

UBUHLEBEZWE



MUNICIPALITY

FIRE POLICY

1. Preamble

The Municipal Council of Ubuhlebezwe Municipality recognises: —

- that everyone has the constitutional right to an environment that is not harmful to their safety or well-being;
- that losses due to fire and the subsequent economic and social impact on people, property and infrastructure causes unnecessary hardship;
- that the protection of all sectors of the community against fire is an important aspect in the development and sustainability of the economy;
- that certain aspects of the daily existence need to be controlled in such a manner as to prevent and reduce the effects of fire on the community as a whole;
- that the community has a vital role to play in achieving the objectives of this policy , and
- that the benefits of a fire-safe environment should be accessible to all.

2. Purpose and scope of this policy

The purpose and scope of the policy is:

- to promote the achievement of a fire-safe environment for the benefit of all persons within the area of jurisdiction of the Municipality;
- to provide for procedures, methods and practices to regulate fire safety within the area of jurisdiction of the Municipality.

3. Application of this policy

This policy is applicable to all persons within the area of jurisdiction of the Municipality and includes both formal and informal sectors of the community and economy.

PART 1

Fire Administration Procedures

Station officer Duties

The station officer is a custodian of this policy she/he is responsible for the administration and enforcement of this policy

Delegation of powers

- A station officer may delegate any power granted to him/her in terms of this policy in accordance with section 19 of the Fire Brigade Services Act.
- A municipal manager may delegate any power granted to him in terms of this policy in accordance with the system of delegation of the Municipality developed in terms of section 59 of the Municipal Systems Act.

Enforcement provisions

- A controlling authority may, whenever he regards it necessary or expedient to do so, enter any premises at any reasonable time to ensure compliance with this policy.
- A controlling authority has the authority to summarily abate any condition which is in violation of any provision of this policy and which presents an immediate fire hazard or other threatening danger.
- A controlling authority must remedy any violation, by performing any act, and may also:-
 - ✚ call for the immediate evacuation of the premises;
 - ✚ order the closure of the premises until such time as the violation has been rectified;

-  order the cessation of any activity, and
-  order the removal of the immediate threat.
- Any costs of such action must be borne by the person deemed by a controlling authority to be responsible for the existence of such condition.

Municipality Authority to Investigate

Notwithstanding anything to the contrary contained in any other policies, a controlling authority has the authority to investigate the cause, origin and circumstances of any fire or other threatening danger.

Records required

The safekeeping of all relevant records and documents is the responsibility of the controlling authority.

Fees and Charges

The Municipality may determine the fees payable by a person on whose behalf, the controlling authority rendered a service as contemplated in section 10 of the Fire Brigade Services Act.

The Municipality may charge a fee for the provision of an inspection, re-inspection or any other service as well as the issuing of permits, approvals or certificates in accordance with the applicable local government legislation regulating the charging of fees.

Reporting a fire hazard and other threatening danger

An owner or the person in charge of the premises, upon discovering any evidence of a fire hazard or other threatening danger pertaining to this policy, must immediately notify the controlling authority.

Training of Firefighter

Each firefighter shall be assigned and trained in functions with regard to firefighting and emergency medical responsibilities. All such firefighters shall be trained in a variety of duties and be capable of flexible action.

Part 2

Fire Fighting Equipment

Every building hereafter erected exceeding 6 m in height and having more than two floor levels shall have an approved double fire engine connection with a pressure gauge installed on the ground floor and on the street front in a position capable of easy access

General

The controlling authority must abate a contravention of the National Building Regulations relating to fire and safety of buildings.

Access for emergency vehicles

When, in the opinion of the controlling authority, premises are not readily accessible from public roads it must be provided with emergency vehicle access and, notwithstanding the provisions in the National Building Regulations (T1), may be required to comply with the following:—

- An access road must be constructed so that it is capable of supporting the mass of the heaviest emergency vehicle required to cater for the risk of the premises.
- A motorised or electronically operated gate must be equipped in such a manner that access to the premises can be gained without the use of a motor or any other electronic device.

Division and occupancy separating elements

An owner or person in charge of a building may not alter a division or occupancy separating element in any way that would render it less effective or to allow flame, heat or combustion products from penetrating into the adjacent compartment or structure.

Escape Routes

A component which forms part of an escape route such as the feeder routes, access doors, emergency routes and escape doors must not be obstructed or rendered less effective in any way, which could hinder or prevent the escape of any person from a building in the case of fire or any other emergency.

A locking device, which is fitted to an access or escape door in an escape route, must be of a type approved by the municipality.

Where required by the controlling authority, an escape route must be clearly indicated with signage, which complies with SABS 1186, indicating the direction of travel in the event of fire or any other emergency.

