LAW

Taza Development Alarm Law

Under the guidance of Almighty God, Our Creator, and as a sovereign Nation; We, the peoples of Tsuut'ina Nation, in preservation and continuation of the Tsuut'ina Nation's unique culture, identity, traditions, language and institutions, and with respect to the special relationship to the land and resources, in continued relationship with all First Nations and Canada; Do ordain and establish this law in accordance with our inherent right to governance.

Nato ninist'iya dinachowi diyi nananitini k'asona diyi datl'ishi nanisaatluni niiha nihina?o-ha tlaat'a Tsuut'ina wusa dinaloku nihininisha, nihiusno, misila yino?i, nihigunaha misila nihininana?o-hi. Nisk'a uwa mits'i-hi tlaat'a dina-tii uwa Canada isla najuna adadanazini diyi datlishi dik'asilo niiha nihina?o-ha gwasaala.

A Document to Ratify the L.RF.YYDD
Within the Tsuut'ina First Nation Lands.

Enacted on [Month, Day of 2020] in Tsuut'ina Nation
Coming Into Force: [Month, Day, Year]

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NOTICE – DRAFT ONLY

This document is a non-binding draft of proposed legislation under development by the Tsuut'ina Nation. It has not been enacted and carries no legal force or effect. This draft is subject to review, revision, and formal approval by the Head Chief and Minor Chiefs of Tsuut'ina Nation. It may be amended or withdrawn at any time. Do not rely on this document for legal, regulatory, or development-related purposes.

Preamble

WHEREAS the Tsuut’ina Nation Head Chief and Minor Chiefs desire to make a Law governing the Taza Development Rates and Fees on the Tsuut'ina Nation Reserve;

AND WHEREAS the Government of Canada recognizes the inherent right of self-government as an existing Aboriginal right under Section 35 of the Constitution Act, 1982;

AND WHEREAS it is recognized that the inherent right of governance includes the right to govern in relation to matters that are internal to the community, and integral to the unique culture, identity, traditions, languages and institutions of the Tsuut'ina Nation;

AND WHEREAS it is considered to be necessary for the benefit, security and preservation of the Tsuut'ina Nation and culture;

AND WHEREAS Head Chief and Minor Chiefs have the authority to enact this Law pursuant to the Legislative Process Act;

NOW THEREFORE: Head Chief and Minor Chiefs hereby enact this Law pursuant to the Tsuut’ina Legislative Process.

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Definitions

1. In this Law, the following terms have the following meanings:

(a) **"Agency"** means an alarm agency or a security consulting agency or both,

(b) **"Approved"** means Approved in writing

(c) **"Agent"** means an alarm agent or security consultant when employed or engaged under license issued by this Law,

(d) **"Agent"** means a Person, firm, or corporation representing the Lease Holder, by designation or contract, and includes a hired tradesperson or contractor who may be granted a Permit for Work within the limitations of their license, (THIS ONE IS USED IN OTHER TAZA LAWS)

(e) **"Alarm agency"** means a person or body corporate who, for hire, or rewarded:

i. Sells, supplies, provides or installs or offers to install alarm systems,

ii. Is in the business of monitoring alarm systems,

iii. Is in the business of responding to alarms,

iv. Repairs or maintains alarm systems that are installed on the property of another.

(f) **"Alarm agent"** means any person employed or engaged within the City of Calgary by an alarm agency whose duties include the altering, installing, maintaining, moving, repairing, replacing, selling, servicing, recommending, specifying, responding to or monitoring of alarm system,

(g) **"Alarm system"** means any mechanical or electrical device which is designed or used for the detection of an unauthorized entry into a premises, building, structure or facility or for altering others of the commission of an unlawful act, or both, and which emits a sound or transmits a video or audio signal, or both, or any other message when activated but does not include:

i. A device that registers an alarm that is not audible, visible or perceptible outside of the protected premises, building, structure or facility, or

ii. A device that is installed in a vehicle.

(h) **"Alarm system permit"** means a permit issued pursuant to section 25.2 of this Law,

(i) **"Audible alarm"** means an alarm system which generates an audible sound on the premises when it is activated but does not transmit a signal or message to another premises,

(j) **"Automatic calling device"** means any device, or combination of devices, that will upon activation, either mechanically, electronically or by any other automatic means, initiate a telephonic or recorded message or any other signal intended to alert another person of a security occurrence or the existence of any emergency situation and which is

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designated to be transmitted over regular telephone lines but does not include a device commonly referred to as a telephone,

(k) **"Board"** means the Licence and Community Standards Appeal Board,

(l) **"Building"** means any Structure used or intended for supporting or sheltering any Use or Occupancy,

