



FIRE ALARM SYSTEM, SIGNAL AND MONITORING REGULATIONS

Amended and adopted by the Town Council of the Town of Gander on the 5th day of February, 2014 and to come into effect as of the 5th day of February, 2014.

A copy of these Regulations was sent to the Minister of Municipal and Intergovernmental Affairs on the 10th day of February, 2014.

Claude Elliott

MAYOR


J. Bra


TOWN CLERK

PUBLISHED BY AUTHORITY

Pursuant and by virtue of the powers conferred by Section 414 and any other enabling sections of the *Municipalities Act, 1999, SNL Chapter M-24* as amended and appropriate section of National Fire Code of Canada, the Town Council of the Town of Gander hereby adopts the following Fire Alarm System, Signal and Monitoring Regulations.

A copy of these Regulations was forwarded to the Minister of Municipal and Intergovernmental Affairs on the 10th day of February, 2014.


MAYOR


TOWN CLERK

FIRE ALARM SYSTEM, SIGNAL AND MONITORING REGULATIONS

1. Title

These Regulations may be cited as the Town of Gander Fire Alarm System, Signal and Monitoring Regulations.

2. Definitions

Definitions shall be as per the National Building Code of Canada except as listed herein, unless the context otherwise requires:

- a) "Act" means the *Municipalities Act, 1999, SNL Chapter M-24* as amended;
- b) "Fire Department" means Gander Fire Rescue;
- c) "Council" means the Town Council of the Town of Gander
- d) "Town" means the Town of Gander as defined in the order-in-Council dated the 16th day of December, 1958 A.D. and continued as a Town under the said Act, and;
- e) "Emergency Forces" means the Gander Fire Rescue;

3. Application

- a) These Regulations shall supplement the current editions of the National Building Code of Canada (NBCC), National Fire Code of Canada (NFCC), the NFPA 101 Life Safety Code; and CAN/ULC S 561 Installation and Services for Fire Signal receiving centres and systems;

- b) The provisions of these regulations shall apply to new and existing buildings as follows: (see Appendix A. for definitions)
 - i. Group A occupancies having an occupant load of more than 300;
 - ii. Group B occupancies;
 - iii. Group C occupancies requiring a fire alarm system as defined in the National Building Code of Canada;
 - iv. Group F, Division 1 occupancies, and;
 - v. Occupancies identified by the Authority having Jurisdiction as requiring special consideration due to life safety considerations.
- c) These Regulations shall not apply to buildings within the Town and that are under the jurisdiction of Canadian Forces Base Gander or Gander International Airport for fire protection services;
- d) Where a fire alarm system is required to be installed, and a structure conforms to Section 3 of the NBCC, the system shall be designed and shall notify emergency forces by way of:
 - i. The Gander Fire Rescue fire alarm monitoring system; or
 - ii. CAN/ULC S 561 Installation and Services for fire signal receiving centres and systems.
- e) Where a fire alarm system is required to be monitored, or send signals to the Municipal Fire Alarm System, the building owner shall be responsible to comply with the provisions of the Town of Gander Fire Alarm Agreement;
- f) Where a fire alarm system is required to be monitored, or send signals to the Municipal Fire Alarm System, the building owner shall provide Gander Fire Rescue annually, written confirmation that monitoring services are being provided;
- g) These Regulations shall be enforced by Gander Fire Rescue Fire Inspector, Fire Chief or by the Town of Gander Municipal Enforcement Department.

4. Enforcement

- a) The Town Council of Gander or its authorized administrator shall be the Enforcement Authority for the purposes of these Regulations;
- b) Enforcement and prosecution under these Regulations may be under taken by any Police Officer or by any other person so authorized by the Enforcement Authority;
- c) Every person requested by a Police Officer or person authorized to enforce these Regulations shall upon request, forthwith give his/her proper name and address;
- d) Pursuant to Section 404(1) of the Act, the Enforcement Authority may serve upon the owner or any other person in violation of a provision of these Regulations, a serially numbered notice advising the nature of the violation and required action to conform with the standards as set out in these Regulations;

