

## Memo

To: Building and fire code users

From: Frederick G. Hollett, Fire Commissioner

Date: January 18, 2007

Re: Notice of adoption of building and fire codes;

National Building Code of Canada, 2005 edition  
National Fire Code of Canada, 2005 edition  
National Fire Protection Association 101, Life Safety Code, 2006 edition

Pursuant to *Consolidated Newfoundland and Labrador Regulation 9/96, Fire Prevention Regulations<sup>i</sup>* under the *Fire Prevention Act, 1991<sup>ii</sup>*, please be advised that the following codes have been adopted:

1. the National Building Code of Canada<sup>iii</sup>, 2005 edition, except;
  - a. Part 9 where relative to one and two family dwellings within Group C
  - b. Means of egress, which shall comply with the NFPA 101, Life Safety Code
2. the National Fire Code of Canada<sup>iv</sup>, 2005 edition
3. the National Fire Protection Association, 101, Life Safety Code, 2006 edition<sup>v</sup>

Effective April 1, 2007 all submissions for the plan review process should meet the requirements of the Newfoundland Labrador Fire and Life Safety Guidance Document<sup>vi</sup>.

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<sup>i</sup> Queen's Printer, St. John's, Newfoundland and Labrador, Canada

<sup>ii</sup> Queen's Printer, St. John's, Newfoundland and Labrador, Canada

<sup>iii</sup> Canadian Commission on Building and Fire Codes (National Research Council of Canada), Ottawa, Ontario, K1A 0R6

<sup>iv</sup> Canadian Commission on Building and Fire Codes (National Research Council of Canada), Ottawa, Ontario, K1A 0R6

<sup>v</sup> National Fire Protection Association, 1 Batterymarch Park, Quincy, MA, 02169-7471

<sup>vi</sup> Office of the Fire Commissioner, 50 Parade Street, St. John's, Newfoundland and Labrador

To: Users of the NBCC/NFCC/LSC

Fr: Frederick G. Hollett, Fire Commissioner

Date: January 18, 2007

Re: Newfoundland and Labrador Fire and Life Safety Guidance Document

As you are aware NL Regulation 9/96 has adopted various codes including the NBCC 2005, NFCC 2005, and LSC 2006.

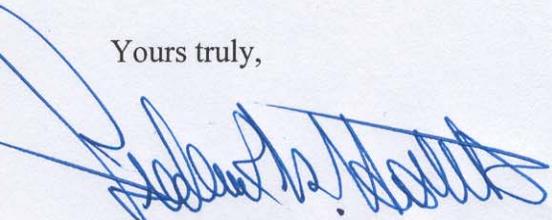
The regulation denotes the applications of the adopted codes. From time to time, we have encountered conflicts between the codes and in particular as it relates to existing construction.

To address the conflicts encountered and to provide clarification for the use and application of the currently adopted codes we have created the Newfoundland and Labrador Fire and Life Safety Guidance Document.

Effective January 17, 2007, I have adopted the guidance document for application in this province.

Effective April 1, 2007, all development construction, and renovation submitted for plan approval shall meet the requirement of the Newfoundland and Labrador Fire and Life Safety Guidance Document.

Yours truly,

  
Frederick G. Hollett  
Fire Commissioner

# **Office of the Fire Commissioner**

## **Newfoundland and Labrador Fire and Life Safety Guidance Document**

## Preface

The Office of the Fire Commissioner (OFC) has adopted, by way of Consolidated Newfoundland and Labrador Regulation 9/96, the *National Building Code of Canada (NBCC)*, *National Fire Code of Canada (NFCC)*, and National Fire Protection Association (NFPA) 101, *Life Safety Code (LSC)*.

The adoption of *NBCC* was intended to ensure compliance with fire and life safety requirements in new construction. The use and occupancy of *existing buildings/structures*, and process would be controlled with the application of the *NFCC* and NFPA 101, *LSC*. The NFPA 101, *LSC* addresses many items that the *NFCC* is silent on regarding use and occupancy. CNLR 9/96 provides a means to resolve conflicts between *NBCC* and *LSC* as it relates to new construction. However the same could not be said for existing construction.

