

Royal Gazette

Part II Regulations under the Regulations Act

Printed by the Queen's Printer

Halifax, Nova Scotia

Vol. 27, No. 5

March 21, 2003

Contents

Act	Reg. No.	Page
Elevators and Lifts Act		
Elevators and Lifts General Regulations	46/2003	231
Proclamation, S. 25, S.N.S. 2002, c. 4	45/2003	229
Environment Act		
Environmental Assessment Regulations - amendment	44/2003	229
Ministerial Order re Garry E. Usher	42/2003	226
Fire Safety Act		
Fire Safety Regulations	48/2003	249
Proclamation, S. 59, S.N.S. 2002, c. 6	47/2003	247
Maritime Provinces Harness Racing Commission Act, An Act to Amend Chapter 8 of the Acts of 1993		
Proclamation, S. 5, S.N.S. 2002, c. 35	43/2003	228

AVAILABLE SOON

The second issue of the 2003 subscription year of the Folio®-based Nova Scotia Regulations CD-ROM, containing the consolidated regulations of Nova Scotia and the quarterly sectional index of regulations, will soon be available from the Office of the Registrar of Regulations. For information or subscription please call (902) 424-6723 or visit our website at <www.gov.ns.ca/just/regulations/cd>.

N.S. Reg. 42/2003

Made: February 18, 2003

Filed: March 3, 2003

Ministerial Order re Garry E. Usher

Order dated February 18, 2003
made by the Minister of Environment and Labour
pursuant to subsection 125(1) of the *Environment Act*

02-03

In The Matter of Chapter 1 of the Statutes of Nova Scotia 1994-95, the *Environment Act*

- and -

in The Matter of an Order issued pursuant to the provisions of the said Act to **Garry E. Usher** of
Huntington Point, Municipality of the County of Kings, Province of Nova Scotia

Ministerial Order

- I. **Whereas** Garry E. Usher owns, occupies, operates or is responsible for the operation of a plant, structure, facility, undertaking or thing, to wit: an on-site sewage disposal system which is located at or near 451 Huntington Point Road (PID No. 55066427), Municipality of the County of Kings, Province of Nova Scotia, hereafter called the "Site";
- II. **And Whereas** the Minister of Environment and Labour believes on reasonable and probable grounds that the person named in this Ministerial Order has contravened the *Environment Act* and the *On-Site Sewage Disposal Systems Regulations*;

Environment Act

- 67 (2) No person shall release or permit the release into the environment of a substance in an amount, concentration or level or at a rate of release that causes or may cause a significant adverse effect, unless authorized by an approval or the regulations.

On-Site Sewage Disposal Systems Regulations

- 10 (1) No person shall construct or install a system or cause the same to be done without first having obtained an approval under these regulations.
- 10 (2) No person shall discharge sewage or cause the same to be done without first having obtained an approval under these regulations.

- III. **And Whereas** the Minister is of the opinion that it is in the public interest to do all things and take all steps necessary to comply with the *Environment Act* and regulations and to repair any injury or damage, or to control, eliminate or manage an adverse effect;

It Is Hereby Ordered:

That pursuant to subsection 125(1) of the *Environment Act*, the person named in this Ministerial Order shall, at his own cost, comply with the terms and conditions, including compliance times, set forth in Schedule "A" attached to and forming part of this Ministerial Order.

And Take Notice if the person to whom this Ministerial Order is directed fail[s] to comply with the Ministerial Order, or any part thereof, the Minister, pursuant to [sub]section 132(2) of the *Environment Act*, may take whatever action the Minister considers necessary to carry out the terms of the Ministerial Order and may recover any reasonable costs, expenses and charges incurred by the Minister pursuant to Section 132 of the *Environment Act*.

And Further Take Notice that the appeal provisions respecting the issuance of a Ministerial Order are more fully outlined in Section 138 of the *Environment Act*, including a 30 day time period from the date of the issuance of the Ministerial Order to file an appeal.

Dated at Halifax, in the Halifax Regional Municipality, Province of Nova Scotia, this 18th day of February, 2003.

Sgd: *Ron Russell*
The Honourable Ronald S. Russell, C.D.
Minister of Environment and Labour

Schedule "A"

Terms and Conditions

Garry E. Usher

1. On or before March 14, 2003, the person named in this Ministerial Order shall:
 - i) retain the services of a Level 1 Qualified Person to select or design an on-site sewage disposal system for the site, and
 - ii) submit a completed on-site sewage disposal system application on a form prescribed by the Department, together with the selection or design of the on-site sewage disposal system, to the Kentville District Office of the Nova Scotia Department of Environment and Labour.
2. Upon receipt of written approval of the on-site sewage disposal system application by the Department, the person named in this Ministerial Order shall ensure that the installation of the on-site sewage disposal system is complete within 30 days of the date that the approval was issued. The installation of the on-site sewage disposal system shall not commence until written approval for the installation is received by the person named in this Ministerial Order from the Department. The installation of the system must be completed by a person licensed by the Department to install on-site sewage disposal systems in Nova Scotia.
3. Unless otherwise notified in writing by the Minister, the contact person in the Nova Scotia Department of Environment and Labour for this Ministerial Order is:

Janet MacKinnon
Acting District Manager
Nova Scotia Department of Environment and Labour
136 Exhibition Street
Kentville, NS
B4N 4E5

Phone: (902)679-6086
Fax: (902)679-6186

N.S. Reg. 43/2003

Made: February 21, 2003

Filed: March 3, 2003

Proclamation, S. 5, S.N.S. 2002, c. 35

Order in Council 2003-65 made February 21, 2003
 Proclamation made by the Governor in Council
 pursuant to Section 5 of
*An Act to Amend Chapter 8 of the Acts of 1993, the
 Maritime Provinces Harness Racing Commission Act*

The Governor in Council on the report and recommendation of the Minister of Agriculture and Fisheries dated February 4, 2003, pursuant to Section 5 of Chapter 35 of the Acts of 2002, *An Act to Amend Chapter 8 of the Acts of 1993, the Maritime Provinces Harness Racing Commission Act*, is pleased to order and declare by proclamation that Chapter 35 of the Acts of 2002, *An Act to Amend Chapter 8 of the Acts of 1993, the Maritime Provinces Harness Racing Commission Act*, come into force on and not before March 1, 2003.

PROVINCE OF NOVA SCOTIA

Sgd: *Constance R. Glube*

G/S

ELIZABETH THE SECOND, by the Grace of God,
 of the United Kingdom, Canada and Her Other
 Realms and Territories, Queen, Head of the
 Commonwealth, Defender of the Faith.

TO WHOM ALL THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
 CONCERN,

GREETING

A PROCLAMATION

WHEREAS in and by Section 5 of Chapter 35 of the Acts of 2002, *An Act to Amend Chapter 8 of the Acts of 1993, the Maritime Provinces Harness Racing Commission Act*, it is enacted as follows:

- 5** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 35 of the Acts of 2002, *An Act to Amend Chapter 8 of the Acts of 1993, the Maritime Provinces Harness Racing Commission Act*, come into force on and not before March 1, 2003.

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 35 of the Acts of 2002, *An Act to Amend Chapter 8 of the Acts of 1993, the Maritime Provinces Harness Racing Commission Act*, come into force on and not before March 1, 2003, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
 our Letters to be made Patent and the Great Seal of
 Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour
 the Honourable Constance R. Glube, Administrator
 of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality,
 this 21st day of February, in the year of Our Lord
 two thousand and three and in the fifty-second year
 of Our Reign.

BY COMMAND:

Sgd: *Jamie Muir*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 44/2003

Made: February 28, 2003

Filed: March 3, 2003

Environment Assessment Regulations

Order in Council 2003-67 dated February 28, 2003
Amendment to Regulations made by the Governor in Council
pursuant to Section 49 of the *Environment Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated February 7, 2003, and pursuant to Section 49 of Chapter 1 of the Acts of 1994-95, the *Environment Act*, is pleased to amend the *Environmental Assessment Regulations* made by the Governor in Council by Order in Council 95-220 dated March 21, 1995, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after February 28, 2003.

Schedule "A"

**Amendment to the *Environmental Assessment Regulations*
made by the Governor in Council pursuant to Section 49 of Chapter 1 of the
Acts of 1994-95, the *Environment Act***

- 1 Class I of Schedule "A" to the *Environmental Assessment Regulations* made by the Governor in Council by Order in Council 95-220 dated March 21, 1995, is amended by adding the following item immediately following item 1 in Section D:
 - 2 An electric generating facility which has a production rating of 2 megawatts or more derived from wind energy.
- 2 Item 1 of Section C of Class II of Schedule "A" to the regulations is amended by adding "but excluding an electric generating facility of any production rating which uses wind energy as its sole power source" immediately following "exceeds 10 megawatts".

N.S. Reg. 45/2003

Made: February 28, 2003

Filed: March 3, 2003

Proclamation, S. 25, S.N.S. 2002, c. 4

Order in Council 2003-80 made February 28, 2003
Proclamation made by the Governor in Council
pursuant to Section 25
of the *Elevators and Lifts Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated February 13, 2003, and pursuant to Section 25 of Chapter 4 of the Acts of 2002, the *Elevators and Lifts Act*, is

pleased to order and declare by proclamation that Chapter 4 of the Acts of 2002, the *Elevators and Lifts Act*, come into force on and not before February 28, 2003.

PROVINCE OF NOVA SCOTIA

Sgd: *Constance R. Glube*

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO WHOM ALL THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING

A PROCLAMATION

WHEREAS in and by Section 25 of Chapter 4 of the Acts of 2002, the *Elevators and Lifts Act*, it is enacted as follows:

- 25** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 4 of the Acts of 2002, the *Elevators and Lifts Act*, come into force on and not before February 28, 2003.

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 4 of the Acts of 2002, the *Elevators and Lifts Act*, come into force on and not before February 28, 2003, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the Great Seal of
Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Constance R. Glube, Administrator
of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality,
this 21st day of February, in the year of Our Lord
two thousand and three and in the fifty-second year
of Our Reign.

