



STATE OF NIGERIA

2019 LAW NO. 12

A LAW TO REPEAL THE IMO STATE FIRE SERVICE EDICT NO. 2 OF 1987 AND TO ENACT A LAW TO MAKE PROVISION FOR THE ESTABLISHMENT OF IMO STATE FIRE SERVICE BUREAU AND FOR RELATED PURPOSES

*Long Title*

BE IT ENACTED by the House of Assembly of Imo State of Nigeria as follows:

*Enactment*

**PART I - PRELIMINARY**

1. This Law may be cited as the Imo State Fire Service Bureau Law, 2019.

*Citation*

2. In this Law, unless the context otherwise requires:-

*Interpretation*

"Fire service Bureau" means fire-fighting service established under section 3 (1) of this Law;

"Fire Commandant General" means the Chief Fire Officer charged with the responsibility of administration and operation of the Fire Bureau;

"Fire Brigade" means a troop or formation or squad of firemen and officers stationed in any part of the state;

"fire fighting equipment" includes fire engines, vehicle, mobile fire-fighting equipment, fire extinguisher, uniforms, badges of rank or post, pillar plate, table or other mark used to indicate the position of a fire hydrant or other source of water, or emergency exit or such other equipment or means of fire-fighting, fire prevention and escape as may be prescribed by this Law or by regulations made hereunder;

"fire-fighting unit" means fire-fighting personnel with mobile fire-fighting equipment maintained by a person or persons other than a fire authority for use in the fighting and prevention of fires and protection of life and property in case of fire;



"fire-fighting purposes" mean purposes of extinction and prevention of fires and protection of life and property in case of fire;

"fireman" means a male or female staff of the Fire Bureau below the rank of sub-officer;

"Fire officer" means a staff of the Fire Bureau of the rank of sub-officer or above;

"Water Authority" means the Imo State Water Board;

"Private building" means all residential houses which are not being used for office or commercial purposes;

"Public Buildings" mean all buildings used for office or commercial purposes which are owned by Government House, Ministries, Departments, Agencies and Institutions, School (whether Federal, State or Private but situated within Imo State), Hostels, Petrol/Gas filling stations, Banks, Hotels, Market, Event Centres, Stores, Companies/factories, offices, supermarkets and provisions shops, fast food joint and eateries, motor parks, Churches, Mosques, etc;

"State" means Imo State of Nigeria.

## **PART II- ESTABLISHMENT, ORGANIZATION AND ADMINISTRATION OF IMO STATE FIRE BUREAU & ITS ZONAL OPERATIONAL OFFICES.**

- 3 (1) There is established, the Imo State Fire Service Bureau (hereinafter referred to as "the Fire Service Bureau").
- (2) The Headquarters of the Fire Service Bureau shall be in Owerri capital city while it shall have three Zonal Offices at Owerri, Okigwe and Orlu.
- (3) The main objective of the Fire Service Bureau shall be the protection of lives and property from exposure to the dangers of fire through inspection, prevention, extinction and control of fire and also to serve the training needs of fire fighters in Imo State.

*Establishment  
of Imo State  
Fire Service  
Bureau*



- 4.(1) The Imo State Fire Service Bureau shall be under the command of the Fire Commandant General who shall be -
- (a) the head of the Fire Service Bureau; and
  - (b) responsible for the efficient administration and conduct of the Fire Service Bureau.
- (2) The Fire Commandant General shall be assisted in the discharge of his functions under this Law by the Zonal Commandants in charge of the Zonal Offices in Owerri, OKigwe and Orlu respectively.
- (3) The Fire Commandant-General and the three Zonal Fire Commandants shall be appointed by the Governor.
- 5.(1) In addition to the Fire Commandant-General and the Zonal Commandants, the Fire Service Bureau shall comprise -
- (a) such other staff, officers and firemen of such ranks as may from time to time be appointed by the Civil Service Commission; and
  - (b) fire safety inspectors charged with the responsibility of inspecting private and public buildings for fire safety compliance.

