

1970

## c 211 Hotel Fire Safety Act

Ontario

© Queen's Printer for Ontario, 1970

Follow this and additional works at: <http://digitalcommons.osgoode.yorku.ca/rso>

---

### Bibliographic Citation

*Hotel Fire Safety Act*, RSO 1970, c 211

### Repository Citation

Ontario (1970) "c 211 Hotel Fire Safety Act," *Ontario: Revised Statutes*: Vol. 1970: Iss. 2, Article 85.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1970/iss2/85>

## CHAPTER 211

## The Hotel Fire Safety Act

## 1. In this Act,

Interpre-  
tation

- (a) “fire door” means a hollow-metal, metal-clad, sheet-metal, steel or two-ply tin-clad door that is automatic or self-closing;
- (b) “Fire Marshal” means the Fire Marshal of Ontario;
- (c) “fire-resistive construction” means construction in which,
- (i) the exterior walls are wholly of brick, stone, concrete, hollow block, solid block or the equivalent,
  - (ii) the interior walls and partitions are made of incombustible materials,
  - (iii) the floors and their supports are made of incombustible materials other than the floor covering, which may be wood, and
  - (iv) the roofs are made of incombustible materials;
- (d) “fire wall” means a partition wall of fire-resistive construction extending from the ground to a point three feet above the roof and in which all openings are protected by fire doors;
- (e) “grade” means the average level of the ground next to the building;
- (f) “hotel” means an establishment that provides sleeping accommodation for the public and is licensed under *The Department of Tourism and Information Act* or *The Liquor Licence Act*.
- (g) “incombustible”, as applied to a material or combination of materials, means steel, iron, brick, tile, concrete, slate, asbestos, wired glass, cement or gypsum plaster or other material that will not fuse, burn or disintegrate when exposed to a temperature of 1,000 degrees Fahrenheit for a period of one hour;
- (h) “inspector” means an inspector appointed under this Act, *The Liquor Licence Act* or *The Department of Tourism and Information Act*;
- (i) “panic bolt” means a bolt or lock that can be opened at all times from the inside by downward pressure on a bar or lever;

R.S.O. 1970,  
cc. 122, 250

- (j) "regulations" means the regulations made under this Act;
- (k) "self-closing", as applied to a door, window or other protection for an opening, means that such door, window or other protection is normally closed and will immediately return to the closed position when it is opened and released;
- (l) "smoke-proof" means constructed so as to prevent the rapid passage of smoke and flames;
- (m) "storey" means that part of a building between the top of a floor and the top of the next floor above it or, if there is no floor above it, that part between the top of a floor and the ceiling above it, and the storey closest to grade having its ceiling more than six feet above grade shall be deemed to be the first storey. R.S.O. 1960, c. 179, s. 1; 1964, c. 41, s. 1 (2); 1967, c. 37, s. 1, *amended*.

What hotels to be fire-resistant

**2.**—(1) A hotel more than two storeys in height that is constructed or remodelled after the 15th day of June, 1948, an addition more than two storeys in height thereafter made to a hotel, and a building more than two storeys in height thereafter converted for use as a hotel, shall be of fire-resistant construction.

Requirements for a fire wall

(2) Where an addition is made after the 15th day of June, 1948, to a hotel and either the addition or the hotel is not of fire-resistant construction, there shall be a fire wall between the addition and the hotel. R.S.O. 1960, c. 179, s. 2.

Minimum number and location of stairways

**3.**—(1) There shall be not less than two stairway systems in or in connection with a hotel, located as far apart as possible and so as to provide not less than two independent means of egress for the occupants on each floor.

Stairways in certain hotels

(2) Every stairway in or in connection with a hotel that existed on the 15th day of June, 1948, and that is more than two storeys in height shall be fully enclosed and smoke-proof, except that an exterior iron stairway with balconies at each floor or a metal tubular or spiral fire-escape may, with the written permission of an inspector, be used in lieu of a fully enclosed and smoke-proof stairway.

