TO: Chair and Members Planning Committee  
WARD(S) AFFECTED: CITY WIDE

COMMITTEE DATE: May 3, 2011

SUBJECT/REPORT NO:  
Carbon Monoxide Detectors (PED11078) (City Wide)  
(Outstanding Business List Item)

SUBMITTED BY:  
Tim McCabe  
General Manager  
Planning and Economic Development Department

PREPARED BY:  
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SIGNATURE:

RECOMMENDATION

a) That City Council pass the following resolution:

“The Council for the City of Hamilton supports Oxford MPP Ernie Hardeman in his efforts to make carbon monoxide detectors mandatory in all residential buildings in Ontario.”

b) That a copy of this resolution be forwarded to the Honourable Dalton McGuinty, Premier of Ontario, and Ernie Hardeman, MPP Oxford.

c) That the item “Carbon Monoxide Alarms” be identified as complete and removed from the Outstanding Business List.
EXECUTIVE SUMMARY

Carbon monoxide (CO) is a colourless and odourless gas often referred to as “the silent killer”. Sources of carbon monoxide include fuel-burning appliances such as furnaces, fireplaces, gas stoves and water heaters. It can also be produced by idling vehicles in garages that are attached to homes. Because you can’t see, taste or smell it, it can affect occupants of a home before they even know it’s there. Even at low levels of exposure, carbon monoxide can cause serious health problems. At very high levels it can even lead to death. Since 2001 the Ontario Building Code has required carbon monoxide detectors to be installed in every new building with a residential occupancy that contains a fuel-burning appliance or attached garage. The Ontario Building Code also requires the installation of a CO detector in existing buildings that undergo retrofits and renovations under a building permit. The Hawkins Gignac Act (Bill 69) being put forward as a Private Members Bill by Ernie Hardeman, MPP (Oxford), would amend the Building Code Act and require carbon monoxide detectors to be installed in all residential buildings (homes, condos, and rental apartments), not just those built since 2001. Since the installation of a carbon monoxide detector would provide early warning to the occupants of a building, the Building Services Division supports the intent of Bill 69 to have CO detectors installed in all residential buildings.

Alternatives for Consideration – Not Applicable

FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial: There may be financial implications depending on how enforcement is to be carried out. Since the proposed Bill is to amend the Building Code Act, any financial implications would be covered by fees collected under the Building By-law (By-law 08-161 as amended) with no impact on the general levy.

Staffing: Additional staffing may be required depending on how the legislation is to be enforced.

Legal: Not applicable

HISTORICAL BACKGROUND (Chronology of events)

On December 13, 2010, the Council for the Town of Ingersoll passed a resolution in support of Oxford MPP Ernie Hardeman’s effort to make carbon monoxide detectors mandatory in all residential buildings, with an amendment to the Building Code Act. This resolution was forwarded to all Ontario Municipalities. At its meeting of January 26, 2011, City Council considered this resolution and referred it to the City Manager and the General Manager of Economic Development and Planning for a report back to the Planning Committee.
POLICY IMPLICATIONS

Building Code Act

RELEVANT CONSULTATION

Hamilton Emergency Services – Fire were consulted and they fully support MPP Ernie Hardeman in his efforts to require carbon monoxide detectors installed in all residential buildings through his Private Members Bill (Bill 69).

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

Carbon monoxide (CO) is a colourless, odourless gas that can build up to lethal concentrations in an enclosed space without the occupants being aware of it. It is produced when fuels such as natural gas, oil, wood, propane or kerosene don't get enough air to burn up completely. Damaged or blocked venting and lack of maintenance can allow carbon monoxide to build up inside a home. Another source of carbon monoxide would be an idling vehicle inside an attached garage. Since you cannot see, taste or smell carbon monoxide it is often referred to as “the silent killer”. At low levels it can cause headaches, tiredness, and shortness of breath which sometimes feels like the flu. At higher concentrations (or if persons are exposed at low levels for a long period of time), persons can experience dizziness, chest pain, poor vision, and difficulty thinking. At very high levels carbon monoxide can cause convulsions, coma and even death. In Ontario, carbon monoxide poisoning has been blamed for the death of 87 persons between 2000 and 2007.

In 2001, the Ontario Building Code was amended to require the installation of a carbon monoxide detector in every new building with a residential occupancy that contains a fuel-burning appliance or an attached garage. The Ontario Building Code also requires the installation of a CO detector in existing buildings that undergo retrofits and renovations under a building permit. For new buildings the CO detector required by the Building Code must be permanently connected to an electrical circuit, while those undergoing retrofits or renovations could be battery operated. The purpose of this amendment was to provide an early warning to the occupants of a residential building before carbon monoxide levels reached dangerous levels. However, the building code does not require the installation of carbon monoxide detectors in existing homes built prior to 2001 unless they undergo retrofits or renovations requiring a building permit.

The Private Member’s Bill put forward by MPP Ernie Hardeman of Oxford as the Hawkins Gignac Act (Bill 69) would amend the Building Code Act and would require the installation of carbon monoxide detectors in all residential buildings irrelevant of when
they were built. This would apply to homes, condos, and apartment units. This Bill received second reading on December 2, 2010, and was referred to the Standing Committee on General Government.

The Building Services Division fully supports the requirement to have CO detectors installed in all residential buildings; however, staff have some concerns as to how this proposed requirement would be enforced. Currently, under the Building Code Act, a building inspector can only enter a dwelling if the occupant grants permission. Therefore, unless additional powers of entry are included in the new legislation it would be difficult to determine if an existing residential unit had a working CO detector since the occupant could deny the building inspector entry into their residence. The proposed amendment also does not address if enforcement would be proactive or on a complaint basis only, or if a building permit would be required for the installation of a CO detector. If the City was required to inspect every residential building (homes, individual apartments, etc.) in the City of Hamilton it would require the hiring of additional inspectors. While the intention of Bill 69 can be fully supported by staff, the method of enforcement and associated costs have not been addressed in the proposed Bill.

**ALTERNATIVES FOR CONSIDERATION**

(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

Not applicable.

**CORPORATE STRATEGIC PLAN**  (Linkage to Desired End Results)


**Healthy Community**

• Human health and safety are protected.

**APPENDICES / SCHEDULES**

Not applicable.

JS: jc