In April of 2005, OFC sponsored a three day seminar conducted by NFPA on the use and application of the *LSC*. During the seminar Fire Commissioner Hollett committed to finding a means to resolve the conflicts between the codes. In late April Fire Commissioner Hollett approached a number of Government Departments seeking representatives to serve on a working group.

Dept. of Education  
Dept. of Government Services  
Dept. of Transportation & Works

The mandate of the working group was;

Maintain adoption of all existing codes.  
Provide a working document addressing fire and life safety concerns of the province.  
Draft document with stakeholder input.  
Administrative process for conflict resolution.  
Final document to serve as fire and life safety code for the Province of NL.

Working group started in May 2005 and examined many formats to meet the mandate;

Most restrictive code – least restrictive code.  
Dropping either *NFCC* or *LSC*, PEI example.  
Developing NL Code using Florida model.  
Develop working document to clarify the use and application of the current adopted codes.

After much consideration and consultation the working group agreed that we would develop a working document to clarify the use and application of the currently adopted codes. Final document will be a Guidance Document adopted by the Fire Commissioner.

## NBCC/LSC Working Group Members

Ingrid Clarke, P.Eng.  
Dept. of Education

Michelle Craig, P. Eng.  
Dept. Government Services

Dave G. Dewling, MNAA  
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# 1. Definitions / Abbreviations

## 1.1 Non-defined Terms

Definitions of words and phrases used in this guidance document that are not included in the list of definitions in this Part, shall have the meanings which are commonly assigned to them in the context in which they are used in this guidance document, taking into account the specialized use of terms with the various trades and professions to which the terminology applies.

**1.2 Definitions.** The following words and terms in italics in this guidance document have the following meanings:

***Addition*** - means an increase in building area, aggregate floor area, height, or number of stories of a structure.

***Authority Having Jurisdiction (AHJ)*** – The government body responsible for the enforcement of any part of the referenced *Code(s)* or the official or agency designated by that body to exercise such a function.

***Change of Use*** - means a change in the purpose or level of activity within a structure that involves a change in application of the requirements of the Act and Regulations, and *Codes*.

***Change of Occupancy Classification*** - means a change in the occupancy classification of a structure or portion of a structure.

***Code*** – The *Codes* referenced in this guidance document are the applicable *Codes* that have been adopted by the *AHJ*.

***Existing building / structure*** – Building/structure approved for occupancy by the *AHJ* or building/structure currently occupied.

***Historic Building*** - means a building or facility deemed to have historical, architectural, or cultural significance by a local, regional, or national authority.

***Modification*** - means the reconfiguration of any space, the addition or elimination of any door or window; the addition or elimination of load-bearing elements; the reconfiguration or extension of any system, or the installation of any additional equipment.

***New construction*** – Building / structure under construction and/or not approved for occupancy by the *AHJ*.

**Reconstruction** – means the reconfiguration of a space that affects an exit, or a corridor shared by more than a single tenant; or reconfiguration of space such that the *rehabilitation* work area is not permitted to be occupied because existing means of egress and fire protection systems, or their equivalent, are not in place or continuously maintained.

**Rehabilitation** – means any work on an *existing building* and shall be classified as one of the following work categories: *repair, renovation, modification, reconstruction, change of use or occupancy, or addition.*

**Renovation** - means the replacement in kind or strengthening of load bearing elements; or the refinishing, replacement, bracing, strengthening, or upgrading of existing materials, elements, equipment or fixtures, without involving the reconfiguration of spaces.

**Repair** - means the patching, restoration, or painting of materials, elements, equipment, or fixtures for the purpose of maintaining such materials, elements, equipment or fixtures in good or sound condition.

**Reserved** - No Provincial requirements at this time.

### 1.3. Abbreviations

AHJ	Authority Having Jurisdiction
LSC	NFPA 101 <i>LSC</i>
NBCC	<i>National Building Code of Canada</i>
NFCC	<i>National Fire Code of Canada</i>
NFPA	National Fire Protection Association
NLFLSGD	Newfoundland and Labrador Fire and Life Safety Guidance Document

### 1.4. References

Canadian Commission on Building and Fire Codes (National Research Council of Canada), Ottawa, Ontario, K1A 0R6;

*National Building Code of Canada*, as adopted  
*National Fire Code of Canada*, as adopted

National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9101;

*NFPA 101, LSC*, as adopted  
*NFPA 914, Code for Fire Protection of Historic Structures*

Government of Newfoundland and Labrador, P.O. Box 8700, St. John's, NL, A1B 4J6;  
Department of Municipal Affairs, Newfoundland and Labrador Provincial Land Use Policy Flood Risk Areas.

