

Inspection Order Reviews

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Inspection Orders - Agenda

Review of FPPA – relevant Sections

Processing Requests for a Review

Preparing for a Fire Marshal Review

Review of Inspection Orders – key elements

Common themes - 2015

Common issues found in Inspection Orders

Case Studies

Building Permits – Compliance with the BCA, FPPA

Review of the *Fire Protection and Prevention Act (FPPA)*

Inspection Orders – FPPA Section 21

(1) An inspector who has carried out an inspection of land or premises under section 19 or 20 may order the owner or occupant of the land or premises to take any measure necessary to ensure fire safety on the land and premises and may for that purpose order the owner or occupant,

Inspection Orders – FPPA Section 21

- (a) To remove buildings or structures from the land or premises;
- (b) To make structural and other repairs or alterations, including material alterations, to the buildings or structures;
- (c) to remove combustible or explosive material or any thing that may constitute a fire hazard;
- (d) To install and use specified equipment or devices as may be necessary to contain hazardous material on the land or premises and, in the event of a fire, to remove or transport the material;

Inspection Orders – FPPA Section 21

(e) To discontinue the manufacturing, production or fabrication of any material, device or other thing that creates or poses an undue risk of fire or explosion;

(f) To do anything respecting fire safety including anything relating to the containment of a possible fire, means of egress, fire alarms and detection, fire suppression and the preparation of a fire safety plan”

(g) To remedy any contravention of the fire code

Contents of Order, S 23

- (a) the reasons for the order
- (b) an explanation of the action required by the order
- (c) the time within which the owner or occupant must comply with the order
- (d) The right to request a review of the order by the Fire Marshal under section 25 or, in the case of an order made by the Fire Marshal, the right of appeal to the Fire Safety Commission under section 26.

Processing Requests for Reviews

Processing Requests for Reviews

Step 1: Determine if request is Eligible for Review (i.e. S. 21 Order)

- *Examples of requests that are **not eligible**:*
 - Requests for Orders **not based on fire safety**
 - Request for Review of Notice of Violation
 - Request for Review of Order based on municipal Bylaw
 - Request for Review of revoked FD approvals
 - Ambiguous requests; questions about how to do work
 - **Complaints** about Inspector or FD
 - Correspondence intended for FD only

Processing Requests for Reviews

Step 2: Validating Dates

- S25(1) of FPPA: 15 days to appeal
 - Time elapsed from date order is served to date request for review is received
 - Various factors considered in the count
- S25(3) of FPPA: up to 30 days for Extension of Time application
 - An application for an extension of time to appeal may be made within 30 days after Order is served
 - Requests evaluated on a case by case basis

Processing Requests for Reviews

Step 3: Determine if the Order is complete

- S. 23 of FPPA: Order shall set out
 - The reasons for the order
 - An explanation of the action required by the order
 - Timeframe for compliance
 - The right to request a review of the order

Processing Requests for Reviews

Step 4: Acknowledgement Letter

- Addressed to Appellant and Inspector, and copied to Fire Chief; where Appellant is not owner, a copy also to owner (*new procedure*)
- Acknowledges receipt of the request for Review
- Compliance with the Order is stayed pending outcome of Review
- **Both parties provided 4 weeks to submit additional information in support of their position**

Note that Review process does not preclude parties from working towards resolution. If resolved, order/appeal can be withdrawn

Processing Requests for Reviews

Step 5: Submission of Additional Information

- By Appellant
- By Inspector

Preparing for a REVIEW

Submission package contents (Tawnya)

Review Submission Packages

- May consist of floor plans, photographs, test results, other relevant documents
- Delegate may request additional information
- Should support/establish/demonstrate the deficiencies or reasons for requiring the work outlined in the Order
- Linkage between the supporting information and the “Reasons” should be clearly articulated

Review Submission Packages

Do's and the Don'ts

- [Don't send in entire Inspection file!](#)
- Don't send in large volumes of unrelated info
- Don't send in copies of notes that are not labelled
- Do label pictures
- Do label floor plans (as applicable)

IE Unit has a template submission package available for use including photo log, summary etc.

