Revised Regulations of Anguilla: F29-2

FIRE AND RESCUE SERVICE ACT (R.S.A. c. F29)

FIRE PRECAUTIONS AND SAFETY REGULATIONS

Note: These Regulations are enabled under section 87 of the Fire and Rescue Service Act, R.S.A. c. F29.

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PART 1

PRELIMINARY

Interpretation

1. (1) In these Regulations, unless the context otherwise requires—

"Act" means the Fire and Rescue Service Act;

"business premises" means any building or structure or part of any building or structure, not being a private dwelling house, adapted for occupancy, for transaction of business or for display, sale or storage of goods, wares or merchandise, and includes—

(a) a hospital, residential care home, boarding house and theatre;

(b) a hotel, guest house and any villa or condominium developed or operated as part of a hotel or condominium hotel project;

(c) any facility used for storage or preparation of toxic or dangerous substances or chemicals or any explosive or highly flammable material; and

(d) the business premises of any prescribed undertaking, whether or not specified in paragraph (a), (b) or (c);

"challenged person" includes a person whose condition affects his or her mobility including any person—

(a) who uses a wheelchair;

(b) who can move about only with the aid of a stick or crutch;

(c) who has had a stroke or heart attack;

(d) who is arthritic or epileptic;

(e) with poor or impaired sight or hearing;

(f) with a broken limb or other like injuries;

"employee" includes—

(a) a public officer and a person who is employed by any government agency; and

(b) a person who is treated as an employee for the purposes of the Fair Labour Standards Act;

"employer" includes—

(a) the Government of Anguilla and a government agency; and

(b) a person who is treated as an employer for the purposes of the Fair Labour Standards Act;

"food facility" means a facility where food for human consumption is prepared or sold;

"Minister" means the Minister for the time being who is assigned responsibility for the Fire and Rescue Service;

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"private dwelling house" means—

(a) any building used or constructed or adapted to be used as the dwelling for one individual or one family; or

(b) in the case of a building used partly as a dwelling house and partly for other purposes, that part of the building used as the dwelling house for one individual or one family;

"self-employed person" means an individual who works for gain or reward otherwise than under a contract of employment, whether or not such individual employs other persons;

"storage area" includes any part of a public building where reserve furniture or other flammable items are stored.

(2) Reference in these Regulations to "owner" and "occupier" in relation to any business premises or a public building shall be construed to include references to—

(a) an employer or other person on whom obligations are imposed under the Act and these Regulations; and

(b) a person having control of the business premises or public building in connection with the carrying on of a trade, profession, business, an occupation or other undertaking by the person, whether for profit or not.

Application

2. (1) Every owner of a public building, every employer and every person having control of any business premises or public building shall ensure that the requirements of these Regulations are complied with in respect to the public building or, as the case may be, to the business premises which are to any extent under his control.

(2) Where a person has, by virtue of any contract or tenancy, an obligation to any extent in relation to—

(a) the maintenance or repair of any business premises or public building; or

(b) the safety of any business premises or public building;

the person shall be treated, for the purposes of subsection (1), as being a person who has control of the business premises or public building to the extent of his obligation.

PART 2

CERTIFICATE OF COMPLIANCE

Prescribed undertakings

3. For the purposes of section 34 of the Act, the businesses and industrial undertakings set out in Schedule 1 are prescribed undertakings.

Certificate of compliance

4. (1) Subject to subsection (2) and any exemptions conferred under these Regulations, no person shall use any premises or public building for any regulated purpose specified in Schedule 3 of the Act unless there is in existence a valid certificate of compliance in respect of the premises or public building.

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(2) A person who before 31 July 2013 is using any premises or public building for any regulated purpose referred to in subsection (1) shall, within 24 months of 31 July 2013 or such further period as the Governor in Council may in writing allow, apply for and obtain a certificate of compliance in respect of the premises or public building in accordance with the provisions of the Act.

(3) A certificate of compliance obtained under this section shall be valid for 3 years.

(4) An application to renew a certificate of compliance shall be made no less than 60 days before its expiry.

(5) An application for a certificate of compliance under subsection (2) shall be—

(a) made in the form set out in Schedule 2 or in a form to the like effect; and

(b) accompanied by the receipt issued on payment of the relevant fee set out in Schedule 3.

Information required to be furnished in application

5. (1) An application for a certificate of compliance under section 48 of the Act shall contain the information set out in Schedule 2 and shall be addressed to the Chief Fire Officer.

(2) On receipt of the application, the Chief Fire Officer shall notify the applicant of his duties and obligations under the Act and these Regulations.

(3) The applicant for the certificate of compliance shall be responsible for doing or causing to be done such work, if any, as may be necessary in respect of the public building or, as the case may be, the prescribed undertaking to which the application relates.

