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## **Official Report of Debates (Hansard)**

Monday 2 April 2012

## **Journal des débats (Hansard)**

Lundi 2 avril 2012

**Standing Committee on  
Social Policy**

Hawkins Gignac Act (Carbon  
Monoxide Detectors), 2012

**Comité permanent de  
la politique sociale**

Loi Hawkins Gignac de 2012  
(détecteurs de monoxyde  
de carbone)

Chair: Ernie Hardeman  
Clerk: Katch Koch

Président : Ernie Hardeman  
Greffier : Katch Koch

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
SOCIAL POLICY**

**COMITÉ PERMANENT DE  
LA POLITIQUE SOCIALE**

Monday 2 April 2012

Lundi 2 avril 2012

*The committee met at 1400 in committee room 1.*

HAWKINS GIGNAC ACT (CARBON  
MONOXIDE DETECTORS), 2012

LOI HAWKINS GIGNAC DE 2012  
(DÉTECTEURS DE MONOXYDE  
DE CARBONE)

Consideration of the following bill:

Bill 20, An Act to amend the Building Code Act, 1992 to require carbon monoxide detectors in certain residential buildings / Projet de loi 20, Loi modifiant la Loi de 1992 sur le code du bâtiment pour exiger l'installation de détecteurs de monoxyde de carbone dans certains immeubles d'habitation.

**The Vice-Chair (Mr. Ted Chudleigh):** If I could call the Standing Committee on Social Policy to order, we're here to consider Bill 20, An Act to amend the Building Code Act, 1992 to require carbon monoxide detectors in certain residential buildings.

**ONTARIO ASSOCIATION OF FIRE CHIEFS**

**The Vice-Chair (Mr. Ted Chudleigh):** I would call on the first presenters to come forward and take a seat at the witness table. That would be the Ontario association of firefighters: Jim Jessop, the deputy fire chief of Niagara Falls. Welcome. I would reiterate that the presenters each have 20 minutes. Please sit down and be comfortable; we're kind of casual at standing committee meetings. You have 20 minutes for your presentation, which includes questioning. I'd ask each presenter, in their turn, to identify themselves for the purposes of Hansard. If you'd like to continue, Jim, thank you.

**Mr. Ernie Hardeman:** Mr. Chairman.

**The Vice-Chair (Mr. Ted Chudleigh):** Oh, I'm sorry, Jim, we have a small interruption from the presenter of the bill. I'm sure it won't take long. Mr. Hardeman.

**Mr. Ernie Hardeman:** Thank you, Mr. Chairman. I just wanted a clarification. This was not in respect to the delegation, but I believe you started with saying they were representing the Ontario Association of—

**The Vice-Chair (Mr. Ted Chudleigh):** —Fire Chiefs.

**Mr. Ernie Hardeman:** Yes, I just wanted to make sure the word was "chiefs," not "fire departments."

**The Vice-Chair (Mr. Ted Chudleigh):** Oh, I may have misspoken. Thank you.

Please go ahead.

**Mr. Jim Jessop:** Thank you, Mr. Chairman, and thank you, members of the committee. My name is Jim Jessop. I am deputy fire chief for the city of Niagara Falls. I am sitting here today as chair of the fire prevention committee representing the Ontario Association of Fire Chiefs, to come forward and fully support Bill 20 and to offer some comments and some suggestions on behalf of the Ontario Association of Fire Chiefs on how we would respectfully suggest that some friendly amendments would be discussed.

Very briefly, the Ontario fire service currently responds to hundreds of carbon monoxide calls for service daily. We are the front-line responders for these incidents, similar to smoke alarms, and we are the first responders that attend with the respective EMS local providers to deal with these. There have been a number of incidents over the last number of years that certainly have brought this to the attention of the citizens of Ontario. Locally in the city of Niagara Falls, to put it into context, we too had a similar tragedy in the Niagara region in 2004, when a Niagara Regional Police officer died while in his sleep in the city of Port Colborne. The investigation revealed that no carbon monoxide alarm was present, and had there been one there, he would have been alive. So it is something that affects all fire services; and as the Ontario Association of Fire Chiefs is responsible for managing the Ontario fire services, we believe that this is long overdue. A number of inquests have recommended this in the past, and the OAFIC fully supports the retroactive installation of carbon monoxide alarms in residential dwellings.

Currently, local fire chiefs have been working with their municipal councils, and municipal bylaws are becoming more and more common because presently there is no requirement for the retroactive installation. To name a few, the city of Brampton, Markham, Mississauga, Oshawa, Toronto and Niagara Falls have already enacted municipal bylaws and are actively enforcing those bylaws to protect the citizens of their cities because of the lack, right now, of a provincial law requiring retroactive installation. More fire chiefs are sending reports forward to council, and there certainly is a position, recently passed at the Ontario Association of Fire Chiefs annual meeting, that all fire chiefs should be actively requesting their councils to enact municipal bylaws until

such provincial legislation is passed. We believe it is the right thing to do and it is the moral thing to do for the citizens that we currently are sworn to serve.

On behalf of the Ontario Association of Fire Chiefs, we would, though, respectfully suggest to the committee that the authority for enforcement of this law, if passed, is put under the Fire Protection and Prevention Act. As members of the fire service, we are actively engaged in inspections, retrofit inspections, complaint inspections and investigations for emergencies. We believe that we would be able to provide the most efficient and economic delivery of this service for inspections because we are already inside of these buildings. It can be done in the normal course of business.

We would respectfully request, though, that amendments to the FPPA, the Fire Protection and Prevention Act, will have to be made because, right now, the way the legislation is written, it does not provide for the introduction of carbon monoxide. The minister, though, has the authority under the act to certainly amend this, and we would respectfully request that, should it go that far, the minister and the government of Ontario consider amending the FPPA to allow this introduction.

Should the government of the day choose to do so, we would also request for the delivery and the enforcement of this provision that the Provincial Offences Act also be amended. Currently, smoke alarms, under the Provincial Offences Act, have five part I ticketable offences. The Provincial Offences Act would also have to be amended to put in similar provisions, similar to smoke alarms, for carbon monoxide alarms.

At this stage, and in the interest of time, that is the comment from the OAFIC. Again, just to sum up, the OAFIC fully supports the retroactive installation of carbon monoxide alarms inside residential buildings. The OAFIC firmly believes this act will save lives. The OAFIC responds to these calls—hundreds of calls—across the province on these issues, and the OAFIC also believes that we would be able to best deliver and enforce this new law under the Fire Protection and Prevention Act, 1997.

Thank you very much, and I'll be happy to take any questions on behalf of the fire chiefs.

**The Vice-Chair (Mr. Ted Chudleigh):** Thank you very much.

Questions? We'll start with the opposition.

**Mr. Ernie Hardeman:** Thank you very much, Deputy Chief, for the presentation. I just wanted to go quickly to the enforcement of the law and where it rightfully belongs. I'm not disagreeing with you that the Fire Protection and Prevention Act may be the appropriate place for it to be. The question, of course, is that presently, for everything built after 2001, it's mandatory that you have carbon monoxide detectors in those homes. Does the fire service presently enforce that part?

**Mr. Jim Jessop:** At the present stage, no, we do not. The Provincial Offences Act does not provide us the authority for part I ticketable offences to enforce that provision of the Ontario building code.

**Mr. Ernie Hardeman:** So, presently, when you do a smoke detector examination of a residence, you don't have the ability to tell people that they should have carbon monoxide detectors in the home?

**Mr. Jim Jessop:** Only, sir, if it's done under our municipal bylaw, do we permit that. So I will speak, for example, for the city of Niagara Falls: Our fire inspectors do have that authority because it is spelled out in our municipal bylaws, so we do enforce it, and so does Brampton and the other cities that I mentioned. But, currently, under the Fire Protection and Prevention Act, we do not have the authority to enforce that provision of the Ontario building code under part I of the Provincial Offences Act.

**Mr. Ernie Hardeman:** Okay; and not to suggest that I want to encourage debate between you and your employer, the mayor, but there's concern expressed from some municipalities about the cost of enforcement. As you mentioned in your presentation, you already go to a number of carbon monoxide alarms to make sure that they're working properly or that they're going off even though they're not—maybe there's no carbon monoxide, but the alarm goes off anyway; sometimes they do. Do you see it as a major impact on your fire service if it was just added to make it retroactive? So, instead of just only those homes after 2001, all homes would have it? Would you see that as a major budgetary item that you would deal with?

**Mr. Jim Jessop:** No, sir, I do not see it as a major budgetary item. I do see some minor adjustments. There would obviously be a little bit of training that would have to be conducted, just for the short-form wording, and like all enforcement activities, there may be some additional court time. However, I do not see the introduction of the fire service inspecting retroactively for carbon monoxide alarms as another major financial or time constraint, primarily because we are in the buildings anyway enforcing the Ontario fire code, so in our position it is just another item that we would be looking for.

I can speak personally for the city of Niagara Falls. We have had the bylaw in effect now for approximately three years, and it has added little time to our enforcement time.

**Mr. Ernie Hardeman:** Thank you.

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**The Vice-Chair (Mr. Ted Chudleigh):** Thank you very much. Questions from the third party?

**Ms. Cheri DiNovo:** Thank you very much for the presentation, and thank you for the clarification in response to the critic from the official opposition.

I just really wanted for you to reiterate, if you could, because of the objections or concerns, let's say, from some of the municipalities—it's your contention that it wouldn't cost that much, if anything, to enact this if we did a change to the Fire Protection and Prevention Act in terms of the municipal budgets.

**Mr. Jim Jessop:** The position of the OAFIC is that we have fire prevention officers already hired, who are already doing inspections. We have fire suppression

crews already responding. There may be some additional time required in the enforcement portion of this, but again, that always comes down to the authority having jurisdiction and local policies.

But we do not see this as a major economic or time constraint item. It is just one other item that would be required to be inspected upon us already being in the building. There may be some minor time required, but we do not see this as a major obstacle.

**Ms. Cheri DiNovo:** But what do you think—I'm asking you to be sort of your own devil's advocate. In light of that, why do we hear these objections from municipalities?

**Mr. Jim Jessop:** Ma'am, to be honest, I'm not sure. I would only be guessing that perhaps, if it was not provided for under the FPPA, there may be concern as to how we get into these buildings if other municipal inspectors aren't conducting such inspections. But unfortunately, I can't guess.