FIRE SAFETY INSPECTION PHOTOGRAPH REGISTER

Inspector's File #

Location of Inspection: ___ ___

October th, 2013

Fire Marshal - REVIEWS
25 Morton Shulman Ave, 2nd Floor
Toronto, ON M3M 0B1


Re: Review File No. *****
Address of building

Further to the request from your office dated May 1st, 2013 regarding a request for review of file #, please find enclosed submissions relevant to the matters addressed in the Order.

Attached: Appendix B- Summary Submissions
Attached: Appendix C- Photo Registry
Attached: Copies of Notes and Correspondence

Should any further clarification be required, please contact (appropriate FD contact) at *****.

CC:

A	<p>PHOTOGRAPH #:</p> <p>DESCRIPTION: Front of building</p> <p>Two stories with attic converted to dwelling use. Garages are off the back of the building.</p>	
B	<p>PHOTOGRAPH #:</p> <p>DESCRIPTION: Side view of building</p> <p>Shows three garage spaces where the agricultural plant cultivation and growing operation was attached to main dwelling unit.</p>	
C	<p>PHOTOGRAPH #:</p> <p>DESCRIPTION: Three garage spaces attached to the main dwelling unit.</p> <p>Barricaded garage access doors; minimizes or eliminates exit for occupants and responders in the event of fire; appears to be a normal access point from the exterior of the building. Inside the two garage spaces on the end was the large amount of combustible materials.</p>	

Processing Requests for Reviews

Step 6: Review

- Inspection Order and supporting documentation are evaluated on a case by case basis
- Decision is largely based on the strongest **written** argument, particularly where substantiated by *“evidence”*

Processing Requests for Reviews

Step 7: Decision

- Addressed to Appellant, Inspector, copied to Fire Chief (and to the owner where applicable)
- Summarize the background, reasons for appeal and fire department position
- Decisions: **UPHOLD, RESCIND or MODIFY** work ordered
- Compliance date: varies on a case by case basis, depending on extent of work required
- Reasons included to explain the Decision

Processing Requests for Reviews

Step 8: After Decision is Issued

- Either party, or another person (who considers himself aggrieved) may **appeal Review Decision** to the Fire Safety Commission, S.26(1) of FPPA
- Upon receipt of a request for appeal of a Review Decision, FSC requests copies of documentation from OFMEM

Review of Inspection Orders

Reasons for Inspection Order

Review of Inspection Order

Key Elements: Reasons

- If using 21.(1)(a) demolition of a building/structure, must clearly establish what the issue is; **be careful that the issue is related to “fire safety”** – not a structural issue!
- If it is a vacant building, clearly establish why demolition is the best option – “risk to firefighters” isn’t consistent with fire fighting procedures

Review of Inspection Order

Key Elements: Reasons

- If using 21.(1)(b) to make structural and other repairs or alterations, including material alterations to the building/structure
- Be aware that 22.(1) limits the application of this clause where the building is in compliance with the Building Code Act (BCA), unless required to meet Retrofit requirements

Review of Inspection Order

Key Elements: Reasons

- If using 21.(1)(c) to remove combustible or explosive material or any thing that may constitute a fire hazard
- *Be prepared to establish what constitutes a fire hazard (specifically), and location*
- e.g. hoarding – remove combustibles that may be in close proximity to appliances, but if asking for a particular maximum height, be prepared to justify!

