation and maintenance of all alarm systems installed in the City.
- (2) A person must not install, maintain or use an alarm system which does not meet all of the standards prescribed by the Chief of Police.

- (3) Notwithstanding the provisions of subsections (1) or (2) every alarm system installed within the City of Calgary shall be listed by or approved by a testing authority authorized by the Standards Council of Canada.

(60M2016, 2017 January 01)

NOTICE OF CONTACT PERSONS

- 25.11 (1) Every person maintaining an alarm system shall keep the Chief of Police informed, by notice in writing, of the names and telephone numbers of:
- (a) at least two individuals who do not reside at the premises at which the alarm system is installed; or
 - (b) an alarm agency or other person that is in the business of providing security services and responding to alarms;

who may be contacted in the event that the alarm system is activated.

- (2) The persons to be contacted pursuant to subsection (1):
- (a) must be available to receive telephone calls made in respect of the alarm system;
 - (b) must be capable of affording access to the premises where the alarm system is located; and
 - (c) must attend at the premises where the alarm system is located within 30 minutes of being requested to do so by a member of the Calgary Police Service.

(60M2016, 2017 January 01)

AUDIBLE ALARMS

- 25.12 (1) Every person maintaining an audible alarm must keep posted a notice in a form approved by the Chief of Police containing such information as the Chief of Police may from time to time require.
- (2) Such notice shall be posted near the audible alarm in such a position as to be legible from the ground level adjacent to the premises where the audible alarm is located.
- (3) A person must not install, maintain or use an audible alarm that sounds continually for a period of greater than 15 minutes after any activation.

(60M2016, 2017 January 01)

MONITORED ALARMS

- 25.13 (1) When a person monitoring a monitored alarm receives an alarm from such system such person must, before informing any member of the Calgary Police Service that the monitored alarm has been activated, attempt to contact either:

- (a) both individuals referred to in section 25.11(1)(a); or
 - (b) the person referred to in section 25.11(1)(b).
- (2) Subsection (1) does not apply to a monitored alarm installed in a bank, trust company, credit union or other financial institution.
- (3) A person must not inform any member of the Calgary Police Service that a monitored alarm has been activated unless a valid and subsisting alarm system permit exists in respect of that alarm system.
- (4) A person who monitors a monitored alarm and who informs any member of the Calgary Police Service that the monitored alarm has been activated must:
- (a) at the same time inform such member of the Calgary Police Service of:
 - (i) the alarm system permit number for such system; and
 - (ii) where the person monitoring the monitored alarm is an agent, the registration number of the alarm agency;
 - (b) cause a person capable of affording access to the premises where the monitored alarm system is located to attend at such premises within 30 minutes of so informing such member of the Calgary Police Service of the activation.
- (5) An agency must not inform any member of the Calgary Police Service that a monitored alarm system has been activated unless such agency is licensed pursuant to this Bylaw and has registered with the Calgary Police Service pursuant to section 25.9.
- (6) A person must not notify the Calgary Police Service concerning the activation of any alarm by a monitored alarm system within 14 days of:
- (a) the installation of a new monitored alarm system; or
 - (b) changes to an existing monitored alarm system;

unless the alarms generated by that system are confirmed to be valid alarms by a person who attends at the location of the alarm prior to the Calgary Police Service being requested to attend at the premises where the alarm has been activated.

(60M2016, 2017 January 01)

AUTOMATIC CALLING DEVICES

25.14 A person must not provide, use, maintain or install or permit the use, maintenance or installation of any automatic calling device which is programmed to access any phone number assigned to the Calgary Police Service and includes the emergency telephone number "9-1-1".

(60M2016, 2017 January 01)

EXCESSIVE FALSE ALARMS

- 25.15 (1) For the purpose of this Bylaw, “excessive false alarms” means 3 or more false alarms in any 12 month period.
- (2) The following shall not be included when computing the number of false alarms which have occurred for the purposes of subsection (1) and when determining whether a false alarm penalty is payable pursuant to section 26.1:
- (a) any false alarm which the permittee can demonstrate was caused by a storm, lightning, earthquake or other violent act of nature; or
 - (b) any false alarm which the permittee can demonstrate was actually caused by the act of some person other than:
 - (i) the permittee including the permittee’s officers, agents, employees, independent contractors or any other person subject to the direct or indirect control of the permittee;
 - (ii) the person who installed, connected, operated, maintained or serviced the alarm system; or
 - (iii) the manufacturer of the alarm system, including the manufacturer’s officers, agents, employees, independent contractors or any person subject to the direct or indirect control of the manufacturer.
- (3) Despite the provisions of subsection (1) in the event that an alarm system permit is suspended or revoked, any false alarm which occurred prior to the suspension or revocation shall not be included when determining whether the alarm system activates excessive false alarms in a subsequent proceeding taken pursuant to subsection 25.6(d).

