

## POLICY MDL-26

### A POLICY RESPECTING A SYSTEM OF MUNICIPAL FIRE INSPECTIONS

1. This Policy is entitled the "System of Municipal Fire Inspections"
2. In this Policy:
  - (a) **ASSEMBLY OCCUPANCY (GROUP A)** , means the Assembly Occupancy as defined in the National Building Code of Canada (1995), as amended from time to time.
  - (b) **RESIDENTIAL OCCUPANCY (GROUP C)**, means a Residential Occupancy as defined in the National Building Code of Canada (1995), as amended from time to time;
  - (c) **BUSINESS AND PERSONAL SERVICE OCCUPANCY (GROUP D)**, means a Business and Personal Service Occupancy as defined in the National Building Code of Canada (1995), as amended from time to time;
  - (d) **MERCANTILE OCCUPANCY" (GROUP E)**, means a Mercantile Occupancy as defined in the National Building Code of Canada (1995), as amended from time to time ;.
  - (e) **INDUSTRIAL OCCUPANCY (GROUP F)**, means an Industrial Occupancy as defined in the National Building Code of Canada (1995), as amended from time to time;.
  - (f) **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;
  - (b) **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;
  - (d) **FIRE SAFETY REGULATIONS**, mean 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;
  - (c) **COUNCIL**, means the Council of the Municipality of the District of Lunenburg
3. Pursuant to Section 19 of the Fire Safety Act this Policy establishes a "System of Municipal Fire Inspections" to provide for compliance with that Act and the Fire Safety Regulations and that recognizes municipal resources, geography and priorities based upon a risk assessment.
4. **Municipal Fire Inspector**  
Pursuant to Section 19 of the Fire Safety Act, Council shall appoint one or more Municipal Fire Inspectors, whom shall carry out the System of Municipal Fire Inspections in accordance with the requirements of the Fire Safety Act and Fire Safety Regulations
5. **System of Inspections**  
Pursuant to Section 3 of this Policy, Council hereby establishes the following "System of Municipal Fire Inspections":
  - a) Assembly Occupancies (Group A)-

As per Section 13 Fire Safety Regulations.

b) Residential Occupancies (Group C)

i) **Buildings with more than three units**, and not regulated under the Homes for Special Care

Buildings will be inspected commencing in the year 2004 and re-inspected every 3 years, unless the Municipal Fire Inspector deems that, to reduce risk of fire and loss of life, a more frequent inspection of one or more particular buildings is required.

ii) **Buildings with three units or less.**

Buildings will be inspected only upon receipt of the written request of an owner, and only if the inspection to be conducted is not for insurance purposes, or upon the Municipal Fire Inspector obtaining a warrant allow such inspection pursuant to Section 24 of the Fire Safety Act.

iii) **Inspection of wood stoves.**

Wood Stoves will only be inspected upon receipt of the written request of an owner, and only if the inspection to be conducted is not for insurance purposes.

c) Mercantile Occupancies (Group E)

Buildings will be inspected commencing in the year 2004 and re-inspected every 5 years, unless the Municipal Fire Inspector deems, that to reduce risk of fire and loss of life, a more frequent inspection of one or more particular buildings is required.

d) Business and Personal Service Occupancies (Group D)

Buildings will be inspected commencing in the year 2004 and re-inspected every 5 years, unless the Municipal Fire Inspector deems that, to reduce risk of fire and loss of life, a more frequent inspection of one or more particular buildings is required.

e) Industrial Occupancies

Buildings will be inspected commencing in the year 2005 and re-inspected every 5 years, unless the Municipal Fire Inspector deems that, to reduce risk of fire and loss of life, a more frequent inspection of one or more particular buildings is required.

**6. Failure to Comply with Order**

Summary Conviction

- a) 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.

- b) Carrying on 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.

**Clerks Annotation for Official Policy Book**

**Date of Notice to Council:      May 4, 2004**

**Date of Passage:                      May 11, 2004**

**I certify that this Policy was adopted by Council as is indicated above.**

\_\_\_\_\_  
**Chief Administrative Officer**

\_\_\_\_\_  
**Date**