(m) **"Chief of Police"** means the Chief of Police of the Tsuut'ina Nation or a member or employee of the Tsuut'ina Nation Tosguna Police Service designated by the Chief to act on the Chief's behalf with respect to this Law,

(n) **"Chief Administrative Officer"** means the Chief Administrative Officer of the Tsuut'ina Nation or the employee of the Tsuut'ina Nation who has been delegated the authority to exercise the powers, duties, and functions of the Chief Administrative Officer under this Law,

(o) **"Director, Development, Business & Building Services"** or **"Director"** means the Chief Administrative Officer,

(p) **"False alarm"** means a signal from an alarm system that results in a request to the Tsuut'ina Nation Tosguna Police Service to attend at a premises but where investigation, law enforcement or other emergency services customarily provided by the Tsuut'ina Nation Tosguna Police Service are not required,

(q) **"Law"** means the *Taza Development Alarm Law,*

(r) **"License"** means a license issued under this Law,

(s) **"Licensee"** means the holder of a license issued under this Law,

(t) **"Monitored alarm system"** means an alarm system which is intended to transmit a video or audit signal, or both, or any other message when it is activated to:

i. The occupant of the premises, or

ii. A person who is in the business of receiving that signal or message,

Regardless of whether the alarm system generates an audible sound on the premises,

(u) **"Permittee"** means the holder of an alarm system permit,

(v) **"Person"** means an individual, corporation, body corporate, Partnership, joint venture, associate, society or unincorporated organization or any trustee, executor, administrator or other legal representative,

(w) **"Security consultant"** means a person engaged or employed for gain or reward by a security consulting agency and who advises and consults on security systems for a premises or other property,

(x) **"Security consulting agency"** means the business of providing the services of security consultants,

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(y) **"Tsuut'ina Development Authority"** means the board established under Section 113 of the *Taza Development Approval Process Law, 2019,*

(z) **"Tsuut'ina Nation"** means the sovereign Nation previously referred to as the "Sarcee Nation",

(aa) **"Vehicle"** means a device designated or intended to be used for the transportation of persons or things.

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Name, Purpose, and Application

Name

2. This Law may be cited as the "*Taza Development Alarm Law.*"

Application for Licenses

3. All applications for licenses or renewal of licenses under this Law shall be made to the Tsuut'ina Development Authority in a form prescribed by the Inspector.

4. An applicant for a license under this Law:

   (a) Shall be at least eighteen (18) years of age in the case of an applicant for an agency license issued under this Law,

   (b) Shall be of good character, and

   (c) Shall be a Canadian Citizen or a person lawfully admitted to Canada for a permanent residence and ordinarily resident in Canada.

5. An applicant for a license or renewal of a license as an alarm agency or security consulting agency shall forward to the Director an application for such license or renewal of such license.

6. In consideration of all applicants under Sections 3-5 the Director shall consider the recommendation of the Chief of Police or his designate.

7. An application for a license as an alarm agency or security consulting agency shall be made, in the prescribed form, to the Director and shall be accompanied by:

   (a) An affidavit or declaration of

      i. The applicant, or

      ii. Where the applicant is a partnership, of each of the partners, or

      iii. Where applicant is a corporation, by the local manager or a director of the corporation showing what, if any, criminal convictions or criminal charges there are against the applicant, the partnership, any members of the board of directors or local managers of the corporation.

   (b) The prescribed license fee, and such other information as may be required by the Tsuut'ina Development Authority.

8. An application for a license as an:

   (a) Alarm agent, or

   (b) Security consultant,

   When requested by the Tsuut'ina Development Authority, shall be accompanied by:

      i. An affidavit or declaration of the applicant showing what, if any, criminal convictions or criminal charges and outstanding judgements are against him,

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ii. A letter signed by the employee or engaging agency in the case of an agent application stating the capacity in which the applicant will be employed by the agency.

Licenses

9. Licenses issued by the Tsuut'ina Development Authority shall be:

(a) Alarm agency license,

(b) Alarm agent license,

(c) Security consulting agency license, and

(d) Security consultant license.

Requirement for License

10. Reference to a license in this Law shall mean a license granted to alarm agencies, security consulting agencies, alarm agents, and security consultants. For the purposes of this Law, a person is engaged or employed in the services of an agency when such services are available from the agency to more than one person involve more than one location:

(a) No person shall engage in the business of an alarm agency or a security consulting agency without possessing a valid license issued under this Law,

(b) No person shall act as an alarm agent or security consultant without possessing a valid license for such activity issued under this Law.

Identification

11. An applicant for a license shall produce, when requested by the Tsuut'ina Development Authority, or his designate, two (2) pieces of identification as proof that the person is the person named in the application.