Contents of certificate of compliance

6. (1) The Chief Fire Officer in issuing a certificate of compliance shall specify, in the certificate of compliance—

(a) the use or uses of the public building or prescribed undertaking to which such certificate relates;

(b) the means of escape from the public building or prescribed undertaking in the event of a fire;

(c) the means for ensuring that the means of escape can be safely and effectively used at all material times;

(d) the type, number and location of the fire-fighting equipment for use by persons in the public building or prescribed undertaking; and

(e) the type, number and location of fire alarms, if any.

(2) The Chief Fire Officer may, as he considers appropriate in the circumstances, incorporate such requirements in the certificate of compliance—

(a) for securing that the means of escape in the premises, in case of fire are properly maintained and kept;

(b) for securing that the means of escape with which the relevant public building or prescribed undertaking is provided as mentioned in subsection (1) are properly maintained;

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(c) for securing that persons employed to work in the premises receive appropriate instruction or training in what to do in case of fire, and that records are kept of such instructions and training;

(d) for limiting the number of persons who may be in the premises at any one time; or

(e) as to such other precautions to be observed in the relevant public building or prescribed undertaking in relation to the risk to persons in the premises, in the case of fire.

(f) for displaying of exit or directional signs, or both at every exit door, at the intersection of corridors, at exit stairways or ramps and at such other locations and intervals as are necessary to provide the occupants with knowledge of the various means of egress available in the case of fire.

(3) A holder of a certificate of compliance who contravenes or fails to comply with any requirement specified or incorporated in the certificate of compliance commits an offence.

Obligations under certificate of compliance

7. A person to whom a certificate of compliance is issued must ensure that—

(a) the matters specified in the certificate of compliance are kept in accordance with such specification; and

(b) any requirement incorporated in the certificate of compliance is observed and maintained.

Fees

8. (1) The Chief Fire Officer may charge the relevant fee set out in Schedule 3 for the issue of a certificate of compliance.

(2) The fee chargeable under subsection (1) must be paid to the Comptroller of Inland Revenue for payment into the Consolidated Fund.

(3) The Government of Anguilla is not required to pay the fee set out in Schedule 3.

PART 3

FIRE SAFETY INSTALLATIONS

Prescribed fire safety installations

9. (1) Where a building is used for the purposes of—

(a) a hotel, hospital, residential care home, boarding house or theatre, the owner of the building shall install or cause to be installed in such building a fire alarm system and such fire extinguishers, smoke and fire detectors and sprinklers and other fire safety installations as the Chief Fire Officer may specify; and

(b) a school, day care facility, supermarket or any undertaking other than an undertaking specified in paragraph (a), the owner of the building shall install or cause to be installed in the building such fire extinguishers, fire and smoke detectors and other fire safety installations as the Chief Fire Officer may specify.

(2) The owner or occupier of every building premises used for storage of toxic or dangerous substances or chemicals or any explosive or highly flammable material shall install or cause to be installed in such building

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premises such fire extinguishers, fire and smoke detectors and other fire safety installations as the Chief Fire Officer may specify.

(3) The developer or operator of any villa or condominium developed or operated as part of a hotel or condominium hotel project shall install or cause to be installed in every building forming part of such villa or condominium a fire alarm system and such fire extinguishers, smoke and fire detectors and sprinklers and other fire safety installations as the Chief Fire Officer may specify.

(4) In determining the type, number and distribution of fire safety installations required to be installed in any building to which this section applies, the Chief Fire Officer shall have regard to—

(a) the dimensions and use of such building;

(b) the equipment, machinery or appliances which such building contains;

(c) the maximum number of persons that may be present in such building at any one time; and

(d) the physical and chemical properties of the substances, if any, likely to be present in such building.

PART 4

FIRE PRECAUTIONS IN PUBLIC BUILDINGS

Fire-fighting and fire detection

10. (1) Where necessary, whether due to the features of, the activity carried on within or any hazard present in any premises or public building or any other relevant circumstances, for the purpose of ensuring the safety of persons in the premises or public building in the event of a fire—

(a) such premises or public building shall, to the extent that is required, be equipped with the appropriate fire precautions, fire-fighting equipment, fire detectors, sprinklers and alarms; and

(b) any non-automatic fire-fighting equipment installed in such premises or public building shall be easily accessible, simple to use and indicated by signs.

