



BY- LAW NUMBER 01-2025

A BY-LAW TO CONTROL THE INCIDENCE OF FALSE ALARMS WITHIN
THE CITY OF WINDSOR

Passed the 16TH DAY OF JANUARY 2025

1. PREAMBLE

1.1 WHEREAS Part IV of the *Community Safety and Policing Act, 2019*, S.O. 2019, c. 1, Sched. 1 provides that a municipal board is to have policing responsibility for the municipality;

1.2 AND WHEREAS Section 37 (1) of the Act, provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the Act;

1.3 AND WHEREAS a Police Service Board may by by-law enact certain regulations and policies for rendering the police service operationally efficient in the discharge of its duties;

1.4 AND WHEREAS the Windsor Police Service Board (Board) may pass by-laws establishing and requiring the payment of fees and charges for information, services, and other activities;

1.5 AND WHEREAS Section 397 of the *Municipal Act, 2001* sets out that the by-law shall not come into force until approved by a resolution of the municipality;

1.6 AND WHEREAS the Windsor Police Service Board enacted a Fees and Charges By-Law 06-01 as amended by By-law 2010-01;

1.4 AND WHEREAS the use of automatic alarm systems in the City of Windsor has caused numerous false alarms to be directed to the Windsor Police Service;

1.5 AND WHEREAS the Police Service Board deems it expedient to pass such a by-law to control the incidence of false alarms within the City of Windsor.

NOW THEREFORE THE WINDSOR POLICE SERVICE BOARD ENACTS AS FOLLOWS:

2. DEFINITIONS

For the purposes of this By-law:

2.1 "Alarm Company" means a person or entity selling, installing, maintaining, servicing or monitoring a security alarm system.

2.2 "Alarm User" means any person or group of persons who use an alarm system to protect any building, structure, facility or premises, or ATM and may be either the owner, occupier, or lessee of the premises where the alarm system is installed.

2.3 "Keyholder" means an individual designated by the alarm user who can be contacted in the event of an alarm condition. This individual must have access to the alarmed premises and be able to operate the alarm system.

2.4 "Chief of Police" means the Chief of Police of the Windsor Police Service.

2.5 "Alarm Coordinator" means the person appointed by the Chief of Police to administer the provisions of the by-law.

2.6 "Police Service" means the Windsor Police Service.

2.7 "Police Response" means the dispatch of officers of the Windsor Police Service.

2.8 "Automatic Teller Machine" (ATM) means a stand-alone device used to dispense or receive cash.

2.9 "Alarm Incident" means the activation of a security alarm system and the direct or indirect reporting of the activation to the Windsor Police Service.

2.10 "False Alarm" means an alarm incident where there is no evidence of an unauthorized entry or an unlawful act having been attempted or made into, on or respecting a building, structure, or premise, or Automatic Teller Machine, either intentionally or unintentionally that unnecessarily or improperly results in a police response, and includes but is not limited to:

1. The activation of a security alarm system during its testing.
2. A security alarm system activated by mechanical failure, malfunction, or faulty equipment.
3. A security alarm system activated by atmospheric conditions, vibrations, or power failure.
4. A security alarm system activated in error by the owner of the premises, his agent or any employee.

2.4 "Excessive False Alarms" means the reporting to the Windsor Police Service directly or indirectly four (4) or more false alarms within a 12-month period.

2.5 "Security Alarm System: means an assembly of mechanical or electrical devices which is designed or used for:

1. The detection of entry into or damage to a building, structure or premises, but does not include a device that is installed in a "motor vehicle" as defined in the *Highway Traffic Act of Ontario*, or a personal security alarm.
2. The transmission of a manually activated emergency signal to an alarm company.

2.6 "Monitored Alarm System" means a security alarm system that when activated transmits a sound signal or message to an alarm company.

2.7 "Non-Monitored Alarm System" means a security alarm system that when activated does not transmit a sound or signal to an alarm company.

2.8 "Audible Alarm System" means a security alarm system that when activated emits sound in or around the building, structure or premises where it is located and is not a monitored alarm system.

2.9 "Personal Security Alarm" means a handheld portable non-monitored device that when activated emits an audible sound or signal.

2.10 "Alarm System Inspection Report" means a report on the operating condition of a security alarm system and completed by an approved alarm service technician.

2.11 "Verification" means that the alarm company shall, by way of telephone or other electronic means, contact the alarm user to determine whether a police response is warranted to the registered premises, prior to the alarm call being transmitted to the Windsor Police Service for response.

2.12 "Revoked Alarm System" means a security alarm system that has had police response downgraded to a non-emergency priority.

2.13 "Suspended Alarm System" means a security alarm system where the Chief of Police has refused a police response to an alarm incident.