Issue of License

12. The Tsuut'ina Development Authority may make such inquiries and investigations as he considers necessary regarding each application for a license and may issue or not issue the license applied for where in his opinion such action is in the public interest.

13. Where a license for an alarm agency or security consulting agency has been issued, the Tsuut'ina Development Authority, or a person appointed by him, may make periodic inspections or inquires of the licensee to determine whether the provisions of this Law are being adhered to by such licensee.

14. A license for an alarm agency or security consulting agency is not transferable or assignable.

15. No person, other than the licensee to whom a license has been issued under this Law shall have in his possession or display any license issued under this Law.

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Expiry of License

16. Subject to section 17 a license issued pursuant to this Law expires on the date set out on the license unless sooner cancelled.

17. The license of an agent:

    (a) Is terminated upon his ceasing to be employed as an agent, or

    (b) Is suspended, or cancelled as the case may be, upon the suspension or cancellation of the agency license of his employer,

    (c) Must be reapplied for and re-issued on change of employment except where such agent remains continuously employed by an alarm agency or security consulting agency following the issuance of the agent's license,

    (d) Is not assignable or transferable.

Suspension, Cancellation or Refusal of License

18. The Tsuut'ina Development Authority, after providing an opportunity for the affected person to be heard, refuse to issue or renew, or may suspend or revoke the license of an alarm agency or security consulting agency or applicant for such license, where the license or applicant, or on the partners, managers or directors of the licensee or applicant:

    (a) Is convicted of any criminal offence which relates to the holding of the license such that, in the opinion of the Tsuut'ina Development Authority, the person is not fit to hold or continue to hold the license,

    (b) Is charged with a criminal offence which relates to the holding of the license such that, in the opinion of the Tsuut'ina Development Authority, it is inappropriate for the licensee or applicant to hold or continue to hold a license,

    (c) Is convicted of a contravention of this Law,

    (d) Fails to pay a judgement against himself for damages sustained by reason of an act or omission of his or of an employee of his, done or occurring in or in connection with the business or employment in respect of which the license is held or application is made,

    (e) Has made an untrue statement:

        i. In his application for a license, or

        ii. In information required by or provided to the Tsuut'ina Development Authority.

    (f) Refuses to produce to the Tsuut'ina Development Authority any information required pursuant to this Law,

    (g) Is not, in the opinion of the Tsuut'ina Development Authority, a fit or proper person to hold a license,

    (h) Has failed to pay any false alarm penalty levied against such agency pursuant to Section 26.1 within the time allowed for the payment of such penalties.

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19. The Tsuut'ina Development Authority may refuse to issue or renew, or may suspend or cancel an agent's license, where the applicant or licensed agent:

    (a) Is convicted of any criminal offence which relates to the holding of the license such that, in the opinion of the Tsuut'ina Development Authority, the person is not fit to hold or continue to hold the license,

    (b) Is charged with a criminal offence which relates to the holding of the license such that, in the opinion of the Tsuut'ina Development Authority, it is inappropriate for the licensee or applicant to hold or continue to hold a license,

    (c) Is convicted of a contravention of this Law,

    (d) Has made an untrue statement,

        i. In his application for a license, or

        ii. In information produced to the Tsuut'ina Development Authority.

    (e) Refuses to produce to the Tsuut'ina Development Authority any information required pursuant to this Law,

    (f) Is not, in the opinion of the Tsuut'ina Development Authority, a fit or proper person to hold a license.

20. Every applicant for renewal of a license issued under this Law shall apply to the Tsuut'ina Development Authority in accordance with this Law and not less than sixty (60) days prior to the expiration or the existing license.

Complaints

21. Any person, including any member or employee of the Tsuut'ina Nation Tosguna Police Service, may make a complaint in writing to the Tsuut'ina Development Authority, respecting the carrying on of the business or providing of the services licensed under this Law.

22. Upon receipt of a complaint in writing, the Tsuut'ina Development Authority shall have the complaint investigated. Where it is determined the complaint may be well founded, the nature of the complaint and reasonable notice of a hearing conducted by the Tsuut'ina Development Authority shall be given to the person whose license or right to a license may be affected.

23. After extending to the licensee the opportunity to be heard and to be represented by counsel, the Tsuut'ina Development Authority may suspend or revoke the license where the Tsuut'ina Development Authority is satisfied on reasonable grounds that:

    (a) The licensee has abused or exceeded his authority or has improperly conducted himself in the execution of this employment or business as defined in this Law,

    (b) The licensee is in breach of any term or condition of this Law,

    (c) It is in the public interest to do so, or

    (d) The character, conduct or state of health of the licensee is such that he is not a fit person, in the opinion of the Tsuut'ina Development Authority, to hold a license.

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24. Where the Tsuut'ina Development Authority receives a complaint in respect of the carrying on of any business or service licenses under this Law, he may require the person carrying on the business or service to furnish him with information in respect of the matter complained of.

25. The Tsuut'ina Development Authority, on his own motion, may investigate or cause to be investigated the activities of any licensee that are related to this Law and may suspend or revoke a license for any reason as set out in this Law.

Appeal from Suspension, Cancellation or Refusal

26. Where the Tsuut'ina Development Authority refuses to issue or renew a license, or has suspended or proposes to suspend or cancel an existing license under this Law, he shall forthwith inform the applicant or licensee y registered mail of his decision and reasons therefore. The applicant or licensee shall be informed in writing that he may within thirty (30) days after the decision, submit a request in writing to the City Clerk requesting an appeal of the Tsuut'ina Development Authority's decision.

27. The Tsuut'ina Development Authority may, by notice in writing served on a licensee and without a hearing, provisionally refuse to renew or suspend or revoke his license where in the opinion of the Tsuut'ina Development Authority it is necessary to do so for the immediate protection of the public and the Tsuut'ina Development Authority so states in such notice giving his reasons therefore.

28. Notification of a decision of the Tsuut'ina Development Authority under Sections 26 and 27 may be sent to a person who is not a licensee by registered mail to the last known address of the person.

29. The License and Community Standards Appeal Board shall hear an appeal by way of a new hearing to determine whether the license should be issued, renewed, suspended or revoked and may, after the hearing, confirm, vary or alter the decision of the Tsuut'ina Development Authority or direct the Tsuut'ina Development Authority to do any act he is authorized to do under this Law and as the Board considered proper and, for such purpose, the Board may substitute its opinion for that of the Tsuut'ina Development Authority.

30. The Tsuut'ina Development Authority, the appellant and such other persons having a direct and immediate interest in the outcome of the appeal as are recognized by the Board are parties to any proceedings before the Board.

31. Where the Tsuut'ina Development Authority has suspended, revoked, or cancelled an existing license under this Law, then, unless such suspension, revocation or cancellation is overturned in whole by the License and Community Standards Appeal Board, the licensee shall, as a condition of any reinstatement or renewal of the license, including any reinstatement on the conclusion of a suspension for a fixed term, and before receiving a license if the Licensee applies for a new license, pay a reinstatement fee as provided in the Appendix of this Law.

32. Notwithstanding Section 31, where the license was suspended or revoked by the Tsuut'ina Development Authority pursuant to Section 25 of this Law, the reinstatement fee shall be as provided in the Appendix of this Law.

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33. A reinstatement fee is not refundable.

Display of License

34. The holder of an alarm agency license or security consulting agency license issued under this Law shall display his license in a conspicuous position in the principal office of the agency and copies thereof in all branch offices or places in the Tsuut'ina Nation where he is engaged or carries on the business in respect of which the license is issued.

35. Each person in charge of or employed in an office or place of business of an alarm agency or security consulting agency licensed under this Law, other than in the principal office or place of business, shall upon the request of any person, inform that person of the address or location of the office or place of business in the Tsuut'ina Nation in which the license is displayed.

36. The license of agents shall be filed in the office of the agency which engages or employes them. The identification data card accompanying the agent's license must be issued to the agent forthwith upon receipt by the agency.

Records

37. The holder or an alarm agency or security consulting agency license issued under this Law, or his designate, shall keep complete records of the names and addresses of all agents acting for or employed by the holder in the carrying on of the business in respect of which the agency license is held, and shall retain these records for a minimum of five (5) years and shall produce these records for inspection at any time on the request of the Tsuut'ina Development Authority, or his designate, during regular business hours.

Confidential Information

38. Except as legally authorized or required, a person who holds or has held a license under this Law shall not divulge to anyone other than a client, any other person with the consent of the client, or employees of the agency, any information acquired by him in the course of the business or employment in respect of which the license is or was held.

39. No person engaged in the administration of this Law shall disclose or be compelled to disclose any information or record respecting the licensee or any applicant for a license except:

    (a) Where disclosure is necessary in the administration of this Law,

    (b) In court proceedings,

    (c) In proceedings in a hearing before the Tsuut'ina Development Authority or the License and Community Standards Appeal Board, or

    (d) As required by Law.

40. No person employed by an alarm agency or security consulting agency in a capacity other than as an agent shall divulge information acquired by him in the course of his employment other than to his employer or otherwise as required by Law.

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Identification

41. No person shall have in his possession or display any badge, shield, card or other object purporting to indicate that he is licensed under this Law except the prescribed identification card issued to him under this Law.