BY COMMAND:

Sgd: *Jamie Muir*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 46/2003

Made: February 28, 2003

Filed: March 3, 2003

Elevators and Lifts General Regulations

Order in Council 2003-81 dated February 28, 2003
Regulations made by the Governor in Council
pursuant to Section 23 of the *Elevators and Lifts Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated February 13, 2003, and pursuant to Section 23 of Chapter 4 of the Acts of 2002, the *Elevators and Lifts Act*, is pleased, effective on and after February 28, 2003, to:

- (a) repeal the regulations respecting elevators and lifts made by the Governor in Council by Order in Council dated May 14, 1957;
- (b) repeal Order in Council 80-1510 dated November 5, 1980, respecting the exclusion from the application of the Act of an inclined chair lift installed in Hants North Rural High School;
- (c) repeal the safety standard for elevating devices for the physically disabled made by the Governor in Council by Order in Council 81-377 dated March 17, 1981; and
- (d) make regulations respecting elevators and lifts in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

**Regulations Respecting Elevators and Lifts
made by the Governor in Council pursuant to Section 23 of
Chapter 4 of the Acts of 2002, the *Elevators and Lifts Act***

General**Citation**

1 These regulations may be cited as the *Elevators and Lifts General Regulations*.

Interpretation

2 (1) In these regulations,

- (a) "Act" means the *Elevators and Lifts Act*;
- (b) "bar lift" means a passenger ropeway that pulls passengers by means of an overhead circulating hauling rope while the passengers remain in contact with the ground or snow surface;
- (c) "chair lift" means a passenger ropeway by which passengers are carried on chairs that are
 - (i) attached to and suspended from a circulating wire rope, or
 - (ii) attached to a circulating wire rope and supported by a standing wire rope or other overhead structure;
- (d) "compliance audit" means a review by the Chief Inspector of calculation sheets, work test documentation, inspection reports, condition reports or any other information that the Chief Inspector requires an operator to submit for the purpose of obtaining or continuing to hold a licence for an elevating device;

- (e) “condition report” means a report from a registered contractor in the form prescribed by the Chief Inspector, verifying the safe condition and manner of operation of an elevating device;
- (f) “enclosed stair platform lift” means a stair platform lift that has its runway guarded so as to prevent access to it;
- (g) “enclosed vertical platform lift” means a vertical platform lift that has a fully enclosed runway;
- (h) “existing”, in relation to an elevating device or part thereof, refers to a device or part that was installed or for which drawings and specifications were approved before these regulations came into force;
- (i) “freight elevator” means an elevating device that is designed and constructed to carry freight and on which an operator and freight handlers are permitted to ride;
- (j) “gondola lift” means a passenger ropeway by which passengers are carried in enclosed cars that are
 - (i) attached to and suspended from a circulating wire rope, or
 - (ii) attached to a circulating wire rope and supported by a standing wire rope or other overhead structure;
- (k) “lift for persons with physical disabilities” means an elevating device that
 - (i) travels between fixed points of a building structure,
 - (ii) is restricted as to access, speed, travel and type of operation, and
 - (iii) is specifically designed to be used by a person with a physical disability;
- (l) “maintenance” means regularly scheduled work or other action taken to ensure that an elevating device is and will remain in safe operating condition;
- (m) “material lift” means an elevator that
 - (i) is equipped with a car that moves within a guide system installed at an angle greater than 70° from the horizontal,
 - (ii) serves 2 or more landings,
 - (iii) is restricted as to location, access, speed, travel and type of operation, and
 - (iv) is specifically designed to transport materials that are
 - (A) automatically loaded or unloaded using an automatic loading device, or
 - (B) manually loaded or unloaded in a Type A lift in which no persons are permitted to ride, or a Type B lift in which authorized personnel are permitted to ride;
- (n) “moving walk” means an elevating device that moves passengers on an uninterrupted load-carrying surface that remains substantially parallel to its direction of motion;
- (o) “new”, in relation to an elevating device or part thereof, refers to a device or part for which drawings and specifications are registered after these regulations come into force;
- (p) “passenger elevator” means an elevating device that is designed and constructed primarily to carry persons;

- (q) “reversible ropeway” means a passenger ropeway by which passengers are carried in one or more cars that are fixed to a hauling rope that is independent of a track rope, and that reciprocate between terminals;
 - (r) “ropetow” means a passenger ropeway where persons grasp a circulating hauling rope or a handle or similar device attached to the rope and are propelled while remaining in contact with the ground or snow surface;
 - (s) “safety code” means a code or standard prescribed in Section 3;
 - (t) “special elevating device” means an elevating device that is not otherwise defined in these regulations;
 - (u) “stage lift” means an elevating device that is used for lifting or lowering persons or freight in or about a stage or orchestra pit;
 - (v) “stair chair lift” means a lift for persons who are physically disabled that is equipped with a passenger-carrying unit in the form of one or two attached chairs that moves substantially in the direction of a flight of stairs or ramp at a mean angle of not more than 45°;
 - (w) “stair platform lift” means a lift for persons who are physically disabled that is equipped with a platform that moves substantially in the direction of a flight of stairs or ramp at a mean angle of not more than 45°;
 - (x) “unenclosed stair platform lift” means a stair platform lift that has a partially enclosed or unenclosed runway;
 - (y) “unenclosed vertical platform lift” means a vertical platform lift that has a partially enclosed or unenclosed runway;
 - (z) “vertical platform lift” means a lift for persons who are physically disabled that is equipped with a platform that moves vertically.
- (2) A “major alteration”, for the purpose of the Act and these regulations, means an alteration that results in a substantial change to the original design, inherent safety or operational characteristics of an elevating device or that is defined as a major alteration in an applicable safety code, and, without limiting the generality of the foregoing, includes any alteration to an elevating device that results in
- (a) an increase in rated speed;
 - (b) an increase in rated load;
 - (c) an increase or decrease in the dead weight of a car;
 - (d) an increase or decrease in travel;
 - (e) a change in type of operation;
 - (f) a change in type of control;
 - (g) a change in size or type of guide rails;
 - (h) a change in type of car;
 - (i) a change in the counterweight safety;
 - (j) the use of a freight elevator to transport employees;
 - (k) a change in classification from freight to passenger service;
 - (l) a change in power supply;
 - (m) replacement of an existing driving machine by a new driving machine;
 - (n) a change in location;
 - (o) replacement of the existing controller or control equipment;
 - (p) the addition of a control or safety feature required in an amendment to a safety code; or
 - (q) a change in an existing car enclosure.

- (3) For the purpose of clause 5(b) of the Act, “mechanic in training” means a person who is currently enrolled in an approved mechanics education program and is currently working under the supervision of a mechanic.

Prescribed safety codes

- 3 (1) The new installation, major alteration or maintenance of an elevating device must be conducted in accordance with the following safety codes, as applicable:
- (a) CSA Standard B44, Safety Code for Elevators, as amended from time to time;
 - (b) CSA Standard Z185, Safety Code for Personnel Hoists, as amended from time to time;
 - (c) CSA Standard Z256, Safety Code for Material Hoists, as amended from time to time;
 - (d) CSA Standard B311, Safety Code for Manlifts, as amended from time to time;
 - (e) CSA Standard B355, Safety Code for Lifts for Persons with Physical Disabilities, as amended from time to time;
 - (f) CSA Standard Z98, Passenger Ropeways, as amended from time to time;
 - (g) CSA Standard B613, Private Residence Lifts for Persons with Physical Disabilities, as amended from time to time;
 - (h) CSA Standard B44.1, Elevators and Escalators Electrical Equipment, as amended from time to time;
 - (i) CSA Standard C22.1, Canadian Electrical Code Part 1, Safety Standards for Electrical Installations, as amended from time to time.
- (2) Despite subsection (1), the Chief Inspector may accept another safety code that provides for a standard of safety equal to or greater than the standard of safety provided for in a safety code prescribed in subsection (1).

Designation of classes of elevating devices

- 4 The following classes of elevating devices are designated for the purposes of the Act and these regulations:
- (a) elevators, comprising
 - (i) passenger elevators,
 - (ii) freight elevators, and
 - (iii) material lifts;
 - (b) dumbwaiters;
 - (c) escalators;
 - (d) moving walks;
 - (e) lifts for persons with physical disabilities, comprising
 - (i) stairchair lifts,
 - (ii) enclosed stair platform lifts,
 - (iii) unenclosed stair platform lifts,
 - (iv) enclosed vertical platform lifts, and
 - (v) unenclosed vertical platform lifts;

- (f) manlifts;
- (g) passenger ropeways, comprising
 - (i) bar lifts,
 - (ii) chair lifts,
 - (iii) gondola lifts,
 - (iv) reversible ropeways, and
 - (v) ropetows;
- (h) construction and material hoists;
- (i) incline lifts;
- (j) stage lifts; and
- (k) special elevating devices.

Exclusions from the application of the Act

5 In addition to the devices and machines identified in Section 3 of the Act, the Act does not apply to

- (a) dumbwaiters that have a car floor or platform frame area of 0.2787 m² (3 ft.²) or less, and maximum capacity of 45 kg (100 lbs.) or less;
- (b) devices that have a travel length of 2000 mm (79 in.) or less and are used only for the transfer of material or equipment;
- (c) elevating devices that are used for agricultural purposes only and are
 - (i) installed in or adjacent to a barn, and
 - (ii) used exclusively by the proprietor or the tenant of the barn;
- (d) vehicle lubrication hoists, automotive or industrial lubricating hoists and similar devices;
- (e) freight ramps that have a means for adjusting the slope of the ramp;
- (f) lift bridges and wharf ramps;
- (g) appliances that feed materials into or position materials at machine tool presses, furnaces, or other processing plants;
- (h) hoists that are used for raising or lowering materials and are fitted with unguided hooks, slings or similar means for attachment to the materials;
- (i) swing stages and window washing equipment;
- (j) a ship or vessel, unless it is permanently moored and used by the public, or unless the owner requests in writing that the Act apply to it; and
- (k) platform elevators that are installed in a ship or offshore drilling rig and used to load and unload cargo, equipment and personnel.

