

Improving fire prevention through code enforcement

b) the Review Board on fire

Regulations

T1 General Requirement

- (1) Any building shall be so designed, constructed and equipped that in case of fire:
 - (a) the protection of occupants or users, including persons with disabilities, is ensured and that provision is made for the safe evacuation of such occupants;
 - (b) the spread and intensity of such fire within such building and the spread to other buildings will be minimized;
 - (c) sufficient stability will be retained to ensure that such building will not collapse in the case of any multi-storey building and the structural system shall occur;
 - (d) the generation and spread of smoke will be minimized or controlled to an extent reasonably practicable; and
 - (e) adequate means of access, and equipment for detecting, fighting and extinguishing such fire, is provided.
- (2) The requirements of subregulation (1) shall be deemed to be satisfied if the construction and equipment of any building complies with SANS 10400 and any local authority is of the opinion that such compliance would meet the requirements of subregulation (1), such local authority shall, in writing, state the reasons for its opinion and may require the owner to submit a rational design prepared by an approved competent person.

T2 Offences

- (1) Any owner of any building who fails to:
 - (a) provide sufficient fire extinguishers or who installs fire extinguishers that do not comply with national standards or who fails to maintain them in accordance with the national standards

Presented by
Previn Govender
Chief Fire Officer
Breede Valley Municipality

What is “Fire Prevention”?

Understood broadly to include not only reductions in the likelihood of fire ignition but also reductions in the severity of fires that do occur. The latter is often distinguished using the label “mitigation”.

Together, prevention (defined narrowly) and mitigation correspond to the two parts of “fire risk” – likelihood and consequence – whose reduction is the intended result of code compliance and fire prevention (defined broadly).

This broad definition of “fire prevention” also means that the efforts are concerned with impact on intentional and unintentional fires.

Even if intentional fires cannot be fully prevented through inspections and other code compliance activities, any fire can be mitigated, reducing its loss to a much lower level than would otherwise be the case.

What is Code Enforcement ?

Process of ensuring compliance with all codes, ordinances, laws, and other regulations.

- Although this definition of code enforcement is accurate, in reality code enforcement is any action taken to ensure citizens comply with fire codes.
- Code enforcement can mean anything from fire inspections to speaking to a citizens' group about burning garden debris. Each of these actions helps to educate citizens about how to comply with the code.

What is “Fire Inspection”?

Means an inspection in support of any fire-related requirements appearing in a code, law or other formal and binding requirement.

It is meant to include fire-related provisions in a building code or other code that may not have “fire” in the title of the code, regardless of whether the fire department is involved in those inspections.

Fire inspections can be categorized into three types:

- 1) Inspections of **newly constructed buildings**
- 2) inspections of **existing buildings undergoing renovations**, and
- 3) inspections of **existing buildings for routine enforcement**.

Why is it needed?



FIRE
DEPARTMENT



Making Life Safer

Division: Fire Safety Inspectorate & Risk Management

Enquiries: Fire Safety Inspectorate
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Our ref: *fsm/fs/enf/*

SECOND NOTICE

ORDER TO COMPLY

Issued in Terms of Sections 24 of the Municipal Fire Safety Bylaw read with Section 1 of the Fire Brigade Service Act, Act 99 of 1987, thereby giving effect to Section 152 (1) (d) of the Constitution of the Republic of South Africa

TO THE OWNER/OCCUPIER/ AGENT/ PERSON IN CHARGE OF

TO COMPLY

Why is it needed?

- ❑ Fire is the greatest threat a community faces
- ❑ Fires devastate communities, costing millions of rands, destroying vital infrastructure, and claiming lives
- ❑ Firefighters and their fire engines can do amazing work to put out fires; **BUT** the damage to the community begins well before the Fire Department even gets the call to respond!

- ✓ **A fire prevention program is the most effective method of keeping the community safe from fires...**
- ✓ **Code enforcement is the basis for fire prevention inspections**
- ✓ **the inspection process is the very backbone of the fire prevention program**

Why is it needed?

- The main purpose of a fire related portions of code compliance inspection program is **to discover and correct conditions that pose a threat to life and property, based on legally adopted code requirements**, and to motivate owners and building managers to prevent future hazards by educating them as to the hazards and proper methods of prevention
- Code enforcement can mean anything from regulatory fire inspections to speaking to a citizens' group about burning garden debris.
- Each of these actions helps to educate citizens about how to comply with the code.....