City of St. John's, Division of Building and Property Management, 15 New Gower Street, St. John's, NL, A1C 5M2;  
Fire Safety Alternatives for Heritage Buildings in Downtown St. John's, NL.

## **2. Administration**

### **2.1 Purpose**

2.1.1. The purpose of this guidance document is to provide clarification on the application and use of the various fire and life safety codes that have been adopted by the Province of Newfoundland and Labrador under the Fire Prevention Act, 1991.

2.1.2. The Province has adopted under the authority of the Fire Prevention Act, 1991, Consolidated Newfoundland and Labrador Regulation (CNLR) 9/96 and may be cited as the Fire Prevention Regulations, see appendix A.

2.1.3. In short, Regulation (CNLR) 9/96, Fire Prevention Regulation adopts the following codes:  
*National Building Code of Canada (NBCC)*;  
*National Fire Code of Canada (NFCC)*;  
National Fire Protection Association (NFPA) 101 – *Life Safety Code (LSC)*;  
Installation Code for Propane Burning Appliances and Equipment;  
Installation Code for Oil Burning Equipment;  
Installation Code for Solid Fuel Burning Appliances and Equipment.

2.1.4. This guidance document will provide clarification as to the appropriate codes and sections/chapters that shall be used for the design/construction/operation of new structures and as well as the relevant codes and sections/chapters that shall be used for the use and operation of *existing* structures.

2.1.5. This guidance document will also identify the procedures that owner(s) and/or developer(s) shall follow in the *repair, renovation, modification, reconstruction, change of use* or *change of occupancy classification*, and *addition* to *existing* structures including *historic buildings*.

### **2.2. Building Rehabilitation**

#### **2.2.1 Intent.**

2.2.1.1. The intent of this Section is to permit *repairs, renovations, modifications, reconstructions, additions, and changes of use* that maintain or improve the health, safety, and welfare of occupants in *existing* buildings, without requiring full compliance with the other Act and Regulations, and *Codes* except for proportional additional work as specified in this document and the *LSC*.

2.2.1.2. Nothing in Section 5 shall be interpreted as requiring the *repair, renovation, modification* or *reconstruction* of *existing* buildings.

2.2.1.3. All work shall be classified into categories for *repair, renovation, modification, reconstruction, change of use*, and *addition*, with specific requirements established for each category as per the *LSC*.

## **2.2.2. Compliance.**

2.2.2.1. Existing life safety features obvious to the public, if not required by the *Codes*, shall be either maintained or removed.

2.2.2.2. The provisions of this document shall not supersede any codes or ordinances that address dangerous or unsafe buildings.

2.2.2.3. Buildings and structures located in whole or in part in a floodway or floodway fringe shall conform to the *Newfoundland and Labrador Provincial Land Use Policy Flood Risk Areas*.

2.2.2.4. Structural Requirements. The minimum design loads for the structure shall be the loads applicable at the time the building was constructed, provided that no structurally deficient condition is created. Structural elements that are uncovered during the course of the building *rehabilitation*, that are found to be unsound or structurally deficient shall comply with the load requirements of *NBCC*.

2.2.2.5. Where the *rehabilitation* work area includes a commercial kitchen and the work includes reconfiguration or extension of cooking equipment, or the installation of additional cooking equipment, existing grease ducts, exhaust equipment, and kitchen hoods shall be brought into compliance with all the requirements of *NBCC*.

2.2.2.6. Plumbing Requirements. Where the *rehabilitation* work area is more than 50 percent of the gross floor area, and / or the occupant load will be increased by at least 20 percent as a result of the *rehabilitation* work, the plumbing system shall be upgraded to the *NBCC*.

2.2.2.7. Nonconformity. The *rehabilitation* work including an *addition* shall not create or extend any nonconformity in the *existing building* to which the *rehabilitation* work or the *addition* is constructed with regard to any adopted codes or regulations.

