

CANADA
PROVINCE OF QUEBEC
MUNICIPALITY OF LITCHFIELD

BY-LAW S.Q. 2023-06

CONCERNING ALARM SYSTEMS ENFORCEABLE BY THE SURETÉ DU QUÉBEC

WHEREAS under section 62 of the *Municipal Powers Act* (Q.R.S., chapter C-47.1), any local municipality may adopt by-laws in matters of safety;

WHEREAS the municipality has received a request from the MRC of Pontiac asking that it update its by-laws with respect to criminal matters;

WHEREAS a regular notice of motion was given on July 10, 2023;

CONSEQUENTLY it is moved by Terry Racine that this by-law repeals and replaces all previous by-law relating to alarm systems, as enforceable by the *Sureté du Québec*.

AND IT IS ALSO RESOLVED that this by-law be adopted:

"Preamble" SECTION 1 The preamble forms an integral part of this by-law.

"Definitions" SECTION 2 For purposes of this by-law, the following definitions shall apply.

Alarm system: fire alarm system and protection alarm system

Fire alarm system: system designed to alert of the presence of a fire.

Protection alarm system:

system designed to alert of any breach of private property.

User:

The owner, tenant or occupant of a building or part of a building where a fire alarm or protection system has been installed or any person acting on their behalf.

"Signal" SECTION 3 When an alarm system is equipped with a bell or any other signal designed to give an alert outside the building, the said system shall be designed in such a way as to not produce any sound signal consecutively for a period of more than twenty minutes.

"Authorization" SECTION 4 Upon the expiration of the period referred to in section 3, a peace officer is authorized to interrupt or cause to be interrupted, in the presence of specialized personnel if necessary, the sound signal of an alarm system and to enter, for that purpose, a building or part of a building if no one is in the building at the time.

In such a case, the costs incurred by the Municipality

to retain the services of specialized personnel shall be reimbursed to the Municipality by the user of the alarm system.

"Offence"	SECTION 5	It shall be an offence and the user shall be subject to the fines set out in section 8 if the system is triggered more than once in any consecutive twelve (12) month period.
"Inspection"	SECTION 6	The officer responsible for the application of this by-law shall be authorized to visit and examine any movable or immovable property, between 7:00 a.m. and 7:00 p.m., as well as the exterior or interior of any house, building or structure, to discover whether by-laws are executed therein, and thus all owners, tenants or occupants of such houses, buildings and structures must receive these persons and answer all questions asked with respect to the execution of this by-law.
"Authorization"	SECTION 7	The person responsible for the application of this by-law shall be any official or municipal employee appointed by Council.

Council also authorizes all peace agents of the *Sûreté du Québec* to undertake criminal proceedings against any contravener, and to issue statements of violation for any offence to one of the provisions of this by-law.

PENAL PROVISIONS

"Fines"	SECTION 8	Whoever contravenes a provision of this by-law commits an offence. Whoever commits a first offence is liable to a fine of two hundred and fifty dollars (\$ 250) in the case of natural person, and of five hundred dollars (\$ 500) in the case of a legal entity. Whoever commits a second offence with respect to the same provision during a period of twelve (12) months following a first offence is liable to a fine of four hundred dollars (\$ 400) in the case of a natural person, and of eight hundred dollars (\$ 800) in the case of a legal entity. Whoever commits a third offence with respect to the same provision during a period of twelve (12) months following a first offence is liable to a fine of five hundred dollars (\$ 500) in the case of a natural person, and of one thousand dollars (\$ 1000) in the case of a legal entity.
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Whoever commits any subsequent offence with respect to the same provision during a period of twelve (12) months following a first offence is liable to a fine of two thousand dollars (\$ 2000) in the case of a natural person, and of four thousand dollars (\$ 4000) in the case of a legal entity.

In all cases, legal expenses shall be additional.

"Abrogation"	SECTION 9	This by-law abrogates any previous municipal by-law, including By-law 2011-06 which is incompatible with its provisions.
"Coming into force"	SECTION 10	This by-law shall come into force according to law.

Adopted by the Municipal Council during a meeting held on August 8, 2023 and signed by the Mayor and the Secretary-Treasurer.

Mayor, Colleen Lariviere

Julie Bertrand, Director General