Issue for work ordered for Hoarding:

- 1. “Reduce the amount of combustible material in the dwelling unit to a level acceptable to the Inspector that will negate the above noted fire safety hazards.*
 - 2. Provide access to exit capability from all floor areas throughout the dwelling unit, as was originally designed, to ensure the health and safety of occupants and emergency services responding to the property.”*
- wording needs to be specific*
 - wording needs to be actionable*

Review of Inspection Order

Key Elements: Reasons

If using 21.(1)(f) to do anything respecting fire safety including anything relating to the containment of a possible fire, means of egress, fire alarms and detection, fire suppression and the preparation of a fire safety plan

- Generally used for an occupancy not addressed in Retrofit
- **must clearly establish what the fire hazard or issue is, and why something that is unregulated is required**

Review of Inspection Order

Key Elements - Reasons: 21(1)(g)

- If the issue is related to the current use of the building (e.g. basement apartment or care occupancy), **should provide some evidence using the Application statement** to explain how Inspector arrived at the classification and subsequent Code contraventions: *(see next slide)*

For example:

“During the Inspection it was found that the building met the Application statement Article 9.7.1.1.:

- Building containing a **care occupancy**

Where a **care occupancy** is defined as:

- Occupancy in which special care is provided by a facility, directly through its staff or indirectly through another provider to residents of the facility
- (a) Who require special care because of cognitive or physical limitations, and

Cont'd

(b) Who, as a result of those limitations, would be incapable of evacuating the occupancy, if necessary, without the assistance of another person.

The building is therefore required to meet the provisions of **Section 9.7 Buildings with a Care Occupancy or Retirement Home**, in the Ontario Fire Code.”

As such, the following contraventions were identified:

- Blah, blah

However – under Reasons

- Only include a brief description to prove applicable Retrofit Section, where necessary
- **DO NOT** – provide a full page building description!!!!
 - That comes later, in the submissions

Review of Inspection Order

Key Elements: Reasons

If using 21.(1)(g) “to remedy a contravention of the Fire Code”,

- **must clearly establish what the contravention is, and where (i.e. the “gap”); so it is actionable**
- Ensure the correct Code reference is used!

Work Ordered

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Review of Inspection Order

Key Elements: Work Ordered

- Work ordered should be clearly stated
 - e.g. repair breach of fire separation with similar materials to the existing construction
- More than just referencing code requirement

Review of Inspection Order

Key Elements: Time to do work

- Time provided **should be reasonable** for the work required to be done, especially **if it includes construction – about 3 – 4 months is required!**:
 - Design, tendering
 - Building permit
 - Construction
- **If Appellant is only asking for more time, this should be something that can be discussed at the local level**
- If CFO agrees to more time, Inspection Order should be amended (avoid appeals!)

Common themes – 2015

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Inspection Orders – common themes

- Hoarding
- Vulnerable Occupancies:
 - Sufficient supervisory staff
- Fire Safety Plans
- Protection of commercial cooking equipment
- Occupancy in the corridor, and textile flame-proofing
- Records of test, corrective measure, made available to Inspector

Inspection Orders - common issues

- Improperly completed Order/missing information
- Not clearly identifying the fire safety risk (e.g. 21(1)(f))
- Not clearly establishing evidence of issue
(e.g. can't order audibility upgrades based on testing of only one apartment)
- Failure to establish through inspections
(e.g. don't order owner to have an inspection done)
- Failure to identify Fire Code contravention, or location
- Incorrect Fire Code referencing/reference doesn't apply
- The work ordered/action is unclear, or not specified
- Work ordered exceeds standard of Fire Code with insufficient justification

Inspection Orders - common appeals

- Need more time to do the work:
 - Typical for hoarding
 - To hire a designer and/or do the construction
 - To remove occupants (e.g. basement apartment)
- Just purchased the property, and was unaware of the violations
- Previous inspections did not identify the violation
- Complaint about Inspector
- Disagree with violation, or don't know where it is
- Constructed as a residential occupancy, not a care occupancy – therefore S9.7 doesn't apply
- Can't afford to do the work; will do if provided funding

Case Studies

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Case 1: Invalid Order

- Fire Marshal's delegate **refused appeal**
- Inspection Order did not include "reasons"
- Failed to meet FPPA 23.(a)

