



ServiceOntario

e-Laws

FrançaisExplanatory Note

## CHAPTER 14

**An Act to proclaim Carbon Monoxide Awareness Week and to amend the Fire Protection and Prevention Act, 1997 to provide safety requirements related to the presence of unsafe levels of carbon monoxide on premises***Assented to December 12, 2013***Preamble**

Carbon monoxide is known as the silent killer because it is a colourless, odourless and tasteless gas. This Act is named in honour of the Hawkins family — Laurie, Richard, and their children, Cassandra and Jordan — who were tragically killed by carbon monoxide poisoning in their Woodstock home.

Reminding Ontarians of the importance of having functioning carbon monoxide detectors can help save lives. Designating the calendar week beginning on November 1 as Carbon Monoxide Awareness Week aligns the need to check carbon monoxide detectors and appliances with the end of daylight savings time. Changing the time on clocks and maintaining safety alarms are two necessary tasks that are easy to perform and promote together.

As winter approaches, the impetus to begin using gas fired appliances, such as fireplaces, that can produce lethal carbon monoxide increases. Appliances that are rarely used over the summer months may develop leaks or blockages and cause carbon monoxide to accumulate inside the home. Therefore, it is important to inspect appliances and carbon monoxide detectors when the colder temperatures begin.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Carbon Monoxide Awareness Week**

1. The week beginning on November 1 in each year is proclaimed as Carbon Monoxide Awareness Week.

**FIRE PROTECTION AND PREVENTION ACT, 1997**

2. The definition of “fire protection services” in subsection 1 (1) of the *Fire*

***Protection and Prevention Act, 1997 is repealed and the following substituted:***

“fire protection services” includes,

- (a) fire suppression, fire prevention and fire safety education,
- (b) mitigation and prevention of the risk created by the presence of unsafe levels of carbon monoxide and safety education related to the presence of those levels,
- (c) rescue and emergency services,
- (d) communication in respect of anything described in clauses (a) to (c),
- (e) training of persons involved in providing anything described in clauses (a) to (d), and
- (f) the delivery of any service described in clauses (a) to (e); (“services de protection contre les incendies”)

**3. Subsection 12 (1) of the Act is repealed and the following substituted:****Fire Code**

(1) The Minister may make regulations that are considered advisable or necessary for the purpose of establishing a fire code for Ontario governing standards for equipment, systems, buildings, structures, land and premises, as those standards relate to fire safety or the risk created by the presence of unsafe levels of carbon monoxide.

**Same**

- (1.1) A regulation made under this section may,
- (a) prescribe any method, matter or thing relating to fire protection;
  - (b) prescribe any method, matter or thing relating to protection against the presence of unsafe levels of carbon monoxide;
  - (c) govern standards for reducing the risk of, or consequences of, a fire that would seriously endanger the health or safety of any person or the quality of the natural environment for any use that can be made of it;
  - (d) govern standards for reducing the risk of, or consequences of, the presence of unsafe levels of carbon monoxide that would seriously endanger the health or safety of any person or the quality of the natural environment for any use that can be made of it;
  - (e) require and regulate fire protection equipment and systems and govern the maintenance of the equipment and systems;
  - (f) require and regulate protection equipment and systems related to the presence of unsafe levels of carbon monoxide and govern the maintenance of the equipment and systems;
  - (g) require and regulate means of egress, separations, finish materials, furnishings and decorations, standards of housekeeping and heating, ventilation, air conditioning and incinerating equipment and systems;
  - (h) control or prohibit any material, substance, equipment or system affecting fire safety;
  - (i) control or prohibit any material, substance, equipment or system affecting safety from the presence of unsafe levels of carbon monoxide;
  - (j) require and regulate procedures respecting fire safety and the keeping and furnishing

of records and reports;

- (k) require and regulate procedures respecting safety from the presence of unsafe levels of carbon monoxide and the keeping and furnishing of records and reports;
- (l) require the approval of the Fire Marshal or of a prescribed person respecting any method, matter or thing;
- (m) require notice to be given to the Fire Marshal or to a prescribed person respecting any change in use or occupancy;
- (n) prescribe conditions for use, occupation or demolition;
- (o) exempt any class of building, structure, lands or premises from compliance with the regulations or any provision of them and attach terms and conditions to the exemptions;
- (p) govern the qualifications and training of persons servicing, maintaining, testing or repairing fire protection devices, equipment or systems and the licensing of those persons;
- (q) govern the qualifications and training of persons servicing, maintaining, testing or repairing protection devices, equipment or systems related to the presence of carbon monoxide and the licensing of those persons;
- (r) adopt by reference, in whole or in part, with the changes that the Minister considers necessary, any code or standard and require compliance with any code or standard that is so adopted.

**4. Section 18 of the Act is repealed and the following substituted:**

**Interpretation**

**18.** For the purposes of this Part, fire safety includes the following:

- 1. Safety from the risk that a fire, if started, would seriously endanger the health and safety of any person or the quality of the natural environment for any use that can be made of it.
- 2. Safety from the risk that the presence of unsafe levels of carbon monoxide on premises would seriously endanger the health and safety of any person.

**5. Section 79 of the Act is repealed and the following substituted:**

**Municipal by-laws superseded**

**79.** A regulation, including the fire code, supersedes all municipal by-laws respecting standards for land and premises, as those standards relate to fire safety or the risk created by the presence of unsafe levels of carbon monoxide.

**COMMENCEMENT AND SHORT TITLE**

**Commencement**

**6. (1) Subject to subsection (2), this Act comes into force on the day it receives Royal Assent.**

**Same**

**(2) Sections 2, 4 and 5 come into force on a day to be named by proclamation of the Lieutenant Governor.**

**Short title**

7. The short title of this Act is the *Hawkins Gignac Act (Carbon Monoxide Safety), 2013*.

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