



The Fire Code: An Overview for Tenants



FEDERATION OF METRO TENANTS' ASSOCIATIONS



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The Law

Fire Prevention and Protection Act, 1997

Role of the Fire Prevention office

**Investigates
& Enforces**

Investigates complaints and *enforces* provisions of the code..

**Four
Divisions**

Organized into *four divisions* covering the City of Toronto.

**Public
education**

Can provide *public education* on fire safety and prevention.

Important Provisions of the Fire Code

Note: these provisions may vary between high-rise buildings (six or more storeys), low-rise (three to six storeys) and for homes.

A

Fire Doors

FOR HIGH RISES, FIRE DOORS MUST BE:

- Clearly labelled as being 30-minutes fire-rated for stairwells, garbage rooms, electrical rooms, maintenance rooms and other utility rooms.
- 20-minutes fire rated for doors into suites: metal or wooden doors, 1 ¾ inches are acceptable.
- Self closing: all doors should close automatically when they are opened..

B

Smoke Alarms and Batteries

- Landlord is responsible for smoke alarms, carrying out inspections, maintenance, and changing batteries annually.
- Requirement is for 1 smoke alarm per apartment or sleeping area (for rooming houses or homes renovated into apartments).
- Although not covered by law, it is recommended that tenants obtain a letter from landlord upon moving in stating the smoke alarm and batteries are in good working condition.

C

Carbon Monoxide Detectors

MUST BE PROVIDED BY LANDLORD WHERE CARBON MONOXIDE IS PRODUCED, SUCH AS:

- First-floor units above garages.
- Penthouse units below diesel generators/ pumps on the roof.
- Homes must have one detector per sleeping unit.
-
- If there is a gas fireplace, wood-burning stove or natural gas used for heat or hot water (or any other solid fuel is burnt), carbon monoxide detector must be present.

D

Back-up Generator

- Landlord must provide for two (2) hours in high-rises and half hour in low-rises, back-up generators must provide enough power to keep the following functional:

- **EMERGENCY LIGHTING**
- **PUMPS FOR SPRINKLER SYSTEM**
- **FIRE ALARM SYSTEM**
- **ONE (1) ELEVATOR**

E

Fire Escapes

- In high-rises, there must be two separate exits and a proper stairwell, appropriately labelled.
- In low-rises, fire escapes must be made up of metals and other non-combustables.

F

Fire Alarms

- Must be operational at all times with manufacturers specifying sensitivity.
- Sensitivity must conform to Canadian Safety Association Guidelines. Older fire alarm systems tend to be more sensitive.

G

Automatic Sprinkler Systems

- This is not typically a requirement for landlords as buildings have traditionally used steel and concrete as construction materials.
- Where wood is used as the primary construction material, automatic sprinkler system is required.

H

Fire Extinguishers

- Not required to be provided in kitchens.
- Landlord must provide in common areas, easily accessible to tenants.
- It is recommended (not required) that extinguishers be multi-purpose to deal with a range of fires, but often landlords simply provide water.

I

Charcoal Barbeques

- There is no restriction in Fire Code.
- Due to allergies, landlords may put restrictions in leases which could be binding, especially in condominiums.

