



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐
--------------------------------------	--	---	--

To: Mayor Zebian and Members of West Hants Regional Municipal Council

Submitted by: _____

Tim Leslie, Manager of Building and Fire Inspection Services

Date: 2024-09-10

Subject: System of Municipal Fire Inspections Policy

LEGISLATIVE AUTHORITY

Nova Scotia Fire Safety Act, 2002, as amended.

RECOMMENDATION

Staff recommend that Committee of the Whole forward a positive recommendation by passing the following motion:

...that Committee of the Whole recommends that Council approve amendments to the Fire Inspection System Policy, RCOPL-002.00, in a manner substantively the same as the draft set out in Attachment A to the report entitled System of Municipal Fire Inspections Policy dated September 10, 2024.

BACKGROUND

Property ☒	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
--	--	--------------------------------------	---------------------------------	-----------------------------------	---

The System of Municipal Fire Inspections Policy was approved by Council in September 2020. The Manager of Building and Fire Inspection Services has reviewed this policy and recommends amendments to make the policy clear in relation to Group C buildings (i.e., residential occupancies containing fewer than 3 units).

DISCUSSION

The wording of the Nova Scotia Fire Safety Act is mandatory:

Duties of a municipality

19 (1) A municipality shall

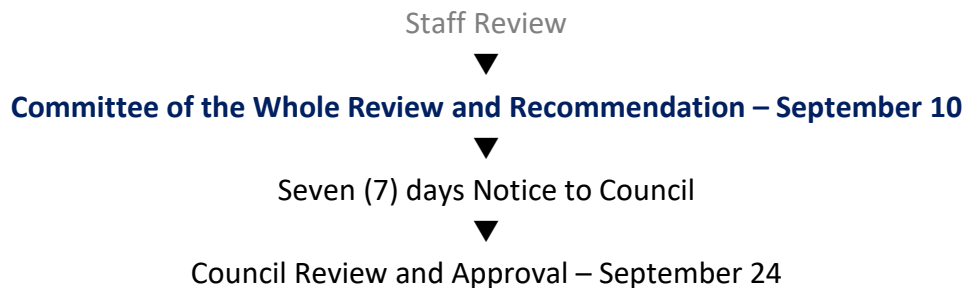
(a) establish a system of fire-safety inspections of land and premises situate within its jurisdiction, as required by the regulations, to provide for compliance with this Act, the regulations and the Fire Code;

The System of Municipal Fire Inspections Policy was approved by Council in September 2020.

The Manager of Building and Fire Inspection Services recommends changes to the System of Municipal Fire Inspections Policy RCOP-002.00 to provide clarity in relation to Group C buildings (i.e., residential occupancies containing fewer than 3 units), particularly for boarding, lodging and rooming houses, including accommodations for temporary foreign workers. Without this clause a Fire Inspector does not have the authority to perform regular inspections on single unit dwellings being used for these purposes.

NEXT STEPS

The following process is being used for approval of the proposed amendments to the Policy.



FINANCIAL IMPLICATIONS

There are no financial implications in relation to the filing of this report.

There will be minimal financial implications in relation to the additional inspections required if these uses are added to the Policy. Inspections of these uses will be added to the schedule of Fire Inspections for all other buildings specified in the Policy and be performed every 3 years. Staff are aware of approximately a dozen buildings that would be included in the categories of boarding, lodging and rooming houses, including accommodations for temporary foreign workers, within WHRM.

ALTERNATIVES

Should Committee of the Whole not wish to recommend these draft policy amendments to Council, Committee of the Whole may:

- recommend specific amendments to the proposed draft; or
- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A Draft Amendments to the System of Municipal Fire Inspections Policy,
RCOPL-002.00

CHIEF ADMINISTRATIVE OFFICER REVIEW

The report and draft policy additions express a higher duty of care for properties under the Group C in response to addressing a pattern within our community as it relates to unsafe living conditions.

I support the recommendation.

