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 complaints and enforces provisions of the code.

Organized into four divisions covering the City of Toronto.

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

- 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:

- **Separation between the basement and the rest of the building of a solid wood door (20-minutes fire-rated)**
- **Dry wall should be 30-minutes fire-rated**
- **If there is no drywall, such as in a furnace room, a sprinkler head is acceptable**
- **If there is no separate entrance, there must be a window**
  - Large enough for a grown man to get out of
  - If window is 1 meter off the ground, there has to be a fixed step

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 combustables 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).