**Ms. Cheri DiNovo:** Fair enough. So the FPPA amendment is critical.

**Mr. Jim Jessop:** The position of the fire chiefs is that that would certainly be the most economic way to do this, yes.

**Ms. Cheri DiNovo:** Thank you.

**The Vice-Chair (Mr. Ted Chudleigh):** Further questions? No? We'll go to the government.

**Ms. Tracy MacCharles:** Thank you, Mr. Jessop, for attending today. I think you've addressed my main question, which is the advantages and the capacity issues if this was under the fire code. So perhaps I'll ask the opposite: If this was to proceed in its current form, what exactly would be the challenges, just so we can have a full compare and contrast between the current form and as you're recommending under the fire code? Thank you.

**Mr. Jim Jessop:** Ma'am, from the position of the OAFC—unfortunately, I can't speak for the chief building officials—we just believe that we are required by law right now, under the Fire Protection and Prevention Act, to inspect buildings upon request or complaint. We are also the service that is responding to these for emergencies, and we are the service that is conducting follow-up inspections after the fire suppression crews have mitigated the situation. So from our perspective, it would just flow naturally that if we're already there, we can certainly deal with the situation.

The fire prevention officers of Ontario are already actively enforcing smoke alarm requirements. We see this as just another extension of another life safety device that we are already legally charged to deal with, to be added to part 2 of the fire code to make it flow better.

**Ms. Tracy MacCharles:** A follow-up? Are there any other challenges you would see with respect to having this under the fire code, any capacity issues in terms of your own area or speaking as chair of the fire chiefs? Any concerns there?

**Mr. Jim Jessop:** The only concern that I suggested respectfully earlier was that we would also suggest that the Provincial Offences Act be amended so that the

option of part I tickets is available. One of the concerns regarding time constraints may be the fear of the court process involving part III information, which typically does take more time. If the option is provided to issue a ticket under part I of the Provincial Offences Act, it would certainly alleviate or help alleviate some of the concerns of municipalities that may believe that this would require more time for legal action.

There may be some training requirements that the Office of the Fire Marshal may have to assist with—those municipalities that may not have the resources of Niagara Falls or Toronto or Oshawa, for example. So there may be some training issues, but we do not believe they're insurmountable.

**Ms. Tracy MacCharles:** Thank you.

**The Vice-Chair (Mr. Ted Chudleigh):** Any other questions? Yes.

**Ms. Dipika Damerla:** Just a clarification on the checks: I think I heard you say that now you check the smoke alarms upon complaint. Do you also do random checks, where you just go in to check, or is it only solely on complaints?

**Mr. Jim Jessop:** That's a local decision, madam, and there are programs, typically around Fire Prevention Week, where we do conduct door-to-door inspections. Under the FPPA, we are legally mandated to go upon complaint or request. Certainly, after fires or other emergencies, those devices are checked. But it really comes down to the local municipality and their choice of service delivery.

**Ms. Dipika Damerla:** Can I have a couple more questions?

**The Vice-Chair (Mr. Ted Chudleigh):** Yes. I'll explain it after, but go ahead.

**Ms. Dipika Damerla:** Okay. In terms of capacity, I know that in some of the more rural areas, sometimes firefighting is on a volunteer basis. Do you think there might be capacity issues there in terms of being able to enforce this legislation if it's done through the fire department as opposed to police or something else like that?

**Mr. Jim Jessop:** Well, presently, madam, every municipality is required by law, regardless of their size, to provide certain components of fire prevention. They are legally required to provide inspections anyway, so we do not feel this should be any major capacity issue. There may be the odd one or two more that have to be done, but by law they have to conduct inspections now as it is, regardless of the size of their municipalities. So we feel, again, they have to have these services provided now for smoke alarms and other fire code violations. This, again, would just flow naturally into their duties prescribed.

**Ms. Dipika Damerla:** And the tickets that you're suggesting: Are you suggesting that the penalties be similar to a smoke alarm?

**Mr. Jim Jessop:** Yes, and thank you, madam, for bringing that up. The two provisions of the amendment to the Provincial Offences Act that we would respectfully submit would be approved short-form wording similar to

the smoke alarm wording and an approved set fine, similar to the smoke alarm set fine.

**Ms. Dipika Damerla:** Thank you.

**Mr. Jim Jessop:** Thank you, madam.

**The Vice-Chair (Mr. Ted Chudleigh):** No further questions? Thank you very much for coming in. We appreciate your submissions today.

**Mr. Jim Jessop:** Thank you, Mr. Chairman, and thank you to the committee.

**The Vice-Chair (Mr. Ted Chudleigh):** I'll just mention to the committee that the questioning will take whatever time is left over. We divide it by three, and each party gets that portion of time for questioning. If you go over, I'll cut you off. So don't worry about it; just keep going.

**Ms. Dipika Damerla:** Okay, thanks.

#### HAWKINS-GIGNAC FOUNDATION FOR CO EDUCATION

**The Vice-Chair (Mr. Ted Chudleigh):** Next we have the Hawkins-Gignac Foundation for CO Education. Welcome to the committee, sir. I'd reiterate that we have 20 minutes for presentation, which includes questions if you care to take them after your presentation. I'd ask you to state your name for the purposes of Hansard.

**Mr. John Gignac:** My name is John Gignac, retired firefighter and co-founder of the Hawkins-Gignac Foundation.

**The Vice-Chair (Mr. Ted Chudleigh):** Thank you very much. Please proceed.

**Mr. John Gignac:** Good afternoon, Mr. Chairman and members of the committee. I am pleased to speak to you this afternoon about an issue that is very personal to me and my family.

My name is John Gignac, and I am the founder of the Hawkins-Gignac Foundation for CO Education. I was also a firefighter for 34 years. At Christmastime in 2008, carbon monoxide killed four members of our family. You may remember that my niece Laurie Hawkins, an OPP officer, her husband, Richard, and their two children, Cassandra and Jordan, all died in their home in Woodstock.

This is their picture. They died because a blocked chimney vent forced carbon monoxide from a gas fireplace back into their house. They never knew what hit them and why because, like most people in this province and across the country, they did not have a carbon monoxide alarm. That is one simple device that could have saved and changed the course of our family's history. That's why Bill 20, also known as the Hawkins Gignac Act, is so important—not just to our family, but to every family. No family should have to endure the hell that we went through.

I wish I could tell you that we have had no more CO deaths since our accident, but I can't say that. Since we lost Laurie, Richard, Cassie and Jordan three years ago, more Ontario people have died. And just six weeks ago,

in Whitehorse, another family of four and their tenant also died from CO poisoning in their home.

So despite all the attention these tragedies get in the news, people are still dying. People are not getting the message. That's why this bill is so important. Without a carbon monoxide law, many people will continue to put their families in danger and many more innocent lives will be lost.

**1420**

Mr. Chairman, I am speaking out for my family because my brother Ben, Laurie's dad, asked me to. After the incident, when I asked Ben what I could do to comfort him and the family, he said, "Warn other people so this doesn't happen to anybody else ever again." So I came out of retirement with a new personal mission: to educate as many Canadians as I could about the dangers of carbon monoxide. I created the Hawkins-Gignac Foundation for CO Education with the hope that other lives could be saved and some good might possibly come from our pain.

My message these past three long years has been simple: There's only one way to know if carbon monoxide is present in your home. That's with one of these, a CSA-approved carbon monoxide alarm.

During my travels, I have found there is a lot of confusion about CO and its dangers. For example, many people think they will smell carbon monoxide gas and have time to escape it. But the trouble is, humans cannot see, smell or taste carbon monoxide. That's why it's called the silent killer.

Another thing I hear people say is, "I have electric heat so I don't need a CO alarm." That would be true if gas was the only potential source of CO in your home, but it's not. People are dangerously unaware that carbon monoxide also comes from wood, gas and propane fireplaces; water heaters; generators and appliances; car exhaust; and many other things. So if you have any one of these fuel-fired devices in your home or have an attached garage or carport, you absolutely need a CO alarm to stay alive and safe.

There's one more reality about carbon monoxide that is perhaps most sinister. Weeks before the accident, Laurie and the kids weren't feeling well. They assumed, as did doctors, that they had the flu and would eventually get better. But the symptoms of low-level CO exposure mimic the flu. They went back into the source of the problem: their own home. They thought they were safe there, but not long after, the silent killer took them all. That is exactly what happened in Whitehorse, too.

So clearly, education is critical if we are to make people aware of how dangerous carbon monoxide is. But passing Bill 20 into law is what will actually save lives. I honestly believe a law is the way to go. A law will make people pay attention to CO safety. A law will motivate them to protect their families by installing a CO alarm. A law will cut down on thousands of emergency room visits every year. And yes, a CO law will save lives.

Mr. Chairman and members of this committee, as you might understand, our family is very frustrated that this

bill has twice unanimously passed second reading only to stall. To us, a carbon monoxide law is a no-brainer. So here I sit again with the support of so many people and organizations like the ones here today and those who have taken time to contact me personally since our tragedy. Mr. Chairman and members of the committee, it is time. We need this law passed so the silent killer can't claim any more lives in Ontario.

When Ontario does make a CO alarm mandatory in homes of any age with a fuel-fired device or attached garage or carport, we will be joining other forward-thinkers who have already done the same thing. Many Canadian cities and towns have already adopted municipal CO bylaws, including my hometown of Brantford and, most recently, the city of Orillia. In the US, there are over 30 states that have CO laws. Even the entire country of Australia is doing the same thing. There's no reason for Ontario to delay any longer.

I believe this bill, now revised, accomplishes what it is intended to do: protect any Ontario citizen at risk of death from carbon monoxide by requiring the installation of a CSA-approved CO alarm. These alarms are not expensive and last seven years. It costs about two cents a day to protect those you love. What are we waiting for?

In closing, when people ask me how I keep going, I say, "How can I not?" I still feel Laurie tapping me on the shoulder, saying, "Keep going, Uncle Johnny." She, Richard, Cassie and Jordan are here with us all today. I know it.

To honour their memory, and for all the lives that we will be saving in the future, I implore you to pass the law. Thank you for having me.

**The Vice-Chair (Mr. Ted Chudleigh):** Thank you very much for your presentation. We have just under 15 minutes; there will be about four and a half minutes per caucus. We'll start with the NDP.