*The Fire  
Commandant-  
General*

*Other officers  
and firemen of  
the Fire  
Service  
Bureau*

### PART III – DUTIES OF THE FIRE BUREAU

- 6(1) The duties of the Imo State Fire Service Bureau shall include –
- (a) the prevention, control and extinction of fire;
  - (b) saving and protection of lives and property in case of fire;
  - (c) rendering advice as to the proper location of hydrants and fire extinguishers in public buildings and private premises.
  - (d) ensuring that fire equipment and Fire fighting vehicles are in proper working condition;
  - (e) organizing periodic training and re – training of fire officers of the Fire Service Bureau; and
  - (f) liaising with the Ministries in charge of Lands, Survey, Urban Planning and Housing to ensure that every developer provides for muster points and emergency exits in case of fire in their building plan before such plans are approved.

*Duties of the  
Fire Service  
Bureau*



#### **PART IV – POWERS OF THE FIRE COMMANDANT-GENERAL**

7. The Fire Commandant-General shall have power to know what fire-fighting equipment are available to the Fire Bureau, and in this regard shall have power to –
- (a) make arrangements for the procurement of new fire-fighting equipment;
  - (b) ensure that existing equipment are properly maintained and serviced for efficient prevention, control and extinction of fire outbreak and other matters connected with or related thereto;
  - (c) make arrangements for training facilities for officers and firemen in the Fire Service Bureau for the due discharge of their functions under this Law;
  - (d) ensure that water hydrants are located in strategic points in all urban towns in the 3 Senatorial Zones of the State and fire extinguishers are installed in all private buildings, public buildings and commercial houses in the State;
  - (e) make arrangements for ensuring that reasonable steps are taken to prevent or mitigate damages to property resulting from measures taken in dealing with fires;
  - (f) organize seminars and advice the public when requested, on issues relating to prevention of fire, the spread of fire and means of escape in case of fire in private or public buildings;
  - (g) facilitate the establishment of Fire Stations in Owerri, Okigwe and Orlu Geo – Political Zones;
  - (h) authorize the provision and maintenance of fire alarms in suitable places across the State;

*Powers of the  
Fire  
Commandant-  
General*

#### **PART V – FIRE SAFETY INSPECTION**

8. All Buildings (whether Public or Private) shall have fire extinguishers which shall be properly displayed for easy accessibility in case of fire emergencies"
- 9.(1) As from the commencement of this law, the Fire Service Bureau shall from time to time conduct regular fire safety inspection on private and public buildings in the State.
- (2) The Fire Service Bureau shall issue a Fire Safety Certificate in respect of any building inspected and found to be fire

*Every Public  
and Private  
building to  
have fire  
Extinguishers*

*Fire Safety  
Inspection by  
the Fire  
Service  
Bureau*



safe in conformity with the standards set by the Fire Service Bureau.

- (3) The Fire Safety Certificate referred to in sub-section (2) of this section shall be –
- (a) renewed every two (2) years after payment of the fees prescribed by the fire service Bureau;
  - (b) displayed at a conspicuous place in the Building

10.(1) Any building which does not comply with the Fire Safety Standards prescribed by the Fire Service Bureau shall be declared a fire risk.

*Fire Safety Standards*

(2) A building shall be said to comply with the Fire Safety Standards set by the Fire Service Bureau if –

- (a) it has installed therein, adequate fire fighting and control equipment as prescribed by the Fire Service Bureau;
- (b) inflammable substances in the building are properly stored away from fire risk areas, and
- (c) occupants of the building have acquired basic fire prevention and control skills.

\* 11. (1) Where a private or public building is declared a fire risk and unsafe for occupation by persons, the Fire Service Bureau shall issue a notice mandating –

- (a) the owner or occupant in the case of a private building; to immediately comply with all the Fire Safety Standards prescribed by the Fire Service Bureau;
- (b) the person or authority in charge in the case of a public building to immediately comply with all the Fire Safety Standards prescribed by the Fire Service Bureau.

*Notice to Owner/ Occupant of Building and other consequential actions*

(2) The notice issued under sub Section (1) of this section shall expire 30 days after the notice was issued.

(3) If after the expiration of thirty (30) days, the Fire Service Bureau conducts another inspection and there is still evidence of non – compliance with the Fire Safety Standards as prescribed, the Fire Service Bureau shall issue a final warning notice to be complied with within seven (7) days.