(2) For the purposes of paragraph (1)(a), the appropriateness of the fire precautions, fire-fighting equipment or similar device shall be determined having regard to all of the relevant circumstances including—

(a) the fire risk and associated life risks on or in the premises or public building;

(b) the dimensions and use of the premises or public building;

(c) the fittings, article and other equipment the premises or public building contains including—

(i) the presence of unenclosed vertical shafts and large areas of flammable walls, ceilings or similar surfaces, and

(ii) the complexity of escape routes caused by extensive subdivisions;

(d) the physical and chemical properties of the substances, if any, likely to be kept or stored on or in the premises or public building;

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(e) the presence on or in the premises or public building of—

(i) materials likely, when ignited, to cause a rapid spread of fire, smoke or fumes, or

(ii) maintenance workshops, large kitchens and transformer or switchgear rooms;

(f) unusual circumstances relating to occupants, whether employees, guests or visitors including but without limitation to—

(i) the number of occupants relative to the size of the premises or public building,

(ii) a high proportion of challenged persons occupying the premises or public building,

(iii) individuals, or small groups of persons, working in isolated parts of the premises or public building,

(iv) additional large numbers of persons attending a separate function within the premises or public building,

(v) in the case of a hotel, the number of employees on duty so that little assistance, if any, is available to members of the public in an emergency;

(g) the maximum number of persons that may be present at any one time on or in the premises or public building; and

(h) the use of the basement, if any, of the public building as sleeping accommodation, dining room, bar area or kitchen.

(3) For the purpose of ensuring the safety of his or her employees at his or her business premises in the event of a fire, every employer shall—

(a) take or cause to be taken measures for fire-fighting at the business premises having regard to—

(i) the nature of the activities carried on at the business premises,

(ii) the size of the undertaking and of the business premises concerned, and

(iii) the persons other than his employees who may be present on the business premises;

(b) nominate employees to implement the measures referred to in paragraph (a); and

(c) arrange any necessary contacts with the Fire and Rescue Service and any other external emergency services, particularly as regards rescue work and fire-fighting.

(4) For the purpose of implementing the measures under subsection (3), the employer shall ensure that the number of employees nominated under paragraph (3)(b), the training of such employees and the equipment available to them are adequate having regard to the size of the business premises and the specific hazards involved in such premises.

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Fire and emergency evacuation plan

11. (1) For the purposes of effecting the evacuation of persons and safeguarding the safety of persons in the business premises or public building in the event of a fire or other emergency, the owner or occupier of every business premises and public building shall—

(a) prepare or cause to be prepared a fire and emergency evacuation plan in respect of such premises or building having regard to the factors specified in subsection (3); and

(b) display or cause to be displayed a legible and prominent copy of such evacuation plan in a conspicuous place in every room of such premises or building.

(2) Without prejudice to the generality of subsection (1), the fire and emergency evacuation plan in respect of any business premises or public building must comply with the following requirements—

(a) ability of persons in the building premises or public building to evacuate such building quickly and as safely as possible;

(b) emergency routes and exits on or in the building premises or public building shall—

(i) lead as directly as possible to a place of safety, and

(ii) be indicated by prominent and legible signs;

(c) emergency routes and exits on or in the building premises or public building requiring illumination shall be provided with emergency lighting of adequate intensity in the event of failure of their normal lighting;

(d) the number, distribution and dimensions of such emergency routes and exits and other means of escape shall be adequate having regard to the use, equipment and dimensions of the public building and the maximum number of persons that may be present at any one time;

(e) emergency doors shall not be so locked or fastened that they cannot be easily and immediately opened by any person who may require to use such doors in the event of a fire or other emergency;

(f) emergency doors on or in the building premises or public building shall open in the direction of the escape; and

(g) sliding or revolving doors on or in the building premises or public building shall not be used for exits specifically intended as emergency exits.

(3) The factors referred to in paragraph (1)(a) are—

(a) the features of any business premises or public building;

(b) the activity carried on within such premises or building;

(c) any hazard present in such premises or building; and

(d) any other relevant circumstance.

Means of escape to be safeguarded

12. (1) The owner of every business premises or public building shall safeguard the means of escape from such premises or building against the spread of fire and hot gases by way of service ductwork, pipework

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openings, chutes and ventilation trunking or such other appropriate service openings in the structure of the business premises or public building.

(2) For the purpose of ensuring the safety of persons on or in any business premises or public building in the event of a fire or other emergency, every means of escape including every emergency exit and the routes to the emergency exits from such premises or building shall be kept clear at all times.

General storage areas

13. The owner of a public building shall take such action as may be necessary to reduce the risk of fire in the public building by ensuring that the storage of reserve furniture is restricted to parts of the public building to which members of the public are not admitted.

Display and exhibition areas

14. (1) Where an area within a public building is used for display or exhibition, the owner of the public building shall ensure that—

(a) there is unimpeded access to all gangways leading to exits and means of escape from the public building;

(b) any display or exhibition at such building does not obstruct clear view of exits from the public building and their associated exit signs;

(c) no display consists of material or goods likely to readily ignite or spread fire rapidly; and

(d) unless adequate means of escape remain available for occupants in an area used for any display or exhibition, no display or exhibition is—

(i) on the same floor as a restaurant or licensed bar or any other area that will attract large numbers of the public at any one time, or

(ii) in any part of the public building where persons are invited to wait and receive specialist service.

(2) The reference in subparagraph (1)(d)(ii) to "specialist service" shall be construed to include hairdressing and beauty treatment salons.

Fire risk assessment

15. (1) Without prejudice to the provisions of these Regulations, where a building is used as a business premises for a regulated undertaking prescribed under these Regulations, the owner of such building shall undertake routine fire risk assessment of the building in order to determine the extent to which persons present in that building are exposed or are likely to be exposed to danger by identifying the potential ignition sources and fuels and other fire hazards present in the building.

(2) Where the owner of such building identifies any fire hazard in respect of that building, he shall—

(a) evaluate the risk to persons in the building, by determining who might be harmed and the nature and extent of the injury or harm likely to occur in the event of a fire or other emergency; and

(b) assess the adequacy of the existing fire precautions measures implemented in respect of the public building against currently available safety procedures, fire precautions guidance and practices.

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(3) Subject to the provisions of these Regulations, the fire risk assessments referred to in this section shall be conducted at least 2 times each calendar year with no more than 7 months between successive fire risk assessments.

(4) For the purposes of subsections (1) and (2), the assessments and evaluation must include a careful examination of—

(a) the means of escape;

(b) the emergency exit signs, emergency lighting, door fastenings and other means provided for ensuring that the means of escape can be effectively used;

(c) where applicable, the structural fire protection, fire warning and fire detection systems;

(d) the fire-fighting equipment installed pursuant to section 9; and

(e) the fire training and instructions provided, if any.

(5) Where any risk is identified in a public building pursuant to a fire risk assessment conducted under this section in respect of the public building, the owner of that public building shall—

(a) take adequate measures to eliminate such risk completely or reduce such risk to a tolerable level by introducing suitable control measures; and

(b) make a record of the significant findings of such assessment and review such findings regularly so as to ensure that the existing fire precautions of the public building remain adequate.

Maintenance

16. (1) Every equipment, device and fire safety installation located or installed on or in any business premises or public building shall be maintained in an efficient state, in efficient working order and, where necessary, in good repair to the satisfaction of the Chief Fire Officer in order to safeguard the safety of persons in such building in the event of a fire or other emergency, whether or not the building is used as any business premises.

(2) Without prejudice to the generality of subsection (1), every owner or occupier of any business premises or public building shall—

(a) carry out a programme of routine inspections, tests and maintenance of each fire safety installations, features and equipment installed within such building; and

(b) make a record of every such programme and the results and observations of such inspections, tests and maintenance.

Fire safety training

17. (1) Every employer to whom these Regulations apply shall routinely conduct a programme of fire safety training, drills and exercises for his or her employees, and such programme of training shall be specific to the particular undertaking and business premises.

(2) The instructions provided during any fire safety training under this section shall be given by a competent person and where possible shall include practical sessions in the following—

(a) the action to be taken upon discovering a fire;

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(b) the action to be taken upon hearing the fire alarm;

(c) raising the alarm, including the location of the alarm call points and alarm indicator panels;

(d) the correct method of calling the Fire and Rescue Service;

(e) the location and use of the fire-fighting equipment;

(f) knowledge of exits, escape routes and means of escape, including any stairway not in regular use, if any;

(g) knowledge of the method of operation of any special escape door fastenings;

(h) the importance of fire doors and the need to close all fire doors at the time of a fire and on hearing the fire alarm;

(i) techniques of stopping machines and processes, and where appropriate, the technique of isolating power supplies;

(j) the operation of all escape doors, not in regular use, to ensure that such doors function satisfactorily;

(k) the evacuation procedure for the public building or, as the case may be, the business premises; and

(l) general fire precautions.

(3) Without prejudice to subsections (1) and (2), the managers of departments, kitchen staff, receptionists, security staff and the engineering and maintenance staff, if any, in every prescribed undertaking shall be given the necessary instructions and training in matters relating to their particular responsibility in the event of a fire.

(4) For the purposes of ensuring the effective implementation of this section, fire safety training, drills and exercises shall be carried out in accordance with the time scales specified in these Regulations taking into account the type of undertaking and business premises and other relevant factors.