Case 2: Invalid Order

- Fire Marshal's delegate **refused appeal**
- Inspection Order was based on 21(1)(a) to remove building
- Reason provided was “**structural inadequacy**” of building following a fire
- Inspection Order failed to meet requirement of “**ensuring fire safety**” in FPPA 21.(1)
- BCA 15.9(2)(a) addresses “**a building is unsafe if structurally inadequate**” and CBO may issue Order under (6)(b) for demolition

Case 3: Extension of time

- Typically fire departments have policy of 30 days to comply with Inspection Order
- Realistically, however:
 - Buying rated closures takes about 6 weeks
 - Special order
 - Construction takes 3 to 4 months:
 - Designer to do drawings, get building permit
 - Tender work, hire contractor
 - Construction, inspections

Case 4a: Ordering a professional to do inspection

- Inspection Orders related to fire alarm audibility, where Inspector orders owner to have a fire alarm technician do audibility testing and upgrade fire alarm system based on testing
- **Decision:** **RESCIND**
- **Reasons:** FPPA 21(1) states “an inspector who has carried out an inspection of land or premises”.
Don't ask owner to have an inspection done!

Case 4b: Ordering a professional to certify installation

- Inspection Orders related to exhaust systems and fire protection systems in accordance with NFPA 96, where Inspector orders owner to have a technician certify that system meets standard.
 - **Decision:** **RESCIND**
 - **Reasons:** FPPA 21(1) states “an inspector who has carried out an inspection of land or premises”.
- *Don't ask owner to have an inspection done or provide a certificate!*

Case 5: Decision: Modified Order

Subject Property

- Community Centre
- Central corridor/concourse
- New café – open to corridor (recent building permit)

Order

- Remove upholstered chairs from egress corridor until such time as they are treated to meet NFPA 705 “Recommended Practice for a Field Flame Test for Textiles and Films”, and are secured in place to prevent them from being moved.

Case 5: cont'd

Reasons (in Inspection Order)

- Building permit clearly states approval for café does not include seating.
- Egress corridor contains **excessive quantities** of combustible materials increasing risk of ignition and severity and effects of fire.

Fire Marshal Decision – **MODIFIED**

- Remove coffee lounge area including tables and chairs.

Case 5: cont'd

Fire Marshal Decision – **MODIFIED**

Alternatively – satisfy the following 3 conditions:

1. Satisfy Sentence 2.4.1.1.(2), Div. B of Fire Code which does not allow *accumulation* of combustibles in means of egress *unless designed for that purpose* – by providing a letter from municipal building department:
 - Coffee lounge as room is not required to be fire separated from corridor, or
 - Occupancy in corridor meets design parameters of Building Code

Case 5: cont'd

2. Furniture in the corridor must be either non-combustible, solid wood, or other furniture **approved** by Chief Fire Official.
 - If **approved** furniture, provide evidence that materials meet an appropriate standard for testing upholstered furniture for resistance to fire.
(NFPA 705 is wrong standard)

Case 5: cont'd

3. Maintain the required corridor width in good repair and free of obstructions [Sentence 2.7.1.7.(1), Division B]. Where it can be shown that required width of corridor is maintained, a fixed barrier must be provided to ensure furniture does not encroach in the corridor width.

Compliance with Order does not relieve owner from compliance with other applicable law

Case 5: cont'd

Rationale

- Order was **Modified** to better reflect the regulatory requirements in the Fire Code, and to provide some linkage to Building Code requirements as in some cases occupancy is permitted in the corridor.
- Order clarifies that any testing certification must be specific to upholstered furniture.

Additional Information

- Clarification of scope of Building Code (construction) and Fire Code (use), and common scope (occupancy in corridors).

