

Building Standards Advisory

Promoting construction of safe, healthy, habitable buildings

Fire Sprinkler Requirements in Alternative Family Care Homes

Question

What are the requirements for fire sprinklers in alternative family care homes (AFCH) in Saskatchewan?

Answer

Saskatchewan requires that fire sprinklers be installed in AFCH when either:

- the home provides care to more than five occupants-in-care and one or more of those occupants-in-care is not capable of self-preservation;
- the home is licensed as a personal care home and provides care to more than five occupants-in-care regardless of their ability to self-preserve; or
- any facility with more than ten total occupants.

Background

The Uniform Building and Accessibility Standards Act (the UBAS Act) establishes the framework under which Saskatchewan can develop, adopt and implement minimum standards for the construction of safe, healthy, habitable *buildings*.

Saskatchewan amends the National Building Code of Canada 2010 (NBC 2010) as the minimum standard and applies it to new construction, renovation of existing *buildings* and *buildings* which have a change in *major occupancy*. The minimum standards for AFCH are found in the Saskatchewan amendments to the NBC 2010.

The following definitions apply to AFCH:

Alternative family care home means a *dwelling unit* used as a single housekeeping unit where *care* is provided to the residents,

- that provides sleeping accommodation for not more than 10 occupants, and
- that is in a *building* where:

- the occupancy of the *building* is either *residential occupancy* or *care occupancy*, and
- there is not more than one other *dwelling unit*.

Capable of self-preservation means that a person is capable of recognizing and responding to an emergency given his or her physical, cognitive and behavioural abilities, and is able to arise and walk, or transfer from a bed or chair to a means of mobility, and leave the *building* or move to a safe location on his or her own without the assistance of another person.

Compliance with *The Uniform Building and Accessibility Standards Act*, regulations and the National Building Code of Canada 2010 is addressed in this advisory. Words in italics, other than Act titles, are defined in the NBC 2010.

AFCH includes, Approved Private Service Homes, Approved Mental Health Homes, Small Personal Care Homes, and others. A complete list of homes included in AFCH provisions can be found in *The Uniform Building and Accessibility Standards Regulations* found at www.qp.gov.sk.ca.

Following adoption of the NBC 2010 government heard from a number of AFCH operators that the fire sprinkler requirements were too onerous. The original amendments to the NBC 2010 required that all AFCH with any single occupant-in-care not capable of self-preservation would require fire sprinklers.

Fire Sprinkler Requirements in Alternative Family Care Homes

Government put a moratorium on fire sprinkler requirements until March 31, 2019 and instructed officials to examine the obligations of the NBC 2010 and the challenges of the AFCH sector.

In response to the concerns heard from the AFCH sector the ministries of Government Relations, Health and Social Service invited fire service representatives and AFCH operators, with five or fewer occupants-in-care to participate in a review concerning the building and fire safety standards that apply to AFCH. That review was to find a balanced approach to fire safety in AFCH.

Regulatory Change

As a result of that review, a regulatory amendment modifying the NBC 2010 was made and is in effect as of September 1, 2016. AFCHs with five or fewer occupants-in-care will no longer be required to install fire sprinkler systems in their homes. Instead, new policy for AFCH, applicable under licensing or approval requirements for AFCH, will require fire safety measures that focus primarily on fire prevention. The new regulation amends the NBC 2010 as follows:

Article 3.1.2.5. of Division B is repealed and the following substituted:

- 1) Alternative family care homes** with 5 or fewer occupants-in-care and 10 or fewer total occupants are permitted to be classified as *residential occupancies* within the application of Part 9, but only if:
- a) interconnected *smoke alarms* are installed in accordance with Article 9.10.19.3.,
 - b) carbon monoxide alarms are installed in accordance with Article 9.32.3.9., and
 - c) emergency lighting is provided in accordance with Subsection 3.2.7.

- 2) Alternative family care homes** with 6 or more occupants-in-care and 10 or fewer total occupants are permitted to be classified as *residential occupancies*

within the application of Part 3, but only if:

- a) interconnected *smoke alarms* are installed in accordance with Article 9.10.19.3.,
- b) carbon monoxide alarms are installed in accordance with Article 9.32.3.9., c) emergency lighting is provided in accordance with Subsection 3.2.7., and
- d) either:
 - i) the occupants are *capable of self-preservation*, or
 - ii) the *building* is *sprinklered* throughout.

In simple application this provision applies to a house form, or other small *building* that contains not more than two *dwelling units*.

Municipal Authority

Operators of AFCH are advised to ensure they are compliant with local, municipal bylaws which may include fire safety standards in addition to the standards adopted by the Province.

Municipalities, in their role of local authority have powers under The UBAS Act and *The Fire Safety Act* to set standards higher than those set by the province.

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Building Standards Advisory
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July 2016

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This advisory is published by the Saskatchewan Ministry of Government Relation for purposes of providing information to users on the topic contained herein. In case of conflict between *The Uniform Building and Accessibility Standards Act* (the UBAS Act) and regulations, the National Building Code of Canada 2010 (NBC 2010) and this advisory, provision of the UBAS Act and , regulations and the NBC 2010 shall apply.