

The Corporation of the Township of Huron-Kinloss



BY-LAW

2022 - 147

Being a By-law to Amend the Fire Prevention Program Policy for the Township of Huron-Kinloss

WHEREAS The Council for The Corporation of the Township of Huron-Kinloss deems it expedient to establish policies;

AND WHEREAS the Municipal Act S.O. 2001, c 25, Section 5(3), as amended provides that a municipal power, including a municipality's capacity rights, powers and privileges under Section 9, shall be exercised by By-Law;

AND WHEREAS the Council for The Corporation of the Township of Huron-Kinloss passed By-Law No. 2019-52 to Adopt a Fire Prevention Program Policy and it is now deemed desirable to amend the policy to to remove the term "Ripley-Huron Fire Department" and replace with "Huron-Kinloss Fire & Emergency Services";

NOW THEREFORE the Council of The Corporation of the Township of Huron-Kinloss enacts as follows:

- 1.0 That the Corporation of the Township of Huron-Kinloss Council hereby adopts the amended Fire Prevention Program Policy as contained in the attached Schedule "A" to this by-law.
- 2.0 That By-Law No. 2019-52 is hereby repealed.
- 2.0 This By-Law shall come into full force and effect upon final passage.
- 3.0 This By-Law may be cited as the "Fire Prevention Program Policy By-Law".

READ a FIRST and SECOND TIME this 19th day of September 19, 2022

READ a THIRD TIME and FINALLY PASSED this 19th day of September, 2022

Mitch Twolan, Mayor

Emily Dance, Clerk



Policy

Section: 5.0 General

Policy: Fire Prevention Program Policy

By-Law: 2005-69, 2012-116, 2019 – 52, 2022-147

Date: 18 July 2005

Revision: September 19 2022

Coverage:

This policy applies to the Township of Huron-Kinloss Fire & Emergency Services.

Policy Statement:

The Township of Huron-Kinloss, Fire & Emergency Services shall endeavour to develop a program of fire safety inspections, fire and life safety education, fire investigation and cause determination and fire loss statistics for the municipality.

This policy shall ensure that the Township of Huron-Kinloss Fire & Emergency Services maintains compliance with the Fire Protection and Prevention Act 1997 by establishing programs in the municipality that include; the distribution of public education materials with respects to fire safety and certain components of fire prevention, a fire safety inspection schedule, a smoke and carbon monoxide alarm program, home escape planning, a community risk assessment, open air burning and such other fire protection services as it determines necessary in accordance with its needs and circumstances.

Legislative Authority:

Section 2 (1), Fire Protection and Prevention Act, 1997

Contents:

1. Inspections:

The Fire Chief and/or their designate as defined in Section 6 (6) of the Fire Protection and Prevention Act 1997, shall conduct inspections of occupancies in the following manner.

- 1.1 Upon Complaint – Complaint inspections will be conducted within a reasonable time frame after the complaint is received by the Township in writing.

- 1.2 Upon Request – Request inspections are to be conducted within a reasonable time frame after the request is made and shall be scheduled in consultation with person making the request.
 - 1.3 High Risk – Properties that are considered high risk, in that should a fire occur in such an occupancy it would represent a severe risk of physical injury or death and/or significant financial impact on the citizens of the Township of Huron-Kinloss.
 - 1.4 Through Emergency Response – As the Fire Department becomes aware of fire safety issues with a property as part of their regular duties. This type of inspection is to be conducted immediately after discovery or as soon as practicable thereafter.
 - 1.5 Predetermined Frequencies – Fire Prevention Inspections will be conducted on specific occupancy types at frequencies determined appropriate by the Fire Chief.
 - 1.6 New Construction – New constructions or alterations to existing buildings shall be inspected in consultation with the Chief Building Official (CBO) and in accordance with the Ontario Building Code Act and Regulations upon the request of the CBO.
 - 1.7 Township Owned/Managed Facilities – Inspection and certification of all Fire and Life Safety Equipment will be conducted annually by a qualified technician in all Township Owned or Managed facilities. Records of such will be retained by Fire & Emergency Services.
2. Building Code Inspections and Plans Examination:
 - 2.1 The Fire Chief will assist the Chief Administrative Officer and Chief Building Official (CBO) with items dealing with fire related sections of the Ontario Building Code (OBC) as related to inspections and/or plans examination.
3. Community Risk Assessment:
 - 3.1 The Huron-Kinloss Fire & Emergency Services will establish a Community Risk Assessment in accordance with Ontario Regulation (O/Reg.) 378/18 – Community Risk Assessments, as amended. The Community Risk Assessment shall be reviewed and updated as per the requirements of O/Reg 378/18, as amended.

