

September 12, 2019

To: Members  
Community and Protective Services Committee

Re: Amendment to The Regina Fire Bylaw 2018-49

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RECOMMENDATION

1. That the City Solicitor be directed to bring forward a bylaw amending subsection 41(2) of Bylaw 2018-49, *The Regina Fire Bylaw*, to add: “(z) failure to comply with any provision of this Bylaw regarding smoke alarms.”
2. That this report and related bylaw be forwarded to the September 30, 2019 City Council meeting for approval.

CONCLUSION

At the September 24, 2018 meeting of Regina City Council, *The Regina Fire Bylaw 2018-49* (Fire Bylaw 2018) was unanimously passed, repealing and replacing *The Regina Fire Bylaw 2005-18* (Fire Bylaw 2005). In both bylaws, certain offences of the bylaw and the National Fire Code of Canada are identified as enforceable through issuance of a Notice of Violation to the offender. The Notice of Violation enforcement process is a ticketing system that allows an offender to make a voluntary payment to avoid prosecution in the court system for the offence. Fire Bylaw 2005 authorized Notices of Violation to be issued for contraventions of the bylaw’s smoke alarm provisions. This provision was mistakenly not carried forward into the Fire Bylaw 2018. Administration seeks to amend the Fire Bylaw 2018 to add contravention of the bylaw’s smoke alarm provisions to the list of offences for which a Notice of Violation may be issued.

In accordance with the requirements of *The Fire Safety Act* (The Act), the proposed amendment has been reviewed by the Ministry of Government Relations’ Emergency Management and Fire Safety. On August 8, 2019, the Fire Commissioner responded to inform the Administration that the proposed bylaw is not in conflict with the National Fire Code (Appendix “A”).

BACKGROUND

Fire Bylaw 2018 replaced the previous Fire Bylaw 2005 and included numerous changes which realigned it with the *National Fire Code of Canada* and the *Act*. Fire Bylaw 2005 included contraventions of the bylaw’s smoke alarm provisions as one of the offences for which a Notice of Violation could be issued (s. 47.1(1)(w)). While Fire Bylaw 2018 also contains a list of offences for which a Notice of Violation may be issued (s. 41(2)), contraventions of the bylaw’s smoke alarm provisions was mistakenly not included in that list.

## DISCUSSION

Ticketing for smoke alarm contraventions is an important tool for Regina Fire & Protective Services (RFPS) to ensure public safety. Of the 11 fire-related deaths in Regina between 2011 and 2018, five were in premises without working smoke alarms. Another four were undetermined while only two were proven, through investigation, to have activated. In 2016, RFPS issued 13 tickets for smoke alarm violations. In 2017, four were issued. The ticketing process is predominantly used where tenants are at risk due to smoke alarm violations in rental properties.

Ten of the 11 fire fatalities in Regina between 2011 and 2018 occurred between 12 and 6 a.m., further underlining the importance of working smoke alarms to public safety.

Eight of the 11 fire fatalities in Regina between 2011 and 2018 occurred in rental properties. The ability of RFPS Prevention personnel to enforce smoke alarm regulation compliance is vital to ensuring safety in rental properties.

## RECOMMENDATION IMPLICATIONS

### Financial Implications

Re-implementation of the ability to issue tickets for smoke alarm violations is estimated to continue to provide minimal annual revenue. Public safety is the primary goal. In 2016, RFPS issued \$3,900 worth (or 13 tickets). In 2017, RFPS issued \$1,200 worth (or four tickets).

### Environmental Implications

None with respect to this report.

### Policy and/or Strategic Implications

The proposed amendment ensures that municipal regulations pertaining to fire and life safety are aligned with provincial legislation and national standards.

### Other Implications

None with respect to this report.

### Accessibility Implications

None with respect to this report.

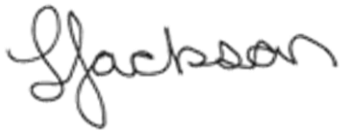
COMMUNICATIONS

None with respect to this report.

DELEGATED AUTHORITY

The recommendations contained within this report require City Council approval.

Respectfully Submitted,



Layne Jackson, Director, Fire & Protective Services

8/28/2019

Respectfully Submitted,



Kim Onra, Executive Director, Citizen Services

9/4/2019

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