

Use of Farm Buildings for Assembly Occupancy: Questions and Answers

Q1: Under what authority can municipal fire officials deal with fire safety concerns in farm buildings?

A1: The *Fire Protection and Prevention Act, 1997* (FPPA) gives municipal fire officials the authority to deal with fire safety matters. This authority extends to all land and premises, including farm buildings.

In addition, the Fire Code, a regulation under the FPPA, may also apply (see Q2)

Q2: When must farm buildings comply with the Fire Code?

A2: Farm buildings must comply with the Fire Code when the occupant load of the farm building exceeds what is prescribed in Article 1.3.1.1. of Division A or when the building no longer meets the definition of “farm building” as stated in Sentence 1.4.1.1.(2) of Division A.

Q3: When does a farm building no longer meet the definition as stated in Sentence 1.4.1.1.(2) of Division A of the Fire Code?

A3: When a farm building is used for any purpose that is not associated with the practice of farming (e.g., assembly purposes, furniture manufacturing, operation of a retail establishment), then the building no longer meets the definition of a “farm building” and the exemption in Article 1.3.1.1. of Division A of the Fire Code no longer applies. The building may also be subject to the Change of Use provisions of the Building Code.

Q4: Does the Fire Code apply to farm buildings occasionally used for farm demonstration tours, farm auctions or other seasonal farming activities involving the gathering of people?

A4: The Fire Code applies when the occupant load of a farm building exceeds what is prescribed in Article 1.3.1.1. of Division A. If the activities mentioned involve higher occupant loads, farm owners are encouraged to contact the local fire department to discuss what fire safety requirements may apply during the activity or event.

Q5: Which Fire Code requirements apply to farm buildings that are not exempt from the Fire Code?

A5: The nature of the activity or event taking place will determine Fire Code requirements that apply. An evaluation will be required on a case by case basis (see Q6 and Q7).

Q6: Are farm buildings subject to the full application of the Fire Code when occasionally used for hosting assembly events that may involve large numbers of people, such as dances or concerts?

A6: Farm owners should consult with their local building department and fire department to determine applicable requirements, including the need for a Change of Use permit. In determining the applicability of Fire Code requirements, fire departments are encouraged to use the approval authority under Article 2.1.2.2. of Division B of the Fire Code. Article 2.1.2.2 stipulates that activities that create a hazard and are not allowed for in the original design shall not be carried out in a building unless provisions approved by the Chief Fire Official are made to control the hazard. Some provisions the Chief Fire Official (CFO) may consider are as follows:

- prohibition of open flames;
- well-marked and illuminated alternate exits;
- control or removal of loose combustible materials;
- safe use of extension cords or other temporary electrical wiring;
- safe use and placement of portable heating devices;
- sufficient number and placement of fire extinguishers;
- assignment of responsibility for monitoring safety issues/provisions; and
- notification to other relevant agencies when appropriate, e.g., Technical Standards and Safety Authority, Electrical Safety Authority.

Other fire safety deficiencies may become apparent during an inspection by the CFO, in which case other provisions of the Fire Code may apply.

Q7: Are farm buildings subject to the full application of the Fire Code when used for a one-off family event such as a wedding?

A7: It is recognized that such events are at times an extension of activities that are carried out in the farmer's own home and would therefore not normally be subject to the full application of the Fire Code for assembly use. However, the farm owner is strongly encouraged to review and implement the fire safety precautions described in A6 above and to deal with any other health, safety or structural concerns.

It is important to note that fire officials retain the authority to apply the Fire Code and/or to take other action under the *Fire Protection and Prevention Act, 1997* if public safety is at risk, regardless of the type of event.

Q8: If a farm owner wishes to use a farm building for purposes other than farming on a regular basis or to permanently increase the occupant load, what effect might this have with respect to applicable Building Code and Fire Code requirements?

A8: The farm owner should discuss his or her plans with municipal officials prior to undertaking any changes. A Change of Use permit under the Building Code may be required based on the nature of the new activities or the increase in occupant load. The Fire Code may also apply when the activities introduce specific hazardous operations or when the nature of the activity or increase in occupant load warrants emergency fire safety planning under Section 2.8 of Division B. In some cases, the retrofit provisions in Section 9.2 of Division B, Assembly Occupancies, may also apply.