**Ms. Cheri DiNovo:** Thank you, John. I speak on behalf of the whole New Democratic Party caucus and say that our empathy goes with you and your family, and our kudos for continuing on with the struggle, for these many years. Certainly, it's our intention, as well, in the New Democratic Party, to see this bill passed. It may need a bit of tweaking, but it's certainly our intention to see it forward this time. So thank you.

**Mr. John Gignac:** Thank you for your support.

**The Vice-Chair (Mr. Ted Chudleigh):** Government? Ms. MacCharles?

**Ms. Tracy MacCharles:** I just want to say thank you for being here and for the work you do. I appreciate it, as do many people. I know my colleague has a specific question as well, but I just wanted to thank you, Mr. Gignac, for being here.

**Mr. John Gignac:** Thank you.

**Ms. Dipika Damerla:** And I also thank you for that very heartfelt and emotional testimony that you gave. I'm certainly going to make sure that mine is working when I go home today.

I just had a very quick question; you don't have to answer it. I'm just curious, because you mentioned that

there are a number of states in the United States and Australia that are considering it, and I was just wondering if you were aware if they're doing that through the fire department. Do you have any idea? I'm sure we can research that, but I was just wondering if you could shed any light on that.

**Mr. John Gignac:** The fire services that I've talked to and that have passed the bylaws as well as the laws in the States: They are in strict enforcement in the States. Here in Canada, like the speaker before me indicated, it's difficult for us to get started on this because of the criteria that we have to follow to make sure it's enforced properly.

To me, I'm a retired firefighter and it should sit in our laps. The fire service is the one that's out there doing the work, and to me, it's a no-brainer. There's no reason why it shouldn't be done. It's just some words. But while we sit and we struggle with wording, we're having other citizens in Ontario affected by carbon monoxide. To me, the longer it takes, the more people are being affected and other people are dying. So yes, it's a natural fit for the fire service, and in the States, they're already enforcing it, especially in California. It was one of the first states, and they are in full enforcement.

**Ms. Dipika Damerla:** Thank you very much.

**The Vice-Chair (Mr. Ted Chudleigh):** The opposition? Ms. McKenna?

**Mrs. Jane McKenna:** Thank you so much, John. I feel your frustration, and I'm sure it seems like such an easy thing to put forward. My empathy is with you. Thank you so much for coming out. I'm sure it was very difficult to speak about that.

I do have a question, though; I'm not sure if you can answer it. When my colleague Mr. Hardeman started this with Bill 20, I actually looked on Google just to go and buy one myself. I realized, when I was on there, that there were lots that said, "This one doesn't work. Don't buy this one." So if it does go through, will you be regulating, or is there a way to regulate, the actual carbon monoxide devices that you have so that we don't have one in our house and it fails to work?

**Mr. John Gignac:** I have done personal research on some of the CO alarms. In Canada, we have very stringent laws that govern them already; they have to be CSA-approved, etc. So the alarms that are out there are probably the most efficient that you can buy, especially in Canada. Our laws are very stringent, and these CO alarms—sure, they're like smoke alarms. We're going to have the odd false alarm, just like CO, but for every five false alarms, if we save one life I think it's well worth it.

To regulate—I don't think we can do that, because I think the CSA and the ULC—there are stringent laws now that they have to face. The companies, I have found, have put their detectors through a number of stringent tests, and by the time they come to the forefront for us to buy them, they're already there and they'll save lives. They will save lives. But to answer your question, I think the way they are being developed now, it's a pretty good system.

**Mrs. Jane McKenna:** Thank you very much.

**The Vice-Chair (Mr. Ted Chudleigh):** If I might ask a Chairman's question—it's very unusual, by the way—you mentioned that they're only good for seven years, or they last seven years. After seven years, they should be replaced?

**Mr. John Gignac:** Yes. In Brantford, we had a lady that was at one of our church meetings—and this is going off topic for second, but she had an alarm in her house that was seven or eight years old, and she asked me to go over and have a look at it. When I went over, I said, "It's beeping. The reason it's beeping is that after seven years those alarms will start chirping and will not shut off. That's telling you, after seven years, that that detector is no longer good." So what we did is we put CO detectors in her house, because I don't like leaving a house that doesn't have a good, working, CSA-approved detector. I put one in, and 10 months later it went off when her chimney collapsed, and it saved their lives. So the foundation was directly responsible for that. But to answer your question, they are good for seven years and they have it built in. They probably could last longer, but they have a safety factor built in where they only go for seven years and then it will shut off.

**The Vice-Chair (Mr. Ted Chudleigh):** But it will chirp if it's not working?

**Mr. John Gignac:** Yes.

**The Vice-Chair (Mr. Ted Chudleigh):** Thank you very much, and thank you for coming down to the committee.

*Interjection.*

**The Vice-Chair (Mr. Ted Chudleigh):** Oh, do you have another question? Sorry.

1430

**Mr. Ernie Hardeman:** Yes, thank you very much, Mr. Chairman. I want to thank you, John, not only for making a presentation today but for all the work you've done on this topic since three years ago. Speaking for myself, if it hadn't been for your foundation, I likely wouldn't be here for the third introduction of the same bill. I think I would have likely given up long before today. But it was your foundation and the support of the people that were affected by this that kept driving one on, because it must be the right thing to do.

One of the things we've said right from when we started three years ago was that the most important thing was the public's understanding of what was happening. It's not so important that we have a law; it's that we have a process in place that more and more people are putting them in their home. I think that number has increased dramatically since the Hawkins family perished in Oxford.

What I was really, I suppose, disappointed with today as I got here—I have a letter from the Rural Ontario Municipal Association, representing all rural municipalities. Two of their concerns—one is the cost of retrofitting. After three years, we still haven't gotten municipal government to understand that it's a matter of going to the Canadian Tire store or any other store that

sells detectors, buying one and going home and plugging it into your outlet. Yet people in that—and I'm not finding fault with them, but our communications haven't got out so that everybody understands what we're talking about. I think you've done a great job.

Hopefully, we'll get it through this time, but I want to encourage you and the foundation not to lose sight of the fact that even after the law is passed, a lot more needs to be done to get people to understand that this is for their protection and not just to make provincial politicians happy because we did the right thing. It's important that we move forward and protect the people in their own homes.

Just shortly before this happened, I put them in my own home. I spent 25 years as a rural firefighter. I didn't have one in my home. I just happened to put one in, because I had done some work on my own furnace, and I was a little cautious of whether the pipes I'd put in for the chimney were of the quality and put in the way they should have been, so I thought, "Well, just for protection, I'll buy one of those," and I plugged it in.

Everything was fine with my furnace, but about two months later, I was in town and I get a phone call: The alarm in my basement is going off. What are you supposed to do? Well, being who I am, and my association with the fire department, I didn't really want Reta to call them, as I'd never live it down if it wasn't necessary. So I said, "Just go outside and wait till I get home." Like a fool, I went downstairs. It was going off, but it was just a dead battery. I took it outside. We laid it outside and pulled the battery out and put a battery back in and everything was fine. But the thing is, I didn't know either. But if that had been real carbon monoxide, it would have been too late if we hadn't had it in our basement, if we hadn't had the detector there. So I think everyone needs to understand how important it is to have them.

I got another call—if I've got a minute—from a family who had bought one and had it in their basement. It wasn't hooked up yet, and in fact it went off. They called the fire department, and it was carbon monoxide in their basement. They never used their basement except for the grandkids when they came over, and they were coming over that day. If that hadn't gone off, they would have been sleeping down there while that was going on.

That's the importance of this, and I want to thank you for all the hard work you've done on it.

**Mr. John Gignac:** Thank you.

**The Vice-Chair (Mr. Ted Chudleigh):** Thank you very much, Mr. Hardeman. If we can take any lessons from that, we shouldn't use used batteries when we've got a new carbon monoxide detector.

**Mr. Ernie Hardeman:** The neighbours won't give them to me brand new.

**The Vice-Chair (Mr. Ted Chudleigh):** Thank you very much for coming in, sir. We appreciate your dedication and your life's work.

**Mr. John Gignac:** Thank you, Mr. Chairman and committee, for having me.

## SAFE KIDS CANADA

**The Vice-Chair (Mr. Ted Chudleigh):** I would now call Safe Kids Canada, if they would come forward. Thank you. You have a distribution? Thank you very much for coming. We have 20 minutes together, and what you don't take as a presentation, we'll use as questions, if that's okay with you.

**Ms. Amy Wanounou:** Sure.

**The Vice-Chair (Mr. Ted Chudleigh):** Would you please identify yourself for Hansard.

**Ms. Amy Wanounou:** My name is Amy Wanounou, coordinator of government relations and public policy for Safe Kids Canada.

**The Vice-Chair (Mr. Ted Chudleigh):** Thank you very much. Please proceed.

**Ms. Amy Wanounou:** Thank you for the opportunity to speak today and share Safe Kids Canada's views on Bill 20.

Safe Kids Canada is the national injury prevention program of the Hospital for Sick Children. By building partnerships and using a comprehensive approach, we work to advance safety and reduce the burden of injuries. We welcome the opportunity to share with the committee our opinion that making CO alarms mandatory in all Ontario homes is a critical component in ensuring that needless injuries and deaths from CO poisoning are prevented.

Carbon monoxide is a leading cause of accidental poisoning deaths in Ontario. To date, there have been multiple Ontario deaths and near-misses involving CO, including the tragic loss of the entire Hawkins family in Woodstock in 2008. These tragedies could have been prevented with a simple solution: the mandatory installation of working CO alarms in all homes, regardless of their age.

I would like to first discuss the overall burden of injury in Ontario and the impact that injuries can have on an individual and society. I will then discuss the role that CO alarms can play in improving the overall injury picture in Ontario.

Few are aware that injuries, such as those sustained in motor vehicle crashes, pedestrian incidents and drownings, are the leading cause of death for children and youth, as well as all Canadians between the ages of one to 44. The same is true in Ontario. Between 2001 and 2005, over two million Ontarians visited an ER, over 120,000 were hospitalized and over 18,000 lost their lives due to an injury. In 2004 alone, injuries cost Ontario \$6.8 billion. The good news is that the vast majority of these injuries are preventable.

