

INSPECTION ORDER

Made under section 21(1)(g) of the *Fire Protection and Prevention Act, 1997*

Hamilton Fire Department

Inspection Order Number: 4153

Hamilton Fire Department
Fire Prevention Division
55 King William Street
Hamilton, ON L8R 1A2
Phone: 905-546-2424 ext. 7772
Email: adriano.bartolotta@hamilton.ca



This Order is issued to: CITY OF HAMILTON

On August 22nd, 2024, I, A. Bartolotta, an Inspector under section 19(1) of the *Fire Protection and Prevention Act, 1997* inspected the following property Owned by you:

Property Location: 330 Wentworth St N
City Of Hamilton

Based on this inspection:

Measures necessary to ensure fire safety at this property are ordered under section 21(1)(g) of the *Fire Protection and Prevention Act, 1997*.

The reasons for this Order and the action required by this Order are set out on the following pages. You must complete the action required by this Order by: **September 30th, 2024**

The municipal building department should be contacted to determine if a building permit is required before starting any work. Under section 22(2) of the *Fire Protection and Prevention Act, 1997*, repairs, alterations or installations carried out in compliance with this Order, will be deemed not to contravene the Building Code established under the *Building Code Act, 1992*.

Other information, including information about the right to request a review of this Order by any person who considers themselves aggrieved by this Order, is also provided.

Signed,

A handwritten signature in black ink that reads "Adriano Bartolotta". The signature is written in a cursive, flowing style.

A. Bartolotta, Fire Inspector
Inspector under section 19(1) of the *Fire Protection and Prevention Act, 1997*

A copy of this Order is provided to the Chief Building Official as required by section 22(3) of the *Fire Protection and Prevention Act, 1997*, for Orders requiring repairs, alterations or installations to a building, structure or premises.

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PROPERTY DESCRIPTION:

This property contains a 2-storey building built of non-combustible construction. This building is equipped with a wet sprinkler system and a dry sprinkler system. This building is also equipped with fire alarm system, portable fire extinguishers, and an emergency power generator which power all emergency lights and exit signs throughout the building.

Reasons for Order and Action Required:

Item #	Reason and Action
1	<p>Fire Code Reference: Division B 6.7.1.1.(1) Except as provided in Sentence (2), and Articles 6.7.1.2. to 6.7.1.5., emergency power systems shall be inspected, tested and maintained in conformance with CSA-C282, "Emergency Electrical Power Supply for Buildings". Division B 1.1.1.2.(3) Any appliance, device or component of a device that does not operate or appear to operate as intended when checked, inspected or tested as required by this Code shall be repaired or replaced if the failure or malfunctioning of the appliance, device or component would adversely affect fire or life safety.</p> <p>Reasons: At the time of inspection, test records for this buildings Emergency Power Generator were not available for review and there was no evidence showing this testing has been completed.</p> <p>Action Required: Inspect, test and maintain the building's emergency power system in conformance with CSA C282-09, "Emergency Electrical Power Supply for Buildings". Tests are to be done now and hereafter as specified in the above noted regulation.</p> <p>Any deficiencies noted as a result of the check, inspection or test as required above shall be corrected to ensure the appliance, system or device operates as intended. When a test, corrective measure or operational procedure is conducted, a written record shall be prepared noting what was done and the date and time it was done.</p> <p>Refer to Item 2, for details on retaining written test records.</p>
2	<p>Fire Code Reference: Division B 1.1.2.1.(1) If this Code requires tests and corrective measures or operational procedures to be carried out, records shall be made noting what was done and the date and time it was done. Division B 1.1.2.1.(2) If this Code requires an inspection to be conducted in a supported group living residence or an intensive support residence regulated under the Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008, a written record shall be made noting what was inspected and the date and time of the inspection. Division B 1.1.2.1.(3)</p>

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The written records described in Sentences (1) and (2) shall be retained at the building premises for examination by the Chief Fire Official.

Division B 1.1.2.2.(1)

Subject to Sentence (2), the original or a copy of any record required by this Code shall be retained at the building to which the record relates

(a) for a period of at least two years after being prepared, and

(b) so that at least the most recent and the immediately preceding record of a given test or inspection are retained.

Reasons:

At the time of inspection, test records for this buildings Emergency Power Generator were not available for review.

Action Required:

a) Keep a written record available of tests required as referenced in Items 1. These records are to include corrective measures taken and are to be kept for a period of two (2) years after they are made:

i) Written records shall be retained so that the most recent and the immediately preceding records are available.

b) The original or a copy of these test records is to be retained at the building for examination by the Chief Fire Official.

