

Report to / Rapport au:

**OTTAWA POLICE SERVICE BOARD
LA COMMISSION DE SERVICE DE POLICE D'OTTAWA**

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Submitted by / Soumis par:

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SUBJECT: FALSE ALARM BYLAW UPDATE

OBJET: MISE À JOUR DU RÈGLEMENT SUR LES FAUSSES ALERTES

REPORT RECOMMENDATIONS

That the Ottawa Police Service Board approve the updated False Alarm By-law, retroactive to 2010.

RECOMMANDATIONS DU RAPPORT

Que la Commission du service de police d'Ottawa approuve le règlement municipal révisé sur les fausses alarmes, avec effet rétroactif à 2010.

BACKGROUND

The Ottawa Police Service Board (the Board), like other police service boards in Ontario, reviews policies and by-laws on a regular basis. Reviews are conducted to ensure that Board policies and by-laws continue to align to legislative and regulatory requirements stipulated within the Community Safety and Policing Act (CSPA).

A review identified discrepancies between the by-law and the Ottawa Police Service (OPS) false alarm policies and procedures. Discrepancies and areas requiring adjustment have been addressed in the by-law coming before the Board for approval.

DISCUSSION

Shortly after the Police Services Boards of the former Municipalities of Gloucester, Nepean, and Ottawa were dissolved and replaced with the Ottawa-Carleton Police

Services Board in January 1995, the new board adopted a false alarm reduction policy to address the increase in false alarms, police attendance and the resulting additional strain on police resources and budgets.

The policy sought to advance three key objectives:

1. Reduce the number of false alarm calls attended by police officers;
2. Develop a database of alarmed premises to enhance officer response and safety; and
3. Provide a method of recovering the costs of officers attending false alarm calls.

These three objectives were first implemented through a “False Alarm Reduction By-law,” initially enacted as By-law No. 3 of 1996 and subsequently replaced by By-law No. 1 of 1998 of the Ottawa-Carleton Police Services Board (the “1998 By-law”).

On April 26, 2010, the OPSB enacted the 2010 False Alarm Bylaw, which repealed and replaced the 1998 by-law.

At that time, the Board undertook significant reforms to the false alarm framework. Mandatory alarm system registration and the associated registration fee were eliminated, as these requirements were found to discourage participation, raise fairness and privacy concerns, and strain relations with the alarm industry. Registration was made voluntary and free of charge, while the false alarm fee was increased to maintain full cost recovery. These changes were intended to simplify administration, reduce barriers for alarm users, and clearly separate the database-building function of registration from the cost-recovery purpose of false alarm fees.

Although the 2010 by-law has been amended from time to time, most recently in December 2017, those amendments have been limited to updating the quantum of false alarm fees. In all other respects, the 2010 by-law has remained unchanged and remained in force.

Given the length of time since the last thorough review and update, the Service and the Board coordinated on a joint by-law review. The review identified discrepancies between the Board by-law, the OPS policies and procedures, and OPS practice. The review also highlighted that, if not clarified, the current language contained in the Board By-law pertaining to which entities are subject to false alarm fees may expose the Board to financial risk.

The review has resulted in updated OPS false alarm policies and procedures, as well as the updated Draft Board False Alarm By-law. Documents have been reviewed by subject matter experts and key interest holders as well as OPS General Counsel and the City Solicitor and deemed to be in alignment with one another.

Section 12 of the current By-law states that when police attend a false alarm, the applicable fee is charged to the Registration Certificate Holder associated with the alarm system. Because registration has been voluntary since 2010, this wording may be interpreted to restrict fee recovery to a much narrower group than intended, creating a gap between the By-law, the Board's intent, and operational practice.

The proposed amendment to Section 12 expands fee liability beyond Registration Certificate Holders by allowing the fee to be charged to the party that requested police response. This is intended to broaden the By-law's scope so that false alarm fees can be recovered from a wider range of responsible parties, better reflecting how alarm systems operate today.

The amendment would align the By-law with the Board's original intention when registration was made voluntary. The Board's decision in 2010 to eliminate mandatory registration and its associated fee was made to reduce administrative burdens, address fairness concerns, and improve cooperation with the alarm industry. It was not intended to narrow the scope of who could be billed for a false alarm. At the same time, the Board approved an increase to the false alarm fee to maintain full cost recovery, which signals that fees were intended to apply broadly, regardless of registration status.

The proposed amendment to the By-law would clarify the OPS's authority by explicitly extending responsibility for false alarm fees to all parties associated with an alarm system. The existing wording ties fee recovery only to registered systems, even though registration has been voluntary since 2010.

The Board False Alarm By-law is, therefore, ready for endorsement and approval by the Board for implementation.

FINANCIAL IMPLICATIONS

Since the enactment of the 2010 By-law, false alarm fees have been charged to entities who are not Registration Certificate Holders. Clarifying the language to confirm the Board's intent that these entities are also subject to the applicable fees will minimize financial risk and liability.

SUPPORTING DOCUMENTATION

Document 1: Draft Board False Alarm By-law

CONCLUSION

A review of the Board's False Alarm By-law identified discrepancies between the by-law, the Board's original intent, and the Ottawa Police Service false alarm policies, procedures and practices. Discrepancies and areas requiring adjustment have been

addressed in the updated by-law coming before the Board for approval. The updated by-law has been reviewed by subject matter experts, key interest holders, OPS General Counsel, and the City Solicitor, and confirmed to be aligned with OPS false alarm policies, procedures, and operations.