Fire safety training in special circumstances

18. Notwithstanding anything to the contrary in these Regulations, when the percentage of the employees with no prior participation in any fire safety drill or training exceeds 25% of the workforce of any business undertaking, the owner of that business undertaking shall, within 15 days of discovering this fact, conduct fire safety drills and training for the employees.

Fire precautions guidance

19. (1) The Chief Fire Officer may, from time to time, issue such fire precautions guidance as he or she considers necessary.

(2) The fire precautions guidance to be issued in respect of any public building or business premises shall be determined having regard to all of the relevant circumstances including the fire risk and associated life risks in the public building or business premises.

Fire precautions log book

20. (1) For the purposes of recording all tests, maintenance, inspections, fire risk assessments and fire safety training carried out pursuant to sections 15, 16 and 17, the Chief Fire Officer shall supply every employer

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to whom these Regulations apply and every owner and occupier of a public building and any business premises with a fire precautions log book in the form set out in Schedule 4.

(2) Where an employer or an owner or occupier of a public building carries out or causes to be carried out any tests, maintenance, inspections, fire risk assessment or fire safety training pursuant to sections 15, 16 or 17, as the case may be, such employer, owner or occupier shall make an accurate entry or cause an accurate entry to be made of such tests, maintenance and inspections and fire safety training in the fire precautions log book.

(3) The matters which must be recorded in the fire precautions log book in respect of any training and instructions referred to in section 17 include—

(a) the date and duration of the instructions, drill or training exercise;

(b) the name of the person giving the instructions or conducting such exercise;

(c) the names of the persons receiving the instructions; and

(d) the nature of the instructions, training drill or exercise.

PART 5

MISCELLANEOUS PROVISIONS

Arrangement for challenged persons

21. (1) The owner of every hotel, hospital, day care centre or such other facility shall ensure that adequate measures are incorporated in the safety and evacuation procedures of such aforementioned facility to enable the safe evacuation of challenged persons registered at that facility in the event of a fire or other emergency.

(2) Without prejudice to subsection (1), the owner of the hotel, hospital, day care centre or such other facility shall ensure that—

(a) upon registration, procedures are in place to identify, as far as practicable, whether any person who is being registered at the facility is challenged or requires special assistance;

(b) members of staff of the facility are informed of the special circumstances and other relevant particulars of the challenged persons registered at that facility;

(c) no challenged person who is registered at the facility is left unattended in the event of a fire or other emergency; and

(d) where practicable, establish special procedures which must be adopted to accommodate the circumstances of every challenged person who is registered at the facility, and in particular—

(i) in the case of a registered person with poor or impaired sight, provision is made for such person to be advised verbally of the procedures to be followed in the event of a fire or other emergency, and

(ii) in the case of a registered person with poor or impaired hearing, provision is made for such person to be contacted in person and assisted in the event of a fire or other emergency.

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(3) References in this section to "hotel" shall be construed to include references to a guest house, a motel and any villa or condominium developed or operated as part of a hotel project or condominium hotel project.

Inspections by fire officers

22. (1) Where a fire officer inspects any public building or business premises pursuant to the Act, he shall conduct a detailed and complete examination of—

(a) all the means of escape from such building or premises and shall record whether or not such means of escape are adequate and free of obstructions;

(b) the fire alarm system, if any, installed in or on such building or premises and shall record whether or not the fire alarm system is working, is maintained in good order, is tested on a regular basis and is capable of being heard in all parts of the public building or business premises;

(c) all fire extinguishers and record whether or not such extinguishers are installed and maintained in accordance with the certificate of compliance issued in respect of the public building or business premises and are in good working order;

(d) all emergency exit signs and other notices and record whether or not such signs and other notices are clearly and prominently displayed in the public building or business premises in accordance with these Regulations and the certificate of compliance ;

(e) the physical structure of the public building and shall record whether or not the physical structure has been altered since the last inspection; and

(f) the entries in the fire precautions log book relating to training and the maintenance of the public building or business premises and shall record whether or not such entries are correct and up to date.

(2) The fire officer shall, during the course of an inspection, conduct such examinations as he considers necessary to satisfy himself that—

(a) any toxic or dangerous substance or chemical present in or on the public building or business premises is stored in the location and manner specified in the certificate of compliance issued in relation to the public building; and

(b) the number of persons who work within the public building or business premises is within the prescribed limits.

Notices

23. (1) Where the Chief Fire Officer has reasonable grounds to believe that a person is using a building in contravention of the provisions of these Regulations, the Chief Fire Officer may, without prejudice to any action which may be taken under these Regulations, issue to the person a notice requiring the person to use the building in accordance with these Regulations.