These sustained injuries, which are potentially fatal, place immediate and unplanned demands on the system, resulting in a significant allocation of health resources to treatments as a result of an injury. No part of the health care system is untouched by an injury. Emergency room visits, wait times for services like orthopedics, community-based care, family physicians, acute care institutions and rehab services are all involved in responding to the short- and long-term impacts of an injury.

For injury survivors, the need for care and the potential for permanent disability can have far-reaching impacts on their health, education, social inclusion and on their family's livelihood. Many are left with ongoing physical, mental or psychological disabilities, which have a major impact on their own lives, as well as on the lives of their families. The impact on a family when a loved one loses their life to an injury cannot be quantified.

Unintentional injuries are often described as accidents, which by definition are unpredictable and unpreventable random events and the result of chance, bad luck or something else over which we have no control. In reality, we can predict and, therefore, we can prevent unintentional injuries. We know that effective strategies save lives, substantially reduce health care costs and offer a high return on investment. Many effective strategies exist currently and simply need to be implemented. Bill 20 will significantly contribute to addressing this injury burden in Ontario.

Poisoning, in general, accounts for a significant portion of Ontario's injury burden. Specifically, carbon monoxide is a leading cause of accidental poisoning deaths in Ontario and in Canada. In total, 414 Canadians died of CO poisoning between 2000 and 2007, including 87 in Ontario alone. On average, each month close to 150 people are treated in an ER for CO poisoning; in other words, the same amount as seven and a half classrooms of children and the entire workforce in a mid-sized factory.

During the 2007-08 fiscal year, there were more than 1,700 emergency department visits and 102 hospitalizations due to CO poisoning. Because CO poisoning is often misdiagnosed and its signs and symptoms often mimic many other conditions, these figures could be just the tip of the iceberg.

Everyone is vulnerable to CO poisoning—it doesn't discriminate. As we know, carbon monoxide is colourless, odourless, tasteless and produced by sources that run many common household appliances and heating sources. Without a CO alarm, families are unable to detect the presence of this poisonous gas in any concentration. That is why carbon monoxide is referred to as the silent killer.

The majority of unintentional CO exposures occur in the home, and children are at increased risk of CO poisoning because of their particular biology. Children have smaller bodies, they process carbon monoxide differently than adults and they may be more severely affected by it. But alarms do provide a critical early warning of CO exposure, enabling people to escape safely before the gas impairs their judgment and disables their motor skills.

Importantly, studies have shown that half of all CO poisoning deaths could be prevented by a CO detector. That means that of the 414 Canadians who died of CO poisoning between 2000 and 2007, more than 200 of them would be alive today.

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At Safe Kids Canada, we see first-hand what works in preventing unintentional injuries, and it requires a com-

prehensive approach. In injury prevention, what works runs the gamut between active and passive approaches. In contrast to active interventions that require conscious action at the individual level to be effective, passive interventions are preferred because they are automatic, protect everyone and require no action or co-operation from the individual. In doing so, they reduce the need for constant vigilance by individuals to protect themselves or their families and allow for the inevitable human error and fatigue.

Certain areas of our work in injury prevention illustrate the benefits of a passive intervention. In the case of consumer products, it is often easier and more effective to change the design of a product to make it safer than it is to teach everyone how to use it properly.

For example, after the introduction of child-resistant lighters, the cases of children being burned by these products declined.

Another example: playgrounds. Children use equipment in all possible ways, regardless of their design intention. For example, rungs at the entrance of slides are used for tumbling, and children slide on top of tubes instead of inside them. Well-designed playgrounds encourage a child to take risks within a semi-controlled environment that protects them from a hazard that they may be unable to foresee.

In the case of CO poisoning, active intervention is not possible, because it cannot be detected. The only option to ensure safety, in this case, lies in adopting the passive intervention of installing a CO alarm in all homes.

Legislation is an effective way to safeguard the lives of all people in Ontario. This is especially true in the case of CO poisoning, where few are aware of the importance of having an alarm. While many people are aware of the importance of smoke detectors in the home, a smaller proportion of people are vigilant when it comes to purchasing CO detectors for use in the home, despite their relatively inexpensive cost.

According to a recent national home safety poll, 60% of Canadians do not have a CO alarm, 15% believe they last forever, 18% believe they are only needed if you have a gas furnace, 44% do not have their heating or other combustion systems checked annually and 26% do not think they have to replace CO alarms every five to seven years.

In reality, CO alarms have a lifespan of five to seven years, gas furnaces are not the only possible source of CO in the home, and home heating systems and other combustion systems should be checked each year.

As with other injury issues, a comprehensive approach is most effective and would involve public education, environmental changes—which in this case would be the installation of the alarms—and the enforcement of this requirement. Public awareness activities would be a crucial first component to the enactment of Bill 20, but legislation is a critical step in ensuring compliance and that all residences in Ontario are safe.

The public needs to be educated on the simple ways of preventing CO poisoning and the mitigation of hazards,

such as the best placement of alarms in their home, annual maintenance of all fuel-burning devices and furnaces, and the recommendation that homeowners have their complete heating systems checked before every heating season.

Now is an opportune time for Ontario to take the lead in preventing one of the most insidious causes of injury, disability and death.

In the US, 35 states have passed legislation requiring CO detectors in homes. There they have seen a correlation between the cities that have CO laws and lower death rates from CO poisoning.

In recent years, a number of Ontario municipalities have enacted CO alarm bylaws to include all homes, regardless of age. The most recent was enacted in Orillia last week. The same safety provisions should apply everywhere in the province. At Safe Kids, we have heard from private citizens in other provinces urging Ontario to pass Bill 20 to serve as an example in their own province.

Investment in poison prevention strategies is also cost-effective. One dollar spent on poison prevention saves \$7 in health care costs. By extension, protecting Ontario families from carbon monoxide also makes good economic sense. Most CO alarms cost less than \$35, about two cents a day over the suggested lifespan of an alarm.

Alarms are also regulated by the CSA, which is viewed as having the highest testing protocol standards in the world, so product efficacy is assured.

Lives could be saved every year through a simple and readily available solution. As everyone recognizes the necessity of having a smoke alarm in one's home, we urge the passage of Bill 20 in order to acknowledge the necessity of protecting one's family from CO. The nature of CO requires that people have an alarm system in their homes to warn them of the presence of dangerous levels. The solution is known and is at our fingertips.

We ask that you pass Bill 20 without delay because every Ontario resident deserves to be as safe as possible in their own home. Thank you.

**The Vice-Chair (Mr. Ted Chudleigh):** Thank you very much. We have about three minutes for each caucus. Government caucus, Ms. MacCharles.

**Ms. Tracy MacCharles:** Thank you for your presentation. It was excellent. I really appreciated the part of your presentation on the myths versus facts of these detectors, as highlighted by the previous speaker as well.

What, in your mind, is the most important thing that the government can do to address those myths versus facts, such as the belief that they last forever and it's not an issue of a gas furnace, those kinds of things—how best to get the word out, especially as it affects our youngest population, our children?

**Ms. Amy Wanounou:** At Safe Kids, what we've seen as most effective, along with legislation, is the public awareness component. It's the idea of crafting messaging that the public can easily digest and being repetitive and consistent about it so that it becomes a message that people have at their fingertips. In the same way that we now know that smoking is bad for you and that second-

hand smoke is not something that is beneficial to you and that smoke alarms should be in every home, we need that messaging repeated and reiterated so it becomes common knowledge. The government is well positioned, I think, to do that.

**The Vice-Chair (Mr. Ted Chudleigh):** Further questions from the government? No?

The opposition, Mr. Hardeman.

**Mr. Ernie Hardeman:** I just wanted to go a little further on that. We all know that since 2001 smoke alarms have been mandatory in all residences, new-build and retroactively—carbon monoxide at that time was mandated in new-build but not retroactively, but they're both discussed in the same piece of legislation of 2001. Why is it that the public hasn't caught on to the importance of the silent killer, the one that they can't hear, see or taste, when, in fact, the smoke detectors—though not everybody has an active one in their house, everybody seems to know they're supposed to have one. What do you suppose happened in that mix that people don't see the importance of CO detectors?

**Ms. Amy Wanounou:** Dating back to 2001, I'm not entirely sure why smoke detectors caught on more than CO detectors. Perhaps it's a link with second-hand smoke and smoking. That was a very front-of-mind issue for many.

I go back to the idea of public awareness and the messaging that needs to come from not just the government but, I would propose, a collaborative approach between the government, industry, like the Canadian Tires, as well as non-profits who are working in the field, to get the message out to the communities, to the public health units, who can also disseminate it to their local populations as well.

**Mr. Ernie Hardeman:** I just wanted to, again, thank you for coming in and bringing forward the other parts of the bill that, in my mind, I hadn't given any consideration to, such as the value as it relates to the number of emergency room visits. We know that a lot of people, including the Hawkins family, had actually made some emergency room visits and gone to see the doctor about their health before it finally happened, because they were not feeling well already. Up until now I hadn't really given that—this was all about saving lives as opposed to looking at our other expenses that, in fact, would be reduced; the same as telling people they should quit smoking, and so we would have less health care costs for the people who smoke. I really appreciate you bringing that position forward, that there are a lot of benefits here to not only save people's lives but to keep them healthy while they're doing it.

**The Vice-Chair (Mr. Ted Chudleigh):** Questions? To the NDP.

**Mr. Michael Mantha:** Thank you so very much for coming in with your presentation. It was fascinating. There's something that just jumps out at me. It says, "\$1 spent on poison prevention saves \$7...." With the budget being on us, this is something that I have to ask: Where does that number come from?

**Ms. Amy Wanounou:** The specific report that that comes from is from Smartrisk's *The Economic Burden of Injury in Ontario*, published in 2009. What that is is a figure that has come out of a calculation of the social and economic costs that prevention can save. So if a bike helmet, for instance, was to cost \$10, then the social and economic benefits financially would translate into \$70.

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**Mr. Michael Mantha:** Thank you.

**The Vice-Chair (Mr. Ted Chudleigh):** We have one more question.

**Mrs. Amrit Mangat:** Can you please shed some light on how well-designed playgrounds can help protect children from unforeseeable hazards?