...compliance with the code, is after all, what code enforcement is all about

How is it Performed?

CODE PARAMETERS



Meets
Prescriptive
Requirements

Meets
Performance
Requirements

Meets Goals
& Objectives
of Complete
Compliance

How is it Performed?

3 E's of Fire Prevention

3 E's of Fire Prevention

Engineering

Education

Enforcement

Who Performs it?

Currently (in South Africa) there are three predominant staffing models in Fire Departments for regulatory fire inspections:

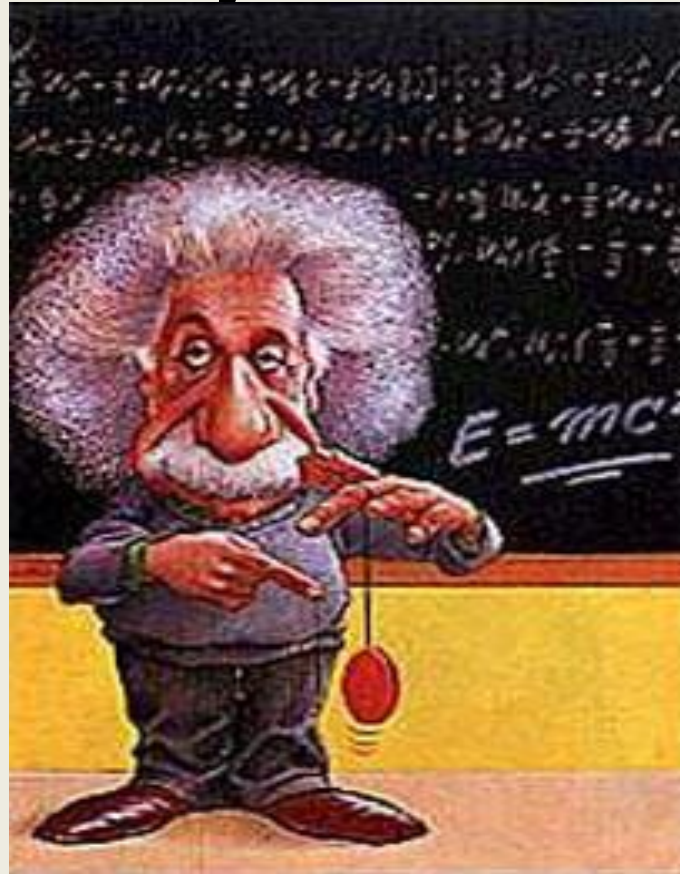
- 1. Inter-Changeability model**....Operations Officer or firefighter does fire prevention duties as a secondary function or rotates from Operations to Fire Prevention/Safety on a predetermined basis
- 2. Element Focused Specialist Model** - where a dedicated Fire Official is given the title of Fire Inspector /Fire Safety Officer with a focus on an element of fire safety speciality (plans/installations/building compliance, etc) and carries out the role of on a permanent basis
- 3. Complete Specialist Model** – where a dedicated Fire Official is given the title of Fire Inspector /Fire Safety Officer and carries out the role on a permanent basis and focuses on all elements of regulatory code enforcement.

Who Performs it?

Albeit there are many factors that decide on the model of code enforcement staffing chosen; it is important to note the three golden rules of staffing this function as it will have influence on outcomes and the end result :

- Personnel should be trained to the level of enforcement they will perform.
- Personnel should be knowledgeable about the structures and processes they will be inspecting.
- Personnel should be familiar with the legal authority and responsibilities of fire code enforcement.

The Theory of Relativity



*What we do must be relative to
what we want to achieve !!!*

Essentials 101: Relative Performance



**INTEGRATED FIRE SAFETY
&
RISK MANAGEMENT**

Key Performance Objectives

**EFFICIENT & EFFECTIVE
ADMINISTRATIVE PROCESSES &
PROCEDURES**



Essentials 101: Relative Performance

You must have a**Risk Management Plan**

- Integrated Risk Management Plan and subsequent Action Plans are designed to ensure that the Service provides resilient and robust delivery of its **Prevention, Protection and Intervention functions** and maintains the very highest standards in order to ensure the safety of both its community and its staff.



