

This insurance covers the legal liability arising out of the ownership, use or occupancy of insured premises. This type of exposure can generally be broken down into two groups: inside and outside (see our outside tip sheet for more information) hazards. Regardless of the size or type of occupancy, the nature of the physical hazards are basically the same. The difference is in the level of exposure to the general public.

Safeguards Necessary to Control Inside Hazards:

Not all hazards are evident and many may actually look harmless. To identify and assess hazards and their level of exposure, a general knowledge of how the premise's being assessed operates and an imagination to foresee how possible injuries may occur is needed.

Ceilings:

Items connected to the ceiling must be firmly fastened and secured so they will not fall and cause injury. One area where this is often an issue is in parkades (loose drywall can fall onto automobiles, etc.)

Elevating Equipment:

- Two types of elevator inspections: completed annually by an authorized government representative or on a routine basis by a loss prevention representative.
- The government representative will inspect items such as: counterweights, brakes, buffers, cables, etc to ensure the safety of the elevator car and the mechanical equipment. An annual service contract must be in place with a recognized elevator inspection authority and a certificate should be available on the premises confirming the safe condition of the equipment.
- During a routine inspection, the loss prevention representative can check items such as: ensuring the elevator car levels within one inch of the floor, there is a working help button (alarm)/phone, the elevator doors will reopen if obstructed, a current inspection certificate is available, etc.

Emergency Lighting:

- This should be checked during the required annual check of other fire protection equipment such as: sprinklers, fire alarms or fire extinguishers. It is required to be tested at least every 12 months.
- The power source should be from batteries, generators, or something similar. Generally, the power should maintain lighting for two hours.
- Emergency lighting is required in areas such as: exits, access to exits, public corridors, underground walkways, etc.
- Where necessary, loose wires, burnt out lights, damaged lenses, burnt out ballasts and other obvious lighting deficiencies should be repaired immediately.



Preventing Inside Premises Losses

Evacuation Plan:

- A plan to safely and efficiently evacuate a building may be critical in preventing loss of life during an emergency. The Fire Code in most provinces requires every building containing an assembly, care or detention type occupancy have a formal emergency evacuation plan in place. Buildings required by the building codes to have a fire alarm, or in areas where flammable or combustible liquids are stored or handled, or where there are hazardous processes or operations also require an evacuation plan.
- A common example of an occupancy requiring an evacuation plan is a hotel or motel. These must have a clearly visible evacuation map posted in common areas and in each guest room.
- A fire safety plan should be prepared in cooperation with the fire department and other regulatory authorities and must include items such as:
 - Emergency procedures to follow in a fire
 - Designation of supervisory staff to carry out procedures
 - Training of supervisory staff as to their responsibilities
 - Diagrams showing details of building fire emergency systems
 - Fire drills
 - Control of fire hazards in the building
 - Inspection and maintenance of building facilities provided for the safety of the occupants
 - Records of inspections, maintenance and tests
- The plan must be reviewed annually (at minimum) to ensure it takes into account any changes to the operation or building.

Fire Alarm Systems:

There are many types in use in buildings. The installation, maintenance, and testing of a fire alarm system can be complex and should be done by qualified contractors.

- For commercial occupancies, a fire alarm system is required:
 - In every building of more than three storeys
 - Where the occupant load of the building is greater than 300
 - When more than 150 are above/below the first storey of a business or mercantile occupancy
 - When more than 75 are above/below the first storey of a low or medium hazard industrial occupancy
- Fire alarm systems should have an annual service contract in place to confirm they are in working order with records of all testing and maintenance.
- If the fire alarm is monitored offsite, the alarm panel needs to be in proper working order and power supplied. If a local alarm only, signs advising the system is local only and that 911 and/or the Fire Department needs to be called manually are required.

Fire Exits:

- An obstructed, unmarked, improperly designed or locked exit can prevent individuals from quickly escaping an emergency situation and can result in lives lost.
- Exits are designed in accordance with the Provincial Building Code and may vary in number, location and size depending on the occupancy and occupant load of the building. Special attention is required in the design for physically impaired individuals with special requirements necessary to ensure their safe evacuation.
- Some items which need to be checked when assessing an exit include:
 - Number and location of exits is dependent on the occupancy, occupant load and protection
 - Swinging exit doors must swing in direction of travel, generally outward
 - Is the "Access to Exit" wide enough to handle the expected number of people? Are exits blocked, obstructed, or locked?
 - If required, are doors fitted with "panic hardware" to allow for opening with a maximum force of 20 lbs?
 - Double cylinder deadbolts on exit doors should be removed
 - Are there adequate exit lights indicating location of exit? Are revolving doors properly arranged to allow for quick exit?
 - Is there adequate regular and emergency lighting to safely illuminate the path and the exit?
 - Are ramps used instead of stairs when there are less than three steps?
 - Does the interior finish meet the flame spread requirements (usually <25) in the national building code?



