

Staff Report

ORIGIN

As a result of the events surrounding the fire incident at the Best Western – Richmond Hotel Convention Centre on September 22, 2005, Council directed the Fire Chief to:

(2) Meet with provincial government officials, the hotel industry and other officials to examine options to protect visitors who stay in hotels or frequent public assembly buildings in the City of Richmond.

ANALYSIS

The public expectation is that all buildings are safe to occupy. The challenge is to determine the appropriate criteria triggers and methods to upgrade fire safety to an acceptable current code level in excess of the minimum requirements established by past legislation.

New buildings are constructed in conformance with provincially adopted Building Code Regulations. In comparison, older existing buildings may not meet today's code. This is, however, not to say that older buildings are unsafe. The difference in the level of fire safety provided in older buildings becomes more apparent as building and fire codes evolve over time.

Applicable Legislation

Community Charter:

The Community Charter established areas of concurrent authority, requiring Provincial approval for any local government bylaws or standards "...that could be dealt with by the Provincial building regulations." The City would require Provincial approval to adopt a sprinkler bylaw. Ministerial approval may be provided to allow a local government to establish a bylaw to require sprinkler protection in new or existing buildings if the bylaw is focused on mitigating specific fire safety issues, rather than a blanket application to particular building types or uses. To date there have been no such local government sprinkler bylaws approved even though other municipalities have submitted such bylaws to the Province for approval.

The Province has formed a working group to create an operational sprinkler guideline which local governments can adopt under concurrent authority. Creating the guideline will provide a template for standardization throughout the Province, avoiding the confusion of different regulations in each jurisdiction. It is expected that the guideline would be established in late 2007.

Fire Services Act

A remedial Order to upgrade a building may be issued upon a hazard and risk assessment of fire safety conditions. The remedial actions in the Order, however, cannot exceed the requirements of the Building Code Regulations adopted at the time of construction. Orders are subject to an appeal process where the owner may wish to dispute the Order to the Office of the Fire Commissioner.

BC Fire Code:

An Order within the scope of the BC Fire Code Regulations, may be issued to provide fire safety systems such as fire alarms, standpipes and sprinkler systems in buildings where "required" by the current adopted Building Code Regulations. Orders are subject to an appeal process where the owner may wish to dispute the Order to the Office of the Fire Commissioner.

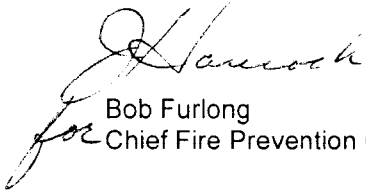
The Fire Code may be applied retroactively to existing buildings, however, upon an appeal the Fire Commissioner will use discretion in recognition of the physical limitations of certain buildings and financial impact on the owner in complying with the Order.

CONCLUSION

Although the fire department cannot pass local bylaws to require fire sprinklers due to legislative restrictions, and in an attempt to reduce known risks without the advantages of sprinklers, the fire department has reallocated resources to:

- conduct a review and analysis of fire inspection business practices,
- develop criteria for the measurement and quantification of fire hazards and risks
- conduct a building fire hazard and risk inventory,
- evaluate fire safety system performance and operational readiness,
- evaluate the capabilities and skills of building supervisory staff,
- assist building owners and supervisory staff develop acceptable fire safety procedures, and
- identify criteria triggers by which Ministerial approval may be provided for establishing a Bylaw for fire safety upgrading

As an interim measure, the Fire Department will issue remedial Orders where the fire hazards or risks are inadequately managed by the building owner or occupants.



Bob Furlong
Chief Fire Prevention Officer