4. Open Air Burning:
 - 4.1 Open Air Burning shall take place only within the provision of the Township of Huron-Kinloss Open Air Burning By-law, as amended from time to time, which shall clearly outline the provisions for open air burning.

5. Solid Fuel Burning Appliance and Fireplace Inspections:
 - 5.1 Request for inspection of new installations of solid fuel burning appliances or fireplaces will be referred to the Chief Building Official of the Township as a permit may be required prior to the installation.
 - 5.2 It shall be the policy of the Township of Huron-Kinloss not to provide requested inspections for existing solid fuel burning appliances or fireplaces. Owners and/or their agents will be referred to a Wood Energy Technology Trained (WETT) certified inspector for these inspections. This does not preclude the requirement for a Solid Fuel Burning appliance to be inspected for Fire Code compliance during a Fire Inspection.

6. Request for Inspection for change of Ownership:
 - 6.1 Inspections that are requested due to a change in ownership of a property will be conducted within a reasonable amount of time after the request is made by the purchaser's solicitor. These types of inspection shall only take place where written permission has been obtained from the owner or the owner's agent to inspect and release the inspection results.

7. Investigation of Fire Cause and Origin:
 - 7.1 The Fire Chief or their designate shall investigate the origin and cause of all reported fires within the Township of Huron-Kinloss. A Standard Operational Guideline (SOG) for fire cause and origin determination shall be maintained by the Fire Department. All Fire Investigations will be documented and reported upon completion of the investigation.
 - 7.2 As per OFMEM Directive 2015-002; All Assistants to the Fire Marshall shall notify the Office of the Fire Marshal and Emergency Management (OFMEM) and the Ontario Provincial Police (OPP) of all incidents that meet the following criteria.
 - (a) Fire resulting in either a fatality or serious injury requiring person(s) to be admitted as an in-patient to a hospital. It shall be the responsibility of the Fire Department to confirm the

status of the injured person transported by ambulance prior to release of the fire scene.

- (b) Explosions (Where an Explosion is the primary event)
- (c) All Fire in vulnerable occupancies (Retirement homes, care and treatment occupancies, and care occupancies as defined in the Fire Code).
- (d) Fire suspected of being incendiary and for which expert investigative assistance is required with determining cause, origin, and circumstances
- (e) Large Fire Loss, \$500,000.00 and over or where the loss is significant to the community
- (f) Fires of unusual origin or circumstance and for which expert investigative assistance is required in determining the cause
- (g) Fires resulting in unusual fire/smoke spread
- (h) Fire involving circumstances that may result in widespread public concern
- (i) Fire in multi-unit residential occupancies where the fire spread is beyond unit of origin or where suspected Fire Code violations have impacted on the circumstances of the event
- (j) Fire involving clandestine drug operations or marijuana grow operations

7.3 Huron-Kinloss Fire & Emergency Services shall assist the OFMEM and the OPP as requested or required.

8. Smoke and Carbon Monoxide Compliance:

8.1 As a result of many fire related deaths reported in Ontario annually, and as part of a recommendation from the Office of the Fire Marshal and Emergency Management (OFMEM), the Huron-Kinloss Fire & Emergency Services hereby adopts a zero-tolerance approach, under certain circumstances, when it comes to enforcing the Smoke and Carbon Monoxide Alarm provisions of the Ontario Fire Code (OFC).

8.2 The following compliance and enforcement strategies shall be utilized as part of a zero-tolerance approach:

- (a) Fire Department Emergency Response – in situations where a Fire Department has responded to a residential dwelling, a check to ensure the dwelling is following the Fire Code shall be made. In situations where a fire has occurred and lives have been put at risk, a warning to the owner or occupant may not be sufficient if the home is not in compliance with the

requirements. In these situations, the Fire Chief may choose to issue an Offence Notice under Part I of the Provincial Offences Act (POA) or in circumstance that warrant it, lay an information under Part III of the POA and pursue a fine higher than the set fine.