- e) The owner or any other person served a notice shall carry out the directions of the Enforcement Authority referred to in Section 4 (d) at the cost of the owner or person served within the time specified;
- f) Where the Enforcement Authority has placed or caused the placing of a sign, placard, or notice upon any premises under the authority of these Regulations or any other applicable law, by-law or regulation, no person shall remove such sign, placard, or notice except with the consent of the Enforcement Authority;
- g) Any costs to the Town for all works carried out in response to a violation of these Regulations, in addition to any penalty prescribed hereunder, may be recoverable from the owner or the person in contravention of these Regulations as a civil debt;
- h) Every person requested by a Police Officer or person authorized to enforce these Regulations shall upon request, forthwith give his/her proper name and address;
- i) It shall be the duty of a Police Officer or the Enforcement Authority to:
 - i. Report the name and address of any person observed, or reliably reported to have violated any of the provisions of these Regulations;
 - ii. Report the time and nature of the violation of the Regulations, and any circumstances being relevant to the violation;
 - iii. Serve upon the person violating and provision of these Regulations a serially numbered notice that the person concerned has violated a provision of the Regulations, and instructing such person to carry out any order in regard to such violation;
 - iv. Furnish the Town Clerk a duplicate of each serially number notice of violation.

5. Failure to Comply

- a) Pursuant to Section 404(5) of the Act, where a person to whom an order is directed does not comply with the order or part of an order made under Section 4 (d), Council may take the action that it considers necessary to carry out the terms of the order and any costs, expenses or charges incurred by Council in carrying out the terms of the order are recoverable from the person against whom the order was made as a debt owed to Council;
- b) Council may delegate to an official or employee of Council the power to issue orders under this section;
- c) The owner shall save harmless Council, its employees, servants or agents from any and all claims arising out of the actions of Council, its employees, servants or agents in the process of inspecting and/or carrying out work under these Regulations, except in the case of gross negligence.

6. Offence and Penalties

- a) Every person who commits an offence under these Regulations or who acts in contravention of or fails to comply with any provision thereof, or neglects or refuses to do so:
- i. May be liable to penalties as stipulated in accordance with section 420 of the Act; or
 - ii. May be subject to an order under section 404 (1) of the Act; or
 - iii. May be subject to a violation notice issued under section 421.1 (1) of the Act; or
 - iv. May be issued a ticket under the Provincial Offences Act in accordance with section 421.2 of the Act.
- b) The conviction of a person for failing to comply with a requirement or obligation referred to in subsection (a) shall not operate as a bar to further prosecution under these Regulations for the continued failure on the part of the person in comply.

7. Severability

If a court of competent jurisdiction should declare any section or part of a section of these Regulations to be invalid, such declaration shall not affect the remainder of these Regulations and the remainder of these Regulations should be valid and shall remain in force.

8. Repeal

All previous Fire Alarm System, Signal and Monitoring Regulations thereto, are hereby repealed.

APPENDIX A.

BUILDING CLASSIFICATION:

Group A with an occupant load over 300 persons:

An assembly building such as a theatre, arena, schools, dance hall, or similar structure which can accommodate over 300 persons;

Group B occupancies:

An institutional occupancy such as a hospital, home for the aged, or detention centre.

Group C occupancies requiring a fire alarm system as defined in the National Building Code of Canada:

Residential occupancies with sleeping accommodations for more than 10 persons generally excluding apartment buildings where not more than 4 dwelling units share a common means of egress, or where all rooms have direct exterior exit facilities from each room. Would include apartment buildings, hotels, motels, hospitality homes if required to have an alarm system as defined in the National Building Code of Canada;

Group F, Division 1 occupancies:

High hazard industrial occupancies which require a fire alarm system. Large bulk storage warehouses, various hazardous waste processing plants;

Occupancies identified by the Authority having Jurisdiction:

From time to time other occupancies not covered in the above classifications may warrant special consideration by Council for mandatory fire alarm monitoring.

REFERENCES:

National Building Code of Canada;

National Fire Code of Canada;

National Fire Protection Association 101- Life Safety Code;

National Fire Protection Association 71- Standard for Installation, Maintenance and Use of Signaling Systems for Central Station Service;

National Fire Protection Association 72- Standard for Installation, Maintenance and Use of Protective Signaling Systems;

CAN/ULC S 561