Stairways in certain hotels

(3) Every stairway in or in connection with,

- (a) a hotel more than two storeys in height constructed or remodelled after the 15th day of June, 1948; or
- (b) an addition more than two storeys in height made to a hotel after the 15th day of June, 1948; or
- (c) a building more than two storeys in height converted for use as a hotel after the 15th day of June, 1948,

shall be fully enclosed, smoke-proof and of fire-resistive construction.

(4) Notwithstanding subsections 2 and 3, a stairway extending only to the second or mezzanine storey in a hotel of fire-resistive construction may be an open stairway. Exception

(5) Every stairway from any part of a hotel, other than from a place of public assembly, shall have a clear width of not less than twenty-two inches, and each step shall have not less than a ten-inch tread and not more than an eight-inch rise except that, where structural difficulties exist, the inspector may give written permission for steps having not less than an eight-inch tread. Minimum width of stairways

(6) Every stairway from a part of a hotel used as a place of public assembly shall have a clear width of not less than forty-four inches, and each step shall have at least a ten-inch tread and not more than an eight-inch rise. Minimum width of stairways from place of assembly

(7) Where in a hotel more than two storeys in height any stairway is located so as to require the users thereof to pass through a lobby or other place of public assembly in order to reach the outside of the building, an inspector may make an order requiring the lobby or other place of public assembly to be equipped with an automatic sprinkler system. R.S.O. 1960, c. 179, s. 3. Where stairway does not give direct egress

**4.—(1) No exterior stairway of,**

- (a) a hotel more than two storeys in height constructed or remodelled after the 15th day of June, 1948; or
- (b) an addition more than two storeys in height made to a hotel after the 15th day of June, 1948; or
- (c) a building more than two storeys in height constructed for use as a hotel after the 15th day of June, 1948,

Exterior stairways in certain hotels:

shall extend more than five storeys above grade.

(2) Every exterior stairway of a hotel shall extend to the ground, except that an inspector may give written permission for the bottom flight of such stairway to be counter-balanced. R.S.O. 1960, c. 179, s. 4. to extend to ground

**5.—(1) Every window, except a first-storey display window, in a hotel beneath any part of an exterior stairway or opening onto or within ten feet of an exterior stairway shall be provided with wired glass and every door similarly located shall be metal-clad.** Windows and doors beneath exterior stairways

(2) There shall be no wall opening, other than a door or window beneath or within ten feet of an exterior stairway of a hotel. No other wall openings

(3) Every door and window opening to a stairway in or in connection with a hotel shall be not less than thirty inches in width and shall be hinged to open outwards with the line of exit Doors and windows opening to stairways

travel and equipped with panic bolts only. R.S.O. 1960, c. 179, s. 5.

Balconies  
and landings

**6.** The width of every balcony and landing in connection with a stairway in or in connection with a hotel shall be not less than the width of the door leading to it and shall have an area of not less than twelve square feet. R.S.O. 1960, c. 179, s. 6.

Railings

**7.** Every exterior stairway shall have an iron railing not less than thirty-two inches in height, measured perpendicularly from the nosing of the step, and every balcony and landing in connection with an exterior stairway of a hotel shall have an iron railing not less than three feet in height on all sides. R.S.O. 1960, c. 179, s. 7.

Passageways

**8.** Every passageway in a hotel leading to an exit door or stairway shall be not less than three feet in width and the walls and ceiling thereof shall be surfaced with plaster, plaster board or other incombustible material unless it is protected with an automatic sprinkler system. R.S.O. 1960, c. 179, s. 8.

Approaches  
to stairways

**9.** The approaches to every stairway in a hotel shall be unobstructed and shall not be through a room used as a bedroom or bathroom or for any purpose that may obstruct free passage, and no such approach shall be veiled from open view by any ornamentation, curtain or other thing. R.S.O. 1960, c. 179, s. 9.