NOTE: A failure to conduct and keep records on site of the weekly, monthly and yearly testing of your building's life safety equipment/systems, presently and in the future, will result in an immediate charge for failing to comply with O.Reg. 213/07, as amended. Contact the Inspector who issued the Order to make arrangements for inspection of the test records.

If work is not completed on the date(s) specified requiring a further re-inspection(s), each additional re-inspection(s) would be subject to a fee in accordance with City of Hamilton By-law 02-284, "By-law to Establish Fees for Fire Prevention and Suppression Services". The cost of this re-inspection is subject to change. For details on current fees please contact Hamilton Fire Prevention at 905-546-2424 ext. 1380.

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COMPLIANCE WITH ORDER:

The owner and/or occupant named on page 1 of this Order is responsible for compliance with this Order.

Under section 30 of the *Fire Protection and Prevention Act, 1997*, a person who fails to comply with an Order is guilty of an offence and, on conviction, is subject to a fine of up to \$20,000 for each day during which the non-compliance continues. A conviction or payment of the fine does not relieve the person from complying with the Order.

Compliance with this Order does not relieve the owner and/or occupant from compliance with other Fire Code requirements not referenced in this Order or with other applicable law such as the *Building Code Act, 1992* or the *Planning Act*.

Service Information:

Served by: A. Bartolotta

Signature:



This Order is served to each owner and/or occupant named on page 1 of this Order.

Service to Owner and/or Occupant Named in Order:

CITY OF HAMILTON

Date: August 28th, 2024

Owner Occupant

Manner of service: 71 Main St W, PO BOX 2040 STN LCD 1, Hamilton, ON L8N 0A3

Personal

Regular letter mail

Email

Fax

Other

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A copy of this Order is also served to other owners and/or occupants that are not named on page 1 of this Order. Only those named on page 1 are responsible for compliance with this Order.

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ADDITIONAL PERSONS SERVED:

A copy of this Order may be served to additional persons.

Service to:

City Clerk

Date: August 28th, 2024

Director/Officer of Corporation Other [REDACTED]

Manner of service: 71 Main Street West, 1st Floor Hamilton, ON L8P 4Y5

Personal Regular letter mail Email Fax Other [REDACTED]

Service to:

Brad Skingley

Date: August 28th, 2024

Director/Officer of Corporation Other [REDACTED]

Manner of service: brad.skingley@hamilton.ca

Personal Regular letter mail Email Fax Other [REDACTED]

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RIGHT TO REQUEST A REVIEW OF THIS ORDER:

Any person who is aggrieved by this Order may make a request to the Fire Marshal for a review of the Order. For more information, see Part VI of the *Fire Protection and Prevention Act, 1997*.

Important Information:

- A request to the Fire Marshal for a review of this Order must be made in writing and received by the Fire Marshal within **15 calendar days** after the Order is served.
- If you miss this deadline or if you need more time to make this request, you may apply to the Fire Marshal for an extension. Your application for an extension must be received by the Fire Marshal within **30 calendar days** after the Order is served. You must provide reasons why you need more time to request a review of this Order.
- You are not required to comply with this Order while it is under review by the Fire Marshal until a decision is issued, however, there may be exceptions where necessary for public safety.
- Following a review of this Order, the Fire Marshal may confirm, amend or rescind the Order, or may make a new Order. The Fire Marshal may also refuse to consider your request and refer the matter directly to the Fire Safety Commission. The Fire Marshal is not required to hold a hearing when conducting a review.

Instructions:

- A request to the Fire Marshal for a review of an Order, or an application to extend the time for requesting a review, may be made online at:
www.ontario.ca/firemarshal
 - Select 'Orders / Fire Marshal Reviews'.
 - Complete the online application form and upload a copy of the Order as an attachment.
- Alternatively, these requests may be made by either email, fax, or mail at:
 - Email: OFMEMReviews@ontario.ca
 - Fax: 416-628-3739
 - Mail: Fire Marshal – REVIEWS
Office of the Fire Marshal and Emergency Management
25 Morton Shulman Avenue, 2nd Floor, Toronto, ON M3M 0B1
 - Contact the Office of the Fire Marshal and Emergency Management at 647-329-1100 to obtain a copy of the "Application for a Fire Marshal Review of an Order" form.
 - Complete and submit the form together with a full copy of the Order.