

IMPLEMENTATION OF THE STANDARD BY-LAW RELATING TO COMMUNITY FIRE SAFETY

The Standard Community Fire Safety By-law was published by the Department for adoption by the Municipalities in Provincial Notice 342 as contained in the Provincial Gazette Extraordinary no. 6389, of Friday 27 October 2006.

The fire that recently ravaged the Wag-n-Bietjie informal settlement, which unfortunately claimed the lives of two people, is one of the areas that had been identified by the Department as a potentially hazardous area.

Despite all the municipalities having been strongly encouraged to adopt the by-law with or without amendments, to date, only the Overstrand has adopted the by-law, and Stellenbosch has published it for comment.

The Overberg, Witzenberg, Cederberg and Saldanha have however promulgated their own fire safety by laws, prior to the Standard Community Fire Safety By-Law being promulgated.

The Department is currently liaising with the Department of Justice and Constitutional Development with regards the imposition of fines in terms of the by-law, with a hope of standardising the amounts of the various fines that may be imposed, so that the amounts payable are uniform across all municipal boundaries within the Western Cape.

PREPAREDNESS PLAN FOR NEWS LETTER

This province is at risk and very prone to fires, especially informal settlement fires, which destroys hundreds of dwellings each year, as well as veld and forest fires, which effects the farming activities, forestry and plantations that provide work to hundreds of our people and the nature conservation areas. This is evident in the huge fires that rage throughout the province during the summer season every year. Disastrous fires occurred in 2000 and 2005.

The Provincial Government embarked on a project to identify the fifty most vulnerable informal settlements in the Western Cape. To enable the province to assist the communities in these areas the province has identified the most causes that led to devastating fires in the informal structures and it was identified that a number of fires started and lives were lost due to parents that left their children alone in the structures while there were open flames from candles or cooking stoves burning. The children's actions inside the structures caused the candles or the cooking stove to fall over and set the structure alight. The fast spread is then due to the structures being very close together or touching and the control of the fire is very difficult. To address these causes the province has investigated more fire safe cooking stoves, the replacing of liquid paraffin with a gel that will not flow and spread a fire as well as to have the structures treated with a fire retardant. All these projects is very expensive and requires tender specification and the tender process. Although funds are not available at present the projects have been discussed with the local municipalities to see how they can implement the projects in their areas. The City of Cape Town in partnership with the insurance companies and Working on Fire have extended the camera project to monitor fires in informal settlements. An additional two cameras have been provided and a further two is available if they can be sponsored for monitoring. Working on Fire has increased the fixed wing fire fighting capability from four to six fixed wing aircraft that will be used if the cameras detect a fire in an informal settlement to respond immediately and they will be supported by a helicopter and the Fire and Rescue Service on the ground.

The Provincial Government will again assist District Municipalities and the City of Cape Town with aerial fire fighting during the coming fire season by transferring R1.5mil to the City of Cape Town to be used by them and the adjoining District Municipalities for a helicopter. With the assistance of DWAF, Cape Nature, MTO Forest Company and some of the district

municipalities Working on Fire has gone into partnership with them to provide helicopters and fixed wing aircraft to be used during veld and forest fires. The aircraft will be distributed throughout the province as follow:

1. City of Cape Town at Newlands – one helicopter. Table Mountain National Parks will also have a helicopter at Newlands that can be used by the City of Cape Town on request and if available.
2. Cape Winelands DM, Cape Nature and NDMC at Fisantekraal – two helicopters and four fixed wing aircraft as well as two spotter planes.
3. Cape Winelands DM, Cape Nature and MTO Forestry at Stellenbosch – one helicopter and two fixed wing aircraft.
4. Overberg DM, Cape Nature and MTO at Bredasdorp – one helicopter that will also be used for search and rescue functions and to take medical personnel to accidents in the area as well as one spotter plane.
5. Cape Winelands DM, Cape Nature and MTO Forestry at Tulbach – two helicopters and one spotter plane.
6. Eden DM, Cape Nature and MTO Forestry at George – one helicopter and one spotter plane.

Working on Fire in partnership with Cape Nature, MTO Forestry and Cape Winelands DM will also make twenty one fire fighting crews consisting of twenty two fire fighters and two crew leaders available to be used by any landowner to fight veld and forest fires.

As the fire and holiday season is approaching the fire fighting community in the province is preparing themselves to face any fire that may occur in the province.