(2) Every notice served pursuant to subsection (1) or section 41, 46, 49 or 50 of the Act on a person shall—

(a) state the reasons for serving such notice, including the failure of the person to act in accordance with the provisions of the Act or, as the case may be, these Regulations;

(b) specify the steps which are considered necessary to remedy the failure;

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(c) specify the period of time, not being less than 21 days, during which the steps referred in paragraph (b) should be taken; and

(d) contain a statement explaining how, where, the time limit for filing an appeal and the grounds which an appeal, if any, may be brought against the notice.

(3) Before serving a notice which would oblige a person to make an alteration to a building, the Chief Fire Officer shall consult such persons as he is required to consult under the Act.

(4) Every person who receives a notice referred to in this section shall take immediate steps or measures to comply with the notice within the time specified therein or within the time to which an extension may have been granted by the Chief Fire Officer.

(5) Where a person is served with such a notice—

(a) the Chief Fire Officer may withdraw the notice at any time before the end of the period specified in it; and

(b) if an appeal against the notice is not pending, the Chief Fire Officer may extend or further extend the period specified in it.

Offences

24. (1) Subject to subsection (2), a person who fails to comply with Parts 1, 3 and 5 of these Regulations or with any notice referred to in these Regulations commits an offence and is liable on summary conviction to a fine of $1,000 or to imprisonment for a term of 3 months or to both, and, in addition, in the case of a continuing offence to a further fine of $200 for each day during which the offence continues after conviction for the offence.

(2) A person who fails to comply with any provision of Part 2 of these Regulations commits an offence and is liable on summary conviction to a fine of $10,000 or to imprisonment for a term of 3 months or to both, and, in addition, in the case of a continuing offence to a further fine of $500 for each day during which the offence continues after conviction for the offence.

(3) In any proceedings for an offence under this section it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

Citation

25. These Regulations may be cited as the Fire Precautions and Safety Regulations, Revised Regulations of Anguilla, F29-2.

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SCHEDULE 1

(Section 3)

LIST OF PRESCRIBED UNDERTAKINGS

1. Buildings with multiple occupancy in excess of four apartments

2. Commercial complexes

3. Food facilities

4. Garages

5. Hotels and guest houses

6. Petroleum products dispensing facilities

7. Petroleum products storage facilities

8. Places of public entertainment

9. Places where liquor is sold and consumed on the premises

10. Restaurants and bars

11. Sporting complexes

12. Sleeping rigs

13. Villa or condominium developed or operated as part of a hotel or condominium hotel project

14. Warehouses

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SCHEDULE 2

(Section 4(3))

CERTIFICATE OF COMPLIANCE

APPLICATION FORM

FOR OFFICIAL USE ONLY

To the Chief Fire Officer

I hereby apply for a certificate of compliance in respect of the buildings / business premises / undertaking of which details are given below. I make this application as, or for and on behalf of, the occupier / owner of the buildings / business premises / undertaking.

……..… ……...……..

Signature of Applicant ADDRESS

…… ……...…….

Name of Applicant *(in block letters)* DATE

I am signing this application for and on behalf of …….……..... in the capacity of ……..……. (*if applicable*)

To be completed by the Applicant

1. Postal address of the building / business premises / undertaking ……..……..……...…..……

2. Name of the owner of the building/ business premises / undertaking ……..……...……

3. Address of the owner of the building / business premises / undertaking ……...……..……

[*Where the building is in plural ownership, the names and addresses of all owners should be given*]

4. Details of building / business premises / undertaking [*If the certificate of compliance is to cover the use of more than one set of premises in the same building, details of each set of premises should be given on a separate sheet*.]

(a) Name of occupier …….....

(b) Trading name of occupier, if different from paragraph (a) ……..……

(c) Uses to which premises are put …….…

(d) Floor(s) in building on which business premises are situate (e.g. basement, ground floor, first floor) ……..…….

(e) Number of persons employed to work in the business premises ..…….……....

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(f) Maximum number of persons at work or it is proposed will work on the business premises at any one time……..……...

(g) Maximum number of persons other than persons at work likely to be in the premises at any one time, including employees, self-employed persons and trainees—

(i) below the ground floor of the building……...……

(ii) on the ground floor of the building……..……..……...……

(iii) above the first floor of the building……..……...

(iv) in the building……...……..