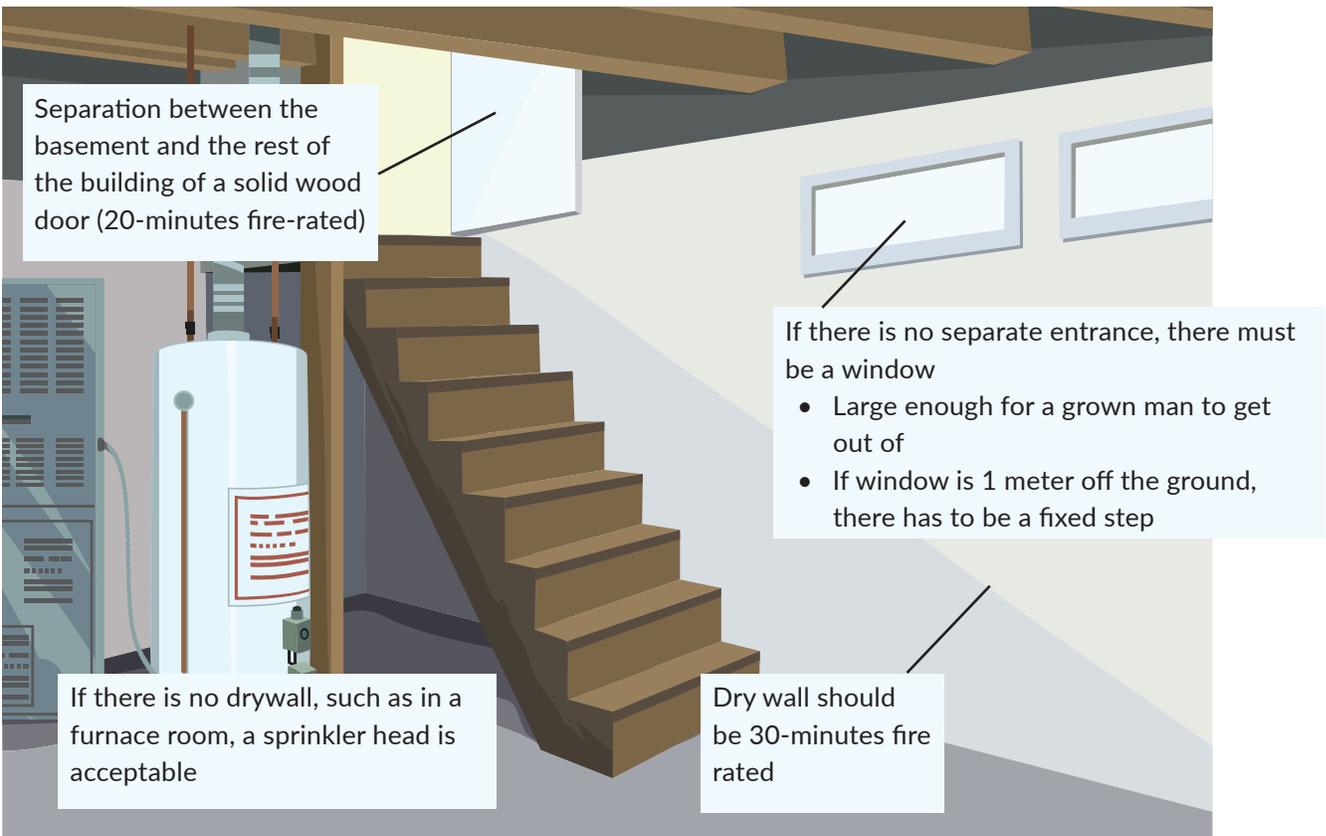
J

Propane Barbeques

- Propane tanks cannot be brought indoors which makes set-up on back-yards and decks difficult.
- This restriction is difficult to enforce.

Basement Specifications

All the usual rules apply. Additionally:



Complaints and Inspections

- Both tenants and landlords can request inspections of the unit by calling 3-1-1. There are no set criteria, but the Fire Prevention office errs on the side of caution and will likely inspect a potential violation.
- It takes between 3-5 business days to arrange an inspection. Apart from the person making the complaint, the subject of the complaint (be it a landlord or tenant) is allowed to be present during the inspection.
- After the inspection, the landlord is provided a copy of the report. Tenants do not have access to this information, unless they file a Freedom of Information request but a large portion of the report is often redacted.
- If a tenant would like the attending fire inspector to appear at the Landlord and Tenant Board as a witness, this would be possible though a summons might be required.

Understanding Hoarding

WHAT CONSTITUTES HOARDING?



- Clutter isn't hoarding! Simply put, the state of the apartment has to be so bad, a person has difficulty moving in their apartment.
- There are regulations which are assessed on a case-by-case basis. The Boston School of Social Work developed a scale of hoarding, ranging from 1 (no clutter) to 9 (severe clutter). To constitute hoarding, the apartment must rate 7 or higher on the scale.
- Fire Prevention often checks for combustibles near stoves, blocking entrances and hallways and other hazards.

STAGES IN A HOARDING INVESTIGATION

- After a complaint is received and an inspection performed, Fire Prevention typically gives tenants a month to remedy the problem. An extension is possible for tenants with disabilities and other vulnerable groups.
- After the deadline has lapsed, there is a follow-up inspection.
- If the problem remains unresolved, Fire Prevention can obtain a court order which must be followed exactly to determine what can be removed from the apartment.
- Hoarding is a complex problem. It is not uncommon for Fire Prevention to liaise with other City and nonprofit services, such as:
 - Public health and Property Standards for bedbugs and structural deficiencies.
 - CAMH for counseling and other interventions
 - Extreme cleaning services.



Fire Safety Plan / Fire Preparedness

- It is required in any building with 10 or more units.
- It must provide tenants with information about the locations of fire exits and extinguishers and what to do in case of fire.
- The landlord must maintain an up-to-date list of any tenants who might require special assistance (i.e. persons with disabilities, seniors, etc).

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