**Ms. Amy Wanounou:** Playgrounds?

**Mrs. Amrit Mangat:** Yes.

**Ms. Amy Wanounou:** For instance, one of the things that we advocate for at Safe Kids Canada is Canadian Standards Association-approved playgrounds. What that means is that certain aspects of it are designed in a way to reduce the potential of serious injuries to children—not the bumps and bruises that happen normally in terms of play but the serious; for instance, brain injuries. For instance, the surfacing on a playground has been designed to absorb a shock when a child falls. Choking hazards have been removed to prevent strangulation. Part of that component is also messaging: We advocate that children not be wearing a helmet while they're playing on a playground because that is a strangulation hazard.

**Mrs. Amrit Mangat:** How is this correlated to carbon monoxide?

**Ms. Amy Wanounou:** Because it's about the construction and the use of the environment. The correlation would be that CO alarms should be in your home to make the structure of your home safe. That's the environmental change that we advocate for in this regard.

**Mrs. Amrit Mangat:** Thank you.

**The Vice-Chair (Mr. Ted Chudleigh):** Thank you very much for coming in today. We appreciate your presentation.

**Ms. Amy Wanounou:** Thank you for having me.

#### ONTARIO PROFESSIONAL FIRE FIGHTERS ASSOCIATION

**The Vice-Chair (Mr. Ted Chudleigh):** We now have the Ontario Professional Fire Fighters Association: Mr. LeBlanc. Welcome to the Standing Committee on Social Policy.

**Mr. Fred LeBlanc:** We have copies of our presentation here as well.

**The Vice-Chair (Mr. Ted Chudleigh):** Good. Welcome to the Standing Committee on Social Policy. You have 20 minutes to make your presentation and answer questions if you would take questions after your presentation, given that there's that time. Welcome to the committee. Please identify yourself for the purposes of Hansard.

**Mr. Fred LeBlanc:** Okay; thank you very much. My name is Fred LeBlanc; I'm president of the Ontario Professional Fire Fighters Association. With me today is Barry Quinn; he's the secretary-treasurer of the Ontario Professional Fire Fighters Association.

First off, I'd like to thank the committee for giving an opportunity to make this presentation in support of Bill 20 today. Just very quickly by way of some background, the Ontario Professional Fire Fighters Association is an organization that represents 11,000 full-time firefighters across the province of Ontario. Our members are emergency responders through our suppression division. We also represent fire prevention, inspection and public education members. We have members who provide training, emergency communications and maintenance for much of Ontario's fire service. Our locals are typically municipal and run at the municipal level. We have 80 locals across the province: 77 municipal, two airport and one industrial. From the latest census numbers back in, I guess, 2011, our members respond to about 81% of Ontario's population's emergency needs.

Moving on to Bill 20, we've supported this concept in the past as well, and we're glad to offer our support today to Bill 20. We're acutely aware in our emergency response, more so than anything, of the effects of carbon monoxide poisoning and, sometimes, its tragic results. It's actually becoming one of the larger portions of our call volume from a suppression or emergency response component. The firefighters responding out there are aware of what carbon monoxide poisoning is and what it can do, the signs, the symptoms etc. Having early detection, just like smoke alarms and smoke detectors, is good for public safety and firefighter safety.

The areas that we would note within the bill come under three distinct titles. One is oversight and monitoring. We note that the bill very similarly talks to owners and landlords being responsible and providing information to tenants etc. about carbon monoxide, the detectors that they have. With that, we believe—and I know there's some reference from the previous speaker to CSA—that it would be wise to give some consideration for inclusion in the bill about the standards of ULC and CSA.

I know that as a captain in Kingston fire, and Barry's a captain in Ottawa, when we go to these types of calls, one of the things we look for in a carbon monoxide detector is that ULC/CSA label, because that gives us some confidence of the product itself and that it should be working within those manufacturers' outline and that it's met certain standards prior to its manufacturing. So that's something that we look for. We think it's worth some consideration, certainly, in the legislation, to be specific about the type of standard, and we would recommend that the committee give some consideration to the inclusion of ULC/CSA standards.

One of the other aspects as well that leads in from the oversight and monitoring is having that confidence in the owners and landlords that they're actually carrying out what they're supposed to with the intent of the legislation, and that gets us into the inspection and enforce-

ment components of the bill—or, from what we have seen, maybe some lack of clarity with respect to that. At the end of the day, if the bill passes, whose responsibility is it going to be to actually enforce the bill? In the fire service, we do have a lot of experience enforcing the aspects of smoke alarms and the mandatory nature of those alarms and detectors being required in residences. We have some legislative ability to do that under the Fire Protection and Prevention Act. So I guess our question is, who is going to be responsible at the end of the day to ensure that carbon monoxide detectors are actually in place? We think that maybe this is an opportunity for this committee to give that consideration and maybe put forward necessary amendments into the act.

The FPPA, the Fire Protection and Prevention Act, gives us the authority to enter premises for inspection purposes, and it also allows us to look at the installation of smoke alarms—that they are present, they are working etc. The other side of that is, what happens when there's non-compliance? We do have the ability to issue tickets and issue fines to owners, landlords etc. when there is non-compliance. If we're looking at the intent of this act to walk hand in hand from smoke alarms to carbon monoxide detectors—that they're both life-saving devices, which we believe they are—then to follow along that good public policy, we need to make sure that there are some enforcement capabilities and penalties associated with non-compliance, to ensure that there is teeth, I guess, the necessary teeth, within the legislation.

The other thing that I think needs to be considered—and it's my understanding, I guess, from a private member's bill that money issues, or monetary issues, may not be included. I may be wrong with that; it's just my understanding. But some consideration needs to be lent to additional resources if this bill is passed and we get into the mandatory nature of a CO. I know there already is that in the post-August—what's the date on that again, Barry?

**Mr. Barry Quinn:** August 6.

**Mr. Fred LeBlanc:** August 6. For fire departments or whoever may be responsible, it's looking at whether it's public relations materials or training materials for those who are carrying out the enforcement. I'm just looking at it, obviously, from a fire service perspective, that there may be, or there should be, some consideration for some of those additional resources. Whether that comes from a provincial level, through a fire marshal's office or something like that, or if it's drilled down at a local level, can they carry out the extra workload? Many departments may be able to do that. In many departments, the suppression or emergency response divisions work hand in hand with their fire prevention divisions to carry out the smoke alarm programs. But when you get to smaller departments, that's when the resources are a little bit tighter and a little bit more difficult to spread out. I just raise that as some consideration for the committee as you move forward in your deliberations with respect to the bill and what its potential impact may be, should it get passed.

In conclusion—and I'm going to turn it over to Barry, if he has any further comments before we open it up for questions—I just want to go on the record that the OPFFA does support Bill 20 and its intent. We believe that it's good for public safety and firefighters' safety, and it would be good public policy. We do ask the committee, though, to give some consideration to the areas that we have mentioned for any potential amendments that may make the bill better.

With that, I'll turn it over to Barry, if there's anything that he'd like to add, and if not, we'll open it up for questions.

**Mr. Barry Quinn:** No, I think Fred captured all our points. The rest of them, you can read within the handout that we gave you.

**Mr. Fred LeBlanc:** With that, we'll just say thank you again for the opportunity to present here today.

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**The Vice-Chair (Mr. Ted Chudleigh):** Thank you very much. Questions? We'll start with the opposition, Mr. Hardeman.

**Mr. Ernie Hardeman:** Thank you very much, Fred, for your presentation. I don't believe you were present yet, but we had a fire chief speaking to us and he spoke about the monitoring and enforcement of it. His presentation was that in fact if you put it under the Fire Protection and Prevention Act, and you're doing it for smoke alarms already, there would be very little extra activity involved in order to implement it for CO detectors too. Then the question was asked: What about smaller departments? We were told that in fact smaller departments had the same obligation to deal with the smoke alarms as larger departments. If they're having difficulty doing it now, the difficulty will continue, but the actual increased cost would be minimal. Is that the same thing that I just heard you say?

**Mr. Fred LeBlanc:** If there is going to be a challenge, it would be more so in the smaller departments, like you say, if they're already having challenges living up to the smoke alarm programs or smoke alarm requirements from an inspection standpoint. I just raise that as certainly some consideration that needs to be there.

The fire chiefs would be in a better position than us to talk about their own resources, what's available to them and what they can work in conjunction with the Ontario fire marshal's office as well. But we just raise that as certainly some consideration, if there are going to be extra inspections required, that it should be at least considered. I apologize; I wasn't here for the fire chiefs' presentation.

**Mr. Ernie Hardeman:** Yeah. I appreciate that. Going on with that, the same fire chief who mentioned the fact about the Fire Protection and Prevention Act also mentioned the Provincial Offences Act, that it should be there to allow penalties to be applied for non-compliance. Since the revenues of the Provincial Offences Act go to municipalities, would that, in your opinion, be a way to fund, shall we say, the extra cost to municipalities for enforcement?

**Mr. Fred LeBlanc:** I think it would be an excellent way to support, if there's any additional resources required.

**Mr. Ernie Hardeman:** Very good. Thank you.

**The Vice-Chair (Mr. Ted Chudleigh):** Questions? The NDP?

**Ms. Cheri DiNovo:** Thank you very much for your presentation. I echo some of Ernie's concerns. We heard, as I say, the presentation prior to yours of the fire chiefs of Ontario. Two things they said that hit home to me were that the Fire Protection and Prevention Act needs to be amended—we need an amendment to amend that—and the Provincial Offences Act also needs to be amended.

I very much liked your mention, though—that was the first time I'd heard it—of a possible amendment calling for conformity to the ULC and CSA designations for any devices that are used. Again, the fire chiefs said that resources are not a problem; that if it came under the fire protection act, this would be a minor variance upon the duties that are already—in other words, I assume if somebody's wandering into a house looking at a smoke detector, it's not a stretch to look at the carbon monoxide detector as well. So that was where they were coming from.

Again, if we're looking at those amendments, which it seems to me that we're looking at right now, that would solve the municipalities' objection as well around cost, because we have heard from the municipalities, and their concern was cost: How are they going to fund this and what's it going to cost? I think we're already hearing about amendments, and they're being seconded in a number of venues.

I thank you for coming, and I thank you also for doing what you do every day.

**Mr. Fred LeBlanc:** Thanks. The CSA comment comes from personal experience in responding to these calls, where it's a carbon monoxide detector that's gone off and we learn through questioning the homeowner or tenant, whoever purchased the device—sometimes they purchase it outside of the country, and then that puts into question the manufacturing that's gone in behind it. That's why we raise that today, that if there's an opportunity to actually put "ULC/CSA," we think that it would be a worthwhile amendment.