- (4) After the expiration of the Seven (7) days final warning notice and there is still evidence of non – compliance, the Fire Service Bureau may –
- (a) seal off the building for reason of being unsafe for occupation; and
  - (b) impose a fine of One Hundred and Fifty Thousand Naira (₦150,000) only for a private building and Three Hundred Thousand Naira (₦300,000) for a public building.
- (5) Any building sealed off by the Fire Service Bureau in accordance with the provisions of this Law shall be re – opened upon compliance with the Fire Safety Standards prescribed by the Fire Service Bureau and payment of any imposed fines.

12. It shall be the duty of the Fire Service Bureau to carry out regular mass enlightenment campaigns, workshops, seminars and programs to educate the public on the existence of this Law, fire prevention and fighting measures, facilities and operations

#### **PART VI – FIRE FIGHTING, PREVENTION AND OTHER SERVICES**

13. The Fire Commandant-General may take all reasonable measures for ensuring the provision of adequate water supply for use in case of fire; and for this purpose, may after consultation with the Imo State Water Board, make regulations for –
- (a) making use of the free water supply guaranteed by the Law establishing Imo State Water Board;
  - (b) the installation at suitable places, main water pipes, valves or hydrants or other waterworks which may be required by the Fire Service Bureau in the discharge of its functions in the prevention or control of fire;
  - (c) providing uniformity in –
    - (i) fire hydrants and other sources of water;
    - (ii) the distinguishing marks denoting the location of fire hydrants or other sources of water supply; and
    - (iii) the positions of pressure of water available;

*Regulations  
concerning  
Water Supply*



- (d) for the provision of such auxiliary pumping plants and equipment as may be necessary;
  - (e) the giving of prior notice by the Water Board to the Fire Service Bureau of any proposed installation of new main water pipes or of the carrying out of major alterations to existing main pipes, giving details, plans and other information of the proposed works to enable the Fire Service Bureau re-strategize.
- 14.(1) Without prejudice to the powers conferred on him by Sections 7 and 13 of this Law, the Fire Commandant-General may from time to time make Regulations –
- (a) with the concurrence of the Imo State Civil Service Commission with respect to -
    - (i) the organization and administration of the Fire Service Bureau;
    - (ii) the training of members of the Fire Service Bureau; and
    - (iii) the promotion, transfer, dismissal and disciplinary control of members of the Fire Service Bureau;
  - (b) setting out the scale of charges permitted under this Law for services rendered by the Fire Bureau;
  - (c) for the administration of the Fire Service Reward Fund;
  - (d) for the prevention of fire and reduction of the risks of Fire and the safety of persons, animals and property in or around any building from fire hazards;
  - (e) prescribing the type of signals, whether audible or visual, to be used by fire engines or other mobile fire-fighting equipment;
  - (f) for the establishment and management of canteens and recreational facilities for members of the Fire Service Bureau;
  - (g) requiring owners of multiple dwellings, hotels, cinemas, theatres, night clubs, event centres, commercial buildings and other similar buildings or structures to which members of the public resort from time to time, to take such precautions as the Fire Commandant-General may specify for safety of such tenants, occupiers, invitees and other users of such buildings or structure against fire hazards.

Other  
Regulations



- (2) For the purpose of paragraph (g) of subsection (1) of this section, the Fire Commandant-General may –
- (a) classify these buildings into different categories; and
  - (b) prescribe different safety requirements for each category; and
  - (c) require the owners of any category thereof to install such fire-fighting equipment of such standard as may be prescribed by the Fire Service Bureau, and in such a way that the tenants, occupiers, invitees or other users thereof shall at all times in case of fire, have free access to such fire-fighting equipment.

15.(1) A fire alarm or a notice, table, plate, pillar, post or other distinguishing mark indicating the location of a fire hydrant or other sources of water supply as required or prescribed by this Law may be affixed or placed upon any land or other property by the Fire Service Bureau for the purposes of this Law without prior consent of the owner of the land or property and without compensation for such user of the land.

*Fire Alarm*

- (2) In this section –
- “land” includes buildings, walls or fences; and
  - “owner” includes a lessee, tenant, licensee or occupier.

16.(1) Subject to the provisions of subsection (4) of this section, the Fire Commandant-General may enter into arrangements with the Federal Government or any other neighboring State Government(s) or other authorities that maintain a Fire Brigade or a Fire-fighting Unit outside the State, to secure, on such terms as may be provided by or under the arrangements, the provision by the participating Government(s), person(s) or authorities, of mutual assistance for the purpose of dealing with fire occurring in the State or, as the case may be, for rendering of assistance by the Fire Bureau for the purpose of dealing with fires occurring outside the State.