42. Any document issued under this Law purporting to be signed by the Tsuut'ina Development Authority, or any certified copy thereof, is receivable in evidence in any action, prosecution or other proceedings as proof that the document is signed by the Tsuut'ina Development Authority without proof of the office or signature of the Inspector.

43. Every agent shall, while engaged in the business or employment in respect of which the license is held, carry on his person the prescribed identification card issued to him under this Law and shall produce it for the inspection of any except the license or identification card issued to him under this Law and a business card containing no reference to licensing under this Law.

Proof of Being Licensed

44. A document purporting to be signed by the Tsuut'ina Development Authority and to the effect that the person named therein did or did not at any time or during any given period hold a license as:

    (a) An alarm agency,

    (b) An alarm agent,

    (c) A security consulting agency, or

    (d) A security consultant

    Shall be admitted in evidence as proof of the facts stated therein, without proof of the signature or appointment of the person signing the document.

45. A statement in a letter, advertisement, card or other document or paper to the effect that a person is engaged in any of the services or businesses licensed under this Law is admissible in evidence as proof that he is so engaged or acting, as the case may be.

Reporting

46. A person holding an agency license shall within fourteen (14) days of the occurrence report to the Tsuut'ina Development Authority:

    (a) Changes of his business address,

    (b) Changes in ownership or management of the agency,

    (c) Every charge laid against him for a criminal offence,

    (d) His every conviction for a criminal offence, or

    (e) Every charge or conviction known to him of a person employed in connection with his agency.

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47. A person holding an agent's licence shall within fourteen (14) days of the occurrence report to the Tsuut'ina Development Authority:

    (a) Every charge laid against him for an indictable offence, and

    (b) His every conviction for a criminal offence.

License Fees

48. The fees, including renewal fees, payable for licenses under this Law shall be set out in Schedule "A" which is declared to be part of this Law.

49. The Tsuut'ina Development Authority is not required to consider any application of a license or renewal of a license unless and until the fees, including any fees for inspections or consultations required by this or any other Law or provincial regulation, have been paid by the applicant.

50. Fees paid by an applicant to the Tsuut'ina Nation as part of the application or renewal process are not refundable regardless of whether the application is refused or the license is suspended or revoked.

51. Where a person who holds an agency license dies, the Tsuut'ina Development Authority may, without a payment of a fee, grant a temporary license to a properly designated person and in such case, all employees of the deceased person who holds a license under this Law shall be deemed to be licensed as employees of the designated person.

Exemption

52. This Law, except the provisions regarding alarm system permits and false alarms contained in Sections 25 to 25.16, does not apply to:

    (a) Members of a recognized police service while acting within the authority of their police appointments,

    (b) Barristers and solicitors in the regular practice of their profession,

    (c) Insurance adjustment agencies, insurance companies or the Insurance Crime Prevention Bureau while engaged in the usual course of their business or their employees or agents while acting in the usual and regular scope of their employment,

    (d) A person who installs an alarm system in his private residence,

    (e) Person who is not in the employ of an alarm agency and who acts as an operator to receive a signal from an alarm system where such service is provided without remuneration,

    (f) Collection agencies and collectors registered under the Collection Practices Act in the usual and regular scope of their employment,

    (g) Private investigators, security guards, security consultants or alarm agents who are permanently employed by one employer in the business or undertaking other than a business licensed under this Law and whose work is confined to the affairs of that employer, or

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(h) Where a person:

i. Resides outside the City of Calgary and is a bona fide employee there, by or on behalf of an employee or client who resides outside the City to make an investigation or injury partly outside the City and partly in the City, and

ii. Temporarily comes into the City solely for the purpose of that investigation or inquiry. Nothing in this section requires that person or his employer to be the holder of a license under this Law so long as the work of that person within the City is confined to the making of the investigation or any inquiry for which he was so employed outside the City.

Identification Data Cards

53. The holder of an agent's license under this Law shall be issued with an identification data card by the Tsuut'ina Development Authority bearing the photograph, name, and signature of the holder, name of the agency with whom the agent is employed or engaged, the expiry date, and shall be signed by the Tsuut'ina Development Authority or bear the mechanically reproduced signature of the Tsuut'ina Development Authority.

Advertising

54. Where a complaint is made in writing to the Tsuut'ina Development Authority, supported by documented evidence, of any agent or agency making false, misleading or deceptive statements in any advertisement, telephone directory listing, circular, pamphlet, or similar material, the Tsuut'ina Development Authority may:

(a) Require evidence to support the advertising claims, or

(b) Order the immediate cessation of the use of such advertising material, or

(c) Where the evidence discloses that such statements are false, misleading or deceptive, levy a fine as being in contravention of this Law, or

(d) Revoke the license of the agency, or

(e) Do any or all of the above.