**Ms. Cheri DiNovo:** Good point.

**The Vice-Chair (Mr. Ted Chudleigh):** Michael? Nothing? The government? Mr. Flynn?

**Mr. Kevin Daniel Flynn:** Fred, thanks for the presentation. Two things I wanted to ask you—one was about single family homes and the other was on multi-residential. Your members, I'm sure—I'm not sure; I guess I'm asking the question—may have seen instances where a home has had a detector but it hasn't been in the right place. Are there any guidelines for where detectors should be placed in the home? Is the gas heavier than air or is it lighter than air? Should it be in a hallway, in a basement?

**Mr. Fred LeBlanc:** Typically, we look for it in the sleeping area.

**Mr. Kevin Daniel Flynn:** Okay.

**Mr. Fred LeBlanc:** I believe the previous speaker talked about how some of the signs and symptoms can get confused with other illnesses. It's usually flu-like symptoms, and we generally would see people head to their bedroom to lie down. That's why we recommend typically in the sleeping area, so if the carbon monoxide gets up to a certain level and mixes with the air—that's what it does; it mixes with the air in the home—that that would set off the detector in that area, because people who are suffering from those symptoms, typically that will be the first place they'll go.

**Mr. Kevin Daniel Flynn:** Great. Thanks, Fred.

The other question is on the multi-residential. I've had some discussions with groups about the placement of these in either apartments or condos. You note that it wouldn't be needed in a place that there is not a fuel-burning appliance, or the suite isn't adjacent to a fuel-burning appliance or a storage garage. What, in practical terms, would be an example of a suite that would not need a CO detector? Would it be in, let's say, a simple apartment that's got steam heat and has an electric stove, for example?

**Mr. Fred LeBlanc:** Yes, that could be an example. The references in our document are pulled directly out of the legislation as to how it's defining the residential aspect of it. If it's a suite, I think, is what's identified in the multi-residential. If you're going to be attached to something that has that fuel-burning appliance—I guess when you get into more high-rise-type condos, if you can ensure somehow that there aren't any fuel-burning appliances adjacent to, above or below, then you can feel more comfortable that the requirement may not be there.

**Mr. Kevin Daniel Flynn:** Okay. The next delegation probably has something to say on that. I just wanted to get your perspective on that before we move to them.

**Mr. Fred LeBlanc:** I don't know, Barry, if you have anything further.

**Mr. Barry Quinn:** Some of the calls in my district back in Ottawa stem from vehicles idling in garages, especially when it gets cold during the wintertime, and it's not necessarily their vehicle. Houses, although they're supposed to be airtight—or airtighter—they're not all that airtight, so it migrates from suite to suite.

**Mr. Kevin Daniel Flynn:** Thank you very much.

**The Vice-Chair (Mr. Ted Chudleigh):** Ms. Mangat?

**Mrs. Amrit Mangat:** Thank you for coming here today. You spoke about that there is a lack of oversight and monitoring of how the detectors are installed, maintained and serviced, and you would like to see some kind of language in the bill. Would you mind sharing with the committee members what kind of language you would like to see in the bill?

**Mr. Fred LeBlanc:** Well, I think when I talk about oversight and monitoring, the responsibility is on the owners and landlords the way the bill is drafted, which is not unfamiliar to us when we're looking at smoke alarms. But I think if you're looking at language to meet the oversight issue, it takes you and walks you right into the

enforcement side where I talk about inspection and enforcement and who has that responsibility. If it is the fire service, then it's a matter of making sure that they have the tools to go in, from an enforcement side and a penalty side, to make sure that they can put some enforcement on that owner or landlord if they're not complying.

So if we're looking for language, I think the best route is identifying who's going to do the enforcement and giving them the tools to do the enforcement, which would include some type of a penalty for lack of compliance.

**Mrs. Amrit Mangat:** Thank you.

**The Vice-Chair (Mr. Ted Chudleigh):** Thank you, and thank you very much for coming in and sharing your views with us today. It's very valuable to the committee.

**Mr. Fred LeBlanc:** Great, thank you.

#### FEDERATION OF RENTAL-HOUSING PROVIDERS OF ONTARIO

**The Vice-Chair (Mr. Ted Chudleigh):** We'll now move to the Federation of Rental-housing Providers of Ontario: Mr. Brescia and Mr. Chopowick. Welcome to the committee.

**Mr. Vince Brescia:** Thank you.

**The Vice-Chair (Mr. Ted Chudleigh):** We have 20 minutes to make your presentation and to answer questions, and if you would please identify yourself for the purposes of Hansard.

**Mr. Vince Brescia:** I'm Vince Brescia, the president of the Federation of Rental-housing Providers.

**Mr. Mike Chopowick:** Mike Chopowick, manager of policy with the Federation of Rental-housing Providers of Ontario.

**Mr. Steve Weinrieb:** Steve Weinrieb, property management.

**The Vice-Chair (Mr. Ted Chudleigh):** Thank you very much. Please continue.

**Mr. Mike Chopowick:** Good afternoon, and thank you for allowing us the opportunity to speak to you today regarding Bill 20. My name is Mike Chopowick, as I introduced myself, and the Federation of Rental-housing Providers of Ontario represents over 2,300 landlords and property management companies across the province.

We commend the effort made by those in developing this proposed law in an effort to improve safety in residential dwellings. This bill, as indicated, requires owners of all residential buildings to install carbon monoxide detectors in the buildings and maintain them in operating condition.

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In your consideration of this bill, however, we ask that special attention be paid to ensuring that the bill's new requirements are very clear and practical as to exactly in what instances CO detectors would be installed. And we want to draw your attention to a few specific sections in the bill and how they're worded.

The first one that raises a concern for us is the inconsistency between section 15.8.1(4) and the one that

follows that, section 15.8.1(5), which reference one-bedroom suites and one-plus-bedroom suites, respectively. Our main concern with the bill is that the current wording may inadvertently require carbon monoxide detectors in all residential suites, whether or not they are anywhere near a fuel-burning appliance. We don't think this was the intention of the bill, and it's something that can be easily addressed. We don't think it makes sense to require the installation of carbon monoxide detectors where there will be no risk from carbon monoxide poisoning.

The main problem arises here because when you look at sections 15.8.1(4) and then 15.8.1(5) following it, they're clearly inconsistent with one another. We recommend, and I'll explain why, that section 15.8.1(4) be removed entirely and that in the following section, 15.8.1(5), there be no distinction between one-bedroom suites and one-plus-bedroom suites, preferring the language, regarding the circumstances, that's used in 15.8.1(5).

Our reason here is that section 15.8.1(4) requires that if a suite has one bedroom, then the carbon monoxide detector must be installed adjacent to a sleeping area, regardless of where a fuel-burning appliance or storage garage is located.

With respect to a suite that is more than one bedroom, which is in section 15.8.1(5), it provides practical and clear identifiers for where and when a carbon monoxide detector is to be installed, based on the location of the fuel-burning appliance, a service room or a storage garage.

As currently drafted, Bill 20 would require, for example, a one-bedroom suite on the 12th floor of a residential high-rise, with a fuel-burning appliance or storage garage in the basement, to have a carbon monoxide detector, but a two-bedroom suite on the same floor would not need one. We don't believe that the drafters of Bill 20 intended this very inconsistent result between one-bedroom suites and suites that have two or more bedrooms.

We're very concerned that, as currently drafted, Bill 20 would require all one-bedroom suites in residential buildings to require a carbon monoxide detector to be installed in the suites, regardless of where a fuel-burning appliance or storage garage is located. This would be an unnecessary expense that doesn't provide any benefit or improvement to health or safety. Units on upper floors of apartment buildings, far away from the furnace room, do not face a carbon monoxide risk, and this is reflected in many current municipal bylaws, where these floors are exempt from CO detector installation requirements.

More appropriate wording is in fact contained in the following section, 15.8.1(5), where all one-plus-bedroom suites in residential buildings with a fuel-burning appliance or storage garage would need to have a carbon monoxide detector installed, depending on the location of the appliance or storage garage.

A second issue is that subsection 15.8.1(4) in the bill lacks important detail with respect to the location of the

fuel-burning appliance. In our opinion, it's unnecessary to differentiate in Bill 20 between the number of bedrooms in the suite, as it currently attempts, so long as it is clear that the detectors are to be installed adjacent to sleeping areas.

Our recommendation to improve the consistency of the bill's wording is to remove section 15.8.1(4) and amend section 15.8.1(5) so that there's no distinction between one-bedroom suites or suites with two or more bedrooms.

A couple of other quick things we want to draw your attention to—the first section of the bill, 15.8.1(1), the definition of terms. We see another issue here with the defined terms in the bill. For example, Bill 20 does not adequately identify—define—what a service room is. We recommend that section 15.8.1(1) include references to “appliance,” “service room” and “storage room” and that these terms are italicized throughout the section to ensure consistency of interpretation between the act and the building code, to make it clear throughout the subsection that they are defined terms.

Another thing we want to draw your attention to—just, again, more of a wording issue—is the section titled “Instructions for tenants,” which is 15.8.1(8). This is very similar to the requirement in the fire code that an owner provide a tenant with the operating instructions for smoke detectors and alarms in the rental unit. Despite the title of the sentence referencing tenants, the language used in the provision refers to occupants being provided with the maintenance instructions for carbon monoxide detectors. We recommend this section be amended to refer to the tenant within the provision as well, and not the occupant. The reason is that the lease agreement is between the tenant and the landlord. A landlord can ensure that a tenant receives a copy of maintenance instructions at the time lease documentation is executed. Landlords cannot be required to ensure that occupants are also provided with such information, as the landlord has no control over additional people that tenants permit to occupy a unit. “Occupants” may refer to people who are unauthorized to live in a unit or who are typically not known to the landlord in the first place. There is also a very clear legal distinction drawn between occupants and tenants in the Residential Tenancies Act, so we ask you to be mindful of that distinction in the context of Bill 20 and amend the wording of section 15.8.1(8) to refer only to tenants.

In closing, again, we commend the proponents of this bill for their efforts in addressing what is a very, very important safety issue in Ontario. Landlords take their obligations to ensure the health and safety in their buildings very seriously.