Essentials 101: Relative Performance

You must have a**Policy on Discharge of Fire Safety Duties**

Designed to contribute to the overall objectives of Fire Services delivery for the Municipality and enhances the competent and professional standing of the Fire Service; which as a Management Procedure is designed to:

- **Promote compliance with fire safety, fire protection and fire prevention laws, regulations, directives and ordinances.**
- **Promote co-operation rather confrontation.**
- **Promote risk reduction**



Essentials 101: Relative Performance

You must have a**Risk Based Inspection Programme**

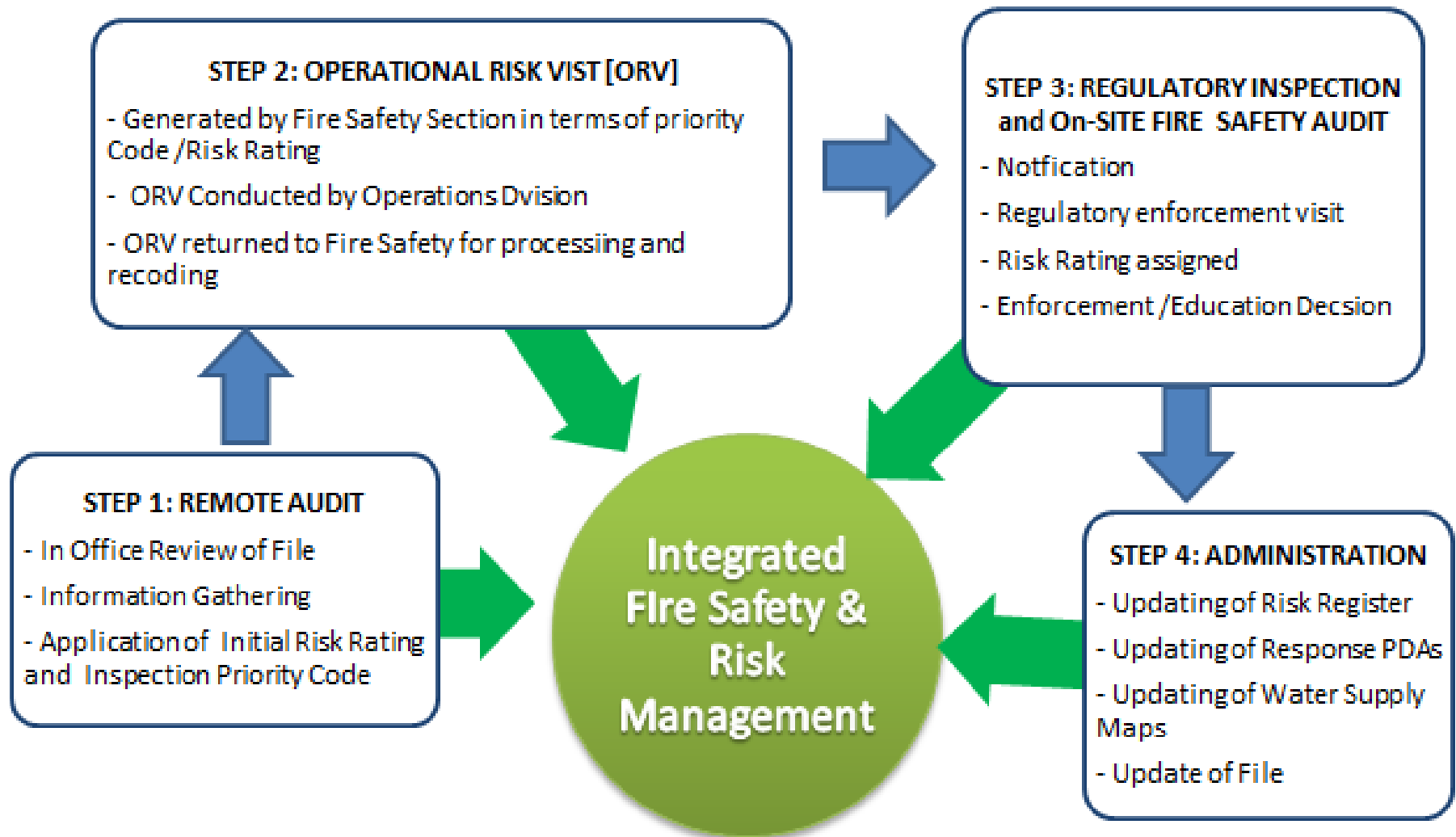
To ensure that fire safety duties are conducted in a **systematic, transparent and auditable manner** that will enable the achievement of Key Performance Objectives




How does a **Risk Based Inspection Programme** help to improve fire prevention through code enforcement?

