



Safety Codes Council

MINUTES OF THE FIRST FIRE SUB-COUNCIL MEETING OF 2017

DATE: January 19, 2017

TIME: 9:00 a.m. to 2:55 p.m.

LOCATION: Radisson Hotel South, Edmonton

PRESENT: *Sub-Council Members*

Michael Walker, Chair
Michael Baker
Michael Bos
Bob Boudreau
Eddy La Rocque
Gary Mayorchak
Mario Poser

Safety Codes Council

Peter Thomas, Celia McDonagh, Allison Karch

Alberta Municipal Affairs

Kevan Jess, Chief Building Administrator (9:20 a.m.)
Tina Parker, Technical Advisor
Paul Chang, Chief Building Administrator
James Orr, Director Codes and Standards (9:18 a.m.)
Spence Sample, OFC (9:15 a.m.)

Guests

Bruce Schultz, BSC Liaison

REGRETS: Allan Blatz
Bruce Cummins
Joseph Davis
Robbin Foxcroft, Vice Chair
Bob Husereau

RECORDING SECRETARY: Sandi Orr

2017 MEETINGS: March 15-16, May 11, September 14, November 23

1. Meeting Opening

The meeting was called to order by the Chair at 9:01 a.m. and a round table introduction was held.

1.1. Agenda Adoption

The agenda was reviewed and the following revisions were made:

- New agenda item added – 2.2. Course Validation
- 3.4. corrected to read Bos / Schultz
- 3.6. corrected to read Thomas

Eddy La Rocque / Mario Poser moved to adopt the agenda, as amended; CARRIED

1.2. Previous Minutes

1.2.1. Adoption of November 23, 2016

Eddy La Rocque / Bob Boudreau moved to adopt the minutes of November 23, 2016, as circulated; CARRIED

2. Matters for Decision

2.1. Matters for Decision

2.1.1. Resignation of Ron Schaller

Correspondence from Ron Schaller regarding his resignation from the sub-council was read. It was noted that Ron Schaller's position was representing the public as a Ministerial appointment.

As this creates a vacancy of one of the Vice Chair positions, discussion regarding whether to continue with two vice chairs, and subsequent nominations, will be added to the next agenda. [Walker / Karch]

2.2. Course Validation

The course validation process was explained and after being reviewed by technical advisors and sub-council members, the following recommendations were brought forward.

Eddy La Rocque / Bob Boudreau moved to accept Course 100170 Building Evaluation and Plans Review and Course 100173 Advanced Investigation Procedures, as reviewed; CARRIED

Michael Bos / Michael Baker moved to accept Course 100167 – Inspection Procedures and Course 100169 Courtroom and Legal Procedures, as reviewed; CARRIED

Eddy La Rocque / Michael Baker moved to accept Course 100172 Investigation Procedures, as reviewed; CARRIED

It was reported that there are two additional courses to be completed and reviewed before bringing recommendations back to the sub-council.

An update was provided on work being done between the Council and the Office of the Commissioner to align the practical examinations to ensure they meet NFPA requirements.

It was reported that once the Council has launched all of the courses, Lakeland College will no longer be offering them.

Members were asked if they were aware of anyone interested in becoming an advisor to assist in the review of course materials or validate exam questions to refer them to the Manager of Training. [All]

Volunteers were requested for 6 days of examination ratification. Michael Bos, Bob Boudreau and Shaun Fairweather from the Calgary Fire Department volunteered. [Bos/Boudreau/Fairweather]

3. Matters for Discussion

3.1. Technical Matters for Discussion

3.1.1. Qualified Persons Registry (E.2.06.11)

The Chief Fire Administrator reported that he and the Senior Technical Advisor had been given a demonstration of the registry. The IT framework is complete and work will continue regarding policies.

The original intent brought forward was that it would begin as a voluntary registry with the future potential of being mandatory. There is a need to ensure industry and owners understand the benefit of using the registry. The Director of Operations for the Council is working on the policy questions and further information will be brought back to the sub-council.

