

CANADA  
PROVINCE DE QUÉBEC  
MRC MEMPHRÉMAGOG  
MUNICIPALITÉ DU CANTON DE STANSTEAD

**By-law number 391-2016  
concerning alarm systems**

**WHEREAS** the municipalities served by the Sûreté du Québec post of the MRC de Memphrémagog agree to adopt standardized regulations to facilitate their application by the Sûreté du Québec;

**WHEREAS** in order to maintain this standardization, the following municipalities: Ayer's Cliff, East Bolton, Eastman, Hatley Township, Hatley, Ogden, North Hatley, Township of Potton, St-Étienne-de-Bolton, Stukely-Sud, Town of Stanstead, Township of Stanstead and St-Benoît du Lac, all serviced by the Sûreté du Québec, Memphrémagog post, should not amend this by-law without consultation of the whole;

**WHEREAS** Council considers it necessary to regulate the installation and operation of alarm systems in the territory of the municipality;

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

**WHEREAS** a notice of motion was given regularly on June 6<sup>th</sup>, 2016;

**CONSEQUENTLY, THE MUNICIPAL COUNCIL HAS DECIDED TO ADOPT THIS REGULATION**

**ARTICLE 1.**

The preamble is an integral part of this by-law.

**ARTICLE 2 DEFINITIONS**

For the purposes of this by-law, the following words and expressions mean:

"Protected place"

A land, building or structure protected by an alarm system.

" Alarm system "

Any device, panic button or device intended to warn of the presence of an intruder, attempting or commissioning a break-in or an infraction, or a fire or the beginning of a fire in a protected place in the territory of the municipality.

"User"

Any natural or legal person who owns or occupies a protected place.

**ARTICLE 3. "Application"**

This by-law applies to any alarm system, including alarm systems already installed or in use on the day of entry into force of this by-law.

**ARTICLE 4. "Signal"**

Where an alarm system is equipped with an audible signal to alert outside protected premises, the alarm system shall be designed so as not to emit the audible signal for more than fifteen minutes consecutive.

**ARTICLE 5. "Interruption of the sound signal"**

The person responsible for the application of all or part of this by-law as well as any peace officer is authorized to enter, at any time, in any place protected by an alarm system, which a person is there or not, for the purpose of interrupting the sound signal whose transmission has lasted more than fifteen consecutive minutes. Such person may be accompanied by a witness.

## **ARTICLE 6 "Expenses"**

The municipality is authorized to claim from any user of an alarm system the costs incurred by it in the event of a malfunction or malfunction of an alarm system, including the costs incurred by it for the purpose of interrupting the sound signal whose emission has lasted more than fifteen consecutive minutes in accordance with Article 5.

## **ARTICLE 7 "Nuisance and offense"**

It constitutes a nuisance and is prohibited by the fact that a user's alarm system is triggered due to malfunction or malfunction of the system or, for whatever reason, that the sound signal of a alarm system lasts more than fifteen minutes consecutive, which constitutes an offense and makes the user liable to the fines provided for in section 11.

## **ARTICLE 8 "Presumption"**

The triggering of an alarm system is presumed, in the absence of evidence to the contrary, to be due to defect or malfunction of the system where no evidence or trace of the presence of an intruder, attempt or the commission of a break-in or an offense, a fire or the commencement of a fire is recorded on the protected premises on the arrival of a peace officer, a firefighter or of an officer responsible for the application of all or part of this by-law.

## **ARTICLE 9 "Competent Authority"**

The Council generally authorizes any peace officer and any officer in charge of the application of this by-law to prosecute any person who contravenes any of the provisions of this by-law and generally authorizes such persons to issue, for this purpose; these persons are responsible for the application of this by-law.

## **ARTICLE 10 "Inspection"**

Without limiting the generality of section 5, the person responsible for the application of this by-law is authorized to visit and examine, between 7 am and 7 pm, all movable and immovable property, as well as the interior and exterior, outside of any house, building or building of any kind, whether the present by-law is executed therein, and any owner, tenant or occupant thereof, but house buildings and buildings must receive them, let them penetrate and answer all the questions put to them in connection with the execution of the present by-law.

## **CRIMINAL PROVISION**

### **ARTICLE 11 "Fines"**

Every person who contravenes any of the provisions of this by-law, in particular section 7, is guilty of an offense and is liable, for any violation, to a fine of not less than fifty dollars (\$ 50.00) and not more than one thousand dollars (\$ 1,000.00) for a natural person in the case of a first offense, and a minimum fine of two hundred and fifty dollars (\$ 250.00) and a maximum fine of two thousand dollars (\$ 2,000.00) For any legal person, undertaking, institution, municipal or community body in the case of a first offense;

If the offense is repeated in a consecutive twelve (12) month period, the minimum fine is two hundred dollars (\$ 200.00) and a maximum fine of two thousand dollars (\$ 2,000.00) for an individual, and the minimum fine is four hundred dollars (\$ 400.00) and a maximum fine of four thousand dollars (\$ 4,000.00) for any legal person, business, institution, municipal or community body.

In any case, the costs of the prosecution are in addition;

The time limits for the payment of fines and charges imposed under this section and the consequences of failure to pay fines and costs within the prescribed time limits shall be established in accordance with the Code of Criminal Procedure of Quebec (RSQ, c. -25.1);

If an offense lasts more than one day, the offense committed on each day is a separate offense and the penalties for each offense may be imposed for each day of the offense in accordance with this section.

## **ARTICLE 12 OTHER OFFENDER**

Any person who performs or fails to perform anything that helps another person to act in contravention of these by-laws, or who encourages, by counsel, permission, consent, authorization, ratification, tolerance or otherwise, Another person to act in contravention of this by-law, commits an offense and is liable to the same penalties as the person who contravenes this by-law.

## **ARTICLE 13 ENTRY INTO FORCE AND REPEAL**

This by-law comes into force in accordance with the Act and replaces sections 15.6 to 15.11 of Fire Safety by-law 361-2014 and repeals by-law 273-2005, which are repealed as of the coming into force of this by-law.

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**Francine Caron Markwell,  
Mayor**

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**Me Josiane Hudon  
Director-General & Secretary- Treasurer**

Notice of motion:  
Adoption:  
Public notice :  
Entry into force

June 6<sup>th</sup> 2016  
July 4<sup>th</sup> 2016  
July 7<sup>th</sup> 2016  
July 7<sup>th</sup> 2016

***THE PRESENT VERSION IS NOT OFFICIAL, THUS THE FRENCH TEXT PREVAILS.***