



REPORT FOR ACTION

Repeal of Municipal Code Chapter 387 in response to amendments to the Ontario Fire Code

Date: October 25, 2017
To: Community Development and Recreation Committee
From: Fire Chief and General Manager, Toronto Fire Services
Wards: All

SUMMARY

The 2013 and 2014 amendments to the Ontario Fire Code (OFC) and the *Fire Protection and Prevention Act, 1997* (FPPA) introduced regulations concerning the installation, maintenance, testing and replacement of Carbon Monoxide (CO) detectors in existing residential occupancies. These amendments rendered Chapter 387, Carbon Monoxide Detectors of the City of Toronto Municipal Code (Carbon Monoxide Detector By-Law) redundant and superseded by the applicable OFC regulations, as a result Chapter 387 should be repealed. TFS will continue to enforce the OFC, under its legislated authority, and is committed to ensuring that appropriate measures are taken by property owners to achieve fire and life safety through compliance with the OFC and the FPPA.

RECOMMENDATIONS

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

1. City Council repeal City of Toronto Municipal Code Chapter 387, Carbon Monoxide Detectors.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of the recommendation in this report.

The Acting Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

City Council adopted Urban Environment and Development Committee Report No. 2(1), at its meeting held on March 4, 5 and 6, 1998, and enacted the Carbon Monoxide Detector By-Law prescribing maintenance and occupancy standards for dwelling units with respect to carbon monoxide detectors.

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

COMMENTS

City of Toronto Municipal Code Chapter 387, Carbon Monoxide Detectors, or the "Carbon Monoxide Detector By-Law", provided the City of Toronto with guidelines related to the installation and maintenance of Carbon Monoxide (CO) detectors, and appointed Toronto Fire Services (TFS) Fire Prevention inspectors as property standards officers for purposes of enforcement.

In 2013, the *Fire Protection and Prevention Act, 1997* (FPPA), was amended by the Hawkins Gignac Act (Carbon Monoxide Safety) to allow for the development of requirements related to the presence of unsafe levels of carbon monoxide (CO), and to establish that the OFC would supersede any municipal by-laws related to the presence of unsafe levels of CO. In October 2014, the Province of Ontario and the Office of the Fire Marshal and Emergency Management (OFMEM) introduced amendments to the Ontario Fire Code dealing with the installation, maintenance, testing and replacement of CO alarms in existing residential occupancies.

The testing and maintenance elements of the regulation came into force on October 15, 2014, while the CO detectors installation and replacement requirements were phased in over 2015 and 2016. CO detectors that have been installed to comply with the Carbon Monoxide Detector By-Law must be maintained in accordance with the OFC effective October 15, 2014.

Due to the introduction and implementation of the amendments to the FPPA and OFC concerning CO detectors, the Carbon Monoxide Detector By-Law is now redundant and should be repealed. TFS will continue to address the issue of CO detectors through enforcement of the OFC, and is committed to ensuring that appropriate measures are taken by property owners to achieve fire and life safety through compliance with the OFC and the FPPA.

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SIGNATURE

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