Rotating  
doors

**10.** Rotating doors may be installed in hotels at exterior entranceways only and shall be collapsible and flanked within fifteen feet by one or more doors that open outwards and that have a total width of not less than forty-four inches. R.S.O. 1960, c. 179, s. 10.

Exit signs

**11.**—(1) Every exit sign in a hotel shall have the word "EXIT" displayed in block letters not less than six inches in height and coloured white on a red background or coloured red on a contrasting background, except that luminous signs of equivalent visibility may be used in lieu thereof.

Electric  
exit signs

(2) Where electricity is available, every exit sign in a hotel shall be illuminated during the night by an electric lamp supplied from a circuit separate from the domestic electric system.

Location of  
exit signs

(3) A hotel shall have an exit sign placed above or beside every exit door and every exit window so as to be clearly visible. R.S.O. 1960, c. 179, s. 11.

Directional  
signs

**12.** A hotel shall display signs in such manner and in such locations as an inspector orders indicating the directions of travel to reach the exits. R.S.O. 1960, c. 179, s. 12.

**13.** A hotel shall display in each bedroom a floor plan showing the location of the exits and indicating the directions of travel to reach them and also a notice giving the fire safety rules of the hotel. R.S.O. 1960, c. 179, s. 13.

Notices to be displayed in each bedroom

**14.** Every exterior stairway, balcony, landing, exit door and exit window of a hotel shall be kept free at all times from obstructions, including ice and snow. R.S.O. 1960, c. 179, s. 14.

Exits to be kept clear

**15.** Every elevator shaft in a hotel shall be fully enclosed with incombustible materials and the top thereof shall be equipped with heat-actuated vents, and every elevator door shall be of metal and wired glass without openings. R.S.O. 1960, c. 179, s. 15.

Elevator shafts and doors

**16.** Every boiler or furnace room in a hotel shall be of fire-resistive construction and shall be equipped with fire doors. R.S.O. 1960, c. 179, s. 16.

Boiler and furnace rooms

**17.** A hotel not completely equipped with an automatic sprinkler system or a heat-actuated fire detection system and containing twenty or more bedrooms above the first storey shall have a watchman on duty from 10 o'clock each night until 6 o'clock the following morning, and the watchman shall be equipped with a watchman's clock and he shall make a round of the hotel at least once every hour during his duty period. R.S.O. 1960, c. 179, s. 17.

Where watchman to be employed

**18.** A hotel containing fifty or more bedrooms above the first storey shall have at least one adult male employee trained in fire fighting to the standard prescribed by the regulations on duty at all times within the hotel, except that this section does not apply where the hotel is in a municipality that has a fire department and where the hotel is completely equipped with an automatic sprinkler system or a heat-actuated fire detection system connected electrically with an alarm in the fire department or with a central signal supervisory service. R.S.O. 1960, c. 179, s. 18.

Where fire fighters to be on duty

**19.** A hotel shall have a fire-alarm system capable of being heard throughout the hotel and of being operated from each floor and from the hotel office. R.S.O. 1960, c. 179, s. 19.

Fire alarms

**20.—(1)** A hotel not of fire resistive construction shall have smoke-proof barriers in such locations as an inspector orders.

Smoke-proof barriers

**(2)** An inspector may make an order requiring any hotel not of fire-resistive construction that is four or more storeys in height and is in a city or that is three or more storeys in height and is not in a city to have an automatic sprinkler system or a heat-actuated fire detection system. R.S.O. 1960, c. 179, s. 20.

Power to require sprinkler systems

Duty to  
call fire  
department

**21.** When a fire is discovered in a hotel in a municipality that has a fire department, the manager or other person in charge shall immediately call the fire department. R.S.O. 1960, c. 179, s. 21.

