

**CORPORATION OF THE CORPORATION OF THE TOWN OF PETROLIA**

**BY-LAW NUMBER 48-2024**

**Being a By-Law to impose fees and charges for services or activities provided by the  
Petrolia and North Enniskillen Fire Department in relation to false alarms**

**WHEREAS** pursuant to section 391 of the *Municipal Act*, 2001, as amended, a municipality is authorized to pass by laws imposing fees or charges on persons for services or activities provided or done by or on behalf of it; and

**WHEREAS** section 398(2) of the Act, provides for the addition of fees and charges imposed by the municipality or local board, respectively, to the tax roll for the following property in the local municipality and to collect them in the same manner as municipal taxes: and property for which all the owners are responsible for paying the fees and charges; and

**WHEREAS** section 345 of the Act authorizes the Council of a local municipality to establish: penalty and interest charges, notice as to time and notice of payment, payment of installments and options; and

**WHEREAS** the number of false alarms in the Town of Petrolia, as identified by the Petrolia and North Enniskillen Fire Department (PNEFD) consume a significant quantity of PNEFD resources; and

**WHEREAS** response to these false alarms interferes with the ability of the PNEFD to respond to actual emergencies, posing a threat to firefighter safety and members of the public by creating unnecessary delays; and

**WHEREAS** the PNEFD would like to make every effort to efficient department response through the reduction of false alarms; and

**WHEREAS** the municipality incurs costs when the PNEFD responds to False Alarms; and

**WHEREAS** responses to False Alarms interfere with the ability of the PNEFD to respond to actual incidents; and

**WHEREAS** the PNEFD maintain a register of alarms responded to in the municipality; and

**WHEREAS** the Corporation of the Town of Petrolia and the Corporation of the Township of Enniskillen as the municipalities with shared interest in the PNEFD deems it expedient to pass a by-law relating to the reduction of false alarms and to impose fees for services provided by the PNEFD; and

**NOW THEREFORE** the Corporation of the Town of Petrolia enacts as follows:

1. In this bylaw and recitals
  - a) "Alarm" or "Alarms" means any form of notification to the PNEFD central dispatch of a bonafide emergency situation at a premise or any False Alarm;
  - b) "Alarm Device" means any device or series of devices installed on real property and designed to detect emergency activity which when activated, emits or transmits a local or remote audible, visual or electronic signal intended to alert the "alarm system owner", summon the fire service, whether monitored by an "Alarm Business" or not;
  - c) "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;
  - d) "False Alarm" means any one of the following:
    - i. the testing of an alarm without advance notification to PNEFD central dispatch;
    - ii. an alarm caused by the carelessness or negligence of any person at a premise;
    - iii. an alarm caused by the mechanical failure or improper installation of any warning device; or
    - iv. an alarm inadvertently activated by any means including internal or external conditions;
  - e) "False Alarm" does not include alarms where PNEFD dispatch is notified within forty-eight (48) hours advance that a response is not required;

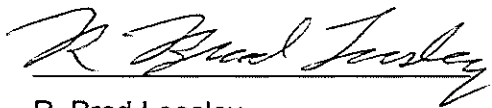
- f) "Emergency situation" means:
    - i. an alarm caused by an attempted or completed fire act at a premise; or
    - ii. any type of emergency occurring at or in relation to any business or residential premises located within the geographic boundaries of the Town of Petrolia that requires the response of the PNEFD;
  - g) "PNEFD" means the Petrolia and North Enniskillen Fire Department;
  - h) "Premise" or "Premises" means any business or residential premises located within the geographic boundaries of the Town of Petrolia, containing an fire alarm which automatically notifies PNEFD central dispatch of an emergency situation;
  - i) "Municipality" means the Town of Petrolia; and
  - j) "PNEFD central dispatch" means the Sarnia Police Services dispatch.
2. The PNEFD shall maintain the following;
  - i. a written record of each separate alarm, which record shall include, without limiting generality, the date time and location of such alarm.
3. Fees for False Alarms
  - i. where there is a PNEFD response to a false alarm, the alarm system owner shall be responsible for the fee as set out in the Town of Petrolia Fees and Charges By-law, as amended;
  - ii. an Alarm shall not be classified as a False Alarm when an extraordinary circumstance as determined by the PNEFD Fire Chief has occurred;
4. Notwithstanding any other provision of this bylaw:
  - i. the owner or occupier of a premise shall pay to the municipality the sum of:

First false alarm in any calendar year	No fee
Second false alarm in any calendar year	\$586.86 per truck
Third false alarm in any calendar year	\$586.86 per truck
Fourth false alarm in any calendar year	\$1173.72 per truck
Fifth false alarm in any calendar year	\$2347.44 per truck
Sixth false alarm, and any thereafter in any calendar year	Will continue to be doubled from \$2347.44 per truck for each response.
  - ii. The fees noted in 4 i) may be amended through the Town of Petrolia municipal fee schedule.
5. Collection of False Alarm Fees
  - i. the PNEFD Fire Chief will provide to Town of Petrolia and Township of Enniskillen Treasurer the required information within 15 days of the end of a calendar month, for their municipality, regarding False Alarm occurrences in the preceding month for invoicing and collection purposes. Required information includes at a minimum the name of the alarm system owner and the address.
  - ii. fees shall be invoiced and collected by each the Town of Petrolia and Township of Enniskillen individually based on the boundary response area, in accordance with their Accounts Receivables established processes and procedures. Invoices shall be printed and mailed to the alarm system owner
  - iii. The Town of Petrolia and Township of Enniskillen will take appropriate steps as provided for in the Municipal Act, to collect outstanding false alarms fees.
6. Automatic Dialing Alarm

- i. No person shall install maintain or use an automatic dialing device designed to transmit a message to either the PNEFD or the PNEFD central dispatch;
  - ii. Automatic Dialing Alarms causing False Alarms requiring response by the PNEFD shall be subject to the fees as set out in the Town of Petrolia Fees and Charges By-law.
- 7. The alarm system owner occupier or key holder of each premise shall:
  - i. attend their premise when its alarm is activated within 30 minutes of the activation; and
  - ii. allow access to the premises for inspection purposes and to answer inquiries from the PNEFD.
- 8. Severability
  - i. each and every one of the foregoing provisions of this by-law is severable and if any provisions of this by-law should, for any reason, be declared invalid by any court, it is the intention and desire of this council that each and every one of the then remaining provisions shall remain in full force and effect.
- 9. This by-law shall come into full force and effect upon final passing thereof.

Read a first and second time this 12<sup>th</sup> day of November 2024

Read a third time and finally passed this 12<sup>th</sup> day of November 2024



R. Brad Loosley

Mayor



Mandi Pearson

Director of Legislative Services |  
Clerk