Emergency Lighting Illuminating an Exit Corridor

Floors/Stairs/Landings:

- Horizontal walking surfaces must be kept clean and in good repair at all times. Loose or defective floor coverings should be repaired or replaced immediately; this would include curled mats or linoleum and torn rugs.
- Handrails must be provided on staircases where the change in elevation is three inches or more. They are required to be installed at a height between 34 and 38 inches from the top of the risers. If the staircase is wider than 44", a handrail is required on both sides. Staircases which are wider than 86" require an intermediate handrail which is no further than 65" away. Handrails should be continuous through the entire length of the stairwell, including around an intermediate landing, such that it does not have to be released while using the stairs.

- Being able to easily grip a handrail is necessary to ensure its safe use. The maximum:
 - circular handrail: two inches in diameter
 - non circular handrail: maximum perimeter of six inches; diameter of two and a quarter inches.
- Guards are also required around exit stairs and must be at least 32" above the stair treads; around landings, 42" high. The smallest opening in a guard should not exceed 4".
- Stairs and treads are required to have uniform run (depth of the step) and rise. All treads require a non-slip surface.
- Maintenance of floor surfaces is critical in preventing slip, trip and fall type injuries. For example, spills must be mopped up immediately and areas in front of entrance doors where moisture occurs from those entering the building should also have a free standing sign located in the area advising of slippery surfaces. For occupancies like repair garages, spills like oil or antifreeze should be cleaned up using absorbent cleaning materials such as kitty litter and a safe, closed metal container provided for easy disposal.



Stairs require a handrail with a guard at the top. Housekeeping required.

Housekeeping:

- Combustible waste materials in/around buildings must not be permitted to accumulate in quantities or locations that creates a fire hazard. It is recognized that some accumulation is required on a day to day operating basis for some occupancies, however, this waste should be removed and cleaned up daily.
- A regular clean up schedule should be in place for removing debris and garbage from both inside and outside of the building. This includes keeping hallways and aisles clear of anything impeding a person from quickly exiting a building or tripping/injuring themselves.
- In occupancies frequented by the public, such as department stores, a regular maintenance log should be kept indicating: the maintenance activity completed, location, and time.
- When merchandise is kept on shelving like in a grocery store, special attention should be paid to the stability of articles on high shelves, especially heavy items. Is the storage arrangement stable or could the stock fall causing injury?

Low Hanging Equipment:

In many buildings, especially in basements and parking garages, low hanging obstacles can create a hazard of bumping your head. Duct work, air handling equipment, piping, fire protection equipment and even exit signs may hang too low and create a hazard. To prevent this from occurring barriers should be provided restricting walking in the area under the low hanging equipment. However, in some cases, equipment may need to be relocated to a safe area.

Ramps:

- Every flight of interior stairs must have at least three risers. If not, they must be replaced by a ramp. The surface of the ramp must be slip resistant and if the ramp is open to the public, it must be demarcated to show the beginning and the end of the ramp.
- Railings may be required on the middle or sides depending on the width and if it's open on the sides.

Codes and Standards:

The requirements of the various codes are determined in part the classification of the occupancy as defined in the National and Provincial Building Codes. These occupancies are divided into groups and divisions, but overall they are classified as:

Group A – Assembly Occupancies

Group B – Care or Detention Facilities

Group C – Residential Occupancies

Group D – Business or Personal Services Occupancies

Group E – Mercantile Occupancies

Group F – Industrial Occupancies

In respect to items such as the installation of railings, the codes state details such as when they are required and minimum height requirements. Other typical requirements include items like size of riser and treads on stairs, number of fire exits and where they are to be located, maximum and minimum widths and heights of doors and hallways, positioning of emergency lighting and exits signs, the size of exit signs, including their lettering and maximum occupancy loads, and the number of persons that can safely occupy a building.

Commercial establishments are subject to different codes and standards that provide the minimum requirements for personal safety of the occupants including occupiers, tenants, invitees, licensees and even trespassers. Several of the safety requirements are set out by the Provincial Building and Fire Codes, Canadian Safety Standards and municipal bylaws, but in many cases, sound premises liability protection simply requires a little common sense. If something is broken, fix it. If something could cause personal injury or property damage then replace, remove or repair it.

For more information, please visit www.intactprevention.com

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