Tents

Prior to the erection and usage of a tent as an occupancy contemplated in the National Building Regulations (A20), an applicant must:—

- submit an application in terms of the National Building Regulations (A2) to the Municipality for the erection and usage of the tent, and
- submit an application in terms of Part 4 of this policy to the controlling authority for a temporary population certificate.

The application submitted must comply with the following:—

- The tent must be erected at least 4,5 metres from a boundary, combustible store or material and the controlling authority may require that this distance be increased should the situation require it.
- Where tents are erected adjacent to one another, an unobstructed minimum distance of 4,5 metres must be provided between them and where applicable between the stakes and guidelines of the adjacent tents, in order to ensure emergency vehicle access.
- The requirements set out in the National Building Regulations (T1) must be complied with in the following instances:—
 - (i) where the population of a tent exceeds 25 people;
 - (ii) where a tent is occupied during the hours of darkness;
 - (iii) for seating arrangements and aisle dimensions, and
 - (iv) for the provisions of fire extinguishers.
- The population density of a tent must comply with the National Building Regulations (A21).
- No cooking may be carried out in the tent occupied by the public and where cooking is required, it must be carried out in a separate tent or an area to which the public does not have access.
- No open fire is permitted in a tent and any other flame emitting device, such as a candle, lantern or torch but not limited thereto, is only permitted in a tent after approval by the controlling authority.
- No open fire or flame is permitted within five metres of a tent, stake or guideline of a tent.
- Smoking is prohibited in a tent and a “**No Smoking**” sign must be prominently displayed at each entrance and must comply with SABS 1186: Part 1.



- Lighting and wiring installed in a tent must comply with the requirements set out in SABS 0142 in such a manner that direct contact is not made with combustible material and the radiated heat does not pose an ignition hazard.

The controlling authority may request the applicant to fulfil additional requirements for the erection and usage of a tent.

Part 3 Fire Service Equipment

Fire extinguishers must be provided and installed on premises as required by the controlling authority and in accordance with the National Building Regulations (T1) and (T2).

Fire extinguishers must be maintained strictly in accordance with the requirements of the Occupational Health and Safety Regulations, SABS 1475: Part 1, SABS 1571, SABS 1573 and SABS 0105: Part 1.

A juristic or a natural person may not fill, recharge, recondition, modify, repair, inspect or test a fire extinguisher in terms of SABS 1475: Part 1, unless such a person is the holder of a permit issued by the South African Bureau of Standards or certificate of competence issued by the South African Qualifications Certification Committee.

The owner or person in charge of the premises may not allow a fire extinguisher to be filled, recharged, reconditioned, modified, repaired, inspected or tested by a person not in possession of a permit or certificate. When the controlling authority finds that a fire extinguisher has been filled, recharged, reconditioned, modified, repaired, inspected or tested by a person not in possession of a permit, the controlling authority must instruct the owner or person in charge of such premises to have the work carried out by a person who is in possession of such a permit or certificate.

When, in the opinion of the controlling authority, a fire extinguisher is unsafe or ineffective either by reason of deterioration, design or construction, the controlling authority must instruct the owner or the person in charge of the premises to have the appliance inspected and tested in terms of SABS 1475: Part 1 and SABS 1571.

A fire extinguisher may not be removed from the premises for filling, recharging, reconditioning, modification, repair, inspection or testing unless the appliance is replaced temporarily with a similar appliance in good working condition.

A fire extinguisher may not be installed, dismantled, recharged, disconnected, serviced, modified, repaired or tested in an area where such action would create a danger or hazard.

Maintenance of fire protection systems

A fire protection system must be tested and maintained on a regular basis and the owner or person in charge of the premises must keep a detailed record of the test and maintenance of the system.

A person may not test a fire protection system before notifying the occupants of the premises concerned of the starting and completion times of the test, and where applicable the parties who monitor the fire protection system.

A fire protection system designed for detecting, fighting, controlling and extinguishing a fire must be maintained in accordance with the National Building Regulations (T2) read in conjunction with a recognised national code or standard, and in the absence of a national code or standard an applicable international code or standard must be used.

The person carrying out the maintenance of a fire protection system must inform the owner or person in charge of the premises in writing, of any defects discovered, maintenance performed or still outstanding, and where the person in charge has received such notice, he must without delay inform the owner accordingly.

The owner or person in charge of the premises must immediately notify the controlling authority when the fire protection system, or a component thereof, is rendered inoperative or taken out of service and must notify the controlling authority as soon as the system is restored.

The owner or person in charge of the premises must take all steps deemed necessary by the controlling authority to provide alternate equipment to maintain the level of safety within the premises.

