

COMMUNIQUÉ

du commissaire des incendies

April 9, 2020

No. 2020-07

Ontario Regulation 73/20 and Review and Appeal Processes under the Fire Protection and Prevention Act, 1997

In response to the Novel Coronavirus (COVID-19) emergency declared on March 17, 2020, the Government of Ontario filed Ontario Regulation 73/20 under the *Emergency Management and Civil Protection Act* (EMCPA) on March 20, 2020.

[O. Reg. 73/20](#), made pursuant to Subsection 7.1(2) of the EMCPA, is an Emergency Order that suspends the limitation periods of any provision of any statute, regulation, rule, by-law or order of the Government of Ontario for the duration of the emergency, retroactive to March 16, 2020. As such, this regulation temporarily changes timelines associated with the review and appeal processes established under Sections 25 and 26 of the *Fire Protection and Prevention Act, 1997* (FPPA) for orders made pursuant to Subsections 21(1) or (2). Changes made to these processes are summarized below.

Extended Time to Request a Fire Marshal Review

For orders made pursuant to Subsections 21(1) or (2) of the FPPA, the 15-day limitation period for making a request to the Fire Marshal for a review of the order under Section 25 is suspended and the time period for making a request is extended for the duration of the Emergency Order, including any renewal of the Emergency Order. For orders issued while O. Reg. 73/20 is in effect, fire services are required to provide notice of the extended time available to request a Fire Marshal review to persons issued orders.

Extended Time to Submit Supporting Information for a Fire Marshal Review

An extended 12-week time period is being provided for the submission of supporting information in the Fire Marshal review process while O. Reg. 73/20 remains in effect. Persons unable to meet this timeline will have the option to arrange for additional time.

Extended Compliance Date for Fire Marshal Review Decisions

For Fire Marshal Review decisions issued pursuant to Subsection 25(4) of the FPPA, the time period provided to comply with the decision will begin on the day following the date O. Reg. 73/20 is revoked.

Extended Time for Appeals to the Fire Safety Commission

The 15-day limitation period specified in Section 26 of the FPPA to appeal a Fire Marshal Review decision to the Fire Safety Commission is similarly suspended and the time period for making a request is extended for the duration of the Emergency Order, including any renewal of the Emergency Order. For further information, please refer to the Fire Safety Commission website at the following link: <https://slasto-tsapno.gov.on.ca/fsc-csi/en/>.

For questions regarding how O. Reg. 73/20 may impact local procedures for issuing Inspection Orders, including requirements to provide notice regarding the extended time period available to request a Fire Marshal review, please consult with your municipal legal counsel. For questions regarding Fire Marshal Reviews, please contact Technical Services – OFMEM Reviews at OFMEMReviews@ontario.ca.