3. ALARM COORDINATOR

3.1 An Alarm Coordinator shall be appointed by the Chief of Police to administer the provisions of the by-law.

4. REGISTRATION PROCEDURES

4.1 No person shall use a security system without first registering said system pursuant to this by-law.

4.2 A person seeking to use a security alarm system shall make application on the form provided for that purpose by the Chief of Police and shall pay the fee set out in Schedule "A" and shall provide any additional information as requested by the Chief of Police.

4.3 The applicant shall ensure that information required by subsections 4 (4.2) and 9 (9.1) is current and shall notify the Windsor Police Service forthwith in writing or by ordinary mail or email of any changes in the information.

4.4 After considering an application pursuant to subsection 4, the Chief of Police may grant a registration number authorizing use of a security alarm system if the system complies with this by-law.

4.5 An alarm registration number that has been granted shall be issued in the name of the person or entity occupying the premise in which the security alarm system is installed.

4.6 An alarm registration number shall not be reassigned or transferred.

4.7 An alarm registration number shall be address and/or unit specific.

4.8 An alarm registration number shall be valid for one year after its date of issuance unless revoked or suspended pursuant to this by-law.

5. ATM

5.1 All ATMs must be registered separately from any other alarm system at that specific address.

6. REFUSAL

6.1 The Chief of Police shall refuse to issue an alarm re-registration if an alarm registration number relating to the security alarm system has been cancelled pursuant to section 7 and has not been reinstated pursuant to this by-law

6.2 As an exception to 6.1, the Chief of Police may issue a registration number if that applicant is unrelated to the holder of the cancelled permit.

7. REVOCATION

7.1 The Chief of Police may revoke an alarm registration number if:

7.1.1 The security alarm system has incurred a 4th subsequent false alarm during the registration period and the alarm user has not remitted the alarm administrative fee as per schedule "A" within the prescribed time period as per schedule "B"

8. SUSPENSION

8.1 The Chief of Police may suspend an alarm registration number if:

8.1.1 the security alarm system is currently revoked and the alarm user has not remitted the alarm administrative fee as per schedule "A" within the prescribed time period as per schedule "B".

8.1.2 the security alarm system causes excessive false alarms.

8.1.3 the registered user has contravened a provision of the by-law.

8.2 Where the Police Service is notified of an alarm incident and no alarm registration for the security alarm system has been issued pursuant to this by-law, and a police response has taken place, the alarm system shall be deemed as suspended if the registration and administrative fee as per schedule "A" has not been remitted as per schedule "B".

8.3 Where the Windsor Police Service is notified of an alarm incident and the security alarm system has been suspended, the Chief of Police may refuse to provide police response to said alarm incident. If an alarm company notifies the Windsor Police Service of an alarm incident and the security alarm system has been suspended, the alarm company is subject to the alarm administrative fee as per schedule "A".

8.4 Where the Chief of Police suspends an alarm registration, the alarm registration holder shall be notified of the suspension and shall be given the reason for the action taken. The notice shall be in writing and shall:

8.4.1 be delivered to the registration number holder by email or be mailed to the registration number holder at such person's address as shown on the application for the registration number.

8.4.2 when a monitored alarm system is involved, a copy of the notice shall be delivered by ordinary mail or by email to the company or person monitoring the security alarm system.

8.5 An alarm that has been suspended may, upon payment of the fee set out in schedule "A", be reinstated by the Chief of Police who may impose conditions on the reinstatement. The registration shall not in any event be reinstated until submission of an alarm system inspection report.

9. KEYHOLDERS

9.1 Every person who obtains an alarm registration number shall keep the Chief of Police informed by notice in writing of the names, addresses and telephone numbers of at least three (3) person who may be contacted in the event of an alarm incident.

9.2 The persons whose names are provided pursuant to 9.1 shall be persons who are:

- (a) available to receive telephone calls from the Windsor Police Service in the event of an alarm incident.

- (b) able to attend at the address of the alarm incident within 30 minutes of being requested to do so by the Windsor Police Service.

- (c) capable of affording the Windsor Police Service access to the premises where the alarm incident is located.

- (d) capable of operating the alarm system and able to safeguard the premises.

10. AUTOMATIC CALLING DEVICE

10.1 No person shall use or operate or permit the use or operation of any automatic calling device to transmit messages to any telephone number assigned to the Police Service.

11. ALARM VERIFICATION

11.1 Before notifying the Windsor Police Service of an alarm incident originating from a monitored alarm system, the alarm company shall verify with the registered alarm user by phone or other electronic means to establish if the incident is a false alarm.

11.2 Where an alarm incident is reported to the Windsor Police Service by an alarm company, the company shall at the same time, provide the Windsor Police

SeNice with the registration number for the alarm system that was activated by the incident.

11.3 Subsection 11.1 does not apply to hold up alarms or a security alarm system installed in a bank, trust company, credit union, or any other place designated by the Chief of Police.

11.4 An alarm incident shall be deemed as cancelled and will not be classified as a false alarm when:

11.4.1 the call to cancel is received prior to the arrival of a mobile response unit at the alarmed address

11.4.2 the alarm is registered.

