

# The Corporation of the Town of Tecumseh

## By-Law Number 2025-111

A by-law to impose fees and charges for the services or activities related to False Fire Alarms provided by the Town of Tecumseh Fire & Rescue Services

**Whereas** the *Municipal Act, 2001 S.O. 2001, c. M.25* grants a municipality the power to pass by-laws that impose specific fees for licensing, services, permits and other reasons;

**And Whereas** Section 220.1 of the *Municipal Act, 2001, S.O.2001, c.25*, as amended or substituted from time to time, similarly permits a municipality to pass by-laws imposing fees and charges;

**And Whereas** Section 446(1) of *The Municipal Act 2001 S.O. 2001, c. M.25* authorizes a municipality under this or any other Act or under a bylaw under this or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

**And Whereas** Section 434.1 of *the Municipal Act, 2001* authorizes a municipality to require persons to pay an administrative penalty if the municipality is satisfied that a person has failed to comply with a municipal By-law passed, subject to conditions as the municipality considers appropriate;

**And Whereas** Section 429 of *the Municipal Act, 2001* provides that a municipality may establish a system of fines for offences under a By-law of the municipality passed under the Municipal Act, 2001;

**And Whereas** responses to At-Fault False Alarms interferes with the ability of the Tecumseh Fire & Rescue Services to respond to emergencies;

**And Whereas** The Council of the Corporation of the Town of Tecumseh desires to prescribe administrative fees and charges for the registration of fire alarm systems and to impose a fee for At-Fault False Alarms;

Now Therefore the Council of The Corporation of The Town of Tecumseh enacts as follows:

1. **Short Title**

This By-Law may be referred to as the "False Fire Alarm By-Law."

## 2. Definitions

In this By-law;

- 2.1. **“Alarm”** means a notification to Fire Dispatch from a Fire Alarm System and/or Alarm Company of a Fire Emergency.
- 2.2. **“Alarm Company”** means a person, partnership, business or other entity engaged in monitoring Fire Alarm Systems and reporting the occurrence of Alarms to Fire Dispatch.
- 2.3. **“At-Fault False Alarm”** means any one of the following:
  - (a) An Alarm caused by testing of a Fire Alarm System or any part thereof, without prior notification of the testing to Fire Dispatch.
  - (b) An Alarm caused by a previously known unrepaired or preplaced faulty system component or by the improper installation of any warning device or any other part of the Fire Alarm System.
  - (c) An Alarm caused by the failure to properly test and maintain a Fire Alarm System; and/or
  - (d) An Alarm caused by carelessness or negligence of any person.
- 2.4. **“Fire Alarm System”** means a system designed and installed to detect fire, smoke, carbon monoxide or other Fire Emergencies, and to automatically notify an Alarm Company and/or Fire Dispatch of the emergency.
- 2.5. **“Fire Chief”** means the Fire Chief for the Town of Tecumseh.
- 2.6. **“Fire Dispatch”** shall mean Windsor Fire Dispatch, a division of the Windsor Fire and Rescue Service, which provides fire dispatch services to the Town.
- 2.7. **“Fire Emergency”** means any type of emergency occurring at or in relation to any building or property located within the geographic boundaries of the Town that requires the response of Tecumseh Fire & Rescue Services.
- 2.8. **“Officer”** means the Fire Chief or his or her designate.
- 2.9. **“Owner”** means the any person, firm or corporation that has control over any portion of the building or property under consideration and includes the person in the building or property, and anyone having control over the building or any portion thereof.
- 2.10. **“Registered Premise”** means any business, commercial, industrial, or institutional building and/or any residential building with more than one (1)

dwelling unit, located within the geographic boundaries of the Town containing a Fire Alarm System that has a registered Fire Alarm System with the Town in accordance with this By-Law.

- 2.11. **“Tecumseh Fire & Rescue Services”** means the Fire Department of the Town.
- 2.12. **“Town”** means The Corporation of the Town of Tecumseh.
- 2.13. **“Unregistered Premise”** means any business, commercial, industrial, or institutional building and/or any residential building with more than one (1) dwelling unit, located within the geographic boundaries of the Town containing a Fire Alarm System which is not a Registered Premise.

### 3. **General Provisions**

- 3.1. An Owner of any building or property that contains a Fire Alarm System shall test and maintain the system in good working order, in accordance with the *Ontario Fire Code, O. Reg. 213/07*, as amended from time to time, and other applicable legislation.
- 3.2. The Owner of a building or property that contains a Fire Alarm System shall register the Fire Alarm System annually with the Town and pay a registration fee, as set out in the Town's Fees and Charges By-Law, as amended from time to time.
- 3.3. The Owner of a building or property that contains a Fire Alarm System shall:
  - (a) Attend their building or property within thirty (30) minutes of an activation of an Alarm at that building or property; and
  - (b) Allow access to the building or property for inspection purposes by Tecumseh Fire & Rescue Services.
- 3.4. The Town shall maintain the following:
  - (a) A written record of each separate Alarm, which record shall include, without limiting generality, the date, time, and location of such Alarm; and
  - (b) A written record of all Registered Premises.