*Mutual  
assistance*

- (2) The Fire Commandant-General may enter into arrangements with persons (not being fire authorities) who maintain fire-fighting units to secure on such terms



- as to payment or otherwise as may with the approval of the Governor be provided by or under the arrangements; the provision by these persons of assistance for the purpose of dealing with fires or other emergencies occurring in the State where either-
- (a) it is necessary to supplement the services provided in connection with the Fire Service Bureau; or
  - (b) reinforcement at a fire occurring in the state or, as the case may be, for the rendering of assistance by the Fire Service Bureau for the purpose of dealing with fire occurring outside the State
- (3) The Fire Commandant-General may make such charges which in his opinion is reasonable for services, other than fire-fighting services, rendered by the Fire Bureau; and such a charge shall be a charge on the property in respect of which those services were rendered.
- (4) No arrangement for rendering of assistance by the Fire Bureau for the purpose of dealing with fires occurring outside the State may be entered into by the Fire Commandant-General unless the Government of that State where the Fire Brigade or Fire-fighting Service or Unit is maintained approves of the arrangement and undertakes to indemnify the Fire Service Bureau and every staff thereof who may be taking part in a fire-fighting operation against damages or injury to persons or property caused by any act or omission on their part during the operation.

#### **PART VII – APPOINTMENT, CONFIRMATION, GRATUITY AND PENSION OF THE STAFF OF THE FIRE BUREAU**

17. A fireman or a fire officer shall, on appointment, be enlisted to serve in the Imo State Fire Bureau for a probationary period of two years before his appointment is confirmed on such terms as may be fixed by the Imo State Civil Service Commission.

*Appointment  
as a fireman  
or fire officer*

- 8.(1) Service in the Fire Service Bureau shall for the purposes of the Pensions Act applicable in Imo State be Pensionable

*Pensions*



Service and shall be on the same terms and conditions as those applicable in the Public Service of the State.

- (2) Retirement age for staff of the Fire Service Bureau shall be as applicable in the Public Service of the State.
- (3) Where a fireman or a fire officer has been permanently incapacitated by an injury sustained or illness contracted in the performance of his duty and without his own fault or on account of circumstances specifically attributable to the nature of the duty and his discharge is thereby necessitated or materially accelerated, his pension shall be calculated in accordance to provisions of the Pension Act as applicable in Imo State or another applicable Statute for the time being in force.

#### PART VIII – POWERS OF STAFF OF THE FIRE BUREAU

- 19.(1) A fireman or staff of the Fire Bureau in the execution of his official duties under this Law may enter or, if necessary, break into –
  - (a) any premises or place in which a fire has or is reasonably believed to have occurred; or
  - (b) any premises or place which it is necessary to enter for the purpose of extinguishing a fire or of protecting the premises or place from dangers arising from acts done for fire-fighting purposes or in order to obtain water for fire-fighting purposes, without the consent of the owner or occupier of the premises or place and may, while remaining there, do all such things as are deemed necessary for –
    - (i) extinguishing the fire and preventing further spread of the fire, or
    - (ii) protecting the premises or place from fire or from damages arising from acts done for fire-fighting purposes, or
    - (iii) rescuing a person, animal or property in the premises or place; or
    - (iv) for obtaining water for fire-fighting purposes
- (2) At any fire-fighting operation, the most senior staff of the Fire Service Bureau present shall be in control of the

*Power to  
enter into  
premises*



operation and shall see to it that the fire is brought under effective control.

(3) A police officer present at a fire-fighting operation, or in the absence of a police officer, the most senior staff of the Fire Bureau present, may stop traffic in a street, if in his opinion, it is necessary or desirable to do so for the fire-fighting purpose.

(4) Any injury to a person or damage to property caused by a staff of the Fire Service Bureau or a police officer while acting in the execution of his duties in the extinguishing of a fire or in aid or assistance to persons or animals under the provisions of this Law shall be deemed to be injury or damage by fire.

20.(1) Any staff of the Fire Service Bureau who is on duty or any person or authority assisting the Fire Service Bureau on duty pursuant to any reciprocal arrangements provided under this Law, may, without the consent of the owner or occupier –

Power to enter  
upon lands

(a) enter and if necessary break into any building, place or property in which a fire has or is reasonably suspected to have broken out;

(b) enter and if necessary break into any building, place or property which he believes is necessary to be entered for the purpose of rescuing or protecting the building, place or property from fire or from acts done for rescuing or fire-fighting purposes or for the purpose of extinguishing a fire therein or on any property adjacent thereto;

(c) and on entering a building, place or property, do such acts therein as are necessary for rescue operations or for extinguishing any such fire or for protecting such building, place or property adjacent thereto or any property therein from fire or from acts done for rescue or fire-fighting purposes;

(d) and on entering a building, place or property, do such acts therein as are necessary for the rescue of the life animals;

(e) and on entering a building, place or property, remove any chemicals, containers, petroleum products,



- explosives or any property, furniture or item which in his opinion is capable of causing fire or is dangerous to the tenants or occupiers of such building, place or property or any property adjacent thereto;
- (f) pull down any building or other structures, or destroy or remove any property as are necessary to extinguish or limit the spread of any fire, or carry out rescue of persons or animals;
  - (g) and on entering any building, place or property, stop the storage or sale of any commodity or material which constitutes fire hazard;
  - (h) take water from any source whatever without payment or other compensation therefore for the purpose of extinguishing fire or of limiting the spread of fire;
  - (i) enter any building, place or property, and give advice on the property placement of fire-fighting equipment thereon.

✓ **PART IX – MISCELLANEOUS PROVISIONS**

21.(1) A fire engine or any mobile fire-fighting equipment, when responding to an alarm shall, as far as practicable, have prior right of way over all other traffic.

*Fire engine to have prior right of way*

(2) Notwithstanding the provisions of subsection (1) of this section, a Police Officer or Traffic Warden in charge of traffic and the drivers of other vehicles shall at all material times ensure the quick passage of a fire engine or a mobile fire-fighting equipment in cases of emergency or while proceeding on fire operation whether with siren signal or not.

\* 22.(1) No charge shall be made for any service rendered by Fire Service Bureau in extinguishing fires.

*Charges for services rendered*

(2) Charges may be made for services other than extinguishing fires rendered by the Fire Service Bureau at a rate to be prescribed by the Fire Commandant-General.

(3) The Fire Commandant-General shall issue a demand notice to the person or authority who is liable to pay the charges, prescribed under subsection (2) of this section,



and if the person or authority fails to pay the charges within 30 (thirty) days from the date of the demand notice, the Fire Commandant-General may maintain an action in a court of competent jurisdiction to recover the amount payable as a debt to the Government of the State. *stop*

23(1) The Fire Service Bureau, in collaboration with relevant professional bodies shall establish a Fire Service Training Institute to run fire training courses in the State.

*Fire Service  
Training  
Institute*

(2) The Institute shall be open to the general public who may apply subject to the approval of the Fire Commandant-General and on such terms as to payment or otherwise as may be prescribed and to be admitted to fulltime or part-time training courses in fire-fighting and fire prevention mechanism.

*\** 24. Any person, who not being a staff of the Fire Service Bureau –  
(a) puts on the official dress wholly or part thereof, or assumes the official name or designation of any staff of the Fire Bureau; or  
(b) in any way pretends or represents himself to be a staff of the Fire Service Bureau for the purpose of gaining admission into a house or place or of doing an act which the person is not entitled to do under this Law, is guilty of an offence and liable on summary conviction to a fine of Two Hundred Thousand Naira (N200,000) or imprisonment for one (1) year or to both fine and imprisonment.

*Personation  
as staff of fire  
service*

*\** 25. Any person who contravenes any provision of this Law or Regulation made hereunder for which no penalty has been specifically provided is guilty of an offence and liable on summary conviction to a fine of One Hundred Thousand Naira (N100,000) or to imprisonment for three (3) months.

*Contravention  
of this law or  
regulations  
made  
thereunder*

26.(1) Any staff of the Fire Service Bureau who discloses to an unauthorized person, any confidential or secret information which the staff becomes possessed of in the course of his duties, is guilty of an offence and liable on summary conviction to a fine of One Hundred Thousand Naira



(N100,000) or imprisonment for six (6) months or to both fine and imprisonment.

(2) A person found guilty under subsection (1) of this section shall, in addition to the punishment specified therein, be liable to summary dismissal from the Fire Service Bureau.

(3) For the purpose of this section –  
“unauthorized person” means any person other than a staff of the Fire Service Bureau or a person to whom the staff is authorized by the Fire Commandant-General to disclose a confidential or secret information.

27. Any person who –

- (a) willfully obstructs or interferes with the work of a fireman who is engaged in fire-fighting operation, or is carrying out other duties prescribed by or under this Law; or
- (b) willfully obstructs a fire engine or a mobile fire-fighting equipment that is proceeding to a place of fire incident; or
- (c) fails to yield right of way to a fire engine or fire-fighting equipment –
  - (i) is guilty of an offence and liable on summary conviction to a fine of One Hundred thousand naira (N100,000) or to imprisonment for six (6) months or to both fine and imprisonment.

*Obstruction of  
or interference  
with work of  
firemen*

28.(1) Any person who unlawfully interferes with or damages or removes any fire – fighting equipment maintained or owned by the Fire Service Bureau is guilty of an offence and shall on conviction be liable to a fine of Two Hundred Thousand Naira (N200,000) or to imprisonment for one (1) year or to both fine and imprisonment.

*Interference  
with Fire  
Equipment*

(2) In this Section, “Fire fighting equipment” includes a fire alarm, fire hydrant or fire hydrant cover etc.

29 Any person who knowingly gives or causes to be given a false fire alarm or a false information to the Fire Service Bureau, is guilty of an offence and liable on summary conviction to a fine of One Hundred Thousand Naira (N100,000) or to imprisonment for six (6) months or to both fine and imprisonment.

*False Alarm*



30. The officers and staff of the Fire Service Bureau as providers of very essential and life saving services shall not engage, encourage, abet, take part in strike action, group disturbance, mob action or any trade union activities.
- \* 31.(1) Any person who stores, sells, buys or transports any inflammable liquid or gas other than in the fuel tank of a vehicle or engine without first obtaining a fire certificate shall be guilty of an offence and liable on summary conviction to a fine of One Hundred Thousand Naira (N100,000) or to imprisonment for six (6) months or to both fine and imprisonment and in addition, such inflammable product shall be forfeited to the Fire Service Bureau.
- (2) For the purposes of this section, "Fire certificate" means a written permit signed by the Fire Commandant-General (or by any fire officer so authorized by him in writing to sign and issue such permit).
32. The offices of the Fire Service Bureau across the State shall be open 24hours a day and 7 days a week with at least 5 officers constantly on duty.
33. The provision of the Public Officers Protection Law (Cap.106), Laws of Eastern Nigeria, 1963 shall apply in relation to any action, prosecution or other proceeding against any fireman or fire officer for any act done by him in the execution or performance of his duty under this Law.
34. The Imo State Fire Service Edict No. 2 of 1987 is hereby repealed

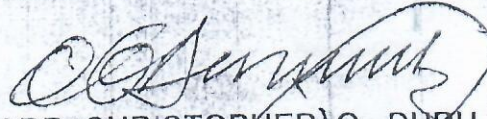
*Storage,  
Sale and  
transportation  
of inflammable  
Liquid or Gas*

*Limitation of  
actions  
against any  
fireman or fire  
officer  
(cap.106)  
L.E.N 1963*

*Repeal of  
Edict No. 2 of  
1987*



This printed impression has been carefully compared by me with the Bill which has been passed by the House of Assembly and found by me to be a true and correct printed copy of the said Bill.



BARR. CHRISTOPHER O. DURU  
Clerk of the House of Assembly  
Imo State of Nigeria

Assented to by me this 4<sup>th</sup> day of FEBRUARY 2019



~~OWELLE ANAYO ROCHAS OKOROCHA, OON~~  
Governor  
Imo State of Nigeria

Assent withheld by me this ..... day of ....., 20

OWELLE ANAYO ROCHAS OKOROCHA, OON  
Governor  
Imo State of Nigeria

Passed again by the Imo House of Assembly by two-thirds majority this .....  
Day of ..... 2019.



RT. HON. IHIM IHEANACHO CELESTINE  
Speaker  
Imo State House of Assembly