Licences for Elevating Devices

Granting or renewal of a licence

6 (1) A licence for an elevating device may be granted or renewed under subsection 11(1) of the Act only if

- (a) the Chief Inspector receives from the owner
 - (i) a completed application or renewal application in a form prescribed by the Chief Inspector,
 - (ii) the applicable fee prescribed in Schedule A,
 - (iii) a condition report, and
 - (iv) additional information required by the Chief Inspector in order to complete an annual compliance audit of the elevating device; and
 - (b) the Chief Inspector is satisfied that the elevating device
 - (i) complies with the Act and these regulations, and
 - (ii) is likely to be operated in a safe condition and manner.
- (2) A licence for an elevating device must be in the form prescribed in Schedule B.
- (3) The term of a licence for an elevating device is 1 year.

Transfer of a licence

- 7 (1) Subject to subsection (2), a licence may be transferred under subsection 11(1) of the Act only if
- (a) the Chief Inspector receives from the owner of the elevating device for which the licence was granted
 - (i) a completed application in a form prescribed by the Chief Inspector,
 - (ii) the fee prescribed in Schedule A for the transfer of a licence, and
 - (iii) a condition report dated within the 12 months immediately preceding the application; and
 - (b) the Chief Inspector is satisfied that the elevating device for which the licence was granted
 - (i) complies with the Act and these regulations, and
 - (ii) is likely to be operated in a safe condition and manner after the transfer.
- (2) The Chief Inspector must not transfer a licence
- (a) while it is suspended;
 - (b) if the Chief Inspector believes on reasonable grounds that any of the conditions for suspension prescribed in Section 8 are present; or
 - (c) if the applicant for transfer is in arrears in paying any fee or expense for which the applicant is liable under the Act or these regulations.

Suspension of a licence

- 8 A licence for an elevating device may be suspended under subsection 11(1) of the Act if
- (a) the Chief Inspector believes on reasonable grounds that the elevating device is being operated in violation of the provisions of the Act or these regulations;
 - (b) a major alteration of the elevating device has been commenced;
 - (c) the owner of the elevating device has failed to comply with a notice or order of an inspector, or has failed to file an annual condition report;
 - (d) the owner of the elevating device is in arrears for more than 14 days in paying any fee or expense for which the owner is liable under the Act or these regulations; or

- (e) the elevating device is sealed out of service by an inspector.
- 9 (1) If the Chief Inspector suspends a licence for an elevating device under subsection 11(1) of the Act, the Chief Inspector must give the owner a notice setting forth
- (a) every condition under which the Chief Inspector suspended the licence; and
- (b) the effective date of the suspension,
- and upon receipt of the notice, the owner must immediately return the licence to the Chief Inspector.
- (2) Upon being satisfied that every condition under which the licence for an elevating device was suspended has been fully remedied, the Chief Inspector may make an order in writing discontinuing the suspension and, if made, must give the owner of the elevating device a true copy of the order.
- (3) A true copy of an order required to be given under subsection (2) must include the requirement that the owner pay the licence reinstatement fee prescribed in Schedule A.
- (4) A licence that has been suspended continues to be suspended until the Chief Inspector receives payment of the licence reinstatement fee.
- (5) Despite subsections (3) and (4), no licence reinstatement fee is payable if the licence was suspended for a major alteration to the elevating device and the owner has complied with the Act and regulations in carrying out the major alteration.

Lost or mislaid licence

- 10 If a licence for an elevating device is lost or mislaid, or so damaged that it is unusable, a replacement may be supplied upon payment of the applicable fee prescribed in Schedule A.

Submissions for Installation Permit**Submission of drawings and specifications**

- 11 (1) Drawings and specifications submitted for registration under subsection 12(1) of the Act must be
- (a) in the form prescribed by the Chief Inspector; and
- (b) accompanied by the applicable fee prescribed in Schedule A.

Filing of approval by other authorities

- 12 Approval from a municipal fire inspector or the Fire Marshal's office to install a stairchair lift or stair platform lift in a stairway must be filed with the Chief Inspector.

Certificates of Competency**Classes and scope of certificates of competency**

- 13 For the purposes of the Act and these regulations, the classes and scope of certificates of competency are as follows:
- (a) Class A Certificate of Competency, which
- (i) designates a mechanic working for or as a registered contractor in constructing, installing, altering, repairing, maintaining, servicing, inspecting, examining and testing elevating devices, and
- (ii) covers all classes of elevating devices with the exception of passenger ropeways;
- (b) Class B Certificate of Competency, which

- (i) designates a mechanic working for or as a registered contractor solely in constructing, installing, altering, repairing, maintaining, servicing, inspecting, examining and testing lifts for persons with physical disabilities, and
- (ii) is restricted to stair chair lifts, stair platform lifts and vertical platform lifts; and
- (c) Class C Certificate of Competency, which designates a mechanic working for or as a registered contractor solely in constructing, installing, altering, repairing, maintaining, servicing, inspecting, examining and testing passenger ropeways.

Qualifications required for certificates of competency

14 The qualification requirements for an applicant for a certificate of competency are

- (a) for a Class A Certificate of Competency, successful completion of a 4-year program of practical skills and theoretical training as provided by the Canadian Elevator Industry Education Program or another equivalent educational program acceptable to the Chief Inspector;
- (b) for a Class B Certificate of Competency, successful completion of a 2-year training program similar to the program described in clause (a), or another equivalent educational program or sections of a program acceptable to the Chief Inspector;
- (c) for a Class C Certificate of Competency,
 - (i) documented proof of at least 5 years of work in constructing, installing, altering, repairing, maintaining and servicing passenger ropeways, with a minimum of 1000 hours of work per year,
 - (ii) an affidavit from the applicant's employer verifying the applicant's competency to carry out their duties as a passenger ropeway mechanic, including but not limited to any practical skills gained from technical training the applicant may have taken, and
 - (iii) successful completion of the lift mechanic training courses approved by the passenger ropeway industry and the Chief Inspector.

Qualifications required for inspectors and other persons who make inspections

- 15** (1) To qualify to be appointed as an inspector, a person must hold a Class A Certificate of Competency and show proof of having had training and experience in the design, construction, maintenance and inspection of elevating devices that, in the Chief Inspector's opinion, is sufficient to enable the person to discharge their duties capably.
- (2) Within 4 years of being appointed as an inspector, a person must take the necessary steps to become certified by the National Association of Elevator Safety Authorities and receive a Qualified Elevator Inspector Certification issued by the National Association of Elevator Safety Authorities.
- (3) To qualify to make inspections under the Act, a person who is not an inspector must hold a certificate of competency that is valid for the class of elevating device that the person is to inspect.

Issue of a certificate of competency

- 16** (1) The Chief Inspector may issue a certificate of competency upon receipt from the applicant of
- (a) a completed application in the form prescribed by the Chief Inspector;
 - (b) proof that the applicant meets the qualification requirements in Section 14 for the class of certificate for which they are applying; and
 - (c) if the applicant is not an inspector, the certificate of competency application fee prescribed in Schedule A.

- (2) A Certificate of Competency may be in a form approved by the Chief Inspector.
- (3) Despite subsection (1), the Chief Inspector may issue a Class A Certificate of Competency to
 - (a) a person who worked in constructing, installing, altering, repairing, maintaining or servicing elevating devices prior to the coming into force of these regulations, if the person
 - (i) provides documented evidence that they have been working as described during a continuous period up to the effective date of these regulations, for a total of at least 10 000 hours of work,
 - (ii) provides documented evidence acceptable to the Chief Inspector of their practical skills and any related technical training, and
 - (iii) successfully passes an examination provided for that purpose by the Canadian Elevator Industry Education Program or another equivalent educational program acceptable to the Chief Inspector; or
 - (b) an out-of-Province applicant who shows documented evidence that the applicant meets the requirements in clause (a).

Period in force of a certificate of competency

17 A certificate of competency continues in force for 1 year from its issue date, unless it is suspended or cancelled under Section 19.

Renewal of a certificate of competency

- 18 (1) The Chief Inspector may renew a certificate of competency issued to an inspector for a 1 year period, with no requirement for submission of an application or payment of a renewal fee by the inspector, provided that the requirements set out in subsection 15(2) are met.
- (2) The Chief Inspector may renew a certificate of competency issued to a person other than an inspector for a 1 year period, upon receipt from the person of
- (a) an application in the form prescribed by the Chief Inspector; and
 - (b) payment of the renewal of certificate of competency fee prescribed in Schedule A.
- (3) If a certificate of competency issued to a person other than an inspector is not renewed under subsection (2), the Chief Inspector may, at any time within the 12 months following the expiry date, reinstate the certificate upon receipt from the person of an application and renewal fee as required in subsection (2).
- (4) If a person other than an inspector fails to renew or have reinstated a certificate of competency under subsection (2) or (3), any subsequent application is subject to the application requirements in subsection 16(1) for the issue of a certificate.

Reasons for suspension or cancellation

- 19 The Chief Inspector may suspend, cancel or refuse to renew a certificate of competency if satisfied that the holder of the certificate
- (a) is not competent or lacks reasonable skills;
 - (b) has failed to comply with a relevant enactment;
 - (c) has been wilfully negligent in making an inspection;
 - (d) has knowingly falsified an inspection report; or
 - (e) if an inspector, has a direct or indirect interest in the manufacture, sale, installation or maintenance of elevating devices.

Lost or mislaid certificate of competency

20 If a certificate of competency is lost or mislaid, or so damaged that it is unusable, a replacement may be supplied upon payment of the applicable fee prescribed in Schedule A.

