

**Regulatory Registry Summary:
Proposed Changes to the Ontario Fire Code Regarding Carbon Monoxide Alarms
and Smoke Alarms**

Ministry: Ministry of Community Safety and Correctional Services

**Regulation
Number:** N/A

Bill or Act: Fire Protection and Prevention Act, 1997

**Summary of
Proposal:**

Carbon Monoxide Alarms

The Ministry of Community Safety and Correctional Services is seeking public input on proposed changes to the Ontario Fire Code related to new installation and maintenance requirements for carbon monoxide (CO) alarms in existing residential occupancies*. These changes are part of the implementation of Bill 77, *An Act to Proclaim Carbon Monoxide Awareness Week and to amend the Fire Protection and Prevention Act, 1997 (Hawkins Gignac Act [Carbon Monoxide Safety], 2013)*, which received Royal Assent in December 2013.

The Act expands the scope of the *Fire Protection and Prevention Act, 1997* (FPPA) so that in addition to fire safety, the FPPA provides authority to regulate the presence of unsafe levels of CO. The Act also expands inspection and enforcement powers for municipal fire departments, similar to those available for fire safety. The new CO regulations will supersede municipal bylaws.

The proposed changes to the Ontario Fire Code are based on expert advice the Ministry received from a Technical Advisory Committee (TAC) led by the Office of the Fire Marshal and Emergency Management (OFMEM). The TAC included representation from impacted provincial ministries and a wide range of stakeholders representing the interests of residents, landlords, tenants, fire services, municipalities, safety agencies and alarm manufacturers.

The proposed regulatory requirements regarding the installation and maintenance of CO alarms in existing residential occupancies are consistent with CO requirements for new construction under the Ontario Building Code.

Smoke Alarms

The Ministry is also proposing changes related to testing, maintenance and replacement provisions for smoke alarms, consistent with the proposed CO alarm requirements. The Ministry previously consulted on several of the smoke alarm related changes in spring 2012.

**Examples of residential occupancies include: houses, condominiums, rental apartments, group homes, hostels, domiciliary hostels, social housing, student residences/dormitories, retirement homes, camps for housing workers, boarding/lodging/rooming/halfway houses, convents, monasteries, residential clubs, hotels, motels, open and semi-secure detention for youth, recreational camps, residential schools and shelters.*

Proposed Regulatory Changes

(See proposed Code Change sheets for exact wording; available only in English)

Application

- CO requirements would apply to existing residential occupancies with fuel-burning appliance or garage.

Location of Carbon Monoxide Alarms

In Homes

- If fuel burning appliance in house - install adjacent to sleeping areas.
- If garage attached to house - install adjacent to sleeping areas.

In Multi-Unit Buildings

- If fuel burning appliance in suite - install adjacent to sleeping areas.
- If fuel burning appliance in building service room - install in service room and all suites adjacent to service room, adjacent to sleeping areas.
- If garage in building - install in all suites adjacent to garage, adjacent to sleeping areas.

Requirements for Installation

- CO alarms conform to latest standards by the Canadian Standards Association (CSA) or by Underwriters Laboratories (UL).
- CO alarms can be hardwired, battery operated or plug-in type.

Testing and Maintenance

- CO and smoke alarm power supplies to be maintained in operating condition.
- CO alarm disabling is prohibited (already in place for smoke alarms).

Replacement

- When replacing a CO alarm, must meet the 2001 Ontario Building Code / new retrofit protection levels based on date of construction and current CSA or UL standard.
- When replacing a smoke alarm, must meet specified protection levels based on date of construction.
- CO and smoke alarm replacement timeframe based on manufacturer's instructions.

Additional Obligations for Landlords and Tenants

- Landlord to provide CO and smoke alarm maintenance instructions to tenant.
- CO and smoke alarms in rental units must be tested annually and tested when battery is replaced, changes are made to electric circuit or change in tenancy occurs.
- CO and smoke alarm testing in rental units performed by landlord. Testing done by activating alarm test feature.
- Tenant required to notify landlord if CO and/or smoke alarm inoperable.

The TAC also recommended a phased-in compliance schedule for the proposed CO requirements, in which:

- Testing/maintenance requirements for existing CO alarms installed under the Ontario Building Code would come into effect on regulation in-force date;
- Installation for individual homes and buildings with six or less suites would come into effect within six months of in-force date; and
- Installation for large buildings (those with more than six suites) would come into effect within 12 months of in-force date.

Public consultation is part of the process for amending the Fire Code. The Ministry of Community Safety and Correctional Services welcomes your comments and feedback on the proposal.