

May 20, 2003

City of Richmond
6911 No. 3 Road
Richmond, BC V6Y 2C1

Attention: Richard McKenna

Re: Dispute of false alarm fee for 3100 Garry Street Richmond BC

Dear Mr. McKenna:

Jim Bruce suggested we contact you and request our dispute regarding a false alarm at our home be added to the agenda for the next meeting on May 29, 2003.

We received a false alarm at our home on October 12, 2002 and our alarm company contacted the police. We were unaware of the new Bylaw No. 7362 that was adopted on June 10, 2002. The fee was increased to \$100 for the first and each subsequent false alarm. The City of Richmond had an obligation to advise homeowners of the new bylaw. If we had known about the new bylaw, we could have requested our alarm company not contact the police in the event of a false alarm. Notice of this new bylaw should have been sent to every City of Richmond taxpayer. The public notice that was displayed in local newspapers was not adequate notification to homeowners. Although the City did take an extra step to notify alarm companies who had licenses with the City, in our case, our alarm company did not receive any notification.

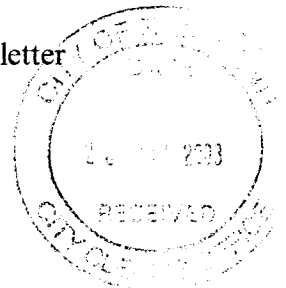
Following is a summary of our communication with the City of Richmond regarding this dispute.

October 12, 2002 received a false alarm at our home, 3100 Garry Street, Richmond. Phoned the police to thank them for their prompt service, they advised we would be getting a bill from the City of Richmond.

November 8, 2002 received monthly statement from City of Richmond dated Nov 6-02 with \$100 plus GST charge for false alarm – Description – Bylaw 7362 – New Flat Rate.

November 18, 2002 sent a letter to the City of Richmond disputing the bill. We were surprised to learn of the new bylaw and believe that each residence should be allowed at least one false alarm per year as other municipalities in the Lower Mainland. We were concerned that Richmond residents did not receive direct notification of the new bylaw. Stated our concern that the City is billing homeowners for false alarms to recover policing costs. *We are funding the police force – why are we paying for using these services?*

November 25, 2002 received a letter of acknowledgement from David Weber. Our letter had been referred to Mike Mack.



December 2, 2002 Mike Mack agreed he would continue to investigate our dispute. We agreed that we would contact him when we returned from vacation in mid March.

December 13, 2002 copied on an email sent from Mike Mack to Julie Nguyen advising he was investigating the events relating to our false alarm invoice.

March 21, 2003 contacted Mike Mack to advise we were back home.

March 26, 2003 received letter from Mike Mack denying our request to have the false alarm fee waived. He stated the new bylaw had been adopted on June 10, 2002 and a public notice was displayed in the local newspaper on September 4 and 8, 2002. As well, all security alarm companies with valid business licenses in Richmond were advised of the new bylaw.

April 2, 2003 sent a letter to Jim Bruce disputing the false alarm fee.

We restated our arguments;

We were not directly informed of the change to the bylaw.

Our alarm company was not aware of the new bylaw.

The City of Richmond had a responsibility to formally inform each resident in advance of the bylaw change.

April 4, 2003 received a letter of acknowledgement from David Weber.

April 10, 2003 received a letter from Jim Bruce denying our request to have the false alarm fee waived.

He advised that sending notifications to all taxpayers would be extremely expensive and he believed the City would receive complaints from those who did not have an alarm system. To control costs the best method of notification was several notifications in the local newspapers. He also advised that the City had taken the extra effort to notify all alarm companies that had business licenses in Richmond of the new bylaw.

May 6, 2003 met with Jim Bruce to discuss our dispute and reviewed prior correspondence and City policies. He suggested we present our dispute at the next community meeting on May 19, 2003.

We are committed to continuing our discussion with the City of Richmond towards a decision to waive the fee for this false alarm incident.