Contractors**Classification of contractors and scope of work**

21 (1) The classes of registered contractors are as follows:

- (a) Class A, designating a registered contractor who
 - (i) is involved in constructing, installing, altering, repairing, maintaining, servicing, inspecting, examining and testing all classes of elevating devices designated in these regulations except passenger ropeways, and
 - (ii) employs mechanics with Class A Certificates of Competency;
- (b) Class B, designating a registered contractor who
 - (i) is solely involved in constructing, installing, altering, repairing, maintaining, servicing, inspecting, examining and testing lifts for persons with physical disabilities, and
 - (ii) employs mechanics with Class B Certificates of Competency;
- (c) Class C, designating a registered contractor who
 - (i) is solely involved in constructing, installing, altering, repairing, maintaining, servicing, inspecting, examining and testing of passenger ropeways, and
 - (ii) employs mechanics with Class C Certificates of Competency; and
- (d) Class D, designating a registered contractor who
 - (i) is solely involved in examining all classes of elevating devices designated in these regulations except passenger ropeways, and
 - (ii) holds, or employs a person who holds, in lieu of a Class A or B Certificate of Competency, a Qualified Elevator Inspector Certification issued by the National Association of Elevator Safety Authorities.

Registration of registered contractor

- 22 (1)** The Chief Inspector may register a person in one of the classes of registered contractors designated in Section 21, if the person submits an application in the form prescribed by the Chief Inspector and pays the registration of contractor fee prescribed in Schedule A,
- (a) if the person holds a contractor registration granted under the previous *Elevators and Lifts Act* and regulations, prior to the expiry date of their existing registration as set out in subsection 37(2); or
 - (b) if the person is a new registrant, before commencing to work as a registered contractor.
- (2)** A registration continues in force until December 31 of the year following the year of registration, unless suspended or cancelled pursuant to Section 23.
- (3)** The Chief Inspector may renew the registration of a registered contractor if, prior to the expiry date, the registered contractor submits to the Chief Inspector
- (a) a renewal application in the form prescribed by the Chief Inspector; and

- (b) the registration of contractor renewal fee prescribed in Schedule A.

Suspension or cancellation of registered contractor registration

23 The Chief Inspector may suspend or cancel the registration of a registered contractor if the Chief Inspector is satisfied that the registered contractor, or an employee of the registered contractor,

- (a) has violated or failed to comply with the Act or these regulations;
- (b) has caused or permitted an elevating device under their control to be used in an unsafe condition or while overloaded;
- (c) has performed work on or about an elevating device or machine in a manner that has impaired the safe operation of the device or machine or may have endangered the safety of persons or freight on or about the device;
- (d) has knowingly permitted any subcontractor or employee of a subcontractor to perform work under the subcontract in a manner likely to impair the safety of persons or freight on or about the elevating device;
- (e) has worked or acted in or about an elevating device while impaired by alcohol or drugs; or
- (f) has knowingly permitted any subcontractor or employee of a subcontractor to work or act in or about an elevating device while impaired by alcohol or drugs.

Inspections

Fees and expenses for inspections

24 (1) If an inspector or a person employed by the Chief Inspector under Section 4 of the Act inspects an elevating device, the owner must pay the applicable fee prescribed in Schedule A whether the inspection is

- (a) required by the inspector or the Chief Inspector; or
 - (b) requested by the owner of the elevating device for the purpose of
 - (i) an application for the grant or transfer of a licence,
 - (ii) a request for discontinuance of a suspension of the licence,
 or any other object.
- (2)** An owner must pay the same fee for an additional inspection as is required under subsection (1) if
- (a) an inspector or the Chief Inspector determines that an inspected elevating device is not in a condition to justify the grant or transfer of the licence or the discontinuance of a suspension of the licence; and
 - (b) the owner requests the additional inspection.

Liability of inspectors

- 25 (1)** No action or other proceedings for damages lies or may be instituted against an inspector for an act or omission done by the inspector in good faith in the execution of any power or duty under the Act or these regulations.
- (2)** Subsection (1) does not relieve the government of liability for a tort committed by an inspector to which it would otherwise be subject.

Inspector to keep information confidential

- 26** An inspector must not disclose and cannot be compelled to disclose any information or records received or made in the course of the inspector's duties under the Act or these regulations, unless
- (a) in the Chief Inspector's opinion, the disclosure is necessary for the administration of the Act or these regulations;
 - (b) the person to whom the information or record relates consents to the disclosure;
 - (c) the information is required in court proceedings; or
 - (d) the disclosure is required by another enactment.

Use, Operation and Maintenance of Elevating Devices**Requirements for use, operation and maintenance of elevating devices**

- 27 (1)** An owner of an elevating device must ensure that the elevating device
- (a) is used or operated, or permitted to be used or operated so that
 - (i) the safety of persons and freight on or near it is ensured, and
 - (ii) it will not travel beyond, or deviate from, the safe limits of its fixed position or proper line of travel;
 - (b) is maintained so that
 - (i) the safety of persons and freight on or near it is ensured, and
 - (ii) it will not travel beyond, or deviate from, the safe limits of its fixed position or proper line of travel.
- (2)** The maximum capacity of an elevating device is as
- (a) determined by the Chief Inspector following a review of the drawings and specifications that have been registered for the installation or major alteration of the elevating device; or
 - (b) specified by its manufacturer and set out in the drawings and specifications that have been registered for the installation or major alteration of the elevating device.
- (3)** The maximum capacity of an elevating device must be designated on the licence for the elevating device as either the total number of persons or the total weight, in kilograms or pounds, that the elevating device may safely carry, or both.

Conduct of persons in or about elevating devices

- 28** No person shall act in or about an elevating device in a manner that may
- (a) impair the safe operation of the elevating device; or
 - (b) endanger their safety or the safety of another person or any freight.
- 29 (1)** No person shall remove, displace, interfere with, or damage any device installed in or about an elevating device for its safe operation, unless required to do so by
- (a) an inspector;
 - (b) a registered contractor; or
 - (c) a mechanic,
- for the purpose of making a test or repair.
- (2)** If a safety device has been removed, displaced, interfered with, or damaged, either under or in violation of subsection (1),
- (a) the elevating device must not be entered, used or operated for any purpose other than

inspection, testing, or repair, until the safety device has been restored to good working order, and

- (b) the owner, the inspector who is making the inspection, or the registered contractor or mechanic who is making the test or repair must take such action as they consider necessary to prevent the elevating device from being entered, used or operated except as permitted by clause (a).

Notices to be displayed in an elevating device

30 (1) An owner of an elevating device must ensure that a notice respecting the maximum capacity of the elevating device is conspicuously displayed

- (a) in the load-carrying unit of the elevating device; or
 (b) for an elevating device without a single load-carrying unit, as close as practicable to the bottom landing of the device.

(2) The notice respecting maximum capacity must be mounted by means of a metal plate and be in the following form, in letters and numerals not less than $\frac{3}{4}$ in. (19.05 mm) high:

MAXIMUM CAPACITY [numeral representing number of persons [“PERSONS”, “KG” or
 or weight in kilograms or pounds, as “LBS.”, as applicable]
 applicable]

(3) Despite subsection (2), if the maximum capacity of an elevating device has been determined and is designated on the licence both in terms of number of persons permitted and total weight permitted in kilograms or pounds, the notice required by subsection (1) must include both expressions of the maximum capacity, in the following form:

MAXIMUM CAPACITY [numeral] PERSONS OR [numeral] [“KG” or “LBS.”, as
 applicable]

- (4)** An owner is responsible for providing the notice and metal plate for mounting the notice as required by subsections (1), (2) and (3).
(5) An owner of an elevating device must ensure that the metal plate provided by the Chief Inspector that contains notice of the installation number assigned for the elevating device is securely fastened and conspicuously displayed on the device.
(6) No person shall use or operate, or cause or permit to be used or operated, an elevating device unless the notices required by this Section are displayed in accordance with this Section.

Additional notice to be displayed in a freight elevator

31 (1) In addition to the notices required by Section 30, an owner of a freight elevator must display a notice in a conspicuous place in the car or other load-carrying unit of the freight elevator, in the following form and in letters not less than 1 in. (25.4 mm) high:

**THIS IS NOT A PASSENGER ELEVATOR
 NO PERSONS OTHER THAN
 THE OPERATOR AND FREIGHT-HANDLERS
 ARE PERMITTED TO RIDE ON THIS ELEVATOR**

- (2)** An owner is responsible for providing the notice required by this Section.
(3) No person shall use or operate, or cause or permit to be used or operated, a freight elevator unless the notice required by this Section is displayed in accordance with this Section.

Lost or mislaid notice

32 If a notice required by Section 30 or 31 is lost or mislaid, or so damaged that it is unusable, a replacement may be supplied upon payment of the applicable fee prescribed in Schedule A.

Appeals**Appeal Board membership**

33 (1) The Appeal Board shall consist of the following 3 members:

- (a) a mechanic who has been employed as a mechanic for at least 5 years;
- (b) an owner or a representative of an owner; and
- (c) a registered contractor, a professional engineer or an individual who has professional expertise in the installation or maintenance of elevating devices.

(2) The Minister shall designate 1 Appeal Board member as Chair.

(3) A member of the Appeal Board holds office for a term not exceeding 3 years and may be reappointed.

(4) No person who is a civil servant shall serve on the Appeal Board.

Filing an appeal

34 (1) A person may appeal to the Appeal Board if they are directly aggrieved by a decision, conditions or an order of the Chief Inspector regarding

- (a) a certificate of competency;
- (b) an application for contractor registration;
- (c) an application for a certificate of competency; or
- (d) a licence or an audit.

(2) An aggrieved person may appeal in writing to the Appeal Board within 30 calendar days of the date of the issue of the decision, conditions or order being appealed.

(3) An appeal of a decision, conditions or an order does not suspend the operation of the decision, conditions or order.

Appeal hearing

35 (1) The Appeal Board may conduct a hearing orally or in writing.

(2) The Appeal Board may

- (a) confirm, vary or revoke the decision or order appealed;
- (b) refer a matter back to the Chief Inspector for reconsideration with or without direction; or
- (c) make any decision or order that the Inspector could have made.

(3) A decision of the majority of the members of the Appeal Board is a decision of the Appeal Board.

(4) A decision of the Appeal Board must be in writing.

Jurisdiction of the Appeal Board

36 The Appeal Board has exclusive jurisdiction to determine questions of

- (a) law;
- (b) fact; and
- (c) mixed law and fact

that arise in any matter before it, and a decision or order of the Appeal Board is final and binding and not open to review except in the case of an error of law or jurisdiction.