The Council is also working on an integrated Accreditation, Certification and Training system (ACT) and resources have been allocated accordingly.

The registry is on track but there is no timeline available for launch. It was clarified that this system will be set up to be open to the public and will include kitchen exhaust cleaners, portable fire extinguisher technicians and special fire suppression technicians at first, with an intent to include fire alarm and sprinkler maintenance personnel at a later date once system functionality has been tested.

This item will be removed from the agenda until more information is available. [Karch]

3.1.2. Food Trucks (E.7.05.15)

It was reported that there is increased acceptance of the need for a STANDATA that will include the plumbing, gas, electrical and fire disciplines. Originally this began as an Information Bulletin. But as work continued, it has transformed into a Joint Interpretation which will be enforceable.

Although food trucks are not directly regulated, there are several code provisions that do apply, with one authority being the installations of gas and electrical systems and commercial cooking equipment.

It was suggested there is a need to address whether acceptance by one jurisdiction would be acceptable in another, and if such acceptance would have any time limits. It was clarified that a certification program would be need to be in place to formally address transferability of acceptance, so for right now this would have to be done through agreement of two different municipalities. If an unsafe condition is found, there may be a need to consider providing timelines for compliance of existing equipment.

It was reported that the revised version of NFPA Standard 96 which will explicitly address mobile cooking equipment is expected to be published in 2017.

The Chief Fire Administrator will forward the draft wording of the STANDATA for review at the next meeting. [Jess]

3.1.3. Code Change Requests

3.1.3.1. Schedule Special Meeting for NFC/AFC Code Change Requests

It was reported that a document has been drafted with all differences between the National and Alberta Fire Codes relative to code harmonization. It is believed that 80% of the changes are housekeeping/editorial in nature.

A discussion was held whether to review this document as a working group or the full sub-council. It was suggested an extra half day would be needed.

Michael Baker / Gary Mayorchak moved that the full Sub-Council meets Wednesday, March 15, 2017 at 1 pm to specifically review code differences between the AFC 14 and the NFC 15; CARRIED

If any rationale, research or background is needed after everyone has reviewed the document, it was asked that this be requested in advance of the meeting. [All]

3.1.4. Use of Sea Containers as Buildings (E.3.05.15)

The Chief Fire Administrator will be putting together something in the coming months for review by the sub-council that will address compliant use of these containers for storage under the AFC 14. [Jess]

3.1.5. Director Codes and Standards Report (New)

The Director of Codes and Standards reported the following:

- Public Safety Division – better support for our branches and disciplines in the near future
- Building / Fire Code Advisory Position posting recently issued
- Working on improving linkages between the building and fire disciplines
- Office of Fire Commissioner does assist, but they also have their own mandate

An update was provided on major topics of interest:

Persons with Developmental Disabilities

Based on the consultation and recent Ministerial Order, all PDD facilities with less than 4 residents are to be deemed as residential dwellings and not care facilities.

One municipality questioned what happens when you know there is someone residing there that cannot self-evacuate and whether they should be issuing a license. It was questioned whether licenses are issued for regular rental units and perhaps licensing should be reconsidered by those municipalities.

Should these not be considered residential housing due to their usage, those facilities would need to be properly classified as detention or care and then evaluated accordingly for SCOs to have protection under the Act.

It was further reported that there are 411 licensed supportive living facilities with 4 to 10 residents, of which 255 of those have some PDD residents. This is the next area to be reviewed and addressed.

It was clarified that detention remains to be exempt from this Ministerial Order and those facilities will be deemed B1 occupancies.

Legalization of Cannabis

It was reported that there is a cross-ministry provincial government committee to respond to pending federal legislation. A detailed report is available on the Government of Canada website. If recommendations are accepted, there will be a fair amount downloaded to the province to administer. Alberta is attempting to get ahead of this and has deemed these operations commercial industrial operations (F1, F2 and F3 occupancies). There will be a lot of impact relative to the Municipal Government Act but not that much impact to the Safety Codes Act.