Case 5: cont'd

Additional Information, cont'd

- No information regarding Building Department contact by Inspector; coffee lounge may be violation of building permit.
- Clarification that OFC Section 2.3 relates to:
 - Refurbishing existing building – maintain original interior finish requirements
 - Moveable partitions and screens – interior finish requirements
 - Drapes, curtains and decorative materials – flame test requirements
 - **Does not apply to furniture**

Case 5: cont'd

Additional Information, cont'd

- OFC does not allow combustible materials in a corridor, unless designed for that (e.g. “mall” requirement in the OBC)
- OFC requires corridor to be maintained in good repair and free of obstructions (similar to OBC requirement)
- **No Ontario standard for furniture**; California Bulletins could be used for **approval**

Case 6: Multi-unit Residential

Subject Property

- 3 storey multi-unit residential building, 1968
- Eleven 2-bedroom suites

Order

- Install fire alarm system (9.5.4.1. Div. B)

Reasons (in Order)

- Building is in contravention of the Fire Code

Appeal

- Only 10 units used as residential; office is one unit

Case 6: cont'd

Appeal, cont'd

- Prohibitive cost
- More time needed to seek funding; building provides housing under agreement with Regional program for Homelessness Prevention
- Lease agreement shows one unit is for office/kitchen/lunch room for staff

Inspector's position

- 9.5.4.1. requires a fire alarm system when more than 10 dwelling units, or more than 24 persons
- Potential occupant load of 44 persons

Case 6: cont'd

Fire Marshal Decision - **UPHOLD**

- Alternatively, the Inspection Order is deemed to have been satisfied if no more than 10 dwelling units are occupied, and compliance with 9.5.4.1.(2) is achieved (which it is)

Reasons

- Difficult to determine if ten or eleven units are occupied as residential
- In telephone conversation Inspector says staff told him they or the operator sleeps there at night
- Operator sent photos of one bedroom with desk

Case 6: cont'd

Update:

- Both parties (Operator and Inspector) have appealed Decision!

Comments:

- In both Section 9.5 and 9.6, note that Application statement allows for dwelling units, dormitories and boarding, lodging or rooming accommodation
- *When requirement is based on # dwelling units, or occupant load – use the appropriate number based on type of accommodation*
(see OFMEM Code Q & As)

Case 7 – Additional Supervisory Staff

Subject Property

- Senior's apartment building, within a complex
- Constructed in 1997 as **residential building**
- **Supportive housing** provided, including housekeeping, laundry, 24 hour safety checks, medication reminders, assistance with bathing, etc.
- Ruling from RHRA that building is not a retirement home

Case 7 – cont'd

Order - Reasons

- 21.(1)(g)
- “as a result of the *inadequate built in protection measures for the current use of the building a person or persons in the building or facility will be exposed to an unacceptable risk of injury due to fire.*
- *The buildings early warning systems do not provide for adequate early warning to allow staff to facilitate emergency response ... as demonstrated during the witnessed fire drill*

Case 7 – cont'd

Order - Work Ordered:

- *“As a result of the approved fire drill scenario carried out, staff could not evacuate residents in the specified building area in the approved time.*
- *Provide additional staffing, building alterations or other measures to meet approved time available to evacuate residents to point of safety”*

Case 7 – cont'd

Inspector:

- Use of building has evolved into **care facility** (list of services in building description)
- Many residents **require assistance to evacuate**
- Witnessed fire drill noted that evacuation couldn't not be completed within time limit established in approved fire drill
- **Order allows owner to explore options that best suit organization to achieve compliance with approved evacuation scenario time**

Case 7 – cont'd

Appeal:

- Not a care & treatment facility, no nursing staff
- Not governed by (various) legislation
- Rental apartments with some supports provided (substantiated by web search)
- That there are some people with disabilities, but no different than any other apartment building
- Government funding is provided, therefore not a retirement home (letter from RHRA accepting this)