Transition

- 37 (1) Subject to subsection (2), a licence, certificate of competency or contractor registration granted or issued under the authority of the *Elevators and Lifts Act*, Chapter 143 of the Revised Statutes of Nova Scotia, 1989, and the regulations made under that Act is deemed to be a licence, certificate of competency or contractor registration granted or issued pursuant to the Act and these regulations.
- (2) A licence, certificate of competency or contractor registration deemed under subsection (1) to be granted or issued under the Act and these regulations is valid until the earlier of
- the expiry date shown on the licence, certificate of competency or contractor registration; and
 - 12 months from the date these regulations come into force.

Schedule A Prescribed Fees (*Elevators and Lifts Act*)

Item	Nature of fee or circumstance	Amount (\$)
1	Grant*, annual renewal, or reinstatement of a licence (includes compliance audit), for	
	(a) a passenger elevator	125.00
	(b) a freight elevator	125.00
	(c) an escalator	125.00
	(d) a dumb waiter	100.00
	(e) a manlift	125.00
	(f) a lift for persons with physical disabilities	75.00
	(g) a rope tow	150.00
	(h) a pony lift	150.00
	(i) a chair ski lift	400.00
	(j) a T bar lift	350.00
	(k) a gondola lift	400.00
	(l) a reversible ropeway	400.00
	(*For the grant of a licence for a new installation completed after September 1 in any year, the fee is one-half the applicable amount listed.)	
2	Transfer of a licence	50.00
3	Application for a certificate of competency	50.00
4	Renewal of a certificate of competency, per year	50.00
5	Issue of installation permit, for	
	(a) a passenger elevator	225.00
	(b) a freight elevator	225.00
	(c) an escalator	225.00
	(d) a dumb waiter	225.00
	(e) a manlift	225.00
	(f) a lift for persons with physical disabilities	100.00
	(g) a rope tow	125.00
	(h) a pony lift	125.00
	(i) a chair ski lift	400.00
	(j) a T bar lift	300.00
	(k) a gondola lift	400.00

	(l) a reversible ropeway	400.00
6	Initial registration of a contractor*	200.00
	(*For the initial registration of a contractor resulting from an application made after September 1 in any year, the fee is \$100.)	
7	Renewal of registration of a contractor, per year	100.00
8	Any inspection of	
	(a) a passenger elevator	100.00 per hour
	(b) a freight elevator	100.00 per hour
	(c) an escalator	100.00 per hour
	(d) a dumb waiter	100.00 per hour
	(e) a manlift	100.00 per hour
	(f) a lift for persons with physical disabilities	50.00 per hour
	(g) a rope tow	100.00 per hour
	(h) a pony lift	100.00 per hour
	(i) a chair ski lift	100.00 per hour
	(j) a T bar lift	100.00 per hour
	(k) a gondola lift	100.00 per hour
	(l) a reversible ropeway	100.00 per hour
9	Fee for a duplicate of a lost, mislaid or damaged	
	(a) licence	50.00
	(b) certificate of competency	50.00
	(c) notice (metal plate-mounted, or label)	50.00

Schedule B
Form of Licence for Elevating Device
Elevators and Lifts Act

20__

Under the *Elevators and Lifts Act* and regulations, and subject to the limitations thereof, this licence is granted to _____ (owner) of _____ to operate, or cause or permit to be operated, a _____ now installed at _____ designated as Installation No. _____.

The maximum capacity of the _____ licensed hereunder is designated as _____ lbs./kg, or _____ persons, including the operator.

This licence is valid for from _____ to _____, unless sooner suspended or revoked.

Granted at Halifax on _____ 20__.
 Province of Nova Scotia

 Chief Inspector

See notes on reverse side.

(Reverse of licence)
NOTES

1. Subsection 13(1) of the Act requires that where an elevating device falls freely, or where the emergency supporting devices engage, or where an accident that causes and injury occurs, the owner shall notify the Chief Inspection within 24 hours.
 2. Subsections 11(2) and (4) of the Act read as follows:
 - (2) The licence shall designate the elevating device for which it is granted and the maximum capacity of the device.
 - (4) A licence shall be kept by the owner in a conspicuous position in the car of the elevator for which it is granted and any other licence shall be kept by the owner in a conspicuous position on or adjacent to the elevating device for which it is granted.
 3. Section 16 of the Act reads as follows:

16 No owner of an elevating device shall operate the device or cause or permit it to be operated unless it is licensed under this Act.
 4. Section 17 of the Act reads as follows:

17 (1) No person shall operate an elevating device or cause or permit it to be operated if that person has reason to believe that it is in an unsafe condition.

(2) No person shall operate an elevating device or cause or permit it to be operated in an unsafe manner.
 5. A condition report is required annually, due on the anniversary date of the issuance of this licence.
 6. An application form for the transfer of this licence may be obtained from the Chief Inspector, Elevator and Lifts Inspection Services, Environment and Labour, PO Box 697, Halifax, Nova Scotia, NS B3J 2T8.
-

N.S. Reg. 47/2003

Made: February 28, 2003

Filed: March 3, 2003

Proclamation, S. 59, S.N.S. 2002, c. 6

Order in Council 2003-82 made February 28, 2003
Proclamation made by the Governor in Council
pursuant to Section 59
of the *Fire Safety Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated February 17, 2003, pursuant to Section 59 of Chapter 6 of the Acts of 2002, the *Fire Safety Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes of Nova Scotia, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that

- (a) Chapter 6 of the Acts of 2002, the *Fire Safety Act*, except clause (b) of subsection (1) of Section 19 and subsection (2) of Section 19, come into force on and not before February 28, 2003; and
- (b) clause (b) of subsection (1) of Section 19 and subsection (2) of Section 19 of Chapter 6 of the Acts of 2002, the *Fire Safety Act*, come into force on and not before May 1, 2003.

PROVINCE OF NOVA SCOTIA

Sgd: *Constance R. Glube*

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO WHOM ALL THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING

A PROCLAMATION

WHEREAS in and by Section 59 of Chapter 6 of the Acts of 2002, the *Fire Safety Act*, it is enacted as follows:

- 59** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that

- (a) Chapter 6 of the Acts of 2002, the *Fire Safety Act*, except clause (b) of subsection (1) of Section 19 and subsection (2) of Section 19, come into force on and not before February 28, 2003; and
- (b) clause (b) of subsection (1) of Section 19 and subsection (2) of Section 19 of Chapter 6 of the Acts of 2002, the *Fire Safety Act*, come into force on and not before May 1, 2003;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that

- (a) Chapter 6 of the Acts of 2002, the *Fire Safety Act*, except clause (b) of subsection (1) of Section 19 and subsection (2) of Section 19, come into force on and not before February 28, 2003; and
- (b) clause (b) of subsection (1) of Section 19 and subsection (2) of Section 19 of Chapter 6 of the Acts of 2002, the *Fire Safety Act*, come into force on and not before May 1, 2003,

of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the Great Seal of
Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Constance R. Glube, Administrator
of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality,
this 21st day of February, in the year of Our Lord
two thousand and three and in the fifty-second year
of Our Reign.

BY COMMAND:

Sgd: *Jamie Muir*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 48/2003

Made: February 28, 2003

Filed: March 3, 2003

Fire Safety Regulations

Order in Council 2003-83 dated February 28, 2003
Regulations made by the Governor in Council
pursuant to Section 51 of the *Fire Safety Act*

The Governor in Council on the report and recommendation of the Minister of Environment and Labour dated February 17, 2003, and pursuant to Section 51 of Chapter 6 of the Acts of 2002, the *Fire Safety Act*, is pleased, effective on and after February 28, 2003, to:

- (a) repeal the *Automatic Sprinkler System Maintenance Regulations* approved by the Governor in Council by Order in Council 96-729 dated October 1, 1996;
- (b) repeal the *Portable Fire Extinguisher Control Regulations* approved by the Governor in Council by Order in Council 72-931 dated August 29, 1972; and
- (c) make regulations respecting fire safety in the form set forth in Schedule "A" attached to and forming part of the report and recommendation.

Schedule "A"

**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***

Citation

1 These regulations may be cited as the *Fire Safety Regulations*.

Interpretation

2 (1) In these regulations,

- (a) "Act" means the *Fire Safety Act*;
 - (b) "Building Code" means the National Building Code of Canada, as adopted and modified under the *Building Code Act* and the *Nova Scotia Building Code Regulations*;
 - (c) "Committee" means the Fire Services Advisory Committee created by the Minister under subsection 12(4) of the Act and referred to in Section 8;
 - (d) "Fire Code" means the fire code adopted pursuant to the Act, as set forth in Section 27;
 - (e) "municipal unit" has the same meaning as in the *Municipal Government Act*;
 - (f) "National Fire Code" means the 1995 edition of the National Fire Code of Canada issued by the National Research Council of Canada, as amended up to the Second Revisions issued in June, 2002, by the Canadian Commission on Building and Fire Codes.
- (2) Unless otherwise defined in the Act or these regulations, expressions that are defined in the National Fire Code have the same meaning when used in these regulations.

Part 1 - Council, Board and Committees**Fire Safety Advisory Council**

3 The Council must be composed of the following members:

- (a) the Fire Marshal or the Fire Marshal's representative;
- (b) 1 representative from the Building Code Advisory Committee, as selected by that committee;
- (c) 1 representative from the Union of Nova Scotia Municipalities, as selected by that association;
- (d) 1 representative from the Fire Inspectors Association of Nova Scotia, as selected by that association;
- (e) 1 representative from the Nova Scotia Building Officials Association, as selected by that association;
- (f) 1 representative from the Insurers Advisory Organization, as selected by that organization;
- (g) 1 representative from the Insurance Bureau of Canada, as selected by that bureau;
- (h) 1 representative from the Design and Construction Institute of Nova Scotia, as selected by that institute;
- (i) 1 representative from the Fire Officers Association of Nova Scotia, as selected by that association;
- (j) 1 representative from the Nova Scotia School Boards Association, as selected by that association;
- (k) 1 representative from the Nova Scotia Health Boards Association, as selected by that association;
- (l) up to 3 additional members, as selected by the Minister; and
- (m) 1 representative from the Public Safety Division of the Department of Environment and Labour who is knowledgeable about the Building Code, as selected by the Minister.

