

Appendix C - Order Requiring Owner to Pay Costs of Security

**Order Requiring Owner to Pay Costs of Security**

Pursuant to subsection 30 (3) of the *Fire Safety Act*

**File:** ( )

**Date of Incident:** ( )

**TO:** (Name of Owner, Mailing Address, )

**RE:** (Premises where incident occurred)

**Reasons for Order:**

Pursuant to subsection 33(1) of the *Fire Safety Act*, the undersigned attended a fire at the premises or land mentioned above on (date), and required the cause and origin of that fire to be investigated.

Pursuant to subsection 33(3) of the *Fire Safety Act*, an Order to post a security watch was made by (fire official's name) on (date).

**Actions Required by Order:**

Pursuant to subsection 30(3) of the *Fire Safety Act*, the owners of the premises or land mentioned above are hereby ordered to pay the costs incurred in carrying out the Order to post a security watch on the land or premises. **Costs are to be paid to the appropriate municipality, as outlined in attached "Costs Appendix", and are due within 30 days of the date of this Order.**

**This Order is issued at ( ) in the County of ( ), Province of Nova Scotia, this ( ) day of 20 ( ).**

---

(Print name and Title of Fire Official)

---

(Signature of Fire Official)

This Order shall remain in full force and effect until all required actions have been completed to the satisfaction of the Fire Official named in this Order, AND that Fire Official provides written confirmation of completion to the Owner(s) named in this Order.

Failure to comply with this Order may result in legal consequences, including fines or imprisonment, as outlined in the *Fire Safety Act*. **See attached "Penalty and Appeal Provisions Appendix" for more information on penalties and appeals.**

## Costs Appendix

As outlined in section 30 of the *Fire Safety Act*, SNS 2002 c 6

**File:** ( )

**Date of Incident:** ( )

**TO:** (Name of Owner, Mailing Address, )

(Premises where incident occurred)

**Detailed Description of Costs (including amount and service provider):**

[Notes for issuer:

Maximum which can be ordered under subsection 30(1) and s. 15A Fire Safety Regulations without Minister of Municipal Affairs approval is \$5,000.

Clause 30(3)(c) requires detailed accounting of the costs incurred be provided]

---

**TOTAL**

Please pay costs to the municipality where the land or premises that are the subject of the Order are located at the address below within **30 days** of the date of this Order: [Note for issuer only for use where order made by local assistant or municipal fire inspector]

Attention: ( Appropriate contact person )

( Name of Municipality )

( PO Box, if applicable )

( Street Address )

( City, NS )

( Postal Code )

( Phone number of municipality office )

( Email address for municipality )

## **Penalty and Appeal Provisions Appendix**

### **Penalties** (see sections 44 and 45 of the *Fire Safety Act*)

The maximum penalty for a violation of the Act for an individual, or an officer or director of company, is a fine of **\$25,000 or 6 months imprisonment or both**, or where there are aggravated circumstances, a fine of **\$150,000 or 2 years imprisonment or both**.

The maximum penalty for a violation of the Act for a company is a fine of **\$50,000**, or where there are aggravated circumstances a fine of **\$250,000**.

Equal amounts can also be ordered for public-safety education under s. 45.

In the case of a continuing offence, each day that the offence continues may bring an additional penalty.

### **Appeals** (see Sections 38, 39 and 41 of the *Fire Safety Act*)

A person who is affected by an Order to post a security watch (pursuant to subsection 30(3) of the *Act*) may, **within 15 days of being served**, appeal that Order to:

a) The Fire Marshal, pursuant to section 39 of the *Act*, by submitting a written request for review to:

Fire Marshal  
Nova Scotia Office of the Fire Marshal  
Department of Municipal Affairs  
250 Baker Drive, Dartmouth, Entrance C, Suite 210  
Dartmouth, NS, B2W 6L4  
PO Box 231, Halifax Central  
Halifax, NS, B3J 2M4

b) The Fire Safety Appeal Board, pursuant to section 41 of the *Act*, by submitting a written request for review to:

Board Administrator  
Nova Scotia Regulatory & Appeals Board  
1601 Lower Water St., 3<sup>rd</sup> floor  
PO Box 1692, Postal Unit M  
Halifax, NS  
B3J 3S3