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Lessons learnt during the recent fires in July and August 2007 in Mpumalanga, Free State, KwaZulu/Natal and Gauteng, which had a devastating impact on the live of farmers and their livelihood, indicated the following:

- Veld should not be burned without permission from the local fire service;
- Cigarette butts should be extinguished in ashtrays not flicked out of vehicle windows or while walking in nature;
- Open fires for cooking and warming should not be left unattended especially along the roads in the early mornings;
- Care should be taken when using fire to smoke out hives for honey;
- Farmers should join their local Fire Protection Associations and if there is not one already established get you neighbours together and start one;
- Accurate information on the exact location and type of fire should be reported;
- Ensure that you have a plan for your own fire safety especially in informal settlements;
- Do not drive through smoke as at the other end you may land in the fire;
- Driving through fires can cause that you have an accident, especially when smoke makes visibility difficult and you can expect fire fighting vehicles to be parked in the smoke; and
- Plan with your neighbours, including those with insufficient capacity or resources to attend to any fire that may start on your or their property as it is for your own safety.

Last year, in 2006, the province has already restarted to mitigate the prevalence of fires through an extensive campaign regarding fire by-laws and the "FireWise" information campaign. The district Municipalities indicated that they are prepared for the coming fire season. There are still a number of local municipalities that has not improved on their fire

services and are of concern. From the 30 municipalities (Metropolitan, District Municipalities and Municipalities) four fire services were delegated to the district municipality to provide a service for them. The remainder 24 should provide a fire and rescue service to their communities. From the remaining twenty four only 15 municipalities has appointed a Chief Fire Officer according to the Fire Brigade Services Act and in the remainder 9 municipalities there are no service or the service is provided on an ad-hoc basis by traffic or other municipal officials as and when required and available. It is also to note that only 12 of the fifteen municipalities have permanent fire fighters available to attend to fires as required in the Act. The other three has only a Chief Fire Officer and they still use municipal officials as and when available to attend fires that occur.

As part of the state of the fire brigade services the following legislative arguments were stated:

- **Constitution of the Republic of South Africa, Act 106 of 1996**
 - Fire brigade services in the Western Cape are presently under resourced and under capacitated, due to fire brigade services being listed as a schedule 4B service and therefore needed to be funded by municipalities as part of the Equitable Share Grant. This however forms part of the powers and functions debate, which is not resolved.

- **Fire Brigade Services Act, Act 99 of 1987**
 - The present Act don't address new needs and constitutional requirements; and
 - This Act is presently under review and a National Task Team is busy with the 8th draft.

- **National Veld and Forest Fire Act, Act 101 of 1998**
 - Makes provision for the establishment of Fire Protection Associations (FPA's) and makes the national Department of Water Affairs and Forestry (DWAF) responsible for the implementation of this Act;

- **National Building Regulations and Building Standards Act, Act 103 of 1977**
 - Fire brigade services involved in insuring that fire protection plans are complied within the said regulations.
 - Very few of the municipalities, although they have a Chief Fire Officer pass building plans to the fire service to make fire prevention recommendations to be build into the buildings.

- **Municipal Structures Act, Act 117 of 1998**

- There is presently confusion on the powers and functions of the implementation of article 84, due to the allocation of certain services such as planning, co-ordination and regulation, specialized fires and training is the responsibility of the District (C) Municipalities and the combating of structural (building) fires is the responsibility of the Local (B) Municipalities.

In conclusion there are three aspects that is of great concern, that need to be addressed urgently, namely:

- The legislative problems as well as the powers and functions dilemma, we earlier referred to;
- The fire risk needs constant monitoring and our preparedness plans should always make provision for the increased risk and vulnerable communities. This will include the requirement of additional resources, i.e. staffing, equipment and facilities. This aspect **must** form part of the Integrated Development Plan (IDP). The Department's Monitoring and Evaluation (M&E) snapshots should also include the status of fire brigade services; and
- Fire brigade services is in accordance with the Constitution, a municipal function and therefore appropriate funding should be provided by municipalities to develop, implement and maintain fire brigade services in their respective areas. The backlog at present should also be addressed on provincial and national level. **Without appropriate funding mechanisms** the fire services in this province is deemed for failure.

For the coming fire and festive season it can be noted that Working on Fire supported by DWAF will again provide aerial fire fighting to the municipalities and other partners such as Cape Nature, MTO and National Parks Board. The helicopters and fixed wing bombers will be placed at strategic places within the province as from the 1 December 2007. The WoF aerial support will be extended to assist the EMS and local municipalities when there is a need for wilderness search and rescue as well as for fires on our main national roads to get emergency service and fire fighters to incidents as soon as possible.

DRAFT MEDIA RELEASE
PREPAREDNESS PLAN FOR NEWS LETTER
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The fire and holiday season is coming closer very fast. It is also the time for run away fires that cause devastation and lead to loss of life and damage to property and the environment. The "Firewise" person will not start a fire it cannot control.