Legislation will be introduced in April 2017 but not in force until the fall. There is still a great deal of unknowns.

A brief update was provided on cannabis for medical purposes and it is uncertain whether there will be any changes in that area.

Any questions are currently being dealt with on a one-on-one basis.

NFPA Journal articles (Sept/Oct 2016) were recently published regarding the risks associated with the growing and processing of cannabis and related pesticides and herbicides.

Asbestos

It was reported that the Federal Government announced their intent for a complete ban of all asbestos and will be consulting nationally. This would not be retroactive. Federal and Provincial Government buildings are all likely to be reviewed as part of an internal risk management process. The vast majority of asbestos being used is in the automotive industry. Examples were provided of what is currently allowed in Alberta.

Codes

It was reported that the Building Sub-Council has asked whether it is worth considering skipping the 2015 version of the National Building Code. This would need to be agreed for both Fire and Building Codes.

It was questioned whether referenced standards could be adopted without adopting the entire code.

It was explained that with the future automatic code adoption, the Alberta specifics would be in a stand-alone supplement and adopted automatically by the same process. It was noted that Part 10 may start out as a supplement but changed to a referenced national standard once this is published.

It was suggested that this needs to be discussed by both the Building and Fire Sub-Councils and a motion brought forward to the Technical Coordinating Committee and the Board outlining the desired recommendation to the Minister. This item will be added to the next agenda. [Walker / Karch]

Variance Policy

A discussion occurred that the Council's variances policy needs to be reviewed, if not out rightly rescinded. In looking at the sections of the Act dealing with variances, there is the perspective an authority having jurisdiction could actually issue a "jurisdiction-wide" variance. The Council's policy limits the ability of a safety codes officer to issue a variance beyond a thing, process, or activity for which a permit is issued. As a result, it does not align with the purpose and intent of the Act. Further discussions will occur between AMA and the Council. As well, documentation is being developed to reflect this.

3.2. Alberta Fire Code 2014 – STANDATA Reissuance

It was reported that a batch of STANDATAs are ready for feedback. Some feedback has been received and it is hoped that these will be ready for review at the March 2017 meeting.

It was questioned regarding the Occupant Load STANDATA and clarified that some collective work needs to be done between the Chief Building and Fire Administrators.

It was also reported that there is hope to put all 5 existing STANDATAs regarding fire extinguishers into one document.

Members were asked to provide any additional comments regarding the draft STANDATAs to the Chief Fire Administrator and Senior Technical Advisor. [All]

Review of draft STANDATAs will be added to the March 2017 meeting. [Walker / Karch]

3.3. Office of the Fire Commissioner (OFC) Report

A report was provided on the following:

FIRE ELECTRONIC REPORTING SYSTEM

- Trying to replace the system and improve it
- Retained consultant for needs analysis and RFP process
- Fire suppression statistics only are being collected at present
- Looking at tombstone information populated through PSAP/ 911 dispatch processes
- The OFC is working with the Council on this project

FIRE CODE INSPECTION

- Currently being done by the OFC in non-accredited municipalities but typically on a complaint-only basis
- ASCA currently does not have the fire discipline under their jurisdiction
- A variety of different options are being considered
- This is not the mandate of the field officers and there are already insufficient resources

FIRE INVESTIGATIONS

A brief update was provided on the review of fire investigation and reporting. The Administrative Items Regulation requires that all fires be investigated but there is no value if these are simply being filed away. It was suggested that reporting and investigations were not always the same thing and this should be clarified in regulation.

The Fire Investigation - What We Heard document was created after recent consultation and this will be shared in the portal. [Jess / Karch]

3.4. FSC / BSC Liaison Report

The following update was provided from the last BSC meeting:

- Several STANDATAs were reviewed and supported by the sub-council for publishing
- Discussing residential sprinkling systems training as SCOs don't usually get this until becoming a higher level of SCO
- The Matrix was reviewed

An in-depth discussion was held about the sprinkling of residential homes as a contractual agreement between a developer and the City of Calgary as fire services are not anticipated for another 5 years for that area of land; NFPA took Building and Fire SCOs on site to show them what to look for. It was noted that this is the fourth time a project like this has occurred in Alberta but nothing as large as this project.