(60M2016, 2017 January 01)

INSPECTION

- 25.16 (1) Where an alarm system activates excessive false alarms the Chief of Police may, by notice in writing, require the permittee to have the alarm system inspected by a person knowledgeable in the installation and use of alarm systems.
- (2) Within 30 days of issuance of the notice referred to in subsection (1) a permittee shall provide the Chief of Police with a report in writing, in the form prescribed by the Chief of Police, verifying that the inspection has been carried out and indicating the results of the inspection.
- (3) If the report referred to in subsection (2) indicates, in any way, that the alarm system is malfunctioning due to a fault or deficiency in the alarm system, the permittee shall forthwith remedy such fault or deficiency.
- (4) If the permittee fails to provide a satisfactory inspection report as required by this

section the Chief of Police may suspend or revoke the alarm system permit.
(60M2016, 2017 January 01)

OFFENCES AND PENALTIES

26. (1) Any person who contravenes any provision of this Bylaw by:
- (a) doing any act or thing which the person is prohibited from doing; or
 - (b) failing to do any act or thing the person is required to do is guilty of an offence and liable on summary conviction to a fine of not less than THREE HUNDRED (\$300.00) DOLLARS but not more than TEN THOUSAND (\$10,000.00) DOLLARS and in default of payment to imprisonment for a term not exceeding one (1) year or both.
(40M2005, 2005 July 25)
- (2) A person who contravenes a provision of Section 25(2)(d) is not guilty of an offence in respect of such contravention.
(5M99, 1999 June 01)
(40M2005, 2005 July 25)

FALSE ALARM PENALTY

- 26.1 (1) There is hereby imposed a false alarm penalty as set out in Schedule "B" payable by an agency to the Calgary Police Service for each false alarm communicated to the Calgary Police Service by the agency in any 12 month period.
- (2) Where the Calgary Police Service is requested to attend at a premises as a result of the activation of an alarm system, and it is determined, with reference to sections 2(1)(l) and 25.15(2), that the alarm signal was a false alarm and that a false alarm penalty is payable, the Chief of Police may send a notice in writing or by email to the agency notifying it of the penalty.
- (3) An agency must pay the false alarm penalty imposed within 6 weeks after the date of the written notification.
- (4) Where an agency receives a written notice of the imposition of a false alarm penalty prepared and delivered pursuant to subsection (2), the agency may, within 6 weeks of the date of the issuance of the notice, apply for a review of the determination that a false alarm penalty is payable by notifying the Calgary Police Service, in writing, of the agency's application for review, and by delivering the notification to the Calgary Police Service in accordance with the instructions contained within the false alarm penalty notice prepared and delivered to the agency pursuant to subsection (2).
- (5) Where the Calgary Police Service receives a written notification for review delivered pursuant to subsection (4), the Chief of Police must, within 45 days, review the determination that a false alarm penalty is payable, having regard to all the circumstances made known to the Chief of Police which are relevant to the subject alarm activation, and having regard to the provisions of sections 2(1)(l) and 25.15(2).

- (6) When a review is proceeding pursuant to subsection (5), the imposition of the false alarm penalty shall be automatically stayed until such time as the review is completed.
- (7) Upon completion of a review pursuant to subsection (5), the Chief of Police shall notify the agency of the result of the review by causing a notice in writing to be sent by regular mail or by email to the agency at its last known address.
- (8) Where the result of a review commenced pursuant to subsection (5) is the confirmation of the imposition of the false alarm penalty, the agency must pay the penalty within 30 days after the date of the notification sent to the agency pursuant to subsection (7).

(60M2016, 2017 March 01)

COMING INTO FORCE

- 27. This Bylaw shall come into force and effect upon receiving third reading and being passed by the Municipal Council of The City of Calgary.

REPEAL

- 28. Bylaw Number 40M81 is hereby repealed.

READ A FIRST TIME THIS 24TH DAY OF APRIL, 1995.

READ A SECOND TIME, AS AMENDED, THIS 24TH DAY OF APRIL, 1995.

READ A THIRD TIME, AS AMENDED, THIS 24TH DAY OF APRIL, 1995.

(Sgd.) A. Duerr
MAYOR

(Sgd.) D. Garner
CITY CLERK

SCHEDULE "A"

Licence Fees

<u>Licence</u>	<u>New Application Fee</u>				<u>Renewal Fee</u>			
	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Alarm Agency	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
Security Consulting Agency	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
Alarm Agents	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131
Security Consultant	\$172	\$172	\$172	\$172	\$131	\$131	\$131	\$131

(34M97, 1997 September 22)
 (50M2005, 2006 January 01)
 (60M2005, 2007 January 01)
 (61M2005, 2008 January 01)
 (57M2008, 2009 January 01)
 (58M2008, 2010 January 01)
 (59M2008, 2011 January 01)
 (70M2011, 2012 January 01)
 (71M2011, 2013 January 01)
 (72M2011, 2014 January 01)
 (56M2014, 2015 January 01)
 (43M2016, 2017 January 01)
 (51M2018, 2019 January 01)
 (36M2019, 2020 January 01)
 (40M2022, 2023 January 01)

SCHEDULE "B"

FALSE ALARM PENALTY

<u>Number of False Alarms</u> (in a 12 month period)	<u>Penalty</u>
1	\$0
2	\$75
3	\$150
4	\$225
5	\$300
6	\$375
7	\$450
8	\$525
9	\$600
10 or more	\$675

(60M2016, 2017 March 01)