Surrender of Licenses

55. Where a license under this Lw is suspended, cancelled or terminated, or where the license ceases to be employed by an agency, the license or licenses shall be returned by the agency operator forthwith to the Tsuut'ina Development Authority together with the identification card or cards issued.

56. When a license for an agent has been cancelled due to termination of employment with the agency for whom the license has been issued, it cannot be reactivated except through a new application and payment of the prescribed fee.

57. Where a license under this Law has been suspended, cancelled, terminated or revoked the license shall return such license to the Tsuut'ina Development Authority or surrender such license on demand to a peace officer and in no case shall a refund of any license fee be issued.

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Records

58. In addition to the requirements set out in the Law, the holder of an agency license shall keep complete records of the name and address of each agent acting for or employed by the holder of such agency license and record the exact date that employment or engagement commenced and terminated.

Alarm Permits

59. A person must not use an alarm system at a premises unless there is a valid and subsisting alarm system permit issued for each alarm system at that premises.

Application for an Alarm Permit

60. An applicant for an alarm system permit must make application to the Chief of Police on a form supplied by the Chief of Police furnishing such information as the Chief of Police may require,

61. A permittee must provide such additional information as the Chief of Police may request from time to time.

Issuance of Alarm Permits

62. The Chief of Police is authorized to issue alarm system permits.

63. An alarm system permit is not valid unless it includes:

    (a) The personal signature of the Chief of Police, or

    (b) The mechanically reproduced signature of the Chief of Police.

64. An alarm system permit must be issued in the names of the person or persons who occupy the premises where the alarm system is installed.

Transfer of Alarm Permits

65. An alarm system permit cannot be transferred or assigned.

Term of Alarm Permit

66. An alarm system permit is issued for a term set by the Chief of Police with the approval of the Tsuut'ina Nation Police Commission.

67. An alarm system permit commences on the date designated by the Chief of Police.

68. An alarm system permit is valid until the date specified on the permit, unless earlier suspended or revoked by the Chief of Police pursuant to Section 25.6

Alarm Permit Fee

69. The fee payable for an alarm system permit shall be set by the Chief of Police with the approval of the Tsuut'ina Nation Police Commission.

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Refusal, Suspension and Revocation of Alarm Permits

70. The Chief of Police may refuse to issue or may suspend or revoke any alarm system permit if:

(a) The application for the permit fails to provide all information required by the Chief of Police pursuant to section 25.1,

(b) Where the alarm system is administered by an alarm agency, the alarm agency is not licensed pursuant to this Law,

(c) The permittee has contravened any provision of this Law, or

(d) The alarm system for which the permit is issued generates excessive false alarms, as set out in Section 25.15.

Notice of Refusal, Suspension or Revocation

71. If the Chief of Police:

(a) Refuses to issue an alarm system permit to any person, or

(b) Suspends or revokes the alarm system permit held by any person,

The Chief of Police must notify such person of the refusal, suspension or revocation by causing a notice in writing to be sent by regular mail or email to that person at the address or email address set out on the application for the permit or the permit.

Appeal of Refusal, Suspension or Revocation

72. A person who has been refused an alarm system permit or whose alarm system permit has been suspended or revoked may, within thirty (30) days of the date of the written notice of decision of the refusal, suspension or revocation, appeal the refusal, suspension or revocation to the License and Community Standards Appeal Board by notifying the City Clerk in writing of his or her intention to appeal and the provisions of the License and Community Standards Appeal Law, as amended, shall apply, as the circumstances require, to the appeal.

73. When a suspension or revocation is appealed in accordance with section 72, the suspension or revocation shall be automatically stayed until the next sitting of the License and Community Standards Appeal Board.

74. If the appeal is not determined at the next sitting of the License and Community Standards Appeal Board, the Board may order that the stay of the suspension or revocation continue in place for a further period of time.

Registration of Alarm Agencies

75. Any alarm agency that installs or monitors, or both, alarm systems within the Tsuut’ina Nation must register with the Tsuut'ina Nation Tosguna Police Service by using a form prescribed by the Chief of Police.

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Alarm Systems

76. The Chief of Police may prescribe minimum standards for the installation and maintenance of all alarm systems installed in Tsuut'ina Nation.

77. A person must not install, maintain or use an alarm system which does not meet all of the standards prescribed by Chief of Police.

78. Notwithstanding the provisions of Section 76 and 77 every alarm system installed within the Tsuut'ina Nation shall be listed by or approved by a testing authority authorized by the Standards Council of Canada.

Notice of Contact Persons

79. Every person maintaining an alarm system shall keep the Chief of Police informed, by notice in writing, of the names and telephone numbers of:

    (a) At least two individuals who do not reside at the premises at which the alarm system is installed, or

    (b) An alarm agency or other person that is in the business of providing security services and responding to alarms,

    Who may be contacted in the event that the alarm system is activated.