12. GENERAL

12.1 The Chief of Police may at any time, require a registered alarm user to submit an alarm inspection report.

12.2 Schedule "A" is attached to, and forms part of this by-law.

12.3 Schedule "B" is attached to and forms part of this by-law.

12.4 Every person who:

12.4.1 violates any provision of this by-law;

12.4.2 permits any act or thing to be done in contravention or in violation of any of the provision of this by-law;

12.4.3 neglects to do or refrains from doing anything required to be done by any of the provision of this by-law;

12.4.4 fails to comply with any order, direction, or notice given under this by-law;

Is subject to revocation and/or suspension of their alarm registration.

12.5 Administration of this by-law is the sole responsibility of the Chief of Police.

13. ENACTMENT

13.1 By-law No. 94-01 as amended, and all other By-laws, sections of By-laws of the Board inconsistent with the provisions of this By-law are hereby repealed. This By-law shall come into force when approved by resolution by the Council of The Corporation of the City of Windsor.

First Reading: January 16, 2025

Second Reading: January 16, 2025

Third Reading: January 16, 2025

By-law 01-2025 was approved by CR 61/2025 on the 10th day of February 2025
by The Corporation of the City of Windsor.



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APPENDIX "A"

AGREEMENT OF UNDERSTANDING

Alarm Companies

1. It will be the responsibility of the alarm company to be fully aware of the Windsor Police Service False Alarm Reduction By-law and to conform with it.
2. Alarm companies will provide up-to-date, accurate information to the Windsor Police Service through the Alarm Coordinator on any pertinent changes to their company and/or customers.
3. It is the responsibility of the alarm company to ensure their customers are properly educated in the use of the alarm system and verification procedures required by the Windsor Police Service.
4. Alarm companies are responsible for up-to-date, accurate keyholder files for each of the monitored alarm premises they service.
5. Alarm companies will provide all new customers (both monitored and non-monitored systems) with the approved alarm registration form.
6. Alarm companies installing local alarm systems (both monitored and non-monitored systems) will assist their customers in forwarding keyholder information to the Windsor Police Service.
7. The alarm company will provide the alarm registration number and the name of the keyholder contact to the Windsor Police Service when calling in the alarm.
8. The alarm company will verify all alarm incidents prior to contacting the Windsor Police Service. Exception: hold up alarms, financial institutions, as stated in Section 11 (11.3).

Alarm Users

1. Alarm users are responsible for their alarm activity.
2. It is the user's responsibility to ensure all persons are properly trained in both the use of the system and the requirements.
3. It is the responsibility of the user to ensure that an up-to-date, accurate list of keyholders is supplied to the alarm monitoring company.
4. The user must understand that the keyholders have a responsibility to attend at an alarm scene if requested to do so by the alarm company or the Windsor Police Service. Their response to the call must be as soon as the call is received.

5. To the extent that each alarm system allows, the keyholder must assist the responding officers in determining the origin of an alarm signal and its cause.
6. The keyholder must be able to provide officers access to the premises, be able to deactivate the alarm system, and secure the premises upon police departure.
7. Persons installing their own alarm system must advise the Windsor Police Service. This shall be achieved through the approved registration form.



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SCHEDULE "A"

FEES

The following fees shall be paid at the time of application:

1. Alarm Registration

There shall be a \$36.00 per year registration fee. In the case of The Greater Essex County District School Board and the Windsor-Essex Catholic District School Board, there shall be a flat fee of \$200.00 that will cover all schools and properties with alarm systems.

2. Administrative Fees

2.1 The following shall be subject to an administrative fee of \$100.00:

- A registered alarm user who incurs a fourth (4th) or subsequent false alarm within the registration period.
- The user of an automatic dialing device that transmits messages to any telephone number assigned to the Windsor Police Service.

2.2 An alarm company that notifies the Windsor Police Service of an alarm incident, in which registration has been suspended, shall be subject to an administrative fee of \$200.00.

2.3 Prior to reinstatement, for any reason under this by-law, the user will be required to pay a reinstatement fee of \$150.00 as well as any administrative fees outstanding prior to suspension.



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SCHEDULE "B"

PAYMENT SCHEDULE

Registered Alarm Systems

Registered alarm systems that incur a fourth (4th) or subsequent false alarm:

1. The alarm user shall have 15 days from the date of the administrative fee notice to comply with payment or the security alarm shall be considered revoked, unless the alarm user shows just cause why an extension should be granted.
2. The alarm user shall have 15 days from the date of revocation to comply with payment or the security alarm system shall be considered suspended, unless the alarm user shows just cause why an extension should be granted

Unregistered Alarm Systems

1. The alarm user shall have 15 days from the date of the administrative fee notice to comply with payment or the security alarm system shall be considered suspended, unless the alarm user shows just cause why an extension should be granted.