(h) Number of persons (*including staff, guests and other residents*) for whom sleeping accommodation is provided in the business premises—

(i) below the ground floor of the building……...…

(ii) above the first floor of the building……..……...……

(iii) in the building……..……

5. If the business premises consist of part only of a building, state the uses to which the other parts of the building are put, on a floor by floor basis……..……

……

6. The total number of—

(a) floors, excluding basements, in the building in which the business premises are situated……...……

(b) basements in such building……..……

7. The approximate date of construction of the building / business premises……...……...

8. The nature and quantity of any explosive or highly flammable materials stored or used in or under the building / business premises (*use additional sheets if necessary*)

Materials	**Maximum quantity stored**	**Method of storage**	**Maximum quantity liable to be exposed at any one time**

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9. Details of fire-fighting equipment available for use in the building / business premises (*use additional sheets if necessary*)

Nature of equipment	Number provided	Where installed	Is the equipment regularly maintained
Hose reels			YES / NO
Portable fire extinguishers			YES / NO
Others			YES / NO
[*specify types e.g. sand/water buckets, fire blankets*]			

SCHEDULE 3

(Sections 4(5) and 8)

FEES

Area of building	Fee	
	Application for Certificate of Compliance	Application for Renewal of Certificate of Compliance
0-1499 sq. ft.	$200	$100
1500-1999 sq. ft.	$250	$125
2000-2499 sq. ft.	$300	$150
2500-2999 sq. ft.	$350	$175
3000-3499 sq. ft.	$400	$200
3500-3999 sq. ft.	$450	$225
4000-4499 sq. ft.	$500	$250
4500-5000 sq. ft.	$550	$300
5000 sq. ft. +	$600	$350

(R.A. 5/2019, s. 2)

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SCHEDULE 4

(Section 20)

FIRE PRECAUTIONS LOG BOOK

Address of building/premises ……..……..……..

……

……

Certificate of compliance No. (*if applicable*) …….....

Introduction

The Fire and Rescue Service Act will require you, in respect of your business premises / building / undertaking, to carry out and record a programme of routine inspections, tests and maintenance of all the fire safety features and equipment contained in or installed within your business premises / building / undertaking along with a programme of Fire Safety Training for your staff.

For the purposes of recording all tests, maintenance and inspections carried out or conducted pursuant to the Act and regulations made under the Act, the Anguilla Fire and Rescue Service has provided a Log Book which will guide you as to the current intervals of inspections, tests and maintenance. Selected pages to supplement your log book can be purchased from the Headquarters of the Anguilla Fire and Rescue Service.

If you need any further advice or have any question regarding the purposes of the Log Book or the legislation, please contact the Chief Fire Officer at the Headquarters of the Anguilla Fire and Rescue Service.

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Contents of the Log Book

Fire Alarm System……..1.0 – 1.3
Fire Alarm Record of Tests…….1.4
Fire instructions and Drills…….2.0 – 2.2
Fire Instructions and Drills Records……..2.3
Fire Extinguishers ……3.0 – 3.1
Fire Extinguishers Record of Tests and Inspections……..3.2
Hose Reel ……4.0 - 4.1
Hose Reels Record of Tests and Inspections ……4.2
Emergency Lighting ……5.0 – 5.3
Emergency Lighting Record of Tests and Inspections ……5.4
Miscellaneous Equipment Record of Tests ……6.1

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1.0 FIRE ALARM SYSTEM

1.1 Fire Alarm It is important that the operations of testing do not result in a false signal of fire. The tests and inspections which must be routinely performed are set out in paragraphs 1.1.1 to 1.1.4.

1.1.1 Daily inspect the panel for operation of the fire alarm system. When provided, check that the connection to the remote manned centre is functioning correctly. Record any defect in the Log Book and report such defect to a responsible person.

1.1.2 Weekly test and examine the fire alarm system to ensure that the system is capable of operating under alarm conditions, namely—

(a) operate trigger device (manual call point or detector) or end of line switch on a zone circuit. Zones must be tested in strict rotation, and each zone must be tested quarterly in the case of a monitored system and weekly in the case of an un-monitored system. Each time a zone is tested a different trigger device must be used; and

(b) examine batteries and connections, including electrolyte level.

1.1.3 Quarterly testing and inspection must be done by the installer of the fire alarm system or an employee who has received special training by the installer.

1.1.4 Annual testing and inspection must be done by the installer of the fire alarm system or an employee who has received special training by the installer.

1.1.5 The wiring of the system must be checked every five years.

1.2 Fire Detectors

1.2.1 Regular visual inspection of every detector must be conducted for damage, unusual accumulation of dirt, heavy coats of paint and other conditions likely to interfere with the correct operation of the detector.

1.2.2 Annual testing of at least 2% of installed heat detectors must be conducted by the application of a heat source as a check on reliability. Detectors other than heat detectors must be checked for correct operation and sensitivity in accordance with the manufacturer's instructions.

1.3 Automatic Door Releases Connected To Fire Alarm System

1.3.1 Weekly inspections of the door releases must be conducted, in conjunction with the fire alarm testing, to ensure that all doors are being released and are closing onto the door rebates.

