

DO I NEED A FIRE INSPECTION?

**Regulations concerning Fire Inspections
within the Town of Minnedosa and
RM of Minto-Odanah**



Do I need a fire inspection in Manitoba?

In Manitoba, fire inspections are required under the Fires Prevention and



Emergency Response Act. The Act mandates that local authorities enforce the Fire Code within their boundaries and ensure regular inspections of certain properties. The Office of the Fire Commissioner assists local authorities in developing their Fire and Life Safety Inspection programs.

Building owners are legally responsible for maintaining their buildings in accordance with the Fire Code and could face fines or other enforcement action for non-compliance. The Winnipeg Fire Prevention Branch provides basic fire safety guidelines and checklists for various building occupancies. For specific requirements and guidelines, building owners should refer to the Manitoba Fire Code and consult with local authorities or the Office of the Fire Commissioner.

Definitions

LOCAL ASSISTANT

- Fire Chief

LOCAL AUTHORITY

- municipality, incorporated community, local government district

DESIGNATE

- a designated inspector, a local assistant, a person exercising a delegated power, duty or function

Local Authorities

- Local authority must enforce the MB Fire Code in accordance with the Act
- Must inspect prescribed buildings
- Ensures local assistant carries out those inspections

- Ensures records of inspections are kept for at least 7 years

Local Assistant May Delegate

- Must be in writing and may delegate powers, duties and functions
- TO ANOTHER EMPLOYEE OF THE SAME LOCAL AUTHORITY
- Subject to limitations and conditions as set out in the delegation
- Local Authority required to report delegation and or change in local assistant to Fire Commissioner

Does the Fire Inspector have a right to enter my property?

A designate can enter onto land or premises at any reasonable time to conduct a fire safety inspection
OTHER THAN A DWELLING

- Then they require consent of the owner or occupant
- Or by warrant to enter

Is there a fee for a Fire Inspection?

Local authority may charge a fee for inspections

- if inspection carried out by local assistant
- can be applied to land taxes

General Inspection Powers

- Examine or require production of documents and records
- Require equipment or device be operated
- Conduct tests, take samples, photos, videos- electronic or otherwise

- Take any other person, equipment, or materials to assist with inspection
- Make any reasonable inquiry with any person orally or in writing

Immediate Actions May Be Taken

- Cause land or premises to be closed and persons removed
- Post fire watch, make repairs to fire safety systems
- Install temp safeguards including extinguishers and smoke alarms
- Eliminate ignitions sources, remove material or anything that constitutes a fire hazard
- Do anything else that is reasonably required to immediately reduce threat to life or property

Orders in Writing

- May apply to owner, occupant or both
- Remove anything that may constitute fire hazard
- Make repairs or demolish
- Install or modify things or processes
- Discontinue manufacturing, producing or fabricating
- Close land or premises until corrective actions that have been ordered have been completed
- Take any other measure necessary for fire safety on the land or premises and to remedy any contravention of the Act

Service of Orders

Action taken under “Immediate Actions May be Taken”

- Must give ‘notice’ to owner and occupant promptly
- Notice must describe location and reason(s)

Closure under “Orders in Writing”

- Post on the land or premises

- Serve on owner if owner in MB and whereabouts are known

Order under “Orders in Writing”

- Serve on owner and any occupant of the land
- Personally, ordinary mail, electronic mail, fax or another method that allows proof of receipt

What happens if I fail to comply with the Order in Writing?

An Administrative Penalty May be issued by Fire Commissioner

- If person failed to comply with an Order under Orders in Writing
- Order stated penalty may be imposed
- And is in the public interest
 - First contravention \$2500.00
 - Second or subsequent \$5000.00

Protection From Liability

No action or proceeding may be brought against the fire commissioner, a designate or any other person acting under the authority of this Act for anything done or not done, or for any neglect,

- a. in the performance or intended performance of a duty under this Act or the regulations; or
- b. in the exercise or intended exercise of a power under this Act or the regulations;

unless the person was acting in bad faith.

Fire Inspection Regulation

Table	
Column 1 Inspection Period	Column 2 Building Use
12 months	Elderly persons' housing unit or hostel, as defined in <i>The Elderly and Infirm Persons' Housing Act</i>
12 months	Child care centre licensed under <i>The Community Child Care Standards Act</i>
12 months	Personal care home, as defined in <i>The Health Services Insurance Act</i>
12 months	Residential care facility, as defined in the <i>Manitoba Fire Code, Manitoba Regulation 155/2011</i>
12 months	Hospital
36 months	Licensed premises, as defined in <i>The Liquor and Gaming Control Act</i>
36 months	Public or private school, as defined in <i>The Education Administration Act</i>
36 months	Recreation centre, including without limitation, an arena, curling rink and community club
36 months	Hotel or motel
36 months	Restaurant located in a building that contains one or more dwelling units

Fire Inspection Regulation

High hazard occupancies to be inspected

2(1) A local authority must ensure that a fire safety inspection of a high-hazard industrial occupancy within its boundaries is conducted at least once in each of the following inspection periods:

- (a) the period beginning on the coming into force of this section and ending on July 1, 2017;
- (b) each 24-month period after July 1, 2017

Documenting The Inspection

The Fire Inspector may use the following to document the inspection when collecting information:

- **Notebook, notes**
 - Serves as primary means of recording information
 - Include date and times, names
 - Description of deficiencies
 - Diagrams/sketches/measurements
 - Be legible
 - Is considered evidence in proceedings
- **Photographs**
 - Photos of all sides of the building being inspected
 - Photos of deficiencies
 - Assists with recall for completing FSI report/evidence
 - Assists with application for appeals or court proceedings
 - Saved as a history record of the building
 - Use a photo log sheet
- **Videos**
 - Document large areas
 - Document hazardous processes

- Document movement of machinery
- Use a tracking log sheet
- **Measurements**
 - Use a measuring device
 - Record in notebook
 - Take photo of deficiency with measuring device display
- **Documents**
 - Pre-collection of life safety systems inspections, Fire Safety Plan, SDS
 - Manufacturer's specifications/ equipment spec sheets
 - Applicable training records, preventative maintenance
 - Previous inspection results including 3rd party
 - Building owner/occupier/owner's agent
 - Letters of understanding
- **Interviews**
 - Owner/owner's agent, occupier
 - Supervisory staff
 - Employees
 - Third party interests (insurance/certification agencies/suppliers)
- **Inspection check sheet**
 - To track and log rough results during inspection
 - Used as a guideline to refresh memory of requirements
 - Supply to client as a pre-cursor to inspection
 - An aid for establishing and following a routine
 - Ensure thorough assessment

NOTES:

Contact Us

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