4 The Minister must designate 1 member of the Council as Chair and that member must preside as Chair at meetings of the Council.

5 It is the role of the Council to receive and hear petitions, briefs, and comments from individuals or groups with respect to the Act.

6 Members of the Council must serve without remuneration.

Fire Safety Appeal Board

7 (1) The Council is established as the Fire Safety Appeal Board, to hear appeals as provided in Sections 41, 42 and 43 of the Act and subsection 24(2).

(2) The Board may establish its own procedures and set its own quorum for hearing appeals.

Fire Services Advisory Committee

8 (1) The Committee must be composed of the following members:

- (a) the Fire Marshal or the Fire Marshal's representative;

- (b) 1 representative from the Service Nova Scotia and Municipal Relations Department, as selected by the Deputy Minister of that Department;
 - (c) 1 representative from the Fire Inspectors Association of Nova Scotia, as selected by that association;
 - (d) 3 representatives from the Fire Officers Association of Nova Scotia, as selected by the membership of that association;
 - (e) 1 representative of the firefighters in Nova Scotia who are unionized, as selected by the Minister;
 - (f) 1 representative of the Halifax Regional Fire and Emergency Service, as selected by the Regional Council of the Halifax Regional Municipality;
 - (g) 1 representative of the Cape Breton Regional Fire Service, as selected by the Regional Council of the Cape Breton Regional Municipality;
 - (h) 1 representative of the industrial fire brigades, as selected by the Industrial Fire Brigades Committee; and
 - (i) up to 3 additional members, as selected by the Minister.
- (2) A member selected by the Minister who is not also a member of the Council must be appointed for a term not exceeding 3 years.
- 9 The Minister must designate 1 member of the Committee as Chair and that member must preside as Chair at meetings of the Committee.
- 10 It is the role of the Committee to
- (a) advise the Minister on Provincial legislation and policies with respect to the delivery of fire services;
 - (b) receive and hear petitions, briefs, and comments from individuals or groups with respect to Provincial fire services; and
 - (c) recommend legislation, policies, and practices to promote efficiency in the administration and operation of emergency fire services.
- 11 Members of the Committee must serve without remuneration.

Part 2 - General Fire Safety Provisions

Building Plans

Plans to be provided to Fire Marshal

- 12 (1) Prior to the start of construction, an owner of a building or facility containing one of the following classes of occupancies must provide building plans for the construction or alteration of the building or facility to the Fire Marshal:
- (a) an assembly occupancy (Group A) that
 - (i) is more than 3 stories high including the stories below grade, or
 - (ii) has an area greater than 600 m², or
 - (iii) is in a non-residential building that is used for a school, college or university and that has an occupant load of more than 40 persons;

- (b) a care or detention occupancy (Group B);
- (c) a residential occupancy (Group C) that is licensed or regulated under the *Homes for Special Care Act*; and
- (e) a high hazard industrial occupancy (Group F, Division 1) that is more than 2 stories high or has an area greater than 600 m².

Review by Fire Marshal of other plans

- (2) A professional engineer or architect who requests that the Fire Marshal review plans for changes to a building or facility not listed in subsection (1) must pay a fee for the review of \$75.00 per hour.

Municipal Inspections

Responsibility of municipal unit to inspect

13 Except for non-residential school buildings or assembly occupancies that have been inspected for fire safety by the municipal unit within the 24 months immediately before the coming into force of these regulations, a municipal unit must, within the specified time periods, inspect the following occupancies for compliance with the Act and these regulations:

- (a) within 12 months of the coming into force of these regulations, assembly occupancies (Group A) in which alcoholic beverages are served and that require a fire alarm in accordance with the Building Code;
- (b) within 24 months of the coming into force of these regulations, all assembly occupancies (Group A) in which alcoholic beverages are not served and that require a fire alarm in accordance with the Building Code; and
- (c) within 36 months of the coming into force of these regulations, all assembly occupancies (Group A) that do not require a fire alarm in accordance with the Building Code.

14 (1) A municipal unit must inspect an assembly occupancy (Group A) once every 3 years after the inspection under Section 13.

(2) A municipal unit must carry out a system of fire inspections on all buildings containing the following occupancies:

- (a) a residential occupancy (Group C) that has more than 3 units and is not regulated under the *Homes for Special Care Act*;
- (b) a business and personal services occupancy (Group D);
- (c) a mercantile occupancy (Group E); and
- (d) an industrial occupancy (Group F).

Failure of municipality to inspect

15 If a municipal unit fails to carry out an inspection required under Section 13 or 14, the Fire Marshal is required to carry out the inspection and the municipal unit must pay an inspection fee of \$75.00 per hour.

Fire Hose Couplings

Interpretation

16 For the purposes of Sections 17 and 18,

- (a) “adapter” means any means by which the coupling of one section or portion of standard hose that has one type of thread may be connected to a hydrant, nozzle, other adapter or coupling of another section or portion of standard hose that has a different type of thread;
- (b) “fire department equipment” includes all fire hydrants, nozzles, hose, adapters, couplings, attachments and appliances ordinarily used by a fire department; and

- (c) “standard hose” means fire hose with an inside diameter of 2.5 in., and includes couplings, connections, fittings and attachments.

Standards for fire department equipment and standard hose

- 17 (1) Despite any bylaw, regulation or resolution passed by the council of a municipal unit, all fire department equipment and standard hose used by a municipal unit must be Nova Scotia Standard Thread, 5 threads to 1 in.
- (2) All fire hose coupling screw threads for the standard hose referred to in subsection (1) must meet the specifications for their size as set out in the following table:

Coupling Descriptions	Inside Diameter of Hose Coupling (in inches)		
	2 ½	4	4 ½
Number of threads per inch	5	5	4
Total length of threaded part of coupling and hydrant nipple external thread in inches	1	1 16/64	1 16/64
Distance from face nipple to start of second turn in inches	16/64	24/64	28/64
Outside diameter of finished male thread in inches	3 15/64	4 56/64	5 48/64
Clearance between external and internal thread in inches	0.05	0.05	0.05
Flat at top and valley of thread in inches	0.02	0.02	0.02
Distance from face of coupling swivel to start of second turn in inches	12/64	24/64	24/64
Depth of coupling swivel thread from face of swivel in inches	44/64	60/64	60/64
Depth of coupling swivel to washer seat in inches	60/64	1 12/64	4 12/64

- (3) All fire hose coupling screws must meet the following requirements:
- nipple, male or external thread must be cylindrical to the base of the thread at the beginning of the second turn;
 - coupling swivel, female or internal thread must be cylindrical to the base of the thread at the beginning of the second turn;
 - the outer end of the external and internal thread must be terminated by the Higbee Cut on the full thread to avoid crossing and mutilation of otherwise finely drawn out thread; and
 - the form of the screw thread must be a V pattern with an included angle of 60E and truncated at the top and bottom in accordance with the specified dimensions.

Fire protection for water system or supply

- 18 (1) A municipal unit must ensure that the fire department equipment of a public or municipal water system or water supply used for fire protection purposes complies with Section 17.

- (2) An owner who has a fire department connection for their water supply, including a sprinkler system, stand pipe or hydrant, must comply with Section 17.

Portable Fire Extinguishers

Interpretation

19 For the purposes of this Section and Sections 20 to 24,

- (a) "licence" means a licence issued under Section 23 to service or engage in the business of servicing portable fire extinguishers;
- (b) "portable fire extinguisher" means an appliance, apparatus, container or device that is designed to be or is capable of being readily moved and that
- (i) contains or produces any liquid, powder or gas usable for the purpose of extinguishing fire; or
- (ii) appears by reason of its name, description or designation to be usable for the purpose of extinguishing fire, and includes a recharge or refill for any such appliance, apparatus, container or device;
- (c) "person" includes a partnership, corporation, firm or association; and
- (d) "servicing" includes testing, inspecting, maintaining, repairing, filling, charging, refilling and recharging.

Exemptions

20 Sections 21 to 24 do not apply to

- (a) the filling or charging of a portable fire extinguisher by its manufacturer prior to its sale; or
- (b) a fire department or person that services only their own portable fire extinguishers for their own use by maintaining their own servicing facilities and using their own personnel specially trained for servicing portable fire extinguishers.

Prohibitions

21 No person may sell or distribute or have in their possession for the purpose of sale or distribution a portable fire extinguisher unless it meets the requirements of the Fire Code.

22 No person may service or engage in the business of servicing a portable fire extinguisher unless they hold a valid licence.

Issue of licence

23 (1) A person may apply to the Fire Marshal for a licence.

(2) The Fire Marshal may issue a licence with or without restrictions if

- (a) the Fire Marshal determines that the applicant is qualified to service portable fire extinguishers in accordance with the Fire Code; and
- (b) the applicant pays a fee of \$75.00.

(3) A licence expires on December 31 in the year of its issue.

(4) A license that has expired or is about to expire may be renewed upon payment of the fee prescribed in clause (2)(b).

Suspension or revocation of licence

- 24 (1)** The Fire Marshal may suspend or revoke a licence if the licensee
- (a) is no longer qualified to service portable fire extinguishers; or
 - (b) is selling or servicing portable fire extinguishers that have not been approved by the Fire Marshal.
- (2)** A person whose licence is suspended or revoked under subsection (1) may appeal in writing to the Board within 15 days after notice of the suspension or revocation is served on the person.

Insurance Industry Fire Reports**Preliminary insurance report**

25 A preliminary insurance report required by subsection 36(1) of the Act must be in Form 1.

Final insurance report

26 A final insurance report required by subsection 36(4) of the Act must be in Form 2.

Part 3 - Fire Code**Adoption of Fire Code**

27 The National Fire Code as modified in this Part is adopted in accordance with subsection 15(2) of the Act as the Fire Code.