80. The persons to be contacted pursuant to Section 79:

    (a) Must be available to receive telephone calls made in respect of the alarm system,

    (b) Must be capable of affording access to the premises where the alarm system is located, and

    (c) Must attend at the premises where the alarm system is located within thirty (30) minutes of being requested to do so by a member of the Tsuut'ina Nation Tosguna Police Service.

Audible Alarms

81. Every person maintaining an audible alarm must keep posted a notice in a form approved by the Chief of Police containing such information as the Chief of Police may from time to time require.

82. Such notice shall be posted near the audible alarm in such a position as to be legible from the ground level adjacent to the premises where the audible alarm is located.

83. A person must not install, maintain or use an audible alarm that sounds continually for a period of greater than 15 minutes after any activation.

Monitored Alarms

84. When a person monitoring a monitored alarm receives an alarm from such system such person must, before informing any member of the Tsuut'ina Nation Tosguna Police Service that the monitored alarm has been activated, attempt to contact either:

    (a) Both individuals referred to in Section 25.11(a) or

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(b) The person referred to in Section 25.11(1)(b).

85. Section 84 does not apply to a monitored alarm installed in a bank, trust company, credit union or other financial institution.

86. A person must not inform any member of the Tsuut'ina Nation Tosguna Police Service that a monitored alarm has been activated unless a valid and subsisting alarm system permit exists in respect of that alarm system.

87. A person who monitors a monitored alarm and who informs any member of the Tsuut'ina Nation Tosguna Police Service that the monitored alarm has been activated must:

(a) At the same time inform such member of the Tsuut'ina Nation Tosguna Police Service of:

i. The alarm system permit number for such system, and

ii. Where the person monitoring the monitored alarm is an agent, the registration number of the alarm agency,

(b) Cause a person capable of affording access to the premises where the monitored alarm system is located to attend such premises within 30 minutes of so informing such member of the Tsuut'ina Nation Tosguna Police Service of the activation.

88. An agency must not inform any member of the Tsuut'ina Nation Tosguna Police Service that a monitored alarm system has been activated unless such agency is licensed pursuant to this Law and has registered with the Tsuut'ina Nation Tosguna Police Service pursuant to section 25.9.

89. A person must not notify the Tsuut'ina Nation Tosguna Police Service concerning the activation of any alarm by a monitored alarm system within 14 days of:

(a) The installation of a new monitored alarm system, or

(b) Changes to an existing monitored alarm system,

Unless the alarms generated by that system are confirmed to be valid alarms by a person who attends at the location of the alarm prior to the Tsuut'ina Nation Tosguna Police Service being requested to attend at the premises where the alarm has been activated.

Automatic Calling Devices

90. A person must not provide, use, maintain or install or permit the use, maintenance or installation of any automatic calling device which is programmed to access any phone number assigned to the Tsuut'ina Nation Tosguna Police Service and includes the emergency telephone number 9-1-1.

Excessive False Alarms

91. For the purpose of this Law, "excessive false alarms" means 3 or more false alarms in any 12-month period.

92. The following shall not be included when computing the number of false alarms which have occurred for the purposes of section 91 and when determining whether a false alarm penalty is payable pursuant to section 26.1:

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(a) Any false alarm which the permittee can demonstrate was caused by a storm, lightning, earthquake or other violent act of nature, or

(b) Any false alarm which the permittee can demonstrate was actually caused by the act of some person other than:

i. The permittee including the permittee's officers, agents, employees, independent contractors or any other person subject to the direct of indirect control of the permittee,

ii. The person who installed, connected, operated, maintained or services the alarm system, or

iii. The manufacturer of the alarm system, including the manufacturer's officers, agents, employees, independent contractors or any person subject to the direct or indirect control of the manufacturer.

93. Despite the provisions of section 91 in the event that an alarm system permit is suspended or revoked, any false alarm which occurred prior to the suspension or revocation shall not be included when determining whether the alarm system activates excessive false alarms in a subsequent proceeding taken pursuant to section 25.6(d).

Inspection

94. Where an alarm system activates excessive false alarms the Chief of Police may, by noting in writing, require the permittee to have the alarm system inspected by a person knowledgeable in the installation and use of alarm systems.

95. Within thirty (30) days of issuance of the notice referred to in Section 94 a permittee shall provide the Chief of Police with a report in writing, in the form prescribed by the Chief of Police, verifying that the inspection has been carried out and indicating the results of the inspection.

96. If the report referred to in Section 95 indicates, in any way, that the alarm system is malfunctioning due to a fault or deficiency in the alarm system, the permittee shall forthwith remedy such fault or deficiency.