- Assists in prioritizing inspections based on mandated requirements.
- Assists to assess the extent to which existing resources may be utilised.

How does a **Risk Based Inspection Programme** help to improve fire prevention through code enforcement?



Institutional & Residential		Residential Other		Shops & Licensed Premises		Assembly & Education		Industrial /Commercial & Storage		Other Workplaces		Office		Other Venues	
E 2	Hospital	H1	Hotels	F1	Large Shops	A 1	Entertainment & Public Assembly: <ul style="list-style-type: none"> - Public Entertainment (commercial) - Public entertainment (Occasional) - Casino 	D1	High Risk Industrial	D4	Plant Room	G1	offices	All other occupancies B3, C1	
E 1	Prisons & Places of Detention	H4	Dwelling Houses	F3	Wholesalers	A2	Theatrical & Indoor Sport <ul style="list-style-type: none"> - Cinemas - Sports Halls - Theatres - School Halls - Gymnasium 	B1	High Risk Commercial Service	I 4	Parking Garage				
E 4	Health (Medical) Care	H3	Town Houses	F2	Small Shops	A 4	Worship <ul style="list-style-type: none"> - Church - Temple - Mosque 	J1	High Risk Storage	D3	Low Risk Industrial				
E 3	Institutional Residences for impaired	H2	Dormitories			A 3	Places of instruction <ul style="list-style-type: none"> - Schools - colleges 	D2	Moderate Risk Industrial	C2	Museum, Art Gallery or Library				
		H 3	Hospitality (B&Bs)			A 5	Sports grounds	J2	Moderate Risk Storage						
PREMISES USE GROUPINGS								B2	Moderate Risk Commercial Service.						



RISK BASED INSPECTION PROGRAMME

Appendix A

Compliance Level / Risk Rating Matrix

Numerical values CL-1-CL-5 within the matrix = Compliance Level

	INSTITUTIONAL & RESIDENTIAL	RESIDENTIAL OTHER	SHOPS & LICENSED PREMISES	ASSEMBLY & EDUCATION	INDUSTRIAL, COMMERCIAL & STORAGE	OTHER WORK PLACES	OFFICE	OTHER VENUES	
RISK RATING	5 [Unacceptable Risks]	VERY HIGH							
		CL-5							
	4 [Serious Risks requiring Immediate Attention]	HIGH	VERY HIGH	VERY HIGH					
		CL-4	CL-5	CL-5					
		MEDIUM	HIGH	HIGH	VERY HIGH	VERY HIGH	VERY HIGH	VERY HIGH	VERY HIGH
	3 [Risks requiring attention]	CL-3	CL-4	CL-4	CL-5	CL-5	CL-5	CL-5	CL-5
		LOW	MEDIUM	MEDIUM	HIGH	HIGH	HIGH	HIGH	HIGH
		CL-2	CL-3	CL-3	CL-4	CL-4	CL-4	CL-4	CL-4
		VERY LOW	LOW	LOW	MEDIUM	MEDIUM	MEDIUM	MEDIUM	MEDIUM
	2 [Limited or Well Managed Risks]	CL-1	CL-2	CL-2	CL-3	CL-3	CL-3	CL-3	CL-3
		VERY LOW	VERY LOW	LOW	LOW	LOW	LOW	LOW	
		CL-1	CL-1	CL-2	CL-2	CL-2	CL-2	CL-2	
1 [no significant risks]				VERY LOW	VERY LOW	VERY LOW	VERY LOW	VERY LOW	
				CL-1	CL-1	CL-1	CL-1	CL-1	