To ensure practical effectiveness and clarity and avoid unnecessary expense to the cost of housing, Bill 20 should be drafted in language that is more consistent with the existing building code provisions. This includes the structure of some of the subsections and definitions that we noted above, especially removing the distinction between one-bedroom and one-bedroom-plus suites, to

ensure the installation requirement is dependent on the location of the fuel-burning appliance, service room or storage garage.

Thank you very much, and we're happy to take any questions.

**The Vice-Chair (Mr. Ted Chudleigh):** Thank you very much. We'll now move to questioning, and I think we have about four minutes per party. We'll start with the NDP.

**Ms. Cheri DiNovo:** Thank you very much for your submission. There are some very valuable suggestions that we wouldn't have thought of and that we haven't heard yet, so thank you for that. We'll look at them seriously.

I just want to say that a long, long time ago, when my husband and I and our children were little, we rented a house in Toronto and didn't know about carbon monoxide, didn't know about carbon monoxide detectors. Because our landlord had the foresight to put in a carbon monoxide detector and it went off and the fire department came, our lives were saved. That was due to the landlord, because we certainly would never have known about it or done it ourselves. So I just highlight that, that certainly the good landlords out there are saving lives.

Thank you for your amendments. We'll look at them seriously. Again, thanks for your submission.

**The Vice-Chair (Mr. Ted Chudleigh):** Thank you very much. Government? Ms. Damerla.

**Ms. Dipika Damerla:** Hi, Vince. Good to see you again. Thank you for that presentation.

I'm just curious about one thing: Would you have any idea what percentage of rental buildings that were built before August 2001 of their own accord voluntarily have carbon monoxide detectors?

**Mr. Vince Brescia:** There are a number of municipalities that have bylaws now. We don't have a tally of how many. For example, Toronto has a bylaw on carbon monoxide detectors, so, by law, all of the units covered under the bylaw in Toronto should have them. There's a number of other municipalities that have them, but we don't know how many, and we can't give you a number on percentage of units in the province covered. There's a large chunk of rental units of the province in the city of Toronto itself, though, so there's already a significant—

**Ms. Dipika Damerla:** But would it be fair to say that you've already done a lot of the retrofitting because of the municipal bylaws?

**Mr. Steve Weinrieb:** I represent a landlord that has 65 buildings, from Tillsonburg to around the corner here, and we have done this. We've put them above and below the fuel-burning appliances, and we've been maintaining them.

**Ms. Dipika Damerla:** Thank you.

**The Vice-Chair (Mr. Ted Chudleigh):** Ms. MacCharles?

**Ms. Tracy MacCharles:** I also want to echo MPP DiNovo's comments. Thank you for these very important issues that you've brought to our attention. Language is

so important in legislation, especially harmonizing it with other applicable legislation.

I'm just curious, based on some of the presentations earlier, if you have any strong feelings one way or other if this is enforced under the building code or the fire code.

**Mr. Steve Weinrieb:** I think it's better—I would listen to the firefighters.

**Ms. Tracy MacCharles:** Or if you don't—

**Mr. Steve Weinrieb:** I believe it's better under the fire code.

But I also would like to say, and I was listening, that everything's always towards the landlord. Sometimes the landlord is not the person who has dismantled the smoke alarm or the carbon monoxide alarm. You can imagine, with 10,000 units, what we see. We go and we put in a smoke alarm; a month later, it's gone or it's unhooked. It's somewhere in the legislation—and it is in the fire code—where a resident can be charged, too, so it has to be consistent. We'll put them in, we'll check them every year, we'll ask the residents to tell us if it's broken, and we'll have spare ones in our office, in our buildings. But sometimes it's the resident who unhooks it because they don't want it, and it's sometimes not fair to come back to the landlord and say, "You're totally responsible."

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**Ms. Tracy MacCharles:** Thank you.

**The Vice-Chair (Mr. Ted Chudleigh):** Ms. Mangat? I thought I saw another hand over there. I didn't?

**Mr. Kevin Daniel Flynn:** You did. I wasn't sure we're going to have any time, though. Do we?

**The Vice-Chair (Mr. Ted Chudleigh):** For you, Kevin.

**Mr. Kevin Daniel Flynn:** You're a nice man, Ted. I always said that about you.

Just from a practical perspective, so that all of us know, a typical apartment building's got underground parking. It's got a service room—the heating unit is in the service room—and then it's got a number of floors above it. What is the typical bylaw today, now? You would put a CO detector in the furnace room and then you would put one on the first floor, on the second floor—

**Mr. Vince Brescia:** That's right. The city of Toronto bylaw requires it on any units on the floor above.

**Mr. Steve Weinrieb:** Let me give you an example. A building around the corner—okay?—which actually has an underground garage, has a laundry room on the first floor with gas dryers. It has a boiler room on the top floor, and the top floor is by itself. So then the carbon monoxide alarms would go on the two floors below the boiler room, the top two floors and on the first and second floors of the building.

**Mr. Kevin Daniel Flynn:** And that would be in each suite?

**Mr. Steve Weinrieb:** Each suite, outside the bedroom area.

**Mr. Kevin Daniel Flynn:** Thank you.

**The Vice-Chair (Mr. Ted Chudleigh):** Mr. Hardeman, yes?

**Mr. Ernie Hardeman:** Thank you very much for your presentation. We very much appreciate the assistance. First of all, I want to start off by saying: No, there was no intention of designating a two-bedroom suite differently than a one-bedroom suite. I think I want to put some of that blame on your organization—as we discussed the policy before, we did agree to make some changes, but obviously the legislative branch didn't go far enough to actually implement those changes all the way through the bill.

So there never was any intention of having differences, and I think it was for the committee's purposes—the reason we made the changes is because, as was presented to us, it's important that we put them where they're needed. But if there is nothing there that could generate carbon monoxide, then there's not much sense in having the expense of putting them in every unit on every floor all the way up, if there's only flame on the first floor.

We did change that, and obviously we missed a couple—I can assure you that we will be amicable to having amendments and we will be putting forward amendments to change those.

I wanted to go back a little bit to the enforcement part of it and the monitoring, because in rental units, obviously, that's where we have the greatest challenge, after they're put in, to make sure that on an ongoing basis they're operable, and no one will know whether they are until it's too late. Whether it's the building code or whether it's—the choice is the Building Code Act or the fire prevention act. You said you would have it with the fire service and—

**Mr. Steve Weinrieb:** Because the fire code states that the landlord, on an annual basis, has to check every single device of the fire alarm system. In almost every apartment building we manage, we have an in-suite audible device, a horn or a speaker. So we go in every single year and we check that the speaker functions and that you can hear it, and while we're there, we check the smoke alarm, the door closers and everything else. So the fire code already mandates us going in.

**Mr. Vince Brescia:** Can I make a supplementary comment? I hope you can help us with one problem we're already having with fire alarms. The bulk of the units that are going to be covered by your bill are going to end up with a battery-operated unit, and the tenants frequently take the batteries out of these units to power their remote control devices. We find that in joint liability situations, we still have judges making us responsible for tenants taking their batteries out of their units, and we find that unfair. You have the help of legislative drafters—I know these issues can be challenging, but we're happy to monitor them on a regular basis and do that, and put the batteries in, but we don't think we should be liable when tenants are informed how to behave properly and remove the batteries anyway. So if you can address that by putting some onus and liability and responsibility

on tenants in the legislation, just to be fair, we would greatly appreciate that.

**Mr. Ernie Hardeman:** I'm not sure we can do that, but—what do they say?—we'll take that under advisement.

I have one other question on the occupants and tenants. My understanding is that it has to do with the building being a condo as opposed to rental and that the occupant may not be a tenant. Because they are the occupant, they own the building they're in, but the rules for carbon monoxide detectors are similar regardless of whether it's a condo building or a rental building. I understand that there was a reason to have the two titles, but we'll check into that to make sure that it's required, because your explanation does make a lot of sense.

**Mr. Steve Weinrieb:** But in a condo building, the owner owns the condo, right? And, actually, if he leases it out, it's a resident now who's the resident of that owner. It gets complicated. The word "occupant" is somebody else in a rental unit that we don't know about—

**Mr. Ernie Hardeman:** Yeah. I guess the reason I mention that is because in a condo building, the person living in the condo is not necessarily the tenant of the condo operators who are running the building, because it's owned by someone else. They're occupants. We'll check into that and make sure, but that's my understanding as to why the word is used differently as "occupant."

**Mr. Vince Brescia:** Sometimes these things can be addressed by having specific wording to address both of those situations: one wording for condos—

**Mr. Ernie Hardeman:** Thank you very much. We appreciate the presentation.

**Mr. Vince Brescia:** Thank you.

**The Vice-Chair (Mr. Ted Chudleigh):** Thank you all very much for coming in. It's good to see you again, Mike.

#### KINGSTON FIRE AND RESCUE

**The Vice-Chair (Mr. Ted Chudleigh):** We now have Kingston Fire and Rescue making a presentation: Mr. Robert Kidd. Welcome, Mr. Kidd.

**Mr. Robert Kidd:** Thank you.

**Mr. Ted Chudleigh:** You have 20 minutes to make your presentation and to take questions, if you would. Would you please identify yourself for the purposes of Hansard.

**Mr. Robert Kidd:** I'm Robert Kidd. I'm the assistant chief and director of fire prevention with Kingston Fire and Rescue.

Good afternoon, everyone, and thank you for permitting me to address this important public safety issue. I would also like to thank the speakers before me for having so clearly expressed their views.

I made the drive from Kingston today because I support the principle of this legislation, which, when enacted, will result in a major step forward towards re-

ducing deaths in Ontario from carbon monoxide poisoning. I'm especially grateful for the work of Messrs. Hardeman and Gignac, who have been steadfast in their efforts to advance this issue through the Legislature and through public awareness.

I'm speaking today on behalf of Kingston Fire and Rescue and as a long-term practitioner and observer of life safety issues. I have three areas to address today in support of this bill.

One is to put on record the names of several Kingston residents and the circumstances which led to their deaths by carbon monoxide poisoning. I believe that their stories will lend some credence to the intent of this bill.

The second is to reiterate and support the view of the Ontario Association of Fire Chiefs, already expressed to this committee, describing the most effective way to enact this legislation.

The third is to provide a personal perspective on how past life-safety legislation in this province has occasionally fallen off the rails and why I believe it's important that this legislation move forward now.