- (b) Enforcement Strategies for Homeowners – whenever a residential dwelling is found to be non-compliant with the Fire Codes smoke and carbon monoxide alarm provisions, all efforts and strategies shall be used to gain compliance. If the owner or occupant refuses or fails to comply or has been found to have been in non-compliance previously, a Certificate of Offence may be completed and an Offence Notice under Part I of the POA may be served upon the owner or occupant.
- (c) Enforcement Strategies for Landlords – landlords who are found to be negligent in providing and maintaining working smoke and carbon monoxide alarms for their rental dwelling units as determined through fire inspections or through a fire department response to an actual fire, may be automatically issued an Offence Notice under Part I of the POA or in circumstance that warrant it, the Fire Chief may lay an information under Part III of the POA and pursue a fine higher than the set fine.
- (d) Enforcement Strategies for Tenants – tenants in multi-unit rental accommodation who disable smoke and/or carbon monoxide alarms are not only putting themselves at risk, but also the tenants in neighbouring units. Experience has shown that removing batteries or otherwise tampering with smoke and/or carbon monoxide alarms is often a common response to nuisance alarms. Tenants who admit to removing batteries or otherwise disabling a smoke or carbon monoxide alarm may be automatically issued an Offence Notice under Part I of the POA or in circumstance that warrant it, the Fire Chief may lay an information under Part III of the POA and pursue a fine higher than the set fine.

8.3 Education is a critical component in helping to ensure owners and occupants are educated about smoke and carbon monoxide alarm types, placement, installation, and maintenance. Owners and Occupants must also be informed of their obligations to follow the Ontario Fire Code and the consequences for non-compliance. Through this policy all efforts will

be made to seek voluntary compliance. There will always be those that choose not to comply with the Fire Code requirements and the Fire Department must be prepared to enforce them. It is however important to recognize that individual circumstances of each case must be taken into consideration, and the Huron-Kinloss Fire & Emergency Services will exercise discretion and flexibility in our enforcement approach.

- 8.4 The Huron-Kinloss Fire & Emergency Services will have available to them a stock of smoke and carbon monoxide alarms to be distributed to Township residents who are in need and who are not in a position to afford or are unable to provide one on their own without the assistance of the Fire Department. The distribution of these alarms will be at the sole discretion of the Fire Chief (s) and/or a Fire Officer.
- 8.5 The Fire Chief may endeavour to conduct a voluntary door to door smoke and carbon monoxide alarm inspection campaign at their sole discretion.
- 8.6 Huron-Kinloss Fire & Emergency Services Standard Operating Guideline # 10-3, Smoke and Carbon Monoxide Alarm Compliance and Replacement shall form part of this policy.

9. Fire Prevention and Life Safety Education Programs:

- 9.1 The Fire Chief, with the assistance of their Fire Officers and Firefighters where appropriate, shall provide fire prevention and life safety educational programs within the community in accordance with priorities identified in the Townships community risk assessment and may include.
 - (a) Risk Watch – injury prevention program for children in elementary school
 - (b) Older and Wiser Program – fire safety program for older adults
 - (c) TAPP-C – the arson prevention program for children
 - (d) Alarmed for Life Program – community smoke and carbon monoxide alarm programs
 - (e) Kitchen Care Program – kitchen and cooking fire safety program
 - (f) Fire Prevention Week Activities – annual themed fire safety program incl. Fire Department Open House and School visits.
- 9.2 In addition to the programs listed in 9.1, social and special interest groups may request fire safety related presentations, demonstrations, tours of fire stations and specific program courses for community clubs and youth organizations.
- 9.3 Appropriate fire safety education pamphlets and materials, as well as, voice, social and print media public service announcements will be

distributed in an effective manner to address fire and life safety concerns based on needs and circumstances.

10. Fire Prevention Administration and Records:

10.1 Current and accurate records related to all fire prevention activities shall be prepared and retained. These records shall include:

- (a) Emergency Response statistics using the current Office of the Fire Marshall and Emergency Management (OFMEM) Standard Fire Incident Report through the Fire Department Data Entry program or the FirePro Software.
- (b) Fire investigation Reports.
- (c) Fire Prevention Inspection Reports: this includes complaints, requests, mortgage and resale, licensing, and other inspection types.
- (d) Smoke and Carbon Monoxide programs
- (e) Distribution of Public Fire Safety information and media releases
- (f) Public displays, fire station tours, etc.
- (g) Lectures demonstrations and presentations to the public.
- (h) Community Risk Assessment and other needs analysis processes containing a current community profile identifying current public education and prevention needs.

11. Summary:

11.1 This policy provides for the participation of all members of the Huron-Kinloss Fire & Emergency Services in fire prevention and public education activities, during available hours and addresses the types of inspection services that have been approved by Council. It is intended as an affirmative direction to the Fire Chief, all fire department personnel, and the public.

12. Fees:

12.1 Fees for inspection services shall be in accordance with the Fire Department Fees and Charges By-law, as amended and the Township of Huron-Kinloss Consolidated Fees By-law, as amended.