RISK RATING	DESCRIPTION	COMPLIANCE LEVEL	DESCRIPTION	ENFORCEMENT EXPECTATION
5 UNACCEPTABLE RISK	<ul style="list-style-type: none"> High level risks that have NO control measures and place life /property at immediate risk from fire outbreak 	Compliance Level 5	<ul style="list-style-type: none"> Dangerous conditions resulting in serious risk to persons in case of fire <p style="text-align: center;">Follow Up Audit Always Required</p>	Prohibition Notice to Cease Activity
4 SERIOUS RISKS THAT REQUIRE IMMEDIATE ATTENTION	<ul style="list-style-type: none"> High level risks that are lacking in adequate control measures Medium risks that have no effective control measures 	Compliance Level 4	<ul style="list-style-type: none"> Generally workplace risk rating very high/high Serious deficiencies that require structural alterations Requirement for comprehensive major systems Poor management with numerous high/medium contraventions of fire safety legislation. Disregard for fire safety issues with bad housekeeping and no risk assessment or records of training or testing. Following a fire where greater emphasis is required to address deficiencies History of previous enforcement or informal action <p style="text-align: center;">Follow Up Audit Always Required</p>	<p style="text-align: center;">Enforcement Notice [Final Order to Comply on First Inspection]</p> <p>-OTC may range from 24 hours to 7 days</p>
3 RISKS REQUIRING ATTENTION	<ul style="list-style-type: none"> Medium level risks that are not adequately controlled High level risks that could be reduced further by technology 	Compliance Level 3	<ul style="list-style-type: none"> Generally workplace risk rating medium Numerous low level deficiencies possibly with history of other minor issues Poor management evident and inspector has lack of confidence that matters will be adequately addressed History of previous enforcement or informal action. Consider referral to Building Control if appropriate <p style="text-align: center;">Follow Up Audit Always Required</p>	<p style="text-align: center;">Enforcement Notice [1st or 2nd OTC- 14 days with possible extension]</p> <p style="text-align: center;">Notification of Fire Safety Deficiencies</p>
2 LIMITED WELL MANAGED RISK	<ul style="list-style-type: none"> Low level risks that could be reduced Risks are medium but have some level of control Risks are medium but control measures rely on human factor Risks are high but have good levels of control that 	Compliance Level 2	<ul style="list-style-type: none"> Generally workplace risk rating low Several low level deficiencies but without a previous history. Inspector has confidence in the overall management of the workplace that matters will be adequately addressed. Consider referral to Building Control if appropriate <p style="text-align: center;">Follow Up Audit Not Normally Required</p>	<p style="text-align: center;">Notification of Fire Safety Deficiencies [1st OTC – 30 days with possible extension]</p>

How does a **Policy on Discharge of Fire Safety Duties** help in better improve fire prevention through code enforcement?

- Provides Administrative Guidance
- Outlines Proactive and Reactive Approach
- Details the Assignment of Priority
- Details Initial and Subsequent Actions

How does a **Policy on Discharge of Fire Safety Duties** help in better improve fire prevention through code enforcement?