Special  
powers of  
inspectors

**22.** Where an inspector finds that a condition exists in a hotel that makes the hotel specially liable to fire, he may make an order directing the hotelkeeper to remedy the condition. R.S.O. 1960, c. 179, s. 22.

Orders of  
inspector

**23.**—(1) Where an inspector makes an order under this Act, he shall cause a copy of the order to be delivered to the hotelkeeper by personal service or by registered mail. R.S.O. 1960, c. 179, s. 23 (1).

Right of  
appeal

(2) If the hotelkeeper feels aggrieved by the order, he may appeal within ten days from the service of the order to the Fire Marshal who shall examine the order and affirm, modify or revoke it, and he shall prepare written reasons for his decision and cause a copy of his decision and the reasons therefor to be delivered to the hotelkeeper by personal service or by registered mail. R.S.O. 1960, c. 179, s. 23 (2); 1960-61, c. 36, s. 1.

Right of  
application  
to court

(3) If the hotelkeeper is dissatisfied with the decision of the Fire Marshal, he may, within ten days from the service of the decision, apply by way of originating notice according to the practice of the court, to the judge of the county or district court of the county or district in which the hotel is situate, for an order modifying or revoking the order, and the judge, upon such application, may affirm, modify or revoke the order, and his decision is final.

Failure to  
prosecute  
application

(4) If an application to the county or district judge is not prosecuted by the hotelkeeper within thirty days from the filing of the originating notice, the judge may dismiss the application at the request of the Fire Marshal. R.S.O. 1960, c. 179, s. 23 (3, 4).

Offence

**24.**—(1) Every hotelkeeper who operates a hotel that does not conform with this Act and the regulations or who fails to comply with any order made by an inspector is guilty of an offence and on summary conviction is liable to a fine of not less than \$25 and not more than \$500, and, in addition, the provincial judge may order the hotel to be closed until it is made to conform with this Act and the regulations or with the order of the inspector.

Conviction  
not bar to  
further  
charge

(2) The conviction under this Act of a hotelkeeper does not operate as a bar to further prosecution under this Act for the continued failure on his part to comply with this Act and the regulations or the order of an inspector but such continuance constitutes a new and separate offence. R.S.O. 1960, c. 179, s. 24.

**25.** The Lieutenant Governor in Council may appoint one or more inspectors to enforce this Act and the regulations. R.S.O. 1960, c. 179, s. 25. Inspectors,  
appointment

**26.** The Lieutenant Governor in Council may make regulations, Regulations

- (a) requiring the submission of drawings and specifications to the Fire Marshal for review and approval prior to the construction, alteration or remodelling of and additions to hotels;
- (b) prescribing the mode of, and the materials to be used in, the construction, alteration or remodelling of and additions to hotels or any designated class thereof;
- (c) prescribing the mode of erection or installation of stairways, balconies, fire walls, doors, windows, exits and fire-prevention, fire-protection and fire-alarm equipment in or outside hotels or any designated class thereof, and the materials to be used therein;
- (d) prescribing the mode of the construction of heating, ventilating and air-conditioning systems in hotels or any designated class thereof;
- (e) regulating the location, arrangement and maintenance of places of public assembly in hotels or any designated class thereof, and prescribing the mode of construction of such places;
- (f) controlling or prohibiting exhibits and displays in hotels or any designated class thereof;
- (g) controlling or prohibiting the use of flammable decorations, curtains and drapes in hotels or any designated class thereof;
- (h) prescribing standards of housekeeping for hotels;
- (i) prescribing a standard of training in fire-fighting for employees of hotels;
- (j) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1960, c. 179, s. 26.

**27.** Nothing in this Act or the regulations affects any by-law relating to the matters mentioned in this Act or the regulations and lawfully passed by a municipal council, or the authority of a municipal council to pass any such by-law, in so far as such by-law imposes additional or more stringent requirements than those contained in this Act or the regulations. R.S.O. 1960, c. 179, s. 27. Municipal  
by-laws not  
affected