Case 7 – cont'd

- Fire Marshal Decision: **UPHOLD**
- Reasons:
 - Use of the building meets the current definition of a **care occupancy** (care services indicate special care provided because of cognitive or physical limitations)
 - Inspector identified that many occupants required assistance to evacuate during the fire drill, and that time limit was not met
 - Article 2.8.2.2. applies – sufficient staff required

Case 7 – Update

- Owner appealed Decision to Fire Safety Commission
- Appellant settled matter with Inspector prior to hearing
- FSC signed off on agreement to do all, by January 2016 (7 months after FM Decision compliance date of May 29, 2016)

Case 8: School

Subject Property

- 2-storey publicly-owned school
- Constructed in 1961 (i.e. before OBC)

Order

- Construct a fire separation between the exit stairs and the remainder of the building [21.(1)(f)].
- Requirement for a fire-resistance rating equivalent to that required for the floor assembly above the first storey, but not less than 45 min.

Case 8, cont'd

Reasons (in Inspection Order)

- “Existing stairs are open and not separated from the remainder of the building...likely resulting in jeopardy to fire and life safety of occupants in the event of a fire.”

Fire Marshal Decision – **UPHELD**

- Provided an option for the separation between the corridor and stair of wired glass in steel frames...

Rationale:

- The option reflected an OBC option

Case 8, cont'd

Additional Comments:

- Acknowledged that the OFM's Fire Safety Design Requirements for Schools in Ontario (1958) permitted open exit stairs; but 1962 edition removed the permission. Later edition specifically required 1-hr fire separation
- Acknowledged that Retrofit exempts schools; however OFM plan review program regularly commented on open exit stairs as increasing the probability of fire and smoke spread and consequential risk to building occupants

Case 8, cont'd

Response to Appellant:

- The use of 21.(1)(f) is appropriate – it provides an Inspector discretionary authority to address any fire safety feature in a building. While **clause (b)** speaks to repairs and alterations, clause (f) specifically addresses containment.
- When building official reviews drawings for building alterations, it is not their role to review existing building for compliance with OBC or OFC. **Permit for alterations should not be seen as confirmation of adequacy of existing building features.**

Case 9: Assembly occupancy, OL issue

Subject Property

- Assembly occupancy, proposed use for concerts (large occupant loads).
- Two storey building plus basement.

Order

- In consultation with the local building department, occupant load was determined to be 360 people.
- Post occupant load signage.

Reasons (in Inspection Order)

- Building is in contravention of the Fire Code.

Case 9, cont'd

Fire Marshal Decision – **MODIFIED**

- Maximum occupant load must not exceed **513 people** at any time, **based on current exit door capacity**.

Rationale

- Occupant load of a room or floor space is calculated based on the lower of calculated OL of the space based on use, and the capacity of the means of egress (from room, corridor, and exits).

Additional Comments:

- **Capacity of washrooms is not a fire safety concern**

Case 10: Auto body shop

Subject Property

- Auto body shop (on the outskirts of town); owner appears to live in office at back.
- Concrete block construction: exterior, wall between shop and offices.

Order – 6 Items in total, including:

- Sleeping is prohibited.
- Have the building inspected for structural integrity by a qualified structural engineer, and provide a copy of the report to the fire department.

Case 10, cont'd

Reasons (in Inspection Order)

- Building is in contravention of the Fire Code; no high hazard major occupancy is permitted in building that also includes residential occupancy.
- Sleeping is prohibited by zoning.
- Structural damage to interior wall in basement and on exterior wall which may affect structural stability of those walls in event of a fire which could lead to the rapid spread of fire beyond point of origin, structural failure and result in unnecessary harm to person and damage to property.

Case 10, cont'd

Fire Marshal Decision – **RESCINDED**

Rationale:

- Inspector did not establish that the major occupancy of the building is a high hazard occupancy (limited spray painting is done outside).
- The fact that the area is **zoned** for high hazard use, does not mean the building is used in that way.
- Insufficient evidence that (frost heave) damage to exterior walls is a fire safety issue.