BREED VALLEY
FIRE DEPARTMENT *Helping Life Begin*

RISK BASED INSPECTION PROGRAMME

Appendix A
Compliance Level / Risk Rating Matrix

Numerical values CL-1-CL-5 within the matrix = Compliance Level

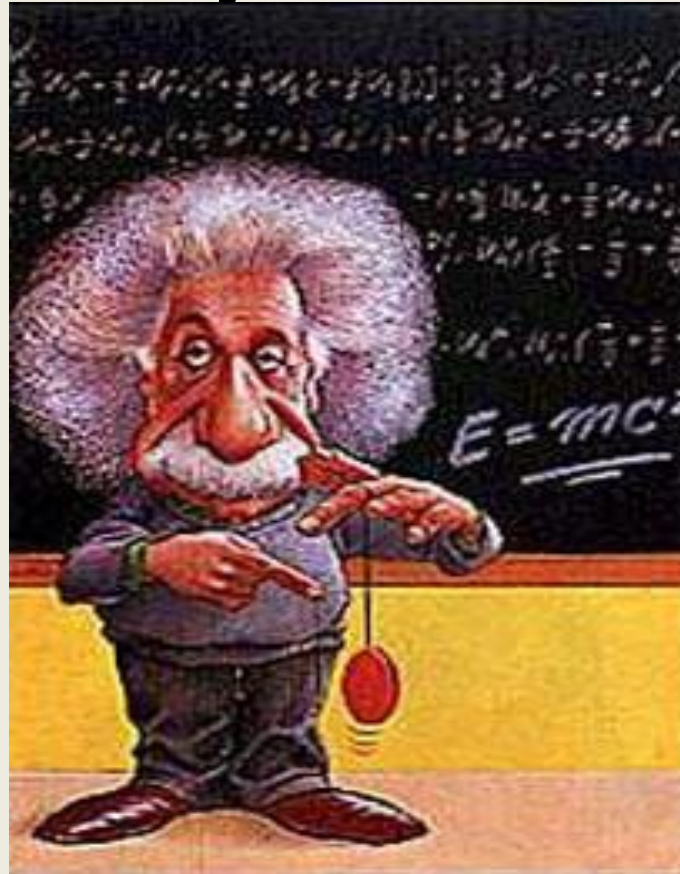
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RISK RATING 5 [Unacceptable Risks]	VERY HIGH							
	CL-5							
	HIGH	VERY HIGH	VERY HIGH					
	CL-4	CL-5	CL-5					
	MEDIUM	HIGH	HIGH	VERY HIGH	VERY HIGH	VERY HIGH	VERY HIGH	VERY HIGH
4 [Serious Risks requiring Immediate Attention]	CL-3	CL-4	CL-4	CL-5	CL-5	CL-5	CL-5	CL-5
	LOW	MEDIUM	MEDIUM	HIGH	HIGH	HIGH	HIGH	HIGH
	CL-2	CL-3	CL-3	CL-4	CL-4	CL-4	CL-4	CL-4
3 [Risks requiring attention]	VERY LOW	LOW	LOW	MEDIUM	MEDIUM	MEDIUM	MEDIUM	MEDIUM
	CL-1	CL-2	CL-2	CL-3	CL-3	CL-3	CL-3	CL-3
2 [Limited or Well Managed Risks]		VERY LOW	VERY LOW	LOW	LOW	LOW	LOW	LOW
		CL-1	CL-1	CL-2	CL-2	CL-2	CL-2	CL-2
1 [no significant risks]				VERY LOW	VERY LOW	VERY LOW	VERY LOW	VERY LOW
				CL-1	CL-1	CL-1	CL-1	CL-1

CL-5	Priority 1
CL-4	Priority 1-2
CL-3	Priority 2-3
CL-2	Priority 4
CL-1	Priority 4

P1	PRIORITY 1 :
WORK REQUIRING IMMEDIATE ATTENTION	<ul style="list-style-type: none"> • Believed dangerous conditions: Inspections in this category may arise from conditions identified by Operations Divisions, other authorities and members of the public, including anonymous complaints.
P2	PRIORITY 2 :
GENERALLY BE THAT FOR WHICH THERE IS A DIRECT LEGISLATIVE DUTY OR WHERE A TIME SCALE IS IMPOSED	<ul style="list-style-type: none"> • Prosecutions arising from contravention of legally imposed duties. • Building regulation consultation and planning application. • Enforcement Notices. • Fire Regulations: Initial inspection to exempt or follow through to the issue of a certificate. • Notice of proposed re-zoning or material alterations. • Safety at Sports Grounds: Initial inspection and statutory re-inspections of registered stands. • Occupational Safety: Initial inspection or on request from the Department of Labour. • Places of public entertainment: Initial inspection. • Premises with a risk rating indicating very high or high risk levels.
P3	PRIORITY 3:
FIRE SAFETY WORK OF THIS PRIORITY WILL GENERALLY COMPRISE OF INSPECTIONS OF SLEEPING RISKS AND OTHER LIFE RISKS INCLUDING AGENCY WORK.	<ul style="list-style-type: none"> • Hotels and boarding houses: Risk assessed inspection • Improvement notices: Follow up • Houses in multiple occupation: Initial inspection • Residential care premises: Initial inspection • Hospitals: Initial inspection • Indoor sports halls: Initial inspection • Residential schools: Initial inspection and at the request of the Department for Education • Child minders and day care: Initial inspection • Premises with a risk rating indicating a medium risk level.
P4	PRIORITY 4
FIRE SAFETY WORK OF THIS PRIORITY WILL MAINLY BE RISK ASSESSED INSPECTIONS OF LIFE RISK.	<ul style="list-style-type: none"> • Residential care premises: Risk assessed inspection • Places of public entertainment: Inspection on request • Factories, offices, shops and railway premises: Risk assessed inspection • Day schools: On request • Premises with a risk rating indicating a low risk level
P5	PRIORITY 5:
MISCELLANEOUS.	<ul style="list-style-type: none"> • Fire investigation and research • Fire safety publicity, liaison and education • Premises with a risk rating indicating a very low risk level

Table 1: Assigning Priority

The Theory of Relativity



*What we do must be relative to
what we want to achieve !!!*

...cooperation is generally more effective than confrontation.