Interpretation

28 In this Part,

- (a) “net floor space” means the total free space in a room that is available for exiting purposes, and is determined by subtracting the space occupied by furnishings, building features and equipment from the total available floor area;
- (b) “retrofit” means the renovation of an occupied building to install additional fire safety features required by a fire safety official to provide a minimum level of fire safety, but does not include renovations carried out by the owner that must meet the intent of the Building Code; and
- (c) “fire separation continuity” means
 - (i) the fire separation does not have unprotected openings,
 - (ii) the fire separation has no damage that would reduce its effectiveness, whether it has a fire-resistance rating or not, and
 - (iii) the fire separation provides a tight fit to adjoining building elements that enables it to maintain the fire resistance-rating, where required, and smoke control.

Modifications to National Fire Code**Decorative materials**

29 Article 2.3.1.3. of the National Fire Code is modified by adding the following Sentences immediately after Sentence (1):

- 2)** In care or detention occupancies (Group B) and in access to exits for assembly occupancies (Group A), combustible materials used for festive decorations, including crepe paper decorations, other combustible trimming or ornaments shall
- a) be flame resistant, or

- b) conform to CAN/ULC-S109M “Flame Test of Flame Resistant Fabrics and Films”.
- 3) Combustible materials, such as student artwork and teaching aids attached to walls or ceilings of a school classroom or access to exits shall not be greater than 20% of the wall or ceiling surface unless
 - a) the combustible materials have been tested in accordance with CAN/ULC-S102-M88 “Standard Method of Tests for Surface Burning Characteristics of Building Materials and Assemblies”, and
 - b) the flame spread rating does not exceed the rating that is required for the interior finish of the space in which they are located.

Net occupant load

30 Article 2.7.1.3. of the National Fire Code is replaced by the following Article:

2.7.1.3. Net Occupant Load

- 1) For the purposes of this Article, mezzanines, tiers and balconies shall be regarded as part of the floor area.
- 2) The number of people occupying a room or floor area in an assembly occupancy shall not exceed the occupant load for the intended use as determined in accordance with this Article.
- 3) The occupant load for any room or floor area in an assembly occupancy shall be the lesser of
 - a) the occupant load as calculated in accordance with Sentences (4) to (6),
 - b) the occupant load for which means of egress is provided as determined under the Building Code,
 - c) 0.60 m² of net floor space per occupant, for a dining, alcoholic beverage or cafeteria space, and
 - d) 0.40 m² of net floor space per occupant, for all uses other than those referred to in clause (c).
- 4) The occupant load of a floor area or part of a floor area in an assembly occupancy shall be based on
 - a) the number of fixed seats, or
 - b) the number of persons for which the area is designed, as determined under the Building Code.
- 5) Where fixed bench-type seats without arms are provided, the occupant load shall be based on a seat width of 450 mm per person.
- 6) The occupant load of a room with a dance floor shall be based on the portion of the room that is not occupied by the dance floor.

Appointment of chief fire warden

31 The National Fire Code is further modified by adding the following Section immediately after Article 2.14.1.3.:

2.15 Chief Fire Wardens

2.15.1. Chief Fire Wardens

2.15.1.1. Appointment

- 1) Every owner of a building shall appoint a chief fire warden if the building contains
 - a) an assembly occupancy (Group A) with an occupant load greater than 200 persons, except for an assembly occupancy in a school, college or university,
 - b) a care or detention occupancy (Group B, Division 1) facility with more than 50 occupants,
 - c) a care or detention occupancy (Group B, Division 2) facility with more than 10 occupants, or
 - d) a residential occupancy facility with more than 4 occupants that is licensed or regulated under the *Homes For Special Care Act*.

2.15.1.2 Inspection

- 1) A chief fire warden appointed under Sentence 2.15.1.1.(1) shall, at least every 6 months,

- a) inspect the building and any related buildings containing the occupancies described in Sentence 2.15.1.1. for fire hazards, and
 - b) provide a written report to the owner indicating
 - i) the condition of the means of egress,
 - ii) the condition of the fire protection system, and
 - iii) any other conditions respecting fire safety in the building or related buildings.
- 2) The owner shall keep a copy of the report referred to in Clause (1)(b) for 7 years and shall make the report available to a fire official upon request.

Handling and discharge of fireworks

32 Article 5.1.1.3. of the National Fire Code is replaced by the following Article:

5.1.1.3. Handling and Discharge of Fireworks and Pyrotechnics

1) The handling and discharge of fireworks and pyrotechnics shall conform to the “Fireworks Manual and Pyrotechnics Special Effects Manual, 1997”, as amended from time to time, published by the Explosives Regulatory Division, Natural Resources Canada.

Repairs to fire protection system

33 Article 6.1.1.4. of the National Fire Code is replaced by the following Article:

6.1.1.4. Repairs

- 1) Except as provided in Sentence (2), where a fire protection system or any part of it is shut down for repairs or is inoperative for more than 2 hours, the owner of the building containing the fire system shall
 - a) notify the fire department, and
 - b) provide a sufficient number of trained people to patrol the building until the fire protection system is restored to operating condition.
- 2) Sentence (1) does not apply to industrial or manufacturing facilities that maintain their own industrial fire brigades.
- 3) Every owner of a building shall develop procedures to notify occupants of the building if a fire or other emergency occurs when the fire alarm and detection system are shut down or inoperative.
- 4) Every owner of a building shall develop procedures to provide protection to the building if a sprinkler system or part of that system is shut down for more than 6 hours.

Lightning protection systems

34 The National Fire Code is further modified by adding the following Section immediately after Section 6.8:

6.9 Lightning Protection Systems

6.9.1. Lightning Protection Systems

6.9.1.1. Installation

- 1) Every person who installs a lightning protection system shall install it in accordance with CAN/CSA-B72 “Installation Code for Lightning Protection Systems”.
- 2) A fire official may, at any reasonable time, require any person who sells, offers for sale, installs or maintains lightning protection systems, to supply information, including samples of materials, that explain the method of installation used to install the lightning protection system.
- 3) Every person who installs a lightning protection system shall, within 30 days after the date the installation is completed, send a certificate of installation to
 - a) the person for whom the installation was carried out, and

- b) the Fire Marshal.

Retrofits of boarding, lodging and rooming houses

35 The National Fire Code is further modified by adding the following Part immediately after Part 7:

Part 8

Retrofits of Boarding, Lodging and Rooming Houses

Section 8.1 General

8.1.1. General

8.1.1.1. Application

- 1) This Part applies to boarding houses, lodging houses, rooming houses and private rest homes in which residents do not require care or treatment because of age or physical limitations, where
 - a) the building height does not exceed 3 storeys and the building area does not exceed 600 m²,
 - b) lodging is provided for more than 3 persons and is provided in return for remuneration or the provision of services or both, and
 - c) lodging rooms do not have both bathroom and kitchen facilities for the exclusive use of individual occupants.
- 2) All fire separations accepted under this Part must maintain fire separation continuity.
- 3) This Part does not apply to residential occupancies that are regulated by or under the *Homes For Special Care Act*.

8.1.1.2. Containment

- 1) Fire separations required by this Part to have a fire-resistance rating shall comply with Subsection 9.10.3. of the Building Code.

8.1.1.3. Floor Assemblies

- 1) Except as provided in Sentence (2),
 - a) floor assemblies shall be constructed as fire separations, and
 - b) floor assemblies and walls, columns and arches supporting floor assemblies shall have a 30-minute fire-resistance rating.
- 2) Existing floor assemblies with ceilings consisting of lath and plaster, gypsum board or noncombustible materials shall be deemed to be in compliance with Sentence (1).

8.1.1.4. Basement Fire Separations

- 1) Where a basement does not contain a bedroom, recreation room, meeting room or hobby room, a fire separation having no fire-resistance rating between the basement and first storey shall be deemed to be in compliance with Clause 8.1.1.3.(1)(b).

8.1.1.5. Walls Separating Bedrooms

- 1) Except as provided in Sentence (2), each guest room or suite of rooms shall have interior walls having a fire-resistance rating of not less than 30 minutes.
- 2) Existing wall assemblies in guest rooms or suites of rooms consisting of membranes of lath and plaster or gypsum wallboard shall be deemed to be in compliance with Sentence (1).

8.1.1.6. Furnace Room Fire Separations

- 1) Except as provided in Sentence (2), in a building where the building height is greater than 2 storeys or the building area is greater than 400 m², a furnace room that is located on a floor area that contains a bedroom, recreation room, meeting room or hobby room shall be separated from the remainder of the building by a fire separation having a fire-resistance rating of not less than 45 minutes.
- 2) Existing fire separations in a furnace room as described in Sentence (1) consisting of lath and plaster or gypsum board shall be deemed to be in compliance with Sentence (1).
- 3) Where the vertical fire separation in a furnace room complies with Sentence (1) and it is not practical in the circumstances to construct the ceiling as a fire separation having the fire-resistance rating required by Sentence (1), the furnace room shall be sprinklered with a spacing that does not exceed 9.5 m² per sprinkler head.
- 4) Except as provided in Sentence (5), a closure in a fire separation for a furnace room shall have a fire-resistance rating of not less than 20 minutes.
- 5) A solid core wood door that is 45 mm thick together with a solid door frame that is 42 mm thick with no approved listed fire-resistance rating shall be deemed to be in compliance with Sentence (4).
- 6) Closures referred to in Sentences (4) and (5) shall be equipped with approved self closures and positive latching devices.
- 7) Despite Sentence (1) fire dampers or fire stop flaps are not required in ducts at penetrations of fire separations.

8.1.1.7. Combustion Air

- 1) Where a furnace room is separated to comply with the requirements of Article 8.1.1.6., sufficient combustion air shall be brought directly from the exterior of the building for the safe operation of the appliance.

8.1.1.8. Means of Egress

- 1) Except as otherwise provided in this Article, each floor area shall be served by at least 2 exits.
- 2) A building with sleeping accommodations for 10 persons or less shall be deemed to be in compliance with Sentence (1) if it has one exit from each of the first and second floor areas.
- 3) A building with no sleeping accommodations in the basement or cellar shall be deemed to be in compliance with Sentence (1) if it has one exit from the basement or cellar.
- 4) A sleeping room with a window that conforms to Subsection 9.7.1. of the Building Code may serve as the second means of egress required by Sentence (1) from a basement or cellar.