3.5. Chief Administrator Report

The Chief Administrator's Report was circulated (Handout #1) and a brief update was provided on:

- Fire Alarm System Guide progress
- Proposals relative to activities and operations deemed contrary to the Code
- Future direction regarding Supportive Living regulation regime should look like
- Visual signals
- Task groups for Canadian Codes
- Regional Meetings
- IFMA/AFSOA
- Work on ULC on Fire Alarm Systems Standards
- NFPA
- Fire SCO Training

The floor was opened for questions and clarification was provided on the purpose of the Task Force on Encapsulated Mass Timber Construction for Tall Wood Buildings sponsored by the Canadian Wood Council. Bruce Schultz is serving as the Chair of this Task Force. An overview was provided on work being done particularly ensuring the safety of occupants. There is a goal to try to write it into the code so that provinces could opt out of this additional category of construction should they wish. This is a higher priority for 2020.

It was questioned regarding fuel dispensing and that the code vaguely addresses where dispensing can't be done (e.g. delivery of fuel direct to your car). It was reported that the AMA Interpretation is clear that this is not allowed and contrary to the National and Alberta Fire Codes.

This led to a discussion regarding an individual that has been charged under the Fire Code and has resulted in charges pending while a determination as to whether his constitutional right had been violated due to the codes not being freely and readily available.

The Chief Administrator's Report will be added to the portal.

[Jess / Karch]

3.6. Council Organizational Changes

An overview was provided of Allison Karch's new role with the sub-councils as well as changes in roles of other staff members:

- Director of Operations: Tyler Wightman
- Director of Corporate Strategy and Communications: Erin Stroud
- Director of Strategic Projects: Gerry Baron
- Administrator of Accreditation: Peter Thomas
- Manager of Policy and Legislation: Vacant, being filled
- Manager of Stakeholder Relations: Vacant, being filled

The sub-council members were thanked for their participation because without them there would be no council. Members were reminded of considering submitting nominations for the Dr. Sauer Award.

4. Meeting Finalization

4.1. Review Actions to be taken

A status update was provided of the action items. It was reported that the SCO Training Costs suggestion has been passed along to the Board for consideration.

4.2 Meeting and Agenda Feedback

It was suggested that Action Items be listed ahead of Meeting Finalization on future agendas.

[Karch / Walker]

It was suggested that vacant positions also be listed on the agenda to understand which industry sectors are not currently represented.

[Karch]

4.3. 2017 Meetings

The following 2017 meeting dates were confirmed:

- Wednesday, March 15 – 1:00 pm – Edmonton (Special Code Review Meeting)
- Thursday, March 16 – 9:00 a.m. – Edmonton
- Thursday, May 11 – 9:00 a.m. – Edmonton
- Thursday, September 14 – 9:00 a.m. – Edmonton
- Thursday, November 23 – 9:00 a.m. – Edmonton

4.4. Meeting Adjournment

Eddy La Rocque moved that the meeting be adjourned; CARRIED

The meeting was adjourned at 2:55 p.m.

--- NEW ACTION ITEMS ---

2.1.1. Resignation of Ron Schaller

As this creates a vacancy of one of the Vice Chair positions, discussion regarding whether to continue with two vice chairs, and subsequent nominations, will be added to the next agenda. [Walker / Karch]

2.2. Course Validation

Members were asked if they were aware of anyone interested in becoming a course/exam validation advisor to refer them to the Manager of Training. [All]

Volunteers were requested for 6 days scheduled for examination ratification. Michael Bos, Bob Boudreau and Shaun Fairweather from Calgary volunteered. [Bos/Boudreau/Fairweather]

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CODES

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--- MOTIONS ---

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