BREED VALLEY FIRE DEPARTMENT  *Making Life Safer*

Enquiries: Fire Safety Inspectorate
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Email: firesafety@bvm.gov.za

Division: Fire Safety Inspectorate & Risk Management

Our ref: bvm/ps/est/

ORDER TO COMPLY SECOND NOTICE

BREED VALLEY FIRE DEPARTMENT  *Making Life Safer*

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ORDER TO COMPLY FIRST NOTICE

Sections 24 of the Municipal Fire Safety Bylaw read with Section 1 of the Fire Brigade Service Act, Act 99 of 1987, thereby giving effect to Section 152 (1) (d) of the Constitution of the Republic of South Africa

TO THE OWNER/OCCUPIER/ AGENT/ PERSON IN CHARGE OF

PROPERTY OR COMPANY NAME

At Street Address

In the Suburb of

Situated in the Town of

Code

YOU ARE HEREBY OF INFORMED OF THE FOLLOWING CONTRAVENTION/S

Ref:	
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YOU ARE HEREBY OF INFORMED OF THE FOLLOWING CONTRAVENTION/S

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You are hereby ordered in terms of the Municipal By-Laws relating to Fire Safety read with Section 1 of the Fire Brigade Services Act, Act 99 of 1987; to immediately rectify the non-compliance; or submit written proof to the Breede Valley Fire Department, either of which before the Rectification Period stated herein.

Rectification Period
7 days
14 days
30 days

PLEASE NOTE THE FOLLOWING:

Failure to comply with this Order will make you guilty of an offence and liable to a fine or prosecution in terms of the Criminal Procedures Act, Act 51 of 1977; and/or an instruction to immediately cease any activity that gives cause to this Order to Comply should it be determined that no compliance will be forthcoming; it is further informed that an instruction to remove any immediate threat to the safety of any person or property that gives cause to this Order to Comply may also be issued.

Name of Issuing Official: _____ Date of Issue: _____

Sections 24 of the Municipal Fire Safety Bylaw read with Section 1 of the Fire Brigade Service Act, Act 99 of 1987, thereby giving effect to Section 152 (1) (d) of the Constitution of the Republic of South Africa

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Name of Issuing Official: _____ Date of Issue: _____

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ORDER TO COMPLY FINAL NOTICE

Sections 24 of the Municipal Fire Safety Bylaw read with Section 1 of the Fire Brigade Service Act, Act 99 of 1987, thereby giving effect to Section 152 (1) (d) of the Constitution of the Republic of South Africa

TO THE OWNER/OCCUPIER/ AGENT/ PERSON IN CHARGE OF

PROPERTY OR COMPANY NAME

At Street Address

In the Suburb of

Situated in the Town of

Code

YOU ARE HEREBY OF INFORMED OF THE FOLLOWING CONTRAVENTION/S

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Name of Issuing Official: _____ Date of Issue: _____

Risk Reduction starts with Awareness

Awareness triggers understanding...

...Understanding prompts realisation

...Realisation generates reduction

Improving fire prevention through code enforcement

Summary

Fire Prevention not only promotes reductions in the likelihood of fire ignition but also reductions in the severity of fires that do occur.

Code Compliance is the process of ensuring compliance with all codes, ordinances, laws, and other regulations

Fire Inspection means an inspection in support of any fire-related requirements appearing in a code, law or other formal and binding requirement

Improved Fire Prevention requires a systematic approach to Fire Inspections that are Risk Driven.

Improved Code Compliance requires meaningful code enforcement that is Risk Driven

**“Everything should be made
as simple as possible,
but not simpler.”**

- Albert Einstein



Thank You