## **2.2.3. Preliminary Meeting.**

2.2.3.1. If a building permit is required for a complex *rehabilitation* project involving multiple *codes*, the *AHJ* or its designee, and representatives from all necessary agencies, should meet with the prospective permit applicant at the request of the prospective applicant and, upon payment of a fee if required by the *AHJ*, prior to the submission of the construction permit application. The purpose of such meeting should be to discuss plans for any proposed work or *change of occupancy* under this document prior to the application for the permit.

2.2.3.1.1. The preliminary meeting, to the extent possible, should include the officials responsible for permit approval and enforcement with respect to the following, as applicable to the *rehabilitation* project:

- (1) *National Building Code of Canada*
- (2) *National Plumbing Code of Canada*
- (3) NFPA 101, *LSC*

- (4) Canadian Electrical Code
- (5) *National Fire Code of Canada*
- (6) NL Public Safety Act
- (7) NL Building Accessibility Act
- (8) NL Historic Resources Act

2.2.3.1.2. Decisions made at the preliminary meeting shall be documented and circulated to those in attendance.

2.2.3.2. For a *rehabilitation* project or portion thereof that is in the *repair, renovation, or modification* category of work, a preliminary meeting may be permitted to be granted at the discretion of the *AHJ* when a request for a preliminary meeting is made by the prospective applicant prior to the submission of the construction permit application.

2.2.4. Permits. The *rehabilitation* work area shall be clearly identified on all construction permit applications, construction documents, and permits required by the *AHJ*.

### 3. Design, Construction, Use & Occupancy – *New construction.*

3.1 Effective April 1, 2007, all buildings submitted for plan approval shall meet the requirements of the Newfoundland and Labrador Fire and Life Safety Guidance Document.

3.2 All *new construction*, including construction / development under the Newfoundland and Labrador Fire and Life Safety Guidance Document shall meet the requirements as outlined in Table 3.2.2

**Table 3.2.2**

OCCUPANCY TYPE		DESIGN, CONSTRUCTION, USE & OCCUPANCY
GENERAL NOTES		NEW 2006
<b>NBCC Occupancy Classification</b>	<b>LSC Occupancy Classification</b>	
Group A – Division 1,2,3,4 Assembly	ASSEMBLY	NBCC, NFCC AND CHAPTER 12 LSC
Group A – Division 2 Assembly	EDUCATION	NBCC, NFCC AND CHAPTER 14 LSC
Group A – Division 2 Assembly	DAY-CARE	NBCC, NFCC AND CHAPTER 16 LSC AND DAY-CARE REGS.
Group B – Division 1 Care or detention	DETENTION & CORRECTIONAL	NBCC, NFCC AND CHAPTER 22 LSC
Group B – Division 2 Care or detention	HEALTH CARE	NBCC, NFCC AND CHAPTER 18 LSC
Group B – Division 2 Care or detention	RESIDENTIAL BOARD & CARE	NBCC, NFCC AND CHAPTER 32 LSC AND PERSONAL CARE HOME POLICY MANUAL
Group C Residential	ONE & TWO FAMILY DWELLINGS	NO REQUIREMENTS
Group C Residential	LODGING & ROOMING HOUSES	NBCC, NFCC AND CHAPTER 26 LSC
Group C Residential	HOTELS & DORMITORIES	NBCC, NFCC AND CHAPTER 28 LSC
Group C Residential	APARTMENT BUILDINGS	NBCC, NFCC AND CHAPTER 30 LSC
Group D Business and personal services	AMBULATORY HEALTH CARE	NBCC, NFCC AND CHAPTER 20 LSC
Group D Business and personal services	BUSINESS	NBCC, NFCC AND CHAPTER 38 LSC
Group E Mercantile	MERCANTILE	NBCC, NFCC AND CHAPTER 36 LSC
Group F – Division 1,2,3 Industrial	INDUSTRIAL	NBCC, NFCC AND CHAPTER 40 LSC
Group F – Division 2,3 Industrial	STORAGE	NBCC, NFCC AND CHAPTER 42 LSC

3.3 Effective April 1, 2007, all *new construction*, shall follow the *NBCC* for design and construction with the only exception of the means of egress. Means of egress for *new construction* shall comply with Chapter 7 of the *LSC* unless otherwise provided for or modified by the individual occupancy chapters. In addition, the requirements for the use and occupancy of the building shall follow the *NFCC* and the applicable occupancy chapter for *new construction* requirements in the NFPA 101, *LSC*. Therefore the use and occupancy requirements shall be incorporated into the design and construction of the building.

