

## 2006 Building Code Change Request Form

Do you agree to permit sharing all information on this form with the Canadian Commission on Building and Fire Codes and Building Code Review Committees for the purposes of code development?

Yes  No

I am submitting this on behalf of:  Myself, or  
 Organisation (Ontario Association of Fire Chiefs)

Your Title: Fire Chief

Your Name: Tim Beckett

Address: 353 Bayly St. West, Suite 206

City: Ajax

Province: Ontario

Postal Code: L1S 6M2

Telephone: 905-426-9865

Facsimile: 905-426-3032

Email: tim.beckett@kitchener.ca

Your function:  Fire Chief

CODE CHANGE REQUEST:

To an existing provision of the Building Code. Code Reference of the requested change :

Add a new code provision. Add a Sentence to DivC 1.3.4.1.

Have you forwarded this change to the Canadian Commission on Building and Fire Codes as a proposed amendment to the model National Building or Plumbing Codes?  Yes  No

Personal information provided on this form is collected under the authority of the Building Code Act, 1992 and will be used for the purpose of code development. Please direct any questions about the collection of information by mail to the following address:

Manager, Code Development, Legislation and Appeals

Building and Development Branch

777 Bay Street 2nd Fl., Toronto, Ontario M5G 2E5

telephone: (416) 585-6666

or by facsimile at: (416) 585-7531

**Proposed Change**

<p><b>REQUESTED CHANGE/ADDITION:</b> What wording do you propose for the change?</p>	<p><b>Add new Sentence to DivC 1.3.4.1.</b> (3) Where a person has given notice of date of completion to the chief building official or registered code agency as required by section 11 of the Act, or requested an occupancy permit under Div C 1.3.3.1.(1); that person shall not cause a building to be occupied, where the building is required by the Ontario Fire Code to have a fire safety plan; unless the chief fire official has approved the fire safety plan and has been satisfied that the plan has been implemented.</p>
<p><b>Problem:</b> Why should the existing provision be revised? If requesting an addition to the Code, what is missing?</p>	<p>There are multiple examples where the Building Code appendix requires fire safety planning to be used as design criteria to determine occupant safety, for example A3.3.3.1. .</p> <p>In many instances, the designs being constructed are dependant on staff procedures that can only be mandated as part of a fire safety plan. The Building and Fire Codes are meant to be complimentary. Currently, they are not. The chief building official has not been given any authority to oppose or prevent the occupancy of newly constructed or renovated buildings, where those buildings require a fire safety plan, even though that occupancy may put occupants at risk because the plan has not been approved or implemented.</p> <p>Many alternative solutions are changing the norms typically found in buildings. It is important that they be considered prior to occupancy, in regards to occupant safety and fire safety planning.</p> <p>The occupancy of a building should be seamless and the current lack of a complimentary relationship between Building and Fire Codes has a deleterious impact on the relationship between property owners and municipal officials.</p>
<p><b>Justification/Explanation:</b> How does the requested change address the problem?</p>	<p>The change will ensure that before a building is occupied, the required plan is approved and implemented.</p>
<p><b>Objective(s):</b> Which of the Code's objectives does the requested change address? See Part 2 of Division A of the Building Code for the list of objectives.</p>	<p>OS 1 An <i>objective</i> of this Code is to limit the probability that, as a result of the design or <i>construction</i> of a <i>building</i>, a person in or adjacent to the <i>building</i> will be exposed to an unacceptable risk of injury due to fire.</p> <p>OS3 An <i>objective</i> of this Code is to limit the probability that, as a result of the design or <i>construction</i> of the <i>building</i>, a person in or adjacent to the <i>building</i> will be exposed to an unacceptable risk of injury due to hazards.</p> <p>OP1 An <i>objective</i> of this Code is to limit the probability that, as a result of its design or <i>construction</i>, a <i>building</i> will be exposed to an unacceptable risk of damage due to fire.</p> <p>OP2 An <i>objective</i> of this Code is to limit the probability that, as a result of its design or <i>construction</i>, a <i>building</i> or part of it will be exposed to an unacceptable risk of damage or loss of use due to structural failure or lack of structural serviceability.</p> <p>OP3 An <i>objective</i> of this Code is to limit the probability that, as a result of the design or <i>construction</i> of a <i>building</i>, adjacent <i>buildings</i> will be exposed to an unacceptable risk of damage due to fire.</p>
<p><b>Cost/Benefit Implications:</b> Will the change entail any added costs? Will it provide benefits that are measurable?</p>	<p>No. Fire Departments are already required to conduct a review of fire safety plans, and where they are required, owners are still required to prepare and implement the plans. Neither would incur a greater cost.</p> <p>There is a probability that there would be a cost savings to the constructor, as early consideration of emergency planning would ensure</p>