I've been a firefighter for over 33 years, and I have seen more needless deaths than I would ever care to tally. Twenty-seven of those years have been focused on fire prevention and public education, and during this period I have attended more than a dozen deaths or serious injuries resulting from carbon monoxide poisoning.

One of those stories is that on March 22, 2004, Bob Nicholas of Kingston was enjoying his evening with his wife, Barbara. They were a careful family, with a properly maintained furnace; a clean, solid-fuel-burning appliance system; and working smoke alarms. As a rural resident who had experienced the severe ice storm of 1998, Mr. Nicholas had also purchased a large emergency generator, which he tested every few months and carefully logged in a dedicated notebook. That evening, Mr. Nicholas forgot that he had started the generator in his attached garage for testing, and he went to bed. He was found dead the next morning. Barbara, his wife, was found unconscious, and died later that day. Three family dogs perished as well. In spite of a demonstrated intention of living safely, they were unaware of the benefits of carbon monoxide detection, and it cost them their lives.

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Four years later, on November 23, 2008, we responded to the home of 80-year-old Adrian VanRavenstein. Mr. VanRavenstein shared his home with his adult son Michael. It was a modest 60-year-old home, in clean but less-than-perfect condition. The smoke alarms were missing their batteries and the chimney cap for the old gas boiler was missing, which allowed the creation of a large bird's nest one metre from the top of the chimney. The nest blocked the flue, leading to spillage of combustion gases from the boiler into the house and resulted in the death of Adrian and Michael from carbon monoxide poisoning.

Now, these two tragedies illustrate two different challenges to seeing carbon monoxide alarms installed in all

dwelling units. The Nicholas family may have installed an alarm if they had been adequately apprised of the need of it through public education and information. In the days immediately following their deaths, local hardware stores said they couldn't keep carbon monoxide detectors on their shelves. The VanRavensteins may not have been sufficiently motivated by public awareness to install a smoke alarm but may have done so had there been a law compelling them to do so.

A footnote to this tragedy is that the Right Reverend George Bruce, at the time Anglican Bishop of Ontario, was residing in Kingston. He read about these deaths and was prompted to immediately purchase carbon monoxide alarms for his home. The following day, after the purchase, the detectors began sounding while still on the kitchen counter awaiting installation. We responded and found that residual carbon monoxide levels in the ventilated home were almost 200 parts per million, and subsequent investigation revealed a cracked furnace heat exchanger. That's an anecdote.

Like smoke alarms, there are segments of our population who will voluntarily purchase and maintain life-saving devices and those who, instead, will only do so in order to be in compliance with the law. Life safety is truly a matter of social choice, and one of the ways a government may influence social change is through proper regulation.

The bill before this committee may help achieve that goal. However, a regulation on its own merits will not affect public behaviour without substantial leadership and public awareness behind it.

Following each of these tragedies, my telephone, and those of all seven of the fire prevention officers in our bureau, rang constantly. Most calls were from homeowners, but some were also from local and national media as well as landlords. Callers were asking their fire service what they should do to protect their families from carbon monoxide poisoning.

Our staff frequently conduct open houses and do safety talks and displays where one of the most prominent discussion areas is carbon monoxide safety. This is because the public considers their fire service to be an authoritative source for guidance in this area and the fire service is where the public will look for leadership if we are going to achieve acceptance and compliance with the installation of carbon monoxide alarms in existing dwellings.

For this reason, I suggest to this committee that an amendment to the Fire Protection and Prevention Act to enable the necessary changes to the fire code will be the most effective way to achieve the goal of this legislation. Such an amendment will broaden the application beyond the narrow scope of fire protection as currently defined therein, but will provide a logical extension of the relationship between the building and fire codes which will mirror the existing requirements for the installation and maintenance of smoke alarms in new and existing buildings. This will become the basis for public education and acceptance.

Rather than dwell any further on this aspect of my recommendation, I will defer to the position already conveyed by the Ontario Association of Fire Chiefs with respect to amending the fire code, and some others who have spoken.

My final point is to provide perspective on the importance of this legislation proceeding to enactment as soon as possible. To make my point, I'd like to share the history and lessons of smoke alarm legislation in Ontario.

We know that smoke alarm installation for new construction was required in the first Ontario building code regulation in December 1975. I was in grade 11. The Ontario fire code was first circulated in draft via the Ontario Gazette in 1979, and section 9.5 of that draft described a proposal for particle of combustion detectors, or POCs, as they were called then, to be installed retroactively in all dwelling units. That was 1979. Following consultation, the requirement was not included when the fire code became law in 1981. In 1987, as a fire prevention officer, I prepared a resolution for the fire code to be amended to require smoke alarms in all dwelling units. The fire chiefs concurred and petitioned the change, yet the fire code was only amended in 1997, a full decade after the resolution, and 18 years after the concept appeared in draft regulation.

I personally am a very poor prognosticator of safety legislation. In December 1994, I was quoted in a local newspaper as saying it was my belief that carbon monoxide alarms would soon be as common as smoke alarms.

It's been more than three years now since Mr. Harde- man introduced Bill 143, the predecessor to this bill. I share a frustration, with Mr. Gignac and some others, that the principal proponents of this bill may be feeling.

As a person who has seen the victims and survivors of carbon monoxide poisoning, as well as one who has met those who have been adequately alerted to carbon monoxide in their homes, I encourage you to continue your good work today and advance this bill. I hope that you will consider the specific recommendations that you've had today from myself and from others.

Finally, I pledge my personal assistance if there's any way that I can help move this forward. Thank you, Mr. Chair.

**The Vice-Chair (Mr. Ted Chudleigh):** Thank you very much.

Questions, government members?

**Ms. Tracy MacCharles:** Nothing.

**The Vice-Chair (Mr. Ted Chudleigh):** Mr. Harde- man?

**Mr. Ernie Hardeman:** Thank you very much for making the presentation today. It seems that you may be, of all the presenters, in fact—I respect everyone in this room. You've been at this longer than any of us, is what it appears, with your years with the fire service and being involved in safety.

I just wanted to say that Rev. George Bruce actually did write me the first time I introduced this legislation, explaining his situation, that it just was by accident that it went off. It was similar to the one I mentioned earlier

about the folks who had one laying in their basement and it went off, and when they got home they found they had it in their basement and had not known it. They might have had it for quite a while because, obviously, they didn't use the basement. I think that's a very important part.

I also want to thank you for pointing out the real part of it, where people actually see these things happen, and when so little could have been done to save their lives, that we didn't get around to doing it.

I really want to say thank you for what you've done. Let's keep the pressure on. If we get fortunate enough to have this one passed into law, there would be other issues that you can work on to save more lives and to help the people of the Kingston area. Thank you again for making your presentation.

Do you have anything you would like to add?

**Mrs. Jane McKenna:** I thank you so much for coming to us today from Kingston. I'm new. I hope this does go through, because I'm a bit dumbfounded that it hasn't. I hear your passion and your frustration. Again, thank you so much for coming today.

**The Vice-Chair (Mr. Ted Chudleigh):** Ms. DiNovo?

**Ms. Cheri DiNovo:** I want to echo the thanks, from the New Democratic Party. It's a long drive, so thank you for making it.

I can't imagine what it's like to go to the homes where people have died—in many instances, as has been pointed out over and over again, unnecessarily.

I just wanted to shed a little light on what has happened to Mr. Hardeman's—I was here the first time he introduced the bill. It was passed in the House unani- mously. The problem was, at that point we had a majority government that killed it at committee, quite frankly. It just never got to committee. Now, with the minority gov- ernment, we have a chance—we have a chance. The hope is that this time we'll get it there. Certainly we, in the New Democratic Party, are pledged to that end, as is the official opposition. So with any luck, we're there. Thank you.

**The Vice-Chair (Mr. Ted Chudleigh):** This bill could be the ticket to the support for the budget, I'm sure. Well, maybe not.

Anyway, thank you very much for coming. We do appreciate your efforts and your trip from Kingston, which we've all made. We appreciate that very much.

**Mr. Robert Kidd:** It's always a pleasure.

**The Vice-Chair (Mr. Ted Chudleigh):** We now have one other item of business. We have to determine the date for the clause-by-clause determination of this. I hear by some comments that there are going to be perhaps some amendments. If that's true, the date of April 3 would be difficult. When we're considering when we're going to have the clause-by-clause, we should also comment on whether or not a filing date would be appropriate as well.

Mr. Hardeman?

**Mr. Ernie Hardeman:** Mr. Chairman, it's quite ob- vious from the presentation we received today that

there's great support for the legislation, but there are some opportunities to amend it to make it even better than what it is today. On my behalf, as the mover of the bill, I would propose to be able to bring forward some amendments to deal with our presentations today, the next time the committee meets. As the Chair said, that would be very difficult to do by tomorrow. The first opportunity would be two weeks from today for the committee to meet for the clause-by-clause. If we put in a time, we'll say on the Thursday of the week prior, for anyone else who has amendments that we're not putting forward, that they could be put forward too, so we can actually deal with the final part of the bill on that day.

**The Vice-Chair (Mr. Ted Chudleigh):** I hear Monday, April 16, the first day back from constit. week, as being the clause-by-clause, and that the filing date would be the Thursday prior to that, which would be the 12th. I think it's traditional that it be at 5 p.m.

Comments, Mr. Flynn?

**Mr. Kevin Daniel Flynn:** We'd be agreeable to April 16, assuming that the clause-by-clause should be able to be done in one day.

**Mr. Ernie Hardeman:** I have every reason to believe it does—

**Mr. Kevin Daniel Flynn:** If that's the intent, we think that's reasonable.

**Mr. Ernie Hardeman:** I think we could all read the entire bill singularly and still be through in less than one day.

**The Vice-Chair (Mr. Ted Chudleigh):** I'll be in the chair. It will be less than a day.

**Mr. Kevin Daniel Flynn:** I have utmost faith in you, sir.

**The Vice-Chair (Mr. Ted Chudleigh):** Any comments?

**Ms. Cheri DiNovo:** No, we're fine with it as well.

**The Vice-Chair (Mr. Ted Chudleigh):** You're fine with that?

**Ms. Cheri DiNovo:** Yes.

**The Vice-Chair (Mr. Ted Chudleigh):** No other comments? I would then adjourn the committee, and we'll see you on April 16.

*The committee adjourned at 1541.*







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