



Ontario Association of Fire Chiefs Position Paper Enforcement of the Fire Code and Funding of the Fire Service

The Ontario Association of Fire Chiefs (O AFC) is requesting the Province of Ontario to provide funding to municipal Fire Services in Ontario for staffing and programs to enforce the mandatory requirements of the Fire Protection and Prevention Act 1997 (FPPA) and the Ontario Fire Code.

The Fire Prevention Act and the Ontario Fire Code have been put in place to protect the lives and properties of the residents of Ontario. On average there are over 15,000 fires per year in Ontario. In 2006 there were 86 fire fatalities and 946 fire injuries. Despite the Code requirements 63% of these fatalities occurred in buildings where there was no working smoke alarm.

The Ontario Fire Marshal is advocating that municipal fire departments take a zero tolerance approach on non-compliance of the Ontario Fire Code. In other words, he is requesting that municipalities undertake increased activity in the area of inspections and that they should assess fines or initiate legal actions in cases where violations of the code are discovered. Although this is a worthwhile campaign there are a number of problems which will prevent it from being successful.

The O AFC agrees that municipalities need to be proactive and continue to eliminate risks associated to fire and to reduce fire deaths in Ontario and it acknowledges that Fire Prevention and Public Education are the responsibility of local municipalities. However, it must also be pointed out that many municipalities are already financially struggling to meet the minimum requirements of the FPPA.

Fire Department staffing levels devoted to enforcement are low. Many municipalities have only volunteer, part-time or limited full time staff to conduct inspections and deal with enforcement. With the increasing costs of providing fire services, many full-time departments are also struggling to meet the demands of Fire Prevention and Public Education in their communities while meeting the needs of fire suppression and operations.

Prosecution of violators is very time consuming and expensive. When municipalities have taken violators to court they have found that the process is overly lengthy due to the lack of Justices of the Peace. Once the case is actually heard the results are often less than satisfactory as many violators are leaving the courts with nothing more than a slap on the wrist.

If the province is serious about increasing the level of compliance with the Fire Protection and Prevention Act and the Ontario Fire Code then the Province of Ontario needs to provide ongoing sustaining financial support to municipal Fire Departments for staffing and programs. In addition, the court process associated with the laying of charges needs to be streamlined (more JP's hired) as it is anticipated that increased enforcement will result in a large increase in the number of cases.