	there was no conflict between design and use.
<p><b>Enforcement Implications:</b> Can the requested change/addition be enforced by the infrastructure available to enforce this Code? Will its enforcement require an increase in resources?</p>	<p>No additional staff or authority is required to conduct enforcement of this new sentence. Fire Departments are already required to conduct a review of fire safety plans, and where they are required, owners are still required to prepare and implement the plans. Neither would incur a greater cost.</p>
<p><b>Other Comments:</b> For example, identify other Code requirements affected by the requested change.</p>	
<p><b>Attached Supporting Material:</b></p>	<p>Ontario Fire Code</p> <p>2.8.1.1. (1) The requirements of this Section shall apply to <b>buildings</b> containing</p> <ul style="list-style-type: none"> <li>(a) <b>assembly occupancy or care or detention occupancy,</b></li> <li>(b) <b>residential occupancy</b> where the <b>occupant load</b> exceeds 10,</li> <li>(c) <b>business and personal services occupancy</b> where the <b>occupant load</b> exceeds 300,</li> <li>(d) <b>mercantile occupancy</b> where the <b>occupant load</b> exceeds 300,</li> <li>(e) <b>high hazard industrial occupancy</b> where the <b>occupant load</b> exceeds 25,</li> <li>(f) <b>medium hazard industrial occupancy</b> where the <b>occupant load</b> exceeds 100, or</li> <li>(g) <b>low hazard industrial occupancy</b> where the <b>occupant load</b> exceeds 300.</li> </ul> <p>(2) Despite Sentence (1), the requirements of this Section shall apply to <b>buildings</b> or premises</p> <ul style="list-style-type: none"> <li>(a) containing 4 <b>storeys</b> or more, including <b>storeys</b> below <b>grade,</b></li> <li>(b) subject to the provisions of Subsection 3.5.3.,</li> <li>(c) subject to the provisions of Article 4.1.5.6.,</li> <li>(d) subject to the provisions of Article 4.12.4.1.,</li> <li>(e) regulated by Section 9.3,</li> <li>(f) subject to the provisions of Sentence 9.5.3.1.(3), or</li> <li>(g) used as a convalescent home or children's custodial home providing sleeping accommodation for more than three persons.</li> </ul> <p>(3) Despite Sentence (1), the requirements of this Section apply to recreational camps regulated by or under the <b>Health Protection and Promotion Act.</b></p> <p>(4) Despite Sentence (1), the requirements of this Section apply to facilities regulated by or under the <b>Developmental Services Act.</b></p> <p>2.8.2.1. (2) The fire safety plan shall be prepared, <b>approved</b> and implemented in <b>buildings</b> regulated by Article 2.8.1.1.</p> <ul style="list-style-type: none"> <li>(3) The fire safety plan shall be kept in the <b>building</b> in an <b>approved</b> location.</li> <li>(4) The fire safety plan shall be reviewed as often as necessary, but at intervals not greater than 12 months, to ensure that it takes account of changes in the use and other characteristics of the <b>building.</b></li> </ul>