

**BYLAW NO. 2018-04****A BYLAW OF IMPROVEMENT DISTRICT NO 9 TO ESTABLISH STANDARDS FOR OFFSETTING COSTS INCURRED FOR RESPONDING TO FALSE ALARM FIRE CALLS**

WHEREAS the Municipal Government Act, RSA 2000, Chapter M-26 authorizes a council to pass bylaws for the safety, health and welfare of people and the protection of people and property, and for services provided by or on behalf of the municipality;

AND WHEREAS response to False Alarms may compromise the effectiveness of emergency services;

NOW THEREFORE THE COUNCIL OF IMPROVEMENT DISTRICT 9, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. Citation

This Bylaw may be known as the "False Fire Alarm Bylaw".

2. Definitions

In this Bylaw, unless the context otherwise requires:

- a. "Chief Administrative Officer" (CAO) means the Chief Administrative Officer for Improvement District 9, within the meaning of the Municipal Government Act
- b. "Council" means the Advisory Board for Improvement District 9, consisting of five (5) Members including the Chairperson, each of whom has the title "Councillor"
- c. "Councillor" means a member of Council duly elected/appointed and continuing to hold office
- d. "False Alarm" means any notification to any emergency service to the fire department, respecting the existence of a condition, circumstance or event containing an imminent serious danger to persons or property, where no such condition, circumstance or event exists.
- e. "I.D. 9" means the Improvement District 9 of Banff National Park.
- f. "Municipal Government Act" (MGA) means the Municipal Government Act, R.S.A. 2000, c. M-26, any regulations thereunder, and any amendments or successor legislation thereto
- g. "Owner" means a person who controls the property under consideration, holds themselves out as the person having the powers and authority of ownership or who for the time being exercises the powers and authority of ownership, or is registered under provincial legislation as the owner/leaseholder of a freehold estate in possession of land/lease.

3. Provisions

- a. No Person or Owner shall cause or allow the issuing of a False Alarm due to or resulting from faulty, damaged, or malfunctioning alarm equipment.
- b. No Person or Owner shall, by the use of alarm equipment or by any other means of notification, make or cause to be made any False Alarm.

4. Violations & Enforcement

- a. Any Person or Owner who contravenes the provisions this bylaw is guilty of an offence and is liable for an administrative fee of \$250 for a first offence, and \$500 for second and subsequent offences, or equivalent if responded to by outside agency. Persons or Owners who contravene this bylaw may receive a written warning without penalty for their first offence at the discretion of the CAO. After 5 years with no offences, a person or owner will be considered to have zero offences.

5. Process for Billing

- a. The Billing for the False Alarm Fee will be issued by the CAO and will be made payable to the Lake Louise Fire Department.

6. Penalties

- a. Any fees unpaid after 30 days of billing shall have a penalty of 5 per cent imposed on them.
- b. Any fees or penalties or combination thereof remaining unpaid after another 30 days shall have an additional penalty of 5 per cent imposed on them
- c. Every 30 days thereafter, any unpaid fees, penalties or combination thereof will continue to have additional penalties of 5 per cent imposed on them until such time that all outstanding fees and penalties owed are paid in full.
- d. All penalties and fees still owing after 6 months will then be applied to the municipal taxes of the property.

7. Severability

- a. It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

This Bylaw shall come into full force and effect upon third and final reading.

READ A FIRST TIME this 8th day of June 2017.

READ A SECOND TIME this 13th day of September 2017.

READ A THIRD TIME AND PASSED this 12th day of July, 2018.



Chairperson



Chief Administrative Officer