

**Policy: Municipal Fire Inspection Program Policy**

**Date Originally Approved: September 25, 2003**

**Motion: "Council approves the adoption of the attached Municipal Fire Inspection Program Policy, dated July 2003." Motion carried.**

**This Policy is current as of: October 8, 2003**

## **Municipality of the County of Colchester**

### **Municipal Fire Inspection Program Policy**

**July 2003**

#### **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.

A Fire Safety Program, as outlined in Provincial Regulation, is a significant new undertaking of which the full cost and time commitments will remain unknown until the program is implemented. Implementation of a Fire Safety Program will be a significant responsibility for the Municipality of Colchester.

Fire safety inspection has been the responsibility of the Provincial Fire Marshall. Few lands and premises were inspected under the current provincial program and data is not available from the Province regarding inspections, current level of compliance and deficiencies. As a result, a Municipal program established under Bill 101 will be a new program.

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 building 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 full year to comply.

#### **Policy**

1. The Municipality recognizes the importance of a Fire Safety Inspection Program and the need to maintain competing safety-related programs such as building inspection under the Building Code Act. The Municipality will endeavour to implement a proper fire safety inspection program with reasonable resources based on priorities and time schedules as contained within this policy.
2. Municipal Council shall appoint the Municipal Building Inspectors as the Municipal Fire Inspectors. The Municipal Building Inspectors will implement the Municipal Fire Safety Program while maintaining other required building inspection duties.
3. It is the Policy of County Council that fire inspections are to be carried out and enforced seriously with a view to minimizing the long term risks to human safety. The Municipality of Colchester will

implement a program based on the following inspection cycle:

- a) Type A - Assembly buildings will receive an initial inspection as stipulated in the Fire Act. Ongoing inspections will be conducted on a three year cycle also as stated in the Act.
  - b) Type C-F buildings will be inspected and reinspected on a 5 year cycle.
  - c) Third party complaints regarding non-compliance and incidental inspections where convenient, such as in connection with a building inspection on a substantial new project.
4. Upon inspection of land or premises, the Municipal Fire Inspector may, under Section 25(1) of the Fire Safety Act, issue to the owner of the land or premises, an order directing compliance with a time frame of 1 to 365 days to rectify a condition, depending upon the circumstances, including the criteria in s. 5, below.
5. Further to s. 4, above, time for compliance will be determined by the municipal fire inspectors based on the following criteria:
- a) the degree of risk to life and safety;
  - b) occupancy type;
  - c) numbers of occupants;
  - d) frequency of use;
  - e) serving of alcohol;
  - f) the amount of time reasonably required by the owner to comply, including whether the deficiency has been the subject of previous compliance requests or directives from any source.
6. The owner of the land or premises in which an order for compliance has been issued will contact the Municipal Fire Inspector's office to arrange an inspection within 5 working days prior to the time limit of the order or when the work has been completed, whichever ever comes first.
7. No legal proceedings to enforce compliance shall be taken except with prior approval of either the Executive Committee or Council. Fire Inspectors may at any step in the process request directions from Council regarding any enforcement issue.

Clerk's Annotation For Official Policy Book

Date of Notice to Council Members  
of Intent to Consider (7 days minimum): \_\_\_\_\_  
Date of Passage of Current Policy: \_\_\_\_\_

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

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Date