8.1.1.9. Acceptable Exits

- 1) Exits required by Article 8.1.1.8. shall comply with Articles 9.9.2.2. and 9.9.2.3. of the Building Code.
- 2) Despite the requirement in Sentence 8.1.1.12.(1) for fire separations for exits, one of the exits required by Article 8.1.1.8. from a basement or cellar may lead through the first floor area.
- 3) In a building with sleeping accommodations for 10 persons or less, corridors that are contiguous to a stairway may form part of the stairway enclosure.
- 4) Only one stairway enclosure described in Sentence (3) shall be permitted as an exit.

8.1.1.10. Approval of Fire Official

1) Despite Articles 8.1.1.8. and 8.1.1.9. alternative means of egress may be approved where, in the opinion of a fire official, they will provide protection for fire safety and life safety similar to the protection provided by compliance with Articles 8.1.1.8. and 8.1.1.9.

8.1.1.11. Fire Escapes

1) Except as provided in Sentence (2), each fire escape used as an exit shall be constructed in compliance with Subsection 3.4.7. of the Building Code.

2) An existing fire escape may be approved by a fire official if the fire official is satisfied that it provides protection for fire safety and life safety similar to the protection provided by compliance with Sentence (1).

3) Access to a fire escape from a corridor shall be by means of an exterior exit door.

4) Where a fire escape is used as an exit, it shall be deemed to comply with the requirements of Articles 9.9.2.2. and 9.9.2.3. of the Building Code.

8.1.1.12. Protection of Exits

1) Except as provided in Sentences (2) and (3), each exit, other than a doorway opening directly onto a fire escape or to the outdoors at ground level, shall be separated from the remainder of the building or from another exit by a fire separation having a fire-resistance rating of not less than 30 minutes.

2) An existing exit stairway separated from the remainder of the building by walls consisting of lath and plaster or gypsum wallboard shall be deemed to be in compliance with Sentence (1).

3) An existing separation of noncombustible material may be approved by a fire official if the fire official is satisfied that it provides protection for fire safety and life safety similar to the protection provided by compliance with Sentence (2).

8.1.1.13. Interior Stairways

1) Floor separations shall be maintained at interior stairways that are not required exits.

2) A floor separation shall be maintained at an exit permitted by Sentence 8.1.1.9.(2).

3) Floor separations required by Sentence (1) shall be rated in accordance with Articles 8.1.1.3. and 8.1.1.12.

8.1.1.14. Protection of Openings in Fire Separations

1) Except as provided in Sentences (2) to (5), closures shall be constructed in accordance with Subsection 9.10.13. of the Building Code with a minimum 20-minute fire-resistance rating, if they are

- in fire separations for exits (Article 8.1.1.12.) or interior stairways (Article 8.1.1.13.), or
- located along contiguous corridors permitted by Sentence 8.1.1.9.(3).

2) Fire dampers or fire stop flaps are not required in ducts at penetrations of a fire separation.

3) A solid core wood door that is 45 mm thick shall be deemed to be in compliance with Sentence (1).

4) Frames for doors described in Sentence (3) may be of wood or hollow metal construction.

5) Existing wired glass closures shall be deemed to be in compliance with Sentence (1).

8.1.1.15. Exit Signs

1) In buildings that are more than 2 storeys in building height or that have sleeping accommodations for more than 10 persons, exit signs shall be installed in accordance with Subsection 9.9.10. of the Building Code.

8.1.1.16. Interior Finishes

1) The flame-spread rating of interior finishes on walls and ceilings within a means of egress shall not exceed 200.

8.1.1.17. Illumination of Egress

1) Corridors and stairways shall be lighted to the intensity of 50 lx measured at the floor level, or 5 W/m² of floor area.

8.1.1.18. Emergency Lighting

1) In a building with sleeping accommodations for more than 10 persons, emergency lighting shall be provided to corridors and stairways in accordance to Article 9.9.11.3. of the Building Code.

8.1.1.19. Fire Alarm Requirements

- 1) A building shall have a fire alarm system if it does not have
 - a) floor assemblies having a minimum 45-minute fire-resistance rating, and
 - b) public corridors or corridors serving sleeping rooms not within a dwelling unit that are separated from the remainder of the building by a minimum 30-minute fire-resistance rating.
- 2) A fire alarm system complying with Subsection 9.10.17. of the Building Code shall be installed in a building
 - a) that has sleeping accommodations for more than 10 persons, and
 - b) where the floor assemblies have a minimum 45-minute fire-resistance rating and public corridors serving sleeping rooms not within a dwelling unit are separated from the remainder of the building by a fire separation with a minimum 30-minute fire resistance rating.
- 3) Where a fire alarm system is required in a building with sleeping accommodations for less than 14 persons, an existing interconnected smoke alarm system installed in accordance to Subsection 9.10.18. of the *Building Code* shall be deemed to be in compliance with Sentence (1).
- 4) Despite Sentences (2) and (3), existing fire alarm systems may be approved where system reliability and performance will not increase the risk to life or safety.
- 5) Smoke alarms shall be installed in each sleeping area and may be battery-operated.
- 6) Smoke alarms shall be installed in conformance with Subsection 9.10.18. of the Building Code.

8.1.1.20. Fire Suppression

- 1) At least one 5 ABC rated portable fire extinguisher shall be provided in an easily accessible and visible location on each floor.
- 2) At least one 10 ABC rated portable fire extinguisher shall be installed in each kitchen that has shared cooking facilities.

Form 1
Preliminary Insurance Report Form
 (subsection 36(1) of the *Fire Safety Act*)

Office of the Fire Marshal

Please complete this Preliminary Insurance Report Form as completely and accurately as possible. This form may be filled in electronically using QuattroPro. The information obtained is used by the Office of the Fire Marshal in its reporting process and for the development of training and education programs. The data is also submitted for use in the Canadian Fire Statistics Database.

Also, please note the time fields are in 24hr format. i.e. 1:00pm = 13:00

Section A: Fire Information

Date of fire (mm/dd/yyyy) Time of fire (hr:min)

Civic # Street name Unit/Suite/Apt #

City/Town/County Province Country

Postal code

Owner Information

Name Company

Civic # Street name Unit/Suite/Apt #

City/Town/County Province Country

Postal code Phone #

Property classification Insured: Yes No

Occupant Information - For Real and Personal Property

Name Phone #

Insured: Yes No

Section B: Mobile Property (where fire starts on or within)

Please note "mobile property" is considered to be any vehicle, trailer, boat, farm equipment, etc.

Make Year Model Serial # Licence#

Make Year Model Serial # Licence#

Equipment, boat, etc. Brief description

Section C: Origin

Information not required until Final Report, Form 2, filed.

Section D: Fire Loss Details

The information related to the reserve will not be used in any way other than general statistics. All specific information provided will be held in accordance with the *Freedom of Information and Protection of Privacy Act*.

Insurance company/Broker: Insurance phone #

Adjuster's name Adjusting company Adjuster's phone #

Policy # Claim #

Reserve for estimated loss:

Under \$50,000 \$50,000-\$500,000 Over \$500,000

Casualty Information (Voluntary)

	Male:		Female:		Firefighter:	
	Adult	Child	Adult	Child	Male	Female
Injuries						
Fatalities						

Hospital required: Yes No

Injury details

Section E: Additional Information

Responding fire department Report date (mm/dd/yyyy)

Additional comments (voluntary):

Signature

Contact phone #

Form 2
Final Insurance Report Form
 (subsection 36(4) of the *Fire Safety Act*)

Office of the Fire Marshal

Please complete this Insurance Final Form as completely and accurately as possible. This form may be filled in electronically using QuattroPro. The information obtained is used by the Office of the Fire Marshal in its reporting process and for the development of training and education programs. The data is also submitted for use in the Canadian Fire Statistics Database.

Also, please note the time fields are in 24hr format. i.e. 1:00pm = 13:00

Section A: Fire Information

Date of fire (mm/dd/yyyy)	Time of fire (hr:min)	
Civic #	Street name	Unit/Suite/Apt #
City/Town/County	Province	Country
Postal code		

Owner Information

Name	Company	
Civic #	Street name	Unit/Suite/Apt #
City/Town/County	Province	Country
Postal code	Phone #	
Insured: <input type="checkbox"/> Yes <input type="checkbox"/> No		

Occupant Information - For Real and Personal Property
--

Name	Phone #
Insured: <input type="checkbox"/> Yes <input type="checkbox"/> No	

Section B: Mobile Property (where fire starts on or within)
--

Please note "mobile property" is considered to be any vehicle, trailer, boat, farm equipment, etc.

Make	Year	Model	Serial #	Licence#
Make	Year	Model	Serial #	Licence#

Equipment, boat, etc.	Brief description
-----------------------	-------------------

Section C: Origin

Property classification

Fire origin

Igniting object

Material first ignited

Fuel or energy

Possible cause (upon closing the file)
--

Equipment Involved - Where Equipment Has Been the Cause of the Fire:

Make	Year	Model	Serial #
------	------	-------	----------

Make	Year	Model	Serial #
------	------	-------	----------

Section D: Fire Loss Details

The information related to the building value, building loss and uninsured loss are estimates only and will not be used in any way other than general statistics. All specific information provided will be held in accordance with the *Freedom of Information and Protection of Privacy Act*.

Insurance company/Broker:	Insurance phone #
---------------------------	-------------------

Adjuster's name	Adjusting company	Adjuster's phone #
-----------------	-------------------	--------------------

Policy #	Claim #
----------	---------

Building value	Insured loss paid (building)	Uninsured loss (building)
----------------	------------------------------	---------------------------

Contents value	Insured loss paid (contents)	Uninsured loss (contents)
----------------	------------------------------	---------------------------

Total value	Total loss	Total uninsured loss
-------------	------------	----------------------

Casualty Information (Voluntary)

	Male:		Female:		Firefighter:	
	Adult	Child	Adult	Child	Male	Female
Injuries						
Fatalities						

Hospital required: Yes No

Injury details

Section E: Additional Information

Responding fire department

Report date (mm/dd/yyyy)

Additional comments:

Signature

Contact phone #