#### **4. Administration and Enforcement**

- 4.1. The provisions of this By-Law shall be administered by the Fire Chief.
- 4.2. For each At-Fault False Alarm which occurs at an Unregistered Premise the Owner of an Unregistered Premise shall pay to the Town the current Ministry of Transportation rate for responses to an emergency on a provincial highway (MTO Rate) for each apparatus from Tecumseh Fire & Rescue Services that responds to the alarm.
- 4.3. For each At-Fault False Alarm that occurs after the second At-Fault False Alarm within a twelve-month period, the Owner of a Registered Premise shall pay to the Town the MTO Rate for each apparatus from Tecumseh Fire & Rescue Services that responds to the alarm.
- 4.4. An Owner that does not attend the building or property and provide access in accordance with Section 3.3 of this By-Law shall pay to the Town the MTO Rate for each apparatus from Tecumseh Fire & Rescue Services that responds to the Alarm.
- 4.5. Notwithstanding any other provisions of this By-Law, where more than one Alarm is received from a residential property containing only one dwelling unit, within any 12 month period where it is determined to be an At-Fault False Alarm, the Fire Chief may issue an invoice to the Owner for costs incurred by Tecumseh Fire & Rescue Services as a result of response to those Alarms, in accordance the Town's Fees and Charges By-Law, as amended from time to time.
- 4.6. In the event of non-payment of the amounts required to be paid pursuant to the provisions of this by-law within 30 days of receipt of an invoice from the Town, the Town may, in addition to any other collection remedies, add the amount required to be paid to the municipal tax rolls to be collected in a like manner as municipal taxes.

#### **5. Offences**

- 5.1. Every Owner who contravenes any provision of this By-law is guilty of an offence and upon conviction thereof is liable to a fine in the maximum amount provided for by the Provincial Offences Act, R.S.O. 1990, c.P.33, (hereinafter called Provincial Offences Act) as may be amended from time to time.
- 5.2. An Owner who contravenes any provision of this By-law is guilty of an offence and may, at the option of the Officer, be issued a penalty notice in respect thereof requiring the payment of a penalty pursuant to the Towns Administrative Monetary Penalties System (AMPS) By-Law 2024-048 as amended from time to time.

- 5.3. An Officer has the discretion to either proceed by way of an Administrative Penalty (if prescribed) or a charge laid under the Provincial Offences Act. If an Administrative Penalty is issued to an Owner for a contravention of this By-law, no charge shall be laid against that same Owner for the same contravention.
  - 5.4. The amount of the Administrative Penalty for a contravention of a provision of this By-law is fixed as set out in an Administrative Penalty Bylaw of the Town, as amended from time to time, or any successor by-law.
  - 5.5. If an Officer issues a penalty notice under AMPS, the Owner may appeal the penalty through the Administrative Monetary Penalties System appeal process outlined in By-Law 2024-048 as amended.
  - 5.6. An Owner who is issued an Administrative Penalty shall be subject to the procedures as provided for in the Administrative Penalty By-law of the Town, as amended from time to time, or any successor by-law.
  - 5.7. An Administrative Penalty imposed on an Owner pursuant to this By-law this is not paid within fifteen (15) days after the day it becomes due and payable, constitutes a debt of the Person to the Town and may be added to a municipal tax roll and collected in the same manner as municipal taxes.
6. **Validity and Severability**
- 6.1. If any provision or part of this By-Law is declared by any court or tribunal of competent jurisdiction to be invalid, illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the remainder of the By-Law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.
  - 6.2. If there is a conflict between the provisions of this By-Law and any other by-law of the Town in force or a provincial or federal statute or regulation, the more restrictive provisions shall apply
7. **Repeal**
- 7.1. By-law No. 2019-75, and any amendments thereto are hereby repealed in their entirety upon the coming into force of this By-Law.

**8. Enactment**

8.1. This by-law shall come into full force and effect upon the date of its final passing thereof.

**Read** a first, second, third time and finally passed this 10th day of November, 2025.

**Gary McNamara**

Signed with ConsignO Cloud (2025/11/12)  
Verify with verifio.com or Adobe Reader.



---

Gary McNamara, Mayor

**Robert Auger**

Signed with ConsignO Cloud (2025/11/12)  
Verify with verifio.com or Adobe Reader.



---

Robert Auger, Clerk