Thank you,

Ray and Anne Marie Aleliunas
3100 Garry Street, Richmond, BC
V7E 2S6 604-271-1008



CITY OF RICHMOND

***FIRE AND SECURITY ALARM SYSTEM
REGULATION***

BYLAW NO. 7362

EFFECTIVE DATE – JUNE 10, 2002



FIRE AND SECURITY ALARM SYSTEM REGULATION BYLAW NO. 7362

The Council of the City of Richmond enacts as follows:

PART ONE: BUSINESS OPERATOR OBLIGATIONS

- 1.1 Every operator of a business located in premises which has an **alarm system** is responsible for keeping the Richmond Fire-Rescue Department informed in writing of the names, and current addresses and telephone numbers of either:
- (a) an **alarm system** monitoring service; or
 - (b) at least three people who may be contacted in the event of an **alarm system** activation.
- 1.2 The three people referred to in clause (b) of section 1.1 must be:
- (a) available 24 hours per day to receive telephone calls from the **RCMP** or the Richmond Fire-Rescue Department in the event of an alarm activation;
 - (b) able to attend at the address of the property of the alarm activation, within 60 minutes of being requested to do so;
 - (c) capable of providing access to the premises where the **alarm system** is located, to a **police officer** or a member of the Richmond Fire-Rescue Department; and
 - (d) capable of operating the **alarm system** and safeguarding the premises where the **alarm system** is located.

PART TWO: IMPOSITION OF FEES

- 2.1 Every owner or occupier of real property from which a **false alarm** has been generated must pay to the **City**, upon being invoiced in accordance with Part Three, a fee of \$100 for every such **false alarm**.
- 2.2 The fees specified in section 2.1 do not apply to a **false alarm** intended to alert only the occupants of the dwelling unit in which it is installed.

PART THREE: COLLECTION OF FEES

- 3.1 The **RCMP** and the Richmond Fire-Rescue Department must keep a record of each **false alarm** and provide such records on a monthly basis to the **General Manager, Finance & Corporate Services**.
- 3.2 Upon receipt of the records required under section 3.1, the **General Manager, Finance & Corporate Services**:
- (a) must send an invoice in accordance with the fees specified in Part Two, to the owner or occupier of the property from which the **false alarm** was generated, and
 - (b) may, if the invoice is not paid by December 31st of the year in which the invoice was sent, add any unpaid amount to the property taxes imposed on the property, and such amount is to be added as taxes in arrears.

PART FOUR: INTERPRETATION

- 4.1 In this bylaw, the following words have the following meanings:

ALARM SYSTEM

means any mechanical, electrical or electronic device which is designed to emit sound or transmit an electrical or electronic signal audible to persons outside the premises fitted with such a device, in the event of a fire, unauthorized entry, intrusion, or other emergency at such premises.

CITY

means the City of Richmond.

FALSE ALARM

means any intentional or unintentional activation of an **alarm system**, including activation of such **alarm system** by a malfunction, which causes the unnecessary response of either:

(a) a **police officer**; or

(b) the Richmond Fire-Rescue Department

or both.

**GENERAL MANAGER,
FINANCE & CORPORATE
SERVICES**

means the person appointed by **Council** to the position of General Manager, Finance & Corporate Services, or an alternate.

POLICE OFFICER

means a member of the Royal Canadian Mounted Police.

RCMP

means the Richmond Detachment of the Royal Canadian Mounted Police.

PART FIVE: PREVIOUS BYLAW REPEAL

5.1 Richmond Fire and Security System Bylaw No. 5977 (adopted December 13th, 1993), is repealed.

PART SIX: SEVERABILITY & CITATION

6.1 If any part, section, sub-section, clause, or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

6.2 This bylaw is cited as **“Fire And Security Alarm System Regulation Bylaw No. 7362”**.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

MAYOR

CITY CLERK