



Report to: General Committee

Date Report Authored: December 18, 2014

SUBJECT: By-law 2015- XXX
To charge fees for services provided by Fire & Emergency
Services for Extraordinary Emergency Expenses and Non-
Emergency Incidents

PREPARED BY: Bill Snowball, Fire Chief - 5982

RECOMMENDATION:

- 1) THAT Council enact a By-law to charge fees for services provided by Fire and Emergency Services for Extraordinary Emergency and Non Emergency Incidents
- 2) THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable

PURPOSE:

To ensure that services and fees associated for extraordinary emergency and non emergency responses, are charged to the property owner through invoice or added to the tax roll to recover all costs if necessary.

BACKGROUND:

Extraordinary Expenses: Fire Investigation

When a fire occurs on land or premises, Markham Fire and Emergency Services (MFES), in accordance with the Fire Protection and Prevention Act, 1997, has control of the property to conduct emergency operations and fire investigations. As such, all necessary measures need to be taken to ensure the building or structure is safe and structurally sound (as deemed by Building Department) in order to conduct a thorough fire investigation to determine cause and origin. These measures may include costs for shoring up the building, rent special equipment and machinery, retain a private contractor, etc.

Non Emergency Elevator Response

MFES are called to respond to non emergency matters that involve a malfunctioning or inoperable elevator to assist people who are trapped in the elevators. When MFES respond to these non emergency calls, it reduces MFES ability to respond to other emergency calls in the City. These non emergency responses are directly related to the owner not properly maintaining or servicing their elevators and associated equipment as required.

Non Compliance with Smoke Alarm / Carbon Monoxide Alarm Requirements

When MFES, through an inspection or response, determines that a residential occupancy (single family dwelling or two unit dwelling) are missing or find disabled smoke alarms or carbon monoxide detector alarms, MFES will not leave the scene until the minimum level of life safety has been achieved. In these cases, MFES will provide the required

combination smoke and carbon monoxide alarm(s) to bring the property in compliance with the minimum requirements of the Ontario Fire Code (O.Reg. 213-07). A fee for this service will now be charged to the property owner as it is their responsibility to ensure compliance with the minimum level of life safety as prescribed in the Ontario Fire Code. The fees will be recovered through invoice or tax roll, and will include the cost of each device provided.

OPTIONS/ DISCUSSION:

Extraordinary Expenses: Fire Investigation

Fire Investigation is an important piece of fire life safety and determining cause and origin is essential to preventing fires of similar nature from reoccurring. Fire Investigations are mandated by the Fire Protection and Prevention Act, 1997 and it is essential to ensure that the structure is secure so the investigation can be conducted in a timely and safe manner. If the structure is not made safe and structurally sound, the investigation can be significantly compromised through destruction or discontinuity of evidence gathering.

For example, if a fire erupted in a home that was altered for the creation of an illegal rooming house and a person was trapped because there was no way for escape, a full investigation would have to be performed. In this case we require an engineer's report and building reports. Without conducting an investigation, we would be limited in our ability to determine cause and ultimately any potential prosecution.

Non Emergency Elevator Response

With the increase of low and high rise construction throughout the City, there will be an increase of the use for elevator services whether it is residential, office or commercial buildings. The owners and management companies of these building are responsible for the maintenance and servicing of their elevating systems. Typical practice now is when persons are stuck in the elevator and there is no emergency situation they call the fire service to respond.

The amount of these non emergency incidents occurring will increase, which would not only add to the cost of the fire service, but will have responding crews committed to the scene. These incidents would reduce the ability of MFES to respond to the remainder of the City for other emergency responses.

Non Compliance with Smoke Alarm / Carbon Monoxide Requirements

Currently our Smoke Alarm Program includes us attending a home, and if it is found that the home owner has not installed one smoke alarm per level, we will install them for free. MFES has performed a significant amount of education programs over the last seven years since the legislation changed to educate owners on their responsibility to install and maintain working devices in their homes.

Despite our many efforts to educate homeowners on their responsibilities, we still provide approximately 100 smoke alarms each year. By recovering our costs for providing missing devices, we will be able to recover the costs from those individuals

who are not complying with the Ontario Fire Code and continue to promote our Smoke Alarm Program.

Presently, legislation requires homeowners to maintain and test existing carbon monoxide alarms. On April 15, 2015, all homeowners will be required to have a carbon monoxide alarm installed in their homes. This new requirement will increase costs and the need for cost recovery. Residents should know by now that smoke alarms and carbon monoxide detectors provide early warning to evacuate and saves lives and are a requirement of the Ontario Fire Code.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable

HUMAN RESOURCES CONSIDERATIONS:

Not applicable

ALIGNMENT WITH STRATEGIC PRIORITIES:


Not applicable

BUSINESS UNITS CONSULTED AND AFFECTED:

Legal Services Department

RECOMMENDED

BY:


Bill Snowball, Fire Chief


Brenda Librecz, Commissioner
Community & Fire Services

ATTACHMENTS:

Appendix A Draft By-law