The fire risk in the Western Cape is normally during the dry summer months from October to May. It also differs from region to region due to the type of vegetation and is difficult to generalise. What must be considered are the local conditions, wind, vegetation and available manpower to attend to a fire if it should occur. The local fire brigade service can assist and landowners should contact them for information regarding any information on fires. The Fire and Community Fire Safety Ordinance that many of the Municipalities have adopted as by-laws makes provision that persons that causes fires by dropping cigarette buds from vehicles or any other way that causes a fire can be fined up to R10000.00. The communities must assist the fire brigade services to prevent fires and report any person that can cause a fire due to negligence and that throws cigarette buds from vehicles by taking the registration number, date, time and place and report it to the police or fire service.

Landowners must ensure that firebreaks are made on the boundaries of their property and landowners must make their properties safe from fire spreading to or from their properties as required by the National Veld and Forest Fire Act. This also includes those landowners inside residential areas that have a vacant plot that is overgrown. It is now the time to enforce this requirement and to make the firebreaks if it has not been made before or to ensure it is clean and cut if it was made last year or if it is an overgrown plot to clean it of growth. If you as land owner intent to burn fire breaks or other land make sure you obtain your burning permit from the District Municipal Fire and Rescue service before you start your burning process. The National Department of Water Affairs and Forestry have publish the fire prohibition notices for certain areas, please ensure you as land owner get a copy of the Gazette and adhere to the fire prohibition periods. This also includes those landowners inside residential areas that have a vacant plot or that intent to burn their garden rubble.

The SA Weather Service provide SMS warning to all District and City of Cape Town Chief Fire Officers of any fire dangers or other weather patters such as strong winds.

A red day warning send by them over the news or on TV has the meaning that according to the Fire Danger Rating System that the fire danger index is 76 – 100. Fire behaviour is extremely dangerous and flame lengths can be plus 2 – 3 meters. Ignition can occur from sparks and rate of spread will be extremely fast for extended periods and difficult to control. Fires will be burning extremely hot with a dangerous heat effect on humans and animals within 10meters of the fire. Extensive crowning, fire whirls and long range spotting can occur. Control may not be possible by frontal attack during the day and fire fighters should limit their efforts to containing lateral spread until the weather pattern changes. Damage potential is high with total losses in vegetation and structures and mopping up operations may be very extensive and difficult. As land owner head to the red fire warnings given by the S A Weather service and be extremely careful on the red fire warning days.

Reminders for landowners:

DO,s

1. Landowners must ensure that firebreaks are made and kept clean.
2. Landowners must ensure their properties are not overgrown by alien plants that cause fire risks.
3. Landowners must join the FPA in their area.
4. Before landowners allow any open fire to be made on their land they must contact the local fire brigade service and obtain authority.
5. Landowners must ensure there is sufficient manpower to control any fire that may start. Even if they arrange and agree on assistance from neighbours.
6. Any fire a landowner started must not be left unattended without sufficient manpower and must be properly extinguished. No smouldering ambers must be left before you leave the scene of any fire attended
7. As the landowner that made a fire and extinguished it you must visit the area at regular periods of not less than one hour for at least 24 hours. Remember fires do not go to bed at night like you as landowner and your workers. It is at these times, at night, that the wind start to blow and the possible missed amber becomes a flame, a fire grows and becomes a runaway fire.
8. As landowner you must not allow unauthorised open fires to be made on your land.
9. Landowners must not disregard the S A Weather Service red fire danger warnings.

It is also now that the hot and windy season starts and the possibility of fire spread in informal settlement areas are increasing. If you are living in these areas you must be more careful with the making of cooking fires and do not leave primus stoves or other open flame cooking devices alone. Make sure if it is possible to keep the three meters clear between your structure and that of your neighbour. This open space will be the difference between you losing all your belongings and the fire fighters getting to your structure to stop the fire. If you allow the open space to be built upon fire spreads faster, fire fighters cannot get to the fires and will not be able to stop the fire keeping you safe before it can destroy your structure. Safety at your home and surrounding your structure is your responsibility and only you and your neighbours can enforce it and make your home and living area safe.

DO's

1. Open fires for cooking and warming should always be attended and not left alone.
2. Care should be taken when children are left with burning candles or cooking fires and stoves. Never leave them alone with open flame burning items around.
3. Ensure you have a plan for your safety if a fire should start or a fire is in an adjacent structure threatening your structure.
4. Keep the open space between your structure and that of your neighbour open, at least two meters for fire fighting teams to get through to get to the fire.
5. Keep matches and lighters away from young children.
6. Extinguish all hot ash and coals with water before you get rid of it from heating and cooking fires.
7. If water is not available to extinguish a fire cover an open fire with sand to smother it.

Fires in informal settlements is very seldom deliberately caused but is normally caused by a person that was neglected by not considering the actions taken by him or her will start a fire that becomes uncontrolled.

It is a call on all residents of and visitors to the Western Cape Province to make the coming fire and holiday season one of safety with no fires or if a fire starts one that can be controlled and extinguished quickly.

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