

## **SMOKE DETECTOR INFORMATION FOR LANDLORDS AND RENTERS**

With the recent loss of life in a fire in Saskatoon and the subsequent charges being laid against the landlord, the Weyburn Fire Department has fielded numerous questions from landlords and renters in the City about the regulations regarding smoke detectors. Most of the regulations referred to in the news media are municipal bylaws passed by the respective communities which include requirements in addition to those of the National Fire Code, 1995.

Regina recently passed a bylaw that all rental properties must have a hard wired smoke detector and that no battery operated detectors will be acceptable. This applies only in the City of Regina. Saskatoon's fire bylaw requires testing of smoke alarms in rental properties every 3 months and the form must be signed by both the landlord and the renter. Again, this applies only in the City of Saskatoon.

The province of Saskatchewan and the City of Weyburn have adopted the National Fire Code of Canada, 1995 without any addition requirements for smoke detectors. As such, the following requirements apply to residential buildings in Weyburn:

- 1) The landlord is responsible for installing and maintaining the smoke detectors in residences,
- 2) Smoke detectors must be maintained and tested in accordance with the manufacturers instructions,
- 3) Smoke detectors must be installed on each level of a residential building and they must be between the bedrooms and the living space and if there is a hallway outside of the bedrooms, they must be installed in the hallway.
- 4) In new construction, smoke detectors must be hard wired and they must be interconnected so that the activation of one detector will sound the alarm on all detectors. In existing buildings, the smoke detectors may be battery operated.
- 5) It is an offence to tamper with or remove the battery from a smoke detector.

In the event of a fire in a rental property in which it is determined that the smoke detectors did not work and the landlord cannot provide adequate documentation that the detectors were properly maintained, the landlord may be held responsible and face court action.

Smoke detectors save lives, when they are working properly. Today there are many options to available but each one has it's good and bad points. There are the normal battery operated detectors which use disposable batteries. These are relatively cheap and easy to install, however, the removal of batteries is a constant problem and should the battery die when no one is home to hear the detector beep, there is no protection.

There are 10 year tamper proof detectors with lithium batteries which cannot be removed. These offer added security as the battery does not have to be changed and

cannot be removed. However, the detector still requires regular testing and if it is going off constantly, renters and homeowners are prone to removing the entire detector, again leaving no protection.

The hard wired detectors appear to be the best solution. They are more expensive to install but they are not easily removed. Most people who try removing one, when they see the wires hooked to the back of the detector, mount it back on the wall or ceiling and leave it alone. There are some people who will remove them and they can be charged. The down side of most hardwired detectors is the constant alarming every time you burn something on the stove. However, new technology has solved this with a 10 minute silence button – you push the button and it stops for 10 minutes then re-arms itself and if there is still smoke present, it will alarm again.

Having said all this, we believe that the best solution for both the landlord and tenants is to have a regular maintenance program that is documented and kept on file for reference if there ever is a fire. A program such as this serves two purposes, first, it serves to educate the tenants about the necessity of working smoke detectors and secondly, it ensure due diligence is being performed by the landlord for the safety of the tenants.

Finally, do I ever see the requirements in Saskatoon and Regina coming to Weyburn. Well, the National Fire Code of Canada has been under review for a few years and is now ready for publication, probably in the fall, and we do not know what changes have been made in the Code respecting the installation of smoke alarms in residential rental properties. The Saskatchewan Fire Protection Act is due for review and we expect this to start in 2006. We have no way of knowing what changes will be made in this law but there will be ample time for input from all affected parties including the fire service, municipalities and rental association. Finally, we will probably review our municipal Fire Protection Bylaw after the new Code is issued and the review of the Act is complete. Will we recommend more stringent smoke alarm requirements? Is Council prepared to enact more stringent smoke alarm requirements? These questions will only be answered when we complete the reviews.

But one final question must be asked – How many people must die in fires in rental properties before we take action?