Report Prepared by: _____
Tim Leslie, Manager of Building and Fire Inspection Services

Report Reviewed by: _____
Sara Poirier, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

1.0 This Policy is entitled the "System of Municipal Fire Inspections".

2.0 **Definitions**

In this Policy:

"Assembly Occupancy (Group A)" means the Assembly Occupancy as defined in the Building Code;

"Business and Personal Service Occupancy (Group D)" means a Business and Personal Service Occupancy as defined in the Building Code;

"Building Code" means the National Building Code of Canada as amended;

"Council" means Council of the West Hants Regional Municipality;

"Fire Safety Act" means "An Act to Promote and Encourage Fire Safety", Chapter 6 of the Acts of 2002, Nova Scotia, as amended from time to time, and any other successor legislation;

"Fire Safety Regulations" means the "Regulations Respecting Fire Safety" made by the Governor in Council pursuant to Section 51 of Chapter 6 of the Acts of 2002, the Fire Safety Act, as amended from time to time;

"Industrial Occupancy (Group F)" means Industrial Occupancy as defined in the Building Code;

"Mercantile Occupancy (Group E)" means a Mercantile Occupancy as defined in the Building Code;

"Municipal Fire Inspector" means a person appointed by the Municipality as a Municipal Fire Inspector pursuant to Fire Safety Act, Chapter 6 of the Acts of 2002, as amended from time to time;

"Residential Occupancy (Group C)" means a Residential Occupancy as defined in the Building Code;

3.0 **Municipal Fire Inspector**

Pursuant to Section 19 of the Fire Safety Act, Council shall appoint one or more Municipal Fire Inspectors to carry out the System of Municipal Fire Inspections in accordance with the requirements of the Fire Safety Act and Fire Safety Regulations.

4.0 **Systems of Inspections**

4.1 This Policy establishes a "System of Municipal Fire Inspections" to provide for compliance with the Fire Safety Act and the Fire Safety Regulations and which

WEST HANTS REGIONAL MUNICIPALITY
SYSTEM OF MUNICIPAL FIRE INSPECTIONS POLICY

recognizes municipal resources, geography and priorities based on a risk assessment.

- 4.2 Council hereby establishes the following "System of Municipal Fire Inspections". Unless the Municipal Fire Inspector deems that to reduce risk of fire and loss of life a more frequent inspection of one (1) or more particular buildings is required, inspections will be carried out as follows beginning in 2024:
- (a) Assembly Occupancies (Group A)
Every three (3) years in accordance with Section 13 of the Fire Safety Regulations;
 - (b) Residential Occupancies (Group C)
Buildings with more than three units and any building used as boarding, lodging and rooming houses, including accommodations for temporary foreign workers, and not regulated under the Homes for Special Care Act every 3 years;
 - (c) Business and Personal Service Occupancies (Group D)
Buildings will be inspected every five (5) years;
 - (d) Mercantile Occupancies (Group E)
Buildings will be inspected every five (5) years;
 - (e) Industrial Occupancies (Group F)
Buildings will be inspected every five (5) years.

5.0 Failure to Comply with Order

5.1 Summary Conviction

Where the owner of a building, land or premises fails to comply with an Order to Comply issued by the Municipal Fire Inspector, the Municipal Fire Inspector may take action as set out in Section 44 of the Fire Safety Act.

5.2 Carrying Out Matters Not Done by Owner

Pursuant to the Fire Safety Act, and subject to the approval of the Fire Marshall and Chief Administrative Officer, where an owner of a building, land or premises fails to comply with an Order issued by the Municipal Fire Inspector, the Municipal Fire Inspector may carry out or cause to be carried out an Order.

6.0 Repeal

- 6.1 The System of Municipal Fire Inspection Policy dated January 12, 2010 of the former Municipality of the District of West Hants is hereby repealed.

WEST HANTS REGIONAL MUNICIPALITY
SYSTEM OF MUNICIPAL FIRE INSPECTIONS POLICY

I, ~~Rhonda Brown~~Deanna Snair, Municipal Clerk of the West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the Policy as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the ~~22nd~~ **24th** day of **September, 2024**.

~~R.N. Brown~~Deanna Snair
Municipal Clerk

Adoption	
Notice to Council:	September 8, 2020
Approval:	September 22, 2020
Description: Initial approval of the System of Municipal Fire Inspections Policy, RCOPL-002.00, which includes the repeal of the System of Municipal Fire Inspections Policy of the former Municipality of the District of West Hants.	