

FAQ - Fire Safety Certificates

What is it all about?

Under the Building Control Act 1990 two main sets of regulations have been issued, the Building Regulations 1997 which sets standards for building works and the Building Control Regulations 2007 which puts procedures in place to control building works.

What is a Fire Safety Certificate?

A Fire Safety Certificate is a certificate issued by the Building Control Authority which states that the works or building to which the application relates will, if constructed in accordance with the plans and specifications submitted, comply with the requirements of Part B of the Second Schedule to the Building Regulations 1997.

Which developments require a Fire Safety Certificate?

The following developments (other than those listed as exempt below) require a Fire Safety Certificate;

- Works in connection with the design and construction of a new building
- Works in connection with the material alteration of:
 1. A day centre
 2. A building containing a flat
 3. A hotel, hostel or guest building
 4. An institutional building
 5. A place of assembly
 6. A shopping centre
- Works in connection with the material alteration of a shop, office or industrial building where additional floor area is being provided within the existing building or where the building is being subdivided into a number of units for separate occupancy.
- Works in connection with the extension of a building by more than 25 square metres
- A building as regards which a material change of use takes place.

Which developments are exempted from the requirement of a Fire Safety Certificate?

The following buildings are exempted from the requirement to obtain a Fire Safety Certificate:

- Certain single storey agricultural buildings.
- A building used as a dwelling other than a flat.
- A single storey domestic garage.
- A single storey building ancillary to a dwelling which is used exclusively for recreational or storage purposes or the keeping of plants, birds or animals for domestic purposes and is not used for any trade or business or for human habitation.
- Works by a Building Control Authority in its functional area.
- Works in connection with a Garda station, a courthouse, a barracks and certain government buildings.

How does the Fire Safety Certificate process work?

- An application is submitted to the Building Control Authority
- Valid applications are date stamped and an acknowledgement stating date of receipt is sent to the applicant. Where an application is incomplete and therefore not valid, the Building Control Authority may request the applicant to submit the necessary documentation to enable the application to be validated.
- The application is examined technically for compliance with the 'Fire' part of the Building Regulations.
- Where it is considered that additional information or modifications are required to the application, the officer examining the application may request such additional information/modification from the applicant.
- A Fire Safety Certificate will issue to the applicant as soon as possible after all required additional information has been submitted.
- The Building Control Authority must notify the applicant of the decision on the application within two months of the application date or within such extended period of time as may be agreed between the applicant and the Authority at any time.

What must be submitted?

A Fire Safety Certificate Application should contain:

1. A completed Application Form
2. Relevant drawings (in duplicate)
3. A fire safety report
4. The appropriate fee

What should the fire safety report contain?

The application is required to demonstrate that the development complies with Part B of the Second Schedule to the Building Regulations. One way to achieve this is to systematically address each relevant clause of the particular Codes and Guidance documents which are being used in the fire safety design of the building.

Who can prepare a Fire Safety Certificate application?

Usually a Fire Safety Certificate application is made by a Fire Safety Consultant, Architect or Engineer who is familiar with the Building Regulations and the procedure for applying for a Fire Safety Certificate.

The content of the application needs to be comprehensive in nature. A person preparing a fire safety certificate should have a sound knowledge of building construction and fire safety design. If the application submitted is lacking in information or drawings, then the local authority will consider it invalid and will return it to you together with your fee.

Can Donegal Fire Authority recommend someone to made a Fire Safety Certificate Application on my behalf?

No it is our policy not to recommend individuals or companies, however there are many Fire Safety Consultants in the Golden Pages.

What is the fee for a Fire Safety Certificate?

The fee is €2.90 per square meter floor area (for the part of the building which the Fire Safety Certificate Application relates to). The minimum fee is €125 and the maximum fee is €12500 regardless of floor area.

When can I start work on the development?

Where a Fire Safety Certificate is required in respect of works or a building then a person shall not carry out the works until a Fire Safety Certificate has been issued for the works.

What do I do about changes in the design after a Fire Safety Certificate has been granted?

A Fire Safety Certificate is granted based on the design and information submitted. Deviations at construction stage from the documentation submitted might call into question the validity of the Fire Safety Certificate as it applies to the development. It is accepted that changes can occur as a building project proceeds. These changes may be insignificant from a fire safety point of view or they may be such that a new Fire Safety Certificate Application is required. It is recommended that you contact this Department regarding any changes.

Will Donegal County Council inspect and certify my building when it is finished?

A Fire Safety Certificate is granted based on the design and information submitted. Deviations at construction stage from the documentation submitted might call into question the validity of the Fire Safety Certificate as it applies to the development. It is accepted that changes can occur as a building project proceeds. These changes may be insignificant from a fire safety point of view or they may be such that a new Fire Safety Certificate Application is required. It is recommended that you contact this Department regarding any changes.

Will Dublin City Council inspect and certify my building when it is finished?

No. You should employ your fire safety consultant to oversee the fire related issues of the works. When the works are finished, you should request a certificate of compliance from your consultant. This should certify that your building has been constructed in accordance with the Fire Safety Certificate and the Building Regulations.

Do I have to wait for my planning permission to come through before I can apply for my fire safety certificate?

No. You can apply for both at the same time. However most people wait until planning is granted for a development before applying for a Fire Safety Certificate as if the Planners make alterations to the plans the Fire Safety Certificate granted may not be valid.

What if I don't bother with applying for a fire safety certificate and build anyway?

If you build without a fire safety certificate, you will leave yourself open to prosecution under building control legislation. If you decide at some later date to sell your premises the buyer's solicitor will, in all likelihood,

look for a copy of the fire safety certificate for the building. If you are unable to produce a fire safety certificate you may find it difficult to sell. If you build or extend a public house /licensed premises without a fire safety certificate you will even run into difficulties obtaining or renewing a license.

I want to build three separate buildings on my site. Will the one fire safety application cover the three buildings?

No. The building control legislation requires that a fire safety certificate be obtained for a particular building. This applies even if the three buildings to be built are all identical to each other.