

Bill No. 59 of 1954

A BILL TO AMEND THE FIRE PREVENTION ACT

NOTE

The Fire Prevention Act, being chapter 266 of the Revised Statutes of Alberta, 1942, is hereby amended.

Section 26, subsection (1) is replaced by a new subsection which differs in principle from the former only in that it removes the reference to fire premiums on automobiles and excludes from the fire insurance premiums levied on for the maintenance of the fire commissioner's office, premiums paid in respect of reinsurance ceded to insurers licensed in Alberta. It is now virtually impossible to determine the premium relating to fire insurance in the case of automobile policies, and the levy on reinsurance premiums would create a double levy, hence this amendment.

Sections 34 and 35 are renumbered 40 and 41.

Sections 34 to 39 are added under the heading "Public Halls" and are substantially the provisions contained in *The Public Halls Act* of 1912.

Section 34 requires that all outer doors and main inside doors be hinged to open outwards and facilitate the egress of people from the building and be equipped only with panic-bolt type of bolt, lock or bar. Gates to outer fences if not hinged to open out shall be kept open while the public uses the building.

Section 35 requires that buildings used for public resort or amusement have one or more means of egress acceptable to the fire commissioner in addition to the principal entrance or exit thereto.

Section 36 requires that persons in charge of such publicly used buildings keep all passageways free from obstruction and prevent overcrowding in the building.

Section 37 makes it an offence if a building does not conform to the requirements of these sections, and makes it a further offence to fail to make the building conform to the requirements.

Section 38 extends the liability to all the corporations and other persons in charge of churches, buildings and schools and buildings of public resort where there has been a violation of sections 34 to 36.

Section 39 empowers the Lieutenant Governor in Council to make regulations for the enforcement of these new sections.

This Bill comes into force upon assent.

J. W. RYAN,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 59 of 1954

An Act to amend The Fire Prevention Act

(Assented to , 1954)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Fire Prevention Act*, being chapter 266 of the Revised Statutes of Alberta, 1942, is hereby amended.

Section 26
amended

2. Section 26 is amended by striking out subsection (1) and by substituting the following:

Levy on
insurance
companies

"26. (1) For the purpose of maintaining the office of the fire commissioner and paying the expenses incidental thereto, every company, whether upon the stock or mutual plan and the attorney of every reciprocal or inter-insurance exchange transacting the business of fire insurance within the meaning of *The Alberta Insurance Act* shall, in addition to taxes and fees now required by law to be paid, pay to the Provincial Treasurer in the month of March in each year, a sum equal to one-third of one per cent of its premium receipts and assessments, excluding

"(a) return premiums and cancellations,

"(b) premiums paid in respect of reinsurance ceded to insurance companies licensed to transact business in Alberta,

calculated on its fire insurance business in Alberta as reported to the Superintendent of Insurance during the preceding calendar year."

Sections 34
and 35
renumbered

3. Sections 34 and 35 are renumbered as sections 40 and 41 respectively.

New
sections
34 to 39

4. The following new heading and sections are added immediately after section 33:

"Public Assembly Buildings

Type of
hinged doors

"34. (1) In all churches and halls or other buildings used for holding public meetings and all theatres, halls, skating rinks or other buildings used for places of public resort or amusement, and in all school houses or other buildings used for school purposes all outer doors and all main inside doors

"(a) shall be so hinged that they will open freely outwards and facilitate the egress of people in case of alarm from fire or other cause, and

"(b) shall not be bolted, barred or locked other than with a panic-type of bolt, bar or lock during the time when the building is being used by the public.

"(2) Gates of outer fences if not hinged to open freely outwards shall be kept open by proper fastenings during the time the buildings are being used by the public.

"35. A building used as a place of public resort or amusement shall in addition to the principal entrance or exit have one or more means of egress acceptable to the fire commissioner or the local assistant to the fire commissioner. Additional exit

"36. A person owning, possessing, operating or managing a building used as a place of public resort or amusement Obstructing passageways and overcrowding prohibited

"(a) shall keep all passageways leading to exit doors free from obstruction at all times,

"(b) shall prevent overcrowding of the building at any time.

"37. (1) If a church, hall, theatre, rink, schoolhouse or other building used for school purposes or for holding public meetings or used as a place of public resort or amusement does not conform to the requirements of sections 34 to 36 or of the regulations, the person owning, possessing, operating or managing the building is guilty of an offence and liable on summary conviction to a fine of not more than fifty dollars. Offence and fine

"(2) A person convicted of an offence under subsection (1) is guilty of a further offence or offences and liable on summary conviction to a fine of not more than twenty-five dollars for every day following the date of the conviction during which the building in respect of which the conviction was made does not conform to the requirements of sections 34 to 36. Fine for continuing offence

"38. (1) All corporations, school trustees, incumbents, church wardens and other persons owning or having charge of a church, school or building used as a church or school are severally liable for a violation of sections 34 to 36. Liability of corporation

"(2) All corporations, associations, groups or societies owning or having charge of theatres, halls, skating rinks, or other buildings used for places of public resort are severally liable for a violation of sections 34 to 36.

"39. The Lieutenant Governor in Council Regulations

"(a) may make such regulations as he deems proper for

"(i) the enforcement of sections 34 to 38, and

"(ii) the regulating and governing of persons assembled in any of the buildings of the kind referred to in section 34, and

"(b) has every power necessary to carry into effect the provisions of sections 34 to 38."

5. This Act comes into force on the day upon which it is assented to. Coming into force

No. 59

SECOND SESSION
TWELFTH LEGISLATURE

3 ELIZABETH II

1954

BILL

An Act to amend The Fire Prevention
Act

Received and read the

First time

Second time

Third time

HON. MR. GERHART