1.4 RECORD OF TESTS

Date	Fire Alarm		Automatic Door Releases	Automatic Detector		Remedial Action Taken	Signature
	Call point location or number	Satisfactory Yes/No	Satisfactory Yes/No	Location or Number	Satisfactory Yes/No		

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2.0 FIRE INSTRUCTIONS AND DRILLS

2.1 FIRE INSTRUCTIONS

2.1.1 Every employer shall ensure that every employee during the first month of employment attends at least 2 instruction periods conducted in respect of the fire precaution and safety.

2.1.2 The frequency of instruction subsequent to the instructions provided during the first month of employment shall be—

(a) in the case of employees on night duties, one instruction period every 3 months; and

(b) in the case of employees on day duties, one instruction period every 6 months or such other period as may be specified in the certificate of compliance issued in respect of the building / business premises / undertaking.

2.1.3 The instructions shall be provided—

(a) for the purpose of discovering a fire, hearing the fire alarm, calling the Fire and Rescue Service and making safe power supplies; and

(b) in respect of the assembly point, the means of escape and the use of fire alarms and fire extinguishers.

2.2 FIRE DRILLS

2.2.1 The fire drills must be conducted to simulate fire conditions and may be conducted—

(a) without giving advance warning to employees except specific members of staff for the purposes of safety; or

(b) with one escape route being obscured.

2.2.2 For the purposes of the conduct of any fire drill, the fire alarm must be operated on the instructions of the management of the business or undertaking.

2.2.3 The frequency of drills shall—

(a) in the case of commercial and industrial premises, be conducted once each calendar year;

(b) in the case of residential premises, places of public entertainment, large shops and departmental stores, be conducted once every 6 months.

2.3 RECORD OF FIRE INSTRUCTIONS AND DRILLS

Date	Instruction Detail	Fire Drill Evacuation Time	Person Receiving Instruction / Drill	Remark of Instructor	Signature

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3.0 FIRE EXTINGUISHERS

3.1 Fire extinguishers must be inspected—

(a) monthly to ensure that they have been properly installed and have not been discharged or have not suffered obvious damage, and, in the case of those fitted with pressure indicators, that they have not lost pressure;

(b) annually by a representative of the manufacturer or a competent person in accordance with the manufacturer's instructions including the recommended procedures and the tools specified; and

(c) at such other period as the Chief Fire Officer may specify.

3.2 RECORD OF TESTS AND INSPECTIONS

Date	Location or Number	Inspected or Tested	Satisfactory Yes/No	Remedial Action Taken	Signature

4.0 HOSE REELS

4.1 Every hose reel must be inspected regularly for leaks and correct operations. Each year the hose reels must be completely run out and subjected to operational water pressure to ensure that each hose reel is in good condition and that all couplings are water tight. During the annual test, a flow test must be carried out to ensure that a discharge of at least 24 litres per minute is achieved at the 2 highest hose reels.

4.2 RECORD OF TESTS AND INSPECTIONS

Date	Location or Number	Inspected or Tested	Satisfactory Yes/No	Remedial Action Taken	Signature

5.0 EMERGENCY LIGHTING SYSTEM: LUMINAIRES AND STANDBY BATTERIES

5.1 The testing of the emergency lighting system must be done at times of least risk having regard to possible failure. The emergency lighting system and, in particular, the luminaires must be checked regularly for cleanliness. The battery banks and generators must be checked in accordance with the manufacture's instructions.

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5.2 The types and scope of the tests to be conducted are—

(a) daily testing to ensure that—

(i) any previous faults have been rectified,

(ii) every lamp in a maintained unit is lit, and

(iii) the control panel of the maintained unit indicates normal;

(b) monthly testing of the contained luminaires, by simulation of a failure of the normal lighting supply, for sufficient time to allow all luminaires to be checked for proper function;

(c) half-yearly testing of self-contained and central battery systems, by simulation of a failure of the normal lighting supply for a continuous period of one hour to 3 hour duration units and 15 minutes to one hour duration units; and

(d) 3 tests every year for the full duration of self contained and central battery systems which have specified duration category in excess of one hour.

5.3 The owner shall ensure that—

(a) any faults found during any test referred to in paragraph 5.2(a), are recorded in the fire precaution log book and remedial measures are taken accordingly; and

(b) during the tests referred to in paragraphs 5.2(c) and (d), all luminaires are checked for proper functioning.

5.4 RECORD OF TESTS AND INSPECTIONS

Date	Location or Number	Inspected or Tested	Satisfactory Yes/No	Remedial Action Taken	Signature

6.0 MISCELLANEOUS EQUIPMENT

6.1 RECORD OF TESTS

Date	Item Tested	Satisfactory Yes/No	Remedial Action Taken	Signature

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