3.4 There shall be no use and occupancy requirement for design and construction that exceeds the requirements of the *NBCC* or Section 2 Means of Egress, of the applicable occupancy chapter of the NFPA 101, *LSC*.

## 4. Use and Occupancy - Existing Buildings

4.1 Effective immediately, all *existing buildings* shall meet the requirements for *existing building* as per Section 4 and as outlined in Table 4.2.2.

**Exception:** The requirements of Chapter 4 shall not apply to *historic buildings* that are not undergoing *rehabilitation*.

Table 4.2.2.

OCCUPANCY TYPE	USE & OCCUPANCY
GENERAL NOTES	<i>EXISTING</i>
ASSEMBLY	NFCC AND CHAPTER 13 LSC
EDUCATION	NFCC AND CHAPTER 15 LSC
DAY-CARE	NFCC AND CHAPTER 17 LSC AND DAY-CARE REGULATIONS
HEALTH CARE	NFCC AND CHAPTER 19 LSC
AMBULATORY HEALTH CARE	NFCC AND CHAPTER 21 LSC
DETENTION & CORRECTIONAL	NFCC AND CHAPTER 23 LSC
ONE & TWO FAMILY DWELLINGS	NO REQUIREMENTS
LODGING & ROOMING HOUSES	NFCC AND CHAPTER 27 LSC
HOTELS & DORMITORIES	NFCC AND CHAPTER 29 LSC
APARTMENT BUILDINGS	NFCC AND CHAPTER 31 LSC
RESIDENTIAL BOARD & CARE	NFCC AND CHAPTER 33 LSC AND PERSONAL CARE HOME POLICY MANUAL
MERCENTILE	NFCC AND CHAPTER 37 LSC
BUSINESS	NFCC AND CHAPTER 39 LSC
INDUSTRIAL	NFCC AND CHAPTER 41 LSC
STORAGE	NFCC AND CHAPTER 43 LSC

4.2 All *existing buildings* shall meet the requirements of *NFCC*; and the applicable chapter for existing buildings in the *NFPA 101, LSC*. Means of egress for existing buildings shall comply with Chapter 7 of the *LSC* unless otherwise provided for or modified by the individual occupancy chapters.

4.3 There shall be no use and occupancy requirement for *existing buildings* that exceeds the requirements of the *NBCC* or the applicable existing occupancy chapter of the *NFPA 101, LSC*.

4.4 Where an *existing building* requires upgrading to meet the requirements in 4.2 the owner may be subject to a Fire Commissioners' Order to correct any deficiencies. Such order shall be implemented in accordance with Section 5, Building Rehabilitation.

4.5 Subject to the approval of the *AHJ*, upon identification of a deficiency and a directive being submitted, the period for compliance to meet 4.2 may be extended as follows;

Fire Protection Features	5 years
Structural Requirements	5 years
Means of Egress Requirements	2 years
Fire Alarm Systems	2 years

**Exception:** The owner may submit a Life Safety Evaluation, as per Section 8 to meet compliance as required in 4.2

## **5. Building Rehabilitation**

### **5.1 General**

5.1.1. All work shall be classified into categories for *repair, renovation, modification, reconstruction, change of use*, and *addition*, with specific requirements established for each category as outlined in *LSC*.

#### **5.1.2. Fire Detection Systems.**

5.1.2.1 Where the *rehabilitation* work area is in a building that is required to have a fire detection system in accordance with NBCC, the fire detection system shall be installed throughout the entire building.

5.1.2.2. Where the rehabilitation work area is in a building that is not equipped with a fire detection system, and the rehabilitation work when completed, changes the occupancy classification and/or the occupant loading a fire detection system shall be installed throughout the entire building in accordance with NBCC

#### **5.1.3 Fire Sprinkler Systems**

5.1.3.1 Where the *rehabilitation* work area is in a building that is required to have a fire sprinkler system in accordance with NBCC, the fire sprinkler system shall be installed throughout the entire building.

5.1.3.2 Where the rehabilitation work area is in a building that is not equipped with a fire sprinkler system, and the rehabilitation work when completed, changes the occupancy classification, building area, and/or number of stories a fire sprinkler system shall be installed throughout the entire building in accordance with NBCC.

