



**STAFF REPORT  
ACTION REQUIRED**

**Amendment to Municipal Code Chapter 387 - Carbon Monoxide Detectors in Multiple Occupancy Buildings**

<b>Date:</b>	April 15, 2011
<b>To:</b>	Community Development and Recreation
<b>From:</b>	Fire Chief and General Manager, Toronto Fire Services
<b>Wards:</b>	All
<b>Reference Number:</b>	p:\2011\ClusterB\FIR\cd1112.doc

**SUMMARY**

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Chapter 387, Carbon Monoxide Detectors, of the City of Toronto Municipal Code requires carbon monoxide detectors to be installed in all dwelling units in a multiple occupancy building which are on the same floor, or within two floors above or below a fuel-burning appliance. Chapter 387 also requires a carbon monoxide detector to be installed in all dwelling units which contain a fuel-burning appliance.

Despite these requirements, additional concerns in relation to carbon monoxide venting throughout a multiple occupancy building were evidenced at a recent incident. It is proposed that Chapter 387 be amended to require carbon monoxide detectors be installed within close proximity of sleeping areas on the same floor or within two floors above or below a fuel-burning appliance in multiple occupancy buildings with fuel-burning appliances.

The proposed change would provide additional safeguards to residents in multiple occupancy buildings with a fuel-burning appliance which may or may not be properly vented. The change would ensure that residents have the required carbon monoxide detection. Elevated carbon monoxide levels within a building pose a health risk to residents and a potential for devastating consequences if not detected.

## **RECOMMENDATIONS**

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### **The Fire Chief and General Manager, Toronto Fire Services recommends that:**

1. Council adopt the proposed by-law amendments to Toronto Municipal Code Chapter 387, Carbon Monoxide Detectors substantially in the form set out in Appendix A, such amendment to come into effect on September 1, 2011;
2. The City Solicitor be directed to prepare the necessary bill to give effect to the proposed amendment.

### **Financial Impact**

There are no financial implications for the City associated with this report. The funding for the cost of public communication for this initiative is included in the 2011 Operating Budget for Fire Services. Acquisition and installation of carbon monoxide detectors is the responsibility of the owner of the affected dwelling unit.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact statement.

### **DECISION HISTORY**

The previous report dated June 14, 2010 dealt with the installation of carbon monoxide detectors in all dwelling units in a multiple occupancy building which are on the same floor, or within two floors above or below a fuel-burning appliance. The matter was considered by City Council on July 6, 2010.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.CD34.1>

The original Carbon Monoxide By-law was adopted by Urban Environment and Development Committee Report No. 2(1) and adopted by Council at its meeting held on March 4, 5 and 6, 1998.

<http://www.toronto.ca/legdocs/1998/minutes/council/appa/cc980304/ud2rpt.htm>

### **ISSUE BACKGROUND**

The City of Toronto enacted Chapter 387, Carbon Monoxide Detectors, to ensure occupants of a building receive a timely warning if there is an unacceptable level of carbon monoxide present. Carbon Monoxide is a potential health risk to residents, which if not detected, may lead to potentially fatal outcomes.

For purposes of Chapter 387, a dwelling unit would include a building or part of a building, comprised of a room, series of rooms or suite, operated under a single tenancy as a housekeeping unit, or intended to be used as a domicile by one or more persons and which

may contain cooking, eating, living, sleeping and sanitary facilities, and including its respective appurtenant hallways.

A fuel-burning appliance would include, but not limited to, furnaces, refrigerators, clothes dryers, water heaters, boilers, fireplaces, wood stoves, charcoal grills, gas ranges and space heaters, which are fired by flammable fuels such as, but not limited to, natural gas, propane, heating oil, kerosene, coal, gasoline, wood and charcoal.

Carbon Monoxide Detectors are devices that are designed to sound an audible alarm upon detection of excessive concentrations of carbon monoxide. These units are widely available, at a relatively low price. Currently, the requirement for carbon monoxide detectors to be installed in dwelling units which are either on the same floor, or two floors above or below fuel-burning appliances, addresses the safety concerns of many of the buildings in the City. Further, the Ontario Building Code requires all new residential buildings to have carbon monoxide alarms installed if there are fuel burning appliances. However, there are no retrofit provisions for existing buildings.

Despite the requirements noted above, additional concerns in relation to carbon monoxide were evidenced at a recent incident attended by Toronto Fire Services (TFS.) A boiler malfunction and inadequate ventilation system resulted in elevated carbon monoxide levels throughout the building. TFS evacuated all of the affected residents and ventilated the building.

For buildings containing multiple occupancies, a carbon monoxide detector is required to be installed in each dwelling unit located on the same floor level as a fuel-burning appliance and on the first and second floor levels above or below a floor containing a fuel-burning appliance. Without a change to Chapter 387, while the requirement to have a carbon monoxide detector within a dwelling unit where the dwelling unit is the same floor or within two floors above or below a fuel-burning appliance in a multiple occupancy building would remain, there is no requirement for the carbon monoxide detectors to be located within close proximity of sleeping areas. Currently, Chapter 387 only requires the carbon monoxide detector to be equipped with an alarm that is audible within the bedrooms of the dwelling unit when any intervening doors are closed.

## **COMMENTS**

### **Proposed By-law amendment:**

TFS proposes that Council amend the provisions of Chapter 387, Carbon Monoxide Detectors to ensure buildings containing multiple occupancies with fuel-burning appliances install carbon monoxide detectors within close proximity of sleeping areas. The proposed change would provide additional safeguards to residents in multiple occupancy buildings with a fuel-burning appliance in the event of a malfunction and would ensure that residents have the required carbon monoxide detection.

## **Enforcement and Communication of new requirement:**

If there is non-compliance with the requirements of Chapter 387, TFS will issue orders to comply with the requirements of the Chapter. Where an individual does not comply with the issued orders, a prosecution for non-compliance with the order may be commenced. With a prosecution for non-compliance with an order issued maximum penalties can be up to \$50,000 for an individual and \$100,000 for a corporate offender, with higher penalties for subsequent offences.

TFS will conduct media releases to the public and owners twice a month in July and August before the new requirements comes into place September 1, 2011.

## **CONTACT**

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William A. Stewart  
Fire Chief and General Manager, Fire Services

## **ATTACHMENT**

Appendix A – Proposed By-law Amendments to Municipal Code, Chapter 387, Carbon Monoxide Detectors

## Appendix A

### Proposed By-law Amendments to Municipal Code, Chapter 387, Carbon Monoxide Detectors

1. Amend Section 387-4 by deleting the section and adding the following:

**§ 387-4. Where required.**

Carbon monoxide detectors shall be installed in each of the following dwelling units, in accordance with the provisions of this chapter:

- A. Each dwelling unit containing a fuel-burning appliance.
- B. For a building containing multiple occupancies, within close proximity of all sleeping areas contained in a dwelling unit located on the same floor level as a fuel-burning appliance.
- C. For a building containing multiple occupancies, within close proximity of all sleeping areas contained in each dwelling unit located on the first and second floor levels of the building above or below a floor level, roof or mechanical penthouse containing a fuel-burning appliance.