

THE CORPORATION OF THE CITY OF CORNWALL

By-law # 2016-043

A by-law to authorize Service Fees for alarm maintenance services provided by the Cornwall Fire Service

Whereas the *Fire Protection and Prevention Act 1997* requires a working smoke alarm to be installed on each storey of an individual dwelling unit between the sleeping area and the remainder of the building; and

Whereas the *Fire Protection and Prevention Act 1997* requires a working smoke alarm to be installed between the sleeping area and the remainder of all residential building occupancies; and

Whereas the *Fire Protection and Prevention Act 1997* requires a working carbon monoxide alarm to be installed adjacent to each sleeping area in a suite; and

Whereas the *Fire Protection and Prevention Act 1997* requires a working carbon monoxide alarm to be installed adjacent to each sleeping area and in buildings with a service room where an appliance is installed; and

Whereas the *Fire Protection and Prevention Act 1997* requires the owner to maintain smoke and carbon monoxide alarms in operating condition; and

Whereas the Cornwall Fire Service is called to respond to emergency response incidents which occasionally result in the determination that the building does not meet the minimum provincial smoke and/or carbon monoxide alarm regulations; and

Whereas the Cornwall Fire Service conducts inspections which occasionally result in the determination that the building does not meet the minimum provincial smoke and/or carbon monoxide alarm regulations; and

Whereas it is deemed appropriate that the Corporation impose fees for alarm maintenance services provided;

Now therefore be it resolved that the Council of The Corporation of the City of Cornwall enacts as follows:

1.DEFINITIONS

In this by-law, unless the context otherwise requires:

“Fire Chief” means the person appointed by the Council to act as Fire Chief for the Corporation and it ultimately responsible to Council as provided in the FPPA;

“Alarm” means an alarm that automatically detects and gives warning of the presence of smoke or carbon monoxide.

2. The Cornwall Fire Service shall collect a service fee for alarm maintenance services, for non-compliant alarms.

3. The following categories constitute non-compliant alarms:

- a. Missing alarm(s)
- b. Unmaintained alarm(s)
- c. Outdated alarm(s)
- d. Damaged/ malfunctioning alarm(s)
- e. Missing battery in alarm(s)
- f. Dead battery in alarm(s)

4. Any service fee for providing smoke or carbon monoxide alarm maintenance services shall be paid by the building owner.

5. A smoke or carbon monoxide alarm service fee shall not be deemed a provincial offence penalty or fine for a contravention of the Ontario Fire Code.

6. The cost for each non-compliance shall be set out in By-Law #2015-157 Fees and Charges.

7. All alarm service fees shall be due within thirty (30) days from the date of the invoice delivered by the Cornwall Fire Service to the owner.

8. The notice of fees may be delivered by hand or general mail service, to the last known address of the owner, in accordance with the information

contained in the latest tax roll maintained by the City.

9. All fees owing to the City of Cornwall in accordance with this By-law, shall be added to the tax roll for any property owned by the Owner, and may be collected in the same manner as municipal taxes.

10. Any alarm service fees collected shall be directed to the Cornwall Fire Service Smoke Alarm Program.

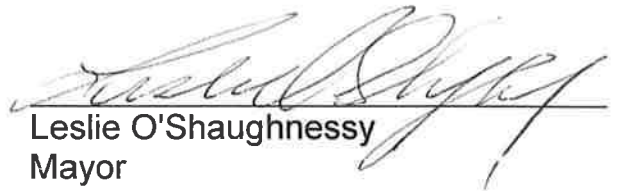
11. Notwithstanding section 2, The Fire Chief may waive the alarm service fee, were circumstances warrant a waiver.

12. That this By-law enter into force upon Council approval.

Read, signed and sealed in open Council this 29th day of March, 2016.



Helen Finn
City Clerk



Leslie O'Shaughnessy
Mayor