5.1.3.3 Where the rehabilitation work area is in a building that is not equipped with a fire sprinkler system and the rehabilitation work is less than 50% of the aggregate floor area a fire safety evaluation may be provided in accordance with Section 8.

#### **5.1.4 Additions.**

5.1.4.1 An *addition* shall not create or extend any nonconformity in the existing building to which the *addition* is constructed with regard to accessibility; structural strength; fire safety; means of egress; or capacity of mechanical, plumbing, or electrical systems.

5.1.1. All work shall be classified into categories for *repair, renovation, modification, reconstruction, change of use*, and *addition*, with specific requirements established for each category as outlined in *LSC* .

## **5.2. Historic Buildings**

### 5.2.1 General Requirements.

5.2.1.1 General. *Historic buildings* shall comply with the provisions of one of the following applicable documents;

- a. NFPA 101, *LSC*
- b. NFPA 914, Code for Fire Protection of Historic Structures
- c. Fire Safety Alternatives for Heritage Buildings in St. John's, NL

relating to their *repair, renovation, modification, reconstruction, and change of use or occupancy*.

5.2.1.3 Flood Hazard Areas. For *historic buildings* or structures located in whole or in part in floodway or floodway fringe, work on the building or structure shall be permitted, provided that both of the following are met:

(1) The proposed work will not preclude continued designation as a historic building or structure.

(2) Approval is given by the Department of Municipal Affairs under the *Newfoundland and Labrador Provincial Land Use Policy, Flood Risk Areas*.

## **6. Code Interpretation and Code Conflicts**

### **6.1 Code Interpretation**

6.1.1 This section deals with the process that shall be followed to receive a formal *code* interpretation of a *code* requirement. While the Government Service Centre or Office of the Fire Commissioner staff may provide guidance on a particular *code* issue, a formal *code* interpretation is the only binding decision of the Fire Commissioner.

6.1.2 All requests for formal *code* interpretation shall be submitted in writing completing *Formal Code Interpretation – Conflict Resolutions Request Form*, see Appendix B.

6.1.3. A formal *code* interpretation will be issued, where practical, within 15 business days after receipt of request at the Office of the Fire Commissioner.

6.1.4. A person disagreeing with the formal *code* interpretation may file a request for review subject to the provisions of the Fire Prevention Act, 1991.

### **6.2 Code Conflicts**

6.2.1. Where there appears to exist a conflict between two or more *code* requirements the following requirements shall apply;

#### **6.2.1.1 New Construction**

6.2.1.1.2 Effective April 1, 2007, the primary design and construction *code* shall be the *NBCC* except for Means of Egress. Means of egress for *new construction* shall comply with Chapter 7 of the *LSC* unless otherwise provided for or modified by the individual occupancy chapters. For the use and occupancy of these buildings the *NFCC* and applicable Chapter for *new construction* in the NFPA 101, *LSC* shall apply. Where the *NBCC/NFCC* does not address an issue or does not provide detail requirements, the applicable Chapter for *new construction* of NFPA 101, *LSC* shall apply, except as may be determined otherwise by the Fire Commissioner.

6.2.1.2 There shall be no use and occupancy requirement for *new construction* that exceeds the requirements of the *NBCC* or Section 2 of the applicable occupancy chapter for *new construction* of the NFPA 101, *LSC*.

#### **6.2.2 Existing Building/structures**

6.2.2.1 For use and occupancy of *existing building/structures*, the *NFCC* and the applicable Chapter of NFPA 101, *LSC* for existing buildings shall apply. Means of egress for *existing buildings* shall comply with Chapter 7 of the *LSC* unless otherwise provided for or modified by the individual occupancy chapters. Where the *NFCC* does not address an issue or does not provide detail requirements, the applicable Chapter for existing construction of NFPA 101, *LSC* shall apply, except as may be determined otherwise by the Fire Commissioner.

6.2.2.2 There shall be no use and occupancy requirement for *existing buildings* that exceeds the requirements of the *NBCC* or Section 2 of the applicable occupancy chapter for existing construction of the NFPA 101, *LSC*.

