
POLICY NO. 65

A POLICY RESPECTING A SYSTEM OF MUNICIPAL FIRE INSPECTIONS

1. This Policy is entitled the “*System of Municipal Fire Inspections*”

2. Background

The Province of Nova Scotia proclaimed the Fire Safety Act Bill 101 and Fire Safety Regulations to come into force on February 28, 2003. Under the Fire Safety Act and Regulations, municipalities are directed by the Province of Nova Scotia to provide basic fire inspection service starting September 1, 2003.

The new fire safety inspection process will involve a set of initial inspections, follow-up visits and enforcement that will consume much more time and resources for each affected property than will be required once the program has been established for a period of time.

The Fire Safety Act specifies an ongoing inspection schedule for Type A assembly buildings. The Municipality intends to meet this time line. The Act does not specify an inspection schedule for buildings types C to F. This Policy will set an inspection regime for these buildings.

Criteria developed in this Policy will allow reasonable flexibility for compliance where circumstances warrant. It is expected that many properties requiring expensive or extensive remediation will be given a reasonable amount of time to comply.

3. In this Policy:

- (a) **ASSEMBLY OCCUPANCY (GROUP A)**, means the Assembly Occupancy as defined in the National Building Code of Canada (2010) , as amended from time to time;
- (b) **CARE AND DETENTION OCCUPANCIES (B1, B2, B3 occupancies)** - means care and detention occupancies as defined in the National Building Code of Canada (2010) as amended from time to time;
- (c) **RESIDENTIAL OCCUPANCY (GROUP C)**, means a Residential Occupancy as defined in the National Building Code of Canada (2010), as amended from time to time;
- (d) **BUSINESS AND PERSONAL SERVICE OCCUPANCY (GROUP D)**, means a Business and Personal Service Occupancy as defined in the National Building Code of Canada (2010), as amended from time to time;

.../2

- (e) **MERCANTILE OCCUPANCY (GROUP E)**, means a Mercantile Occupancy as defined in the National Building Code of Canada (2010), as amended from time to time;
- (f) **INDUSTRIAL OCCUPANCY (GROUP F)**, means an Industrial Occupancy as defined in the National Building Code of Canada (2010), as amended from time to time;
- (g) **MUNICIPAL FIRE INSPECTOR**, means a person appointed by the Municipality as a Municipal Fire Inspector pursuant to Fire Safety Act, Chapter 6 of the Acts of 2002, as amended from time to time;
- (h) **FIRE SAFETY ACT**, means “An Act to Promote and Encourage Fire Safety”, Chapter 6 of the Acts of 2002, Nova Scotia as amended from time to time, and any other successor legislation;
- (i) **FIRE SAFETY REGULATIONS**, means the “Regulations Respecting Fire Safety” made by the Governor in Council pursuant to Section 51 of Chapter 6 of the Acts of 2002, the Fire Safety Act., as amended from time to time;
- (j) **COUNCIL**, means the Council of the Municipality of the District of Barrington.

4. Pursuant to Section 19 of the Fire Safety Act this Policy establishes a “System of Municipal Fire Inspections” to provide for compliance with that Act and the Fire Safety Regulations and that recognizes municipal resources, geography and priorities based upon a risk assessment.

5. **Municipal Fire Inspector**

Pursuant to Section 19 of the Fire Safety Act, Council shall appoint one or more Municipal Fire Inspectors, whom shall carry out the System of Municipal Fire Inspections in accordance with the requirements of the Fire Safety Act and Fire Safety Regulations.

6. **System of Inspections**

Pursuant to Section 3 of this Policy, Council hereby establishes the following “System of Municipal Fire Inspections”.

(a) **Assembly Occupancies (Group A) -**

- (i) within 12 months of the coming into force of these regulations, assembly occupancies (Group A) in which alcoholic beverages are served and that require a fire alarm in accordance with the Building Code;

(ii) within 24 months of the coming into force of these regulations, all assembly occupancies (Group A) in which alcoholic beverages are not served and that require a fire alarm in accordance with the Building Code; and

(iii) within 36 months of the coming into force of these regulations, all assembly occupancies (Group A) that do not require a fire alarm in accordance with the Building Code.

(b) **Care and Detention Occupancies (B1, B2, B3) -**

Currently municipalities are not required to inspect Care and Detention Occupancies (Group B). This condition may change in the future. All “B” occupancies are currently inspected by the Fire Marshalls’ Office (OFM)

(c) **Residential Occupancies (Group C) -**

(i) **Buildings with more than three units**, and not regulated under the Homes for Special Care

Buildings will be inspected every 3 years on a rotational basis unless the Municipal Fire Inspector deems that, to reduce the risk of fire and loss of life, a more frequent inspection of one or more particular building is required.

(ii) **Buildings with three units or less.**

Buildings will be inspected only upon receipt of the written request of an owner, and only if the inspection to be conducted is not for insurance purposes, or upon the Municipal Fire Inspection obtaining a warrant allowing such inspection pursuant to Section 24 of the Fire Safety Act.

(d) **Mercantile Occupancies (Group E) -**

Buildings will be inspected every 5 years on a rotational basis unless the Municipal Fire Inspector deems, that to reduce risk of fire and loss of life, a more frequent inspection of one or more particular building is required.

(e) **Business and Personal Service Occupancies (Group D) -**

Buildings will be inspected every 5 years on a rotational basis unless the Municipal Fire Inspector deems that, to reduce risk of fire and loss of life, a more frequent inspection of one or more particular building is required.

(f) **Industrial Occupancies -**

Buildings will be inspected every 5 years on a rotational basis unless the Municipal Fire Inspector deems that, to reduce risk of fire and loss of life, a more frequent inspection of one or more particular building is required.

7. **Failure to Comply with Order**

(a) Orders to Comply

Municipal Fire Inspectors may issue an “Order to Comply” to remedy noted deficiencies. Where the owner of a building, land or premises fails to comply with an Order to Comply issued by the Municipal Fire Inspector, the Municipal Fire Inspector may take action as set out in Section 44 of the Fire Safety Act which could include a Summary Offence Ticket or Summary Conviction. Council may be approached before such measures are carried out.

(b) Completing Matters or Remedies of Deficiencies not Completed by Owner

Pursuant to the Fire Safety Act, and subject to the approval of the Fire Marshall and Chief Administrative Officer, where an owner of a building, land or premises fails to comply with an Order issued by the Municipal Fire Inspector, the Municipal Fire Inspector may carry out or cause to be carried out an Order.

Clerk’s Annotation for Official Policy Book

Date of Notice to Council Members January 23, 2012
Date of Passage of Policy February 13, 2012

I certify that this Policy was adopted by Council as indicated above.

Date
date

Clerk

