

Application – Alberta Fire Code

ISSUE:

Some confusion has arisen with regard to the edition of the Alberta Building Code that is required to be referenced when fire officials or fire protection industry personnel inspect, maintain, or propose upgrading of existing installations or equipment.

BACKGROUND:

During the review and subsequent publication of the Alberta Fire Code 2006 it was considered appropriate to remove a number of references which directed an individual to Division C, Part 2, Subsection 2.1.1., Article 2.1.1.1. regarding the application of the AFC 2006. This removal was deemed to be appropriate with consideration to the number of trained fire officials and fire protection industry personnel utilizing the AFC in their day-to-day activities; however, in hindsight, this change may have been premature.

A further item that may lead to some confusion is the direct reference to the Alberta Building Code 2006 in the AFC 06 (as opposed to just the ABC, with no edition number, as in previous codes). For buildings constructed under previous versions of the ABC the ABC 06 reference may not be the appropriate edition as it relates to existing buildings or fire protection measures.

Sentence (2) of Article 2.1.1.1. states in a nutshell that any building or fire protection measure constructed after April 1, 1974 that conformed to the requirements of building regulations at the time of construction is deemed to meet the requirements of the AFC and therefore may be in compliance with the AFC 2006.

BACKGROUND HISTORY:

The first Alberta Fire Code in 1984 contained numerous section preambles that stated “Except as permitted in Section 6, ...”

The Alberta Fire Code 1992 continued the practice by the insertion of “Except as provided in Article 1.1.1.4., ...”

The Alberta Fire Code 1997 continued by the inclusion of “Except as provided in Article 1.1.2.3., ...”

All of the above preambles to numerous requirements of the AFC directed individuals to the relevant section which in essence stated the correct application information.

CODE REQUIREMENTS:¹**Section 2.1. Application****2.1.1. Application****2.1.1.1. Application**

- 1) Except as permitted by Sentences (2) and (3), this Part applies to all *buildings* and facilities covered in this Code. (See Article 1.1.1.1. of Division A.)
- 2) Where a provision of this Code requires compliance with one or more requirements of the Alberta Building Code, the provision is deemed to be satisfied if
 - a) the *building* or fire protection measure was constructed or installed after April 1, 1974, and conforms with regulations in force under the Uniform Building Standards Act or the Safety Codes Act at the time of construction or installation, or
 - b) the *building* or fire protection measure does not conform to Clause (a) but
 - i) meets the requirements of an *approved* guideline issued for a specific *occupancy*, or
 - ii) where no *approved* guideline has been issued, the *building* or fire protection measure is constructed or installed in a manner that provides a level of life safety which is acceptable to the *authority having jurisdiction*.

(See Appendix A.)

A-2.1.1.1.(2) The intent of this provision is to identify areas within the Code where existing conditions are permitted to remain. A building or fire protection measure constructed or installed in compliance with previous editions of the Alberta Building Code is deemed to be in compliance with this Code. Furthermore if an approved guideline has been issued for a specific occupancy and the building has been upgraded to the guideline, the building is deemed to meet the requirements of this Code. An example of an approved guideline is 92-FCR-012, "Approved Fire Safety Guideline for Apartment Buildings," issued under the Alberta Fire Code 1992.

The Alberta Fire Code 2006 provides direction where compliance with the Alberta Building Code 2006 is required. Similar provision is not made for issues outside the scope of the Alberta Building Code. In these situations the authority having jurisdiction is called upon to use discretion and good judgment in making a case by case assessment of whether the safety objectives of the Alberta Fire Code 2006 are being met.

INTENT:

As indicated in the first paragraph of the above appendix reference to Div C, Sentence 2.1.1.1.(2), a building or fire protection measure constructed or installed in compliance with previous editions of the Alberta Building Code may be deemed to be in compliance with the Alberta Fire Code 2006.

It should be noted that situations may arise where compliance with the relevant edition of the ABC was not achieved or extensive alterations have been undertaken without notification to, or oversight by, building or fire officials that may warrant compliance with newer or more appropriate documents.

It should also be made clear that a number of documents released in the past by both provincial building and fire officials provided exemptions to the installation of fire protection measures under specific conditions.

¹ All references are to the Alberta Fire Code, Division C, unless otherwise stated

Example # 1:

One example of such an exemption relates to a building Standata 97-IB-006, "Paint Spray Operations," that provided an exception to the installation of an automatic fire suppression system in spray areas if spray paint application was restricted to paint spray booths designed by a professional engineer constructed in compliance with NFPA 33, "Spray Application Using Flammable or Combustible Materials" (1995 Edition). In addition, other individuals could approve pre-engineered booths. The above Standata has not been re-issued however many such installations installed from April 1999 to September 2007 exist within the province which meet the criteria outlined in the document.

Example # 2:

A second example relates to the audibility, placement, and inspection of fire alarm system devices in hallways and residential suites. Fire alarm systems installed in accordance with relevant codes and their referenced standards can only be inspected and tested to such standards and although not meeting today's requirements, particularly with regard to the audibility of alarms in suites, recommendations for improvements can only be encouraged and suggested and may not have any legal standing if more vigorous enforcement is contemplated. It should be noted that this may not be the case if the fire alarm system has, or is, being upgraded or replaced.

Example # 3:

A third example regarding the latest edition of NFPA 10, "Portable Fire Extinguishers" epitomises how the disregard of Code referenced standards can lead to unnecessary expense being incurred. The 2007 edition requires pre October 1984 dry chemical stored-pressure extinguishers to be removed from service at their next 6-year maintenance interval. As the AFC 2006 references the 2002 edition and no such requirement exists in the 2002 edition this extinguisher replacement is not considered appropriate. It should also be noted that the 2010 National Fire Code of Canada, on which our next Code will be based, references the 2007 Edition of NFPA 10, however it particularly exempts the above replacement requirement.

The following links may provide additional Standata information:

http://www.municipalaffairs.gov.ab.ca/cp_building_standata.cfm

http://www.municipalaffairs.gov.ab.ca/cp_fire_standata.cfm

CONCLUSION:

Before any enforcement, or request to remedy proceeds, by either fire officials or fire protection industry personnel, extensive research may have to be undertaken by the safety codes officer service provider, or owner to determine if the facility or fire protection measure did, at the time of installation or construction, meet the requirements of the appropriate code or referenced documents. The facility owner, authority having jurisdiction, or municipality should have documentation to support compliance with relevant documents.

Additionally this does not relieve or exempt any individual, facility or fire protection measure that is deemed by the authority having jurisdiction to be ineffective or inappropriate if such facility or fire protection measure continues to be problematic to enforcement personnel.

A number of the above issues will be under consideration during public review of the next Alberta Fire Code, however, it is deemed appropriate to provide the above information due to the number of concerns being raised and brought to our attention on this matter.