Other – New Item

- **Install a smoke alarm in sleeping area.**

Case 11: multi-unit residential

Subject Property

- Multi-unit residential building, constructed in 1924
- 3 levels; single interior open stair serving all levels
- Smoke alarms, but no fire alarm system
- Issue is whether building is 2 or 3 storey building, based on “grade”

Order – 3 Items, including

- Fire alarm system
- Protection of fire escapes

Case 11, cont'd

Reasons (in Inspection Order)

- Violation of OFC (for a 3-storey building)
- OFC Definitions of: grade, 1st storey
- Supported by evidence of grade elevations:
 - Inspector's measurements
 - Municipal engineering department survey team
 - Fire Protection consultant
- Letter from building department withdrawing permit

Reasons (Appellant)

- Building is a 2-storey building, and therefore doesn't require these retrofitted items
- Supported by evidence of grade elevation (OLS)

Case 11, cont'd

Fire Marshal Decision – **UPHELD**

- Building requires fire alarm system and protection of fire escapes, because these are required for a 3-storey building

Rationale

- Considered evidence, equipment and methodology used in surveys, sketches and qualifications of people doing “surveys”
- Discrepancy in 3 different surveys (7.32 inches), correctness of information

Case 11, cont'd

Additional Comments:

- Research (considerable) determined that OLS survey was based on limiting instructions from owner to compare the lowest ceiling height (enclosure around ceiling ducts) found and compare this to the average perimeter grade

Compliance with the Building Code Act

Inspection Orders requiring construction or demolition

- FPPA 22.(3) Copy of Inspection Order (IO) to building department, for any construction

Note: no requirement for Fire Marshal's Review or FSC Decision to be provided to building department. Advise checking with fire department for any subsequent information.

- *BCA 8(1) No person shall construct/demolish a building ... unless a permit has been issued ... by the CBO*

Inspection Orders requiring construction or demolition

- *BCA 8(2) The CBO shall issue a permit unless:*
 - (a) *the proposed building, construction or demolition will contravene this Act, the building code or any other applicable law*
- *FPPA 22(2) If repairs, alterations or installations are carried out in compliance with an order made under SS 21(1) or for the purposes of complying with the fire code, the repairs, alterations or installations shall be deemed not to contravene the building code established under the BCA*

Inspection Orders requiring construction or demolition

- Building department does not have the authority to amend the requirements in the IO; but may:
 - Issue **Conditional Permit** [Sentence 1.3.1.5.(3), Div. C OBC] where bylaws as applicable law are an issue (e.g. basement apartments)
 - Issue **additional Orders under BCA** for anything identified as a contravention of the OBC

Note: OBC does not apply to existing buildings where alterations or change of use aren't proposed. Where OFC Retrofit is applicable Regulation, should not be asking for increased fire separation or sprinkler standard

Building and Fire Departments

Opportunities to connect

- Joint occupancy type classification.
- “Complaints” to other department when aware of issue in other department’s domain.
- Joint inspections/enforcement (may also include zoning, property standards, MOE, MOL, TSSA, ESA, etc.).
- Ensure that appropriate enforcement tools are utilized (i.e. Orders under BCA for unsafe buildings that relate to OBC issues, or construction or change of use without a permit).
- *Note: municipal policy on coordination of orders is always recommended to avoid legal action*

Building and Fire Departments

Opportunities to connect, cont'd

- Fire Inspector to ensure that building owner is aware of need to obtain building permit for construction or demolition; also advise that s/he may have other requirements based on OBC (e.g. change of use) that may arise from building department (Article 1.2.3.1., Div. A applicable law).
- Building department to include Fire Inspector in review of building permit application; Fire Inspector involved in inspection to confirm compliance with OFC.
- Education & training
 - Awareness of powers under each Act to resolve safety issues and compliance issues

Thank you!

Questions? Visit the OFMEM
Booth at tonight's Trade Show