6.3. A person aggrieved by a notice, decision, or direction made under this section may appeal subject to the provisions of the Fire Prevention Act, 1991.

## **7. Review Process – Reserved**

## 8. Life Safety Evaluation

8.1 Life Safety Evaluation. Where the owner of an *existing building* feels it is impractical to upgrade to meet *code* compliance, the owner may submit, to the *AHJ* for approval, a life safety evaluation to meet fire and life safety equivalency as outlined in this section.

8.2 Where the owner requests approval of a life safety evaluation by the *AHJ* under Section 8.1 it shall meet the following requirements:

8.2.1. The life safety evaluation shall be performed by persons acceptable to the *AHJ*.

8.2.2. The life safety evaluation shall include a written assessment of safety measures.

8.2.3. The life safety evaluation shall be approved by the *AHJ* and shall be updated for special or unusual conditions.

8.3. Life safety evaluations may include, but are not to be limited to, an assessment of the following conditions and the related appropriate safety measures:

- (1) Nature of the event including participants and attendees
- (2) Access and egress movement, including crowd density problems
- (3) Medical emergencies
- (4) Fire hazards
- (5) Permanent and temporary structural systems
- (6) Severe weather conditions
- (7) Earthquakes
- (8) Disturbances
- (9) Hazardous materials incidents within and near the facility
- (10) Relationships among facility management, event participants, emergency response agencies, and others having a role in the events accommodated in the facility.

8.4. Life safety evaluations may include, but are not to be limited to, assessments of both building systems and management features upon which reliance is placed for the safety of facility occupants, and such assessments shall consider scenarios appropriate to the facility.

8.5. Further information and guidance on the life safety evaluations may be found in NFPA 101, *LSC* and its appendices.

## **APPENDIX “A”**

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(Includes disclaimer and copyright information and details about the availability of printed and electronic versions of the Statutes.)

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## CONSOLIDATED NEWFOUNDLAND AND LABRADOR REGULATION 9/96

*Fire Prevention Regulations*  
under the  
*Fire Prevention Act, 1991*  
(O.C. 96-213)

Amended by:

104/03

## CONSOLIDATED NEWFOUNDLAND AND LABRADOR REGULATION 9/96

*Fire Prevention Regulations*  
under the  
*Fire Prevention Act, 1991*  
(O.C. 96-213)

Under the authority of section 26 of the *Fire Prevention Act, 1991*, and the *Subordinate Legislation Revision and Consolidation Act*, the Lieutenant-Governor in Council makes the following regulations.

### REGULATIONS

*Analysis*

1. [Short title](#)
2. [Codes adopted](#)
3. [Conflict](#)
4. [Repeal](#)

#### Short title

1. These regulations may be cited as the *Fire Prevention Regulations*.

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## Codes adopted

2. The following codes and all revisions and amendments as are made are adopted:
  - (a) for the construction of all buildings after the commencement of these regulations
    - (i) the National Building Code of Canada (except Part 9 where relative to one and 2 family dwellings within Group C),
    - (ii) the National Fire Code of Canada;
  - (b) for the use and operation of all buildings, processes, areas and vehicles
    - (i) the National Fire Code of Canada ,
    - (ii) the Life Safety Code (N.F.P.A. No. 101) as published by the National Fire Association (U.S.A.);
  - (c) the Installation Code for Propane Burning Appliances and Equipment (CAN 1 - B149.2) as published by the Canadian Gas Association;
  - (d) the Installation Code for Oil Burning Equipment (C.S.A. B139) as published by the Canadian Standards Association, excluding the application of clause 3.4.2 of that Code to a person or his or her agent who installs a system as defined in the *Heating Oil Storage Tank System Regulations, 2003* , for that person's own use; and
  - (e) the Installation Code for Solid Fuel Burning Appliances and Equipment (C.S.A., B365) as published by the Canadian Standards Association.

287/82 s2; [104/03 s1](#)

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## Conflict

3. In the event of conflict between the Life Safety Code (N.F.P.A. 101) and the National Building Code of Canada with regard to design and construction, the provisions of the National Building Code of Canada shall prevail, except as may be determined otherwise by the fire commissioner.

287/82 s3

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## Repeal

4. The Fire Prevention Regulations, 1982, Newfoundland Regulation 287/82, are repealed.

## **APPENDIX “B”**