Fire protection systems and fire extinguishers

A person is not permitted to render less effective, inoperative, inaccessible, or tamper and interfere with a fire extinguisher or fire protection system, except as may be necessary during emergencies, maintenance, drills or prescribed testing.

Installation of Fire alarms and fire hydrants

Without compensation to the owner of the premises concerned, the controlling authority may cause:—

- a fire alarm,
- a transmission instrument for calls of fire or other emergency, or
- a transmission instrument for warning residents of a fire or other emergency to be affixed to any building, wall, fence, pole or tree.

Without compensation to the owner of the premises concerned, the controlling authority may cause the position of a fire hydrant and fire alarm or any other fire protection information to be marked on any building, wall, fence, pole, tree, road, pavement or hydrant cover with a board, decal, metal plate or painted marker or by any other means.

The controlling authority may at any time cause a fire alarm, other transmission instrument, board, decal, metal plate or painted marker to be removed without compensating an owner of the premises concerned.

An unauthorised person is prohibited from removing, defacing, altering, tampering or damaging a fire alarm, other transmission instrument, board, decal, metal plate or painted marker.

A person may not render less effective, inoperative, inaccessible, or tamper and interfere with a fire hydrant.

Part 4

Prevention and control of overcrowding

Prior to the usage of the premises for entertainment or public assembly, the owner or person in charge of such premises must submit an application for a population certificate to the controlling authority.

The controlling authority may request additional information from the applicant.

The controlling authority may instruct the owner or person in charge of the premises to apply for either a temporary or a permanent population certificate, should the premises be used in respect of any other occupancy contemplated in the National Building Regulations (A20).

A temporary population certificate is valid for a period not exceeding 30 calendar days.

The controlling authority must refuse to issue the temporary or permanent population certificate if the premises do not comply with the requirements of the National Building Regulations (T1), and where the controlling authority is of the opinion that the non-compliance of the premises can be remedied, he must instruct the owner or person in charge of the premises in writing, to take all reasonable steps to render the premises safe prior to the usage of the premises and the issuing of the temporary or permanent population certificate.

The temporary and permanent population certificate is valid only for the premises or portion of the premises for which it was issued, and when changes of occupancy occur or alterations are made to the premises for which the certificate was issued, the owner or person in charge of the premises must reapply for the certificate.

The temporary or permanent population certificate must be displayed in a clearly visible and conspicuous position in or on the premises for which the certificate was issued.

The owner or the person in charge of the premises must prevent overcrowding by limiting the maximum population to that which is specified on the temporary or permanent population certificate.

A person must vacate the premises that are overcrowded when instructed to do so by the controlling authority, the owner or person in charge of the premises.

Attendance of a service

When the controlling authority is of the opinion that a service is required to be in attendance during a function in a place used for entertainment or public assembly, he may provide, in the interest of public safety and subject to the exigencies of the service, one or more members, a vehicle or equipment of a service to be in attendance on the premises for the duration of the function or part thereof. When the attendance of a service during a function in a place used for entertainment or public assembly involves costs, the costs incurred by the Municipality may be recovered from the person in charge of the function.

Fire Escapes



Every door which affords a way of escape from a building other than a public building to a place of safety in the event of fire shall always be kept unlocked and, in working order and shall be clearly marked on the inside with the words "Fire Escape" in both official languages in letters no less than 150 mm in height: Provided that such door as aforesaid may be kept locked by means of a device which enables it to be opened at all times from inside the building, the said device to be enclosed, protected or arranged to the satisfaction of the Station Officer.

The displaying of escape route plans for any other premises is subject to the approval of the controlling authority.



Part 5

Flammable material

A person may not store, transport, use or display or cause or permit to be stored, transported, used or displayed, whether inside or outside the premises, any combustible material or a flammable substance in quantities or in a position or in a manner likely to cause or create a fire hazard or other threatening danger.

The owner or person in charge of the premises may not permit vegetation to grow or accumulate thereon, or other combustible material to accumulate thereon, in a manner likely to cause a fire hazard or other threatening danger.

Burning of flammable material

The lighting of fires and the disposal of combustible material by burning is prohibited, save in the circumstances set out in this section.

A person may light a fire or use a flame-emitting device for the purpose of preparing food or for any other domestic purpose in a manner which will not cause a fire hazard or other threatening danger or where such a fire is not precluded by any other legislation.

The owner or person in charge of the premises used in respect of occupancy of entertainment or public assembly must ensure that a cooking fire or flame-emitting device is placed in designated areas so as to prevent a fire hazard or other threatening danger.

Burning may take place on State land, a farm, a small holding, or land within a proclaimed township that is not utilised for residential purposes provided that the prior approval is obtained from the controlling authority which approval shall be applied for in writing after approval has been obtained in terms of the applicable legislation.