97. If the permittee fails to provide a satisfactory inspection report as required by this section the Chief of Police may suspend or revoke the alarm system permit.

Offences and Penalties

98. Any person who contravenes any provision of this Law by:

(a) Doing any act or thing which the person is prohibited from doing, or

(b) Failing to do any act or thing the person is required to do is guilty of an offence and liable on summary conviction to a fine of not less than three hundred ($300) dollars but not more than ten thousand ($10,000) dollars and in default of payment to imprisonment for a term not exceeding one (1) year or both.

99. A person who contravenes a provision of Section 25(2)(d) is not guilty of an offence in respect of such contravention.

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False Alarm Penalty

100. There is hereby imposed a false alarm penalty as set out in Schedule “B” payable by an agency to the Tsuut’ina Nation Tosguna Police Service for each false alarm communicated to the Tsuut’ina Nation Tosguna Police Service by the agency in any 12 month period.

101. Where the Tsuut’ina Nation Tosguna Police Service is requested to attend at a premises as a result of the activation of an alarm system, and it is determined, with reference to Section 100 and 101 and 25.15(2), that the alarm signal was a false alarm and that a false alarm penalty is payable, the Chief of Police may send a notice in writing or by email to the agency notifying it of the penalty.

102. An agency must pay the false alarm penalty imposed within 6 weeks after the date of the written notification.

103. Where an agency receives a written notice of the imposition of a false alarm penalty prepared and delivered pursuant to section 101, the agency may, within 6 weeks of the date of the issuance of the notice, apply for a review of determination that a false alarm penalty is payable by notifying the Tsuut’ina Nation Tosguna Police Service, in writing, of the agency’s application for review, and by delivering the notification to the Tsuut’ina Nation Tosguna Police Service in accordance with the instructions contained within the false alarm penalty notice prepared and delivered to the agency pursuant to section 101.

104. Where the Tsuut’ina Nation Tosguna Police Service receives a written notification for review delivered pursuant to section 103, the Chief of Police must, within 45 days, review the determination that a false alarm penalty is payable, having regard to all the circumstances made knows to the Chief of Police which are relevant to the subject alarm activation, and having regard to the provisions of sections 2(1)(l) and 25.15(2).

105. When a review is proceeding pursuant to section 104, the imposition of the false alarm penalty shall be automatically stayed until such time as the review is completed.

106. Upon completion of a review pursuant to section 104, the Chief of Police shall notify the agency of the result of the review by causing a notice in writing to be sent by regular mail or by email to the agency at its last known address.

107. Where the result of a review commenced pursuant to section 104 is the confirmation of the imposition of the false alarm penalty, the agency must pay the penalty within 30 days after the date of the notification sent to the agency pursuant to section 106.

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Amendments to this Law

Amendments

108. Amendments to this Law shall be made through the Tsuut'ina Legislative Process Act, as may be amended as from time to time.

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INSERT FIELD

Taza Development Alarm Law

Appendix

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Schedule 'A'

License Fees

License	New Application Fee				Renewal Fee			
	2023	2024	2025	2026	2023	2024	2025	2026
Alarm Agency	$172	$172	$172	$172	$131	$131	$131	$131
Security Consulting Agency	$172	$172	$172	$172	$131	$131	$131	$131
Alarm Agents	$172	$172	$172	$172	$131	$131	$131	$131
Security Consultant	$172	$172	$172	$172	$131	$131	$131	$131

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Schedule 'B'

False Alarm Penalty

Number of False Alarms (in a 12 month period)	**Penalty**
1	$0
2	$75
3	$150
4	$225
5	$300
6	$375
7	$450
8	$525
9	$600
10 or more	$675

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Head Chief and Minor Chiefs Signatory Page

THIS LAW IS HEREBY made at this duly convened meeting of the Head Chief and Minor Chiefs of the Tsuut'ina Nation this [___] day of [Month, Year] by Nation Council Resolution.

Voting in favour of the Taza Development Rates and Fees Law, as evidenced by signatures, are the following members of the Head Chief and Minor Chiefs:

Tsuut'ina Nation Head Chief

Member of Tsuut'ina Minor Chiefs	Member of Tsuut'ina Minor Chiefs
Member of Tsuut'ina Minor Chiefs	Member of Tsuut'ina Minor Chiefs
Member of Tsuut'ina Minor Chiefs	Member of Tsuut'ina Minor Chiefs
Member of Tsuut'ina Minor Chiefs	Member of Tsuut'ina Minor Chiefs
Member of Tsuut'ina Minor Chiefs	Member of Tsuut'ina Minor Chiefs
Member of Tsuut'ina Minor Chiefs	Member of Tsuut'ina Minor Chiefs

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