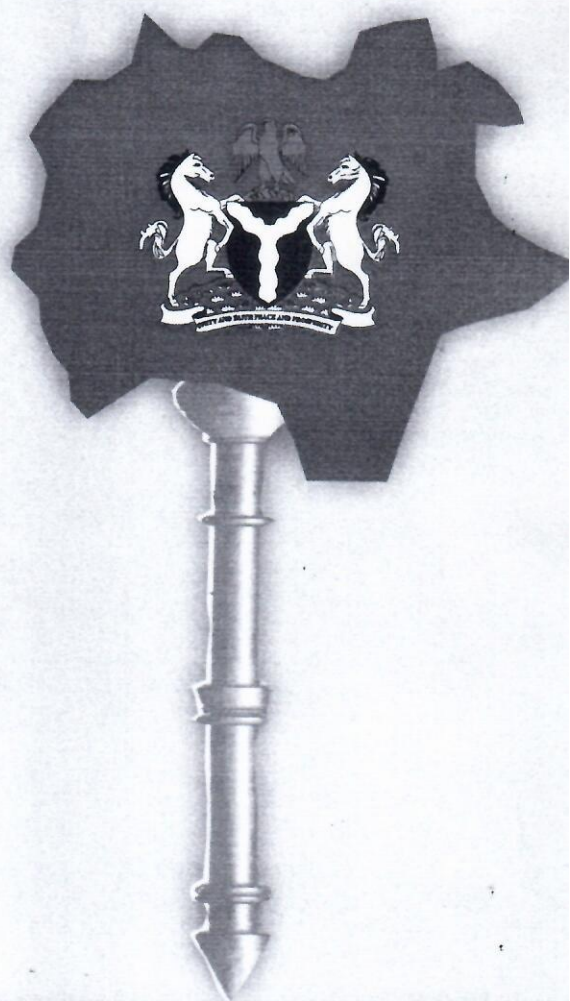


# **EKITI STATE FIRE SERVICE LAW, 2023**

**NO. 2 OF 2023**



**EKITI STATE OF NIGERIA**

**FIRE SERVICES LAW, 2023**  
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EKITI STATE FIRE SERVICES LAW, 2023.

NO. 2 OF 2023.

A LAW TO PROVIDE FOR THE ESTABLISHMENT OF FIRE AUTHORITIES, TO PROVIDE FOR THE COMBINATION OF SUCH AUTHORITIES FOR FIRE FIGHTING PURPOSES, TO REGULATE FIRE BRIGADES MAINTAINED BY FIRE AUTHORITIES: TO SPECIFY THE POWER AND DUTIES OF THE STATE FIRE OFFICER AND MEMBER OF FIRE BRIGADES, AND FOR PURPOSES CONNECTED THEREWITH.

EKITI STATE OF NIGERIA.

*Commencement* [ ]

ENACTED BY THE HOUSE OF ASSEMBLY OF EKITI STATE AS FOLLOWS:

PART I

*Appointment and Establishment of the Office of State Fire Director.*

**Appointment of State Fire Director.**

1. (1) The Governor may appoint any person as the State Fire Director upon the recommendation of the Commissioner.
- (2) A Government Fire Authority shall have all the powers and be subject to all the duties conferred or imposed by this Law and accordingly unless as otherwise herein provided, references in this law to a fire authority shall with necessary adaptations and modification be construed as including references to a Government Fire Authority:

Provided that where the State Fire Director is appointed by a Government Fire Authority, the provision of Section 35 and Section 37 (1) shall not apply in relation to that authority and accordingly, references in those provisions to a fire authority shall not be construed as including references to a Government fire authority.

**Establishment of the office of the State Fire Director.**

2. (1) There is established for fire authority the office of the State Fire Director who shall be responsible for administration of the fire authority.
- (2) The State Fire Director shall be-
  - (a) the most Senior Fire Officer in the organization hierarchy or appointed by the Governor upon the recommendation of the Commissioner.
  - (b) a Fire Officer not below grade level 12; and
  - (c) a Fireman/Officer with a least 10 years experience in firefighting and safety services

### **Sections / departments of Fire Service.**

3. (1) The Fire Authority shall comprise of the following sections/departments-
  - (a) Operations & Communications
  - (b) Fire Prevention and Consultancy
  - (c) Training, Planning and Research
  - (d) Administration and Public Relations
  - (e) Works and Maintenance
  - (f) Procurement and Store
  - (g) Guards and General Duties
  - (h) Finance and Accounts
- (2) Each department created under this section may establish such number of sub-units as may appear necessary to the performance of its functions.
- (3) The departments provided for in paragraphs (a), (b), (c), (d), (e), (f) and (g) of subsection (1) shall be headed and occupied by a fire personnel in the service.
- (4) The organization structure of the agency shall be in accordance with the organogram contained in the schedule 3 to this law.
- (5) For the purpose of effective performance of its functions under this law, there shall be deployed to the fire service by the appropriate authorities such officers of various grades and cadres.
- (6) The officers of the fire service shall be subjected to the Civil Service Rules and Regulations on issues relating to benefit, entitlement, discipline, retirement and any other matter affecting the civil servants in the State in addition to the inherent paramilitary regulations, rules and ethics of the service.

### **Commissioner may designate Fire Authority.**

4. The Commissioner may designate subject to the approval of the Governor any Local Government to be a fire authority for its area.

### **Establishment of the Board.**

5. There is established for the Fire Authority, a governing board (in this law referred to as the "Board") which shall be the overall decision-making body of the Authority.

### **Members of the Board.**

6. (1) The Board shall comprise of the following members-
  - (a) The Chairman, who shall be a person with requisite knowledge in fire and safety matter to be appointed by the Governor.
  - (b) The representative of the following MDAs, not below grade level 12-
    - (i) Ministry of Lands, Housing and Urban Development;
    - (ii) Ministry of Environment and Natural Resources;
    - (iii) Ekiti State Emergency Management Agency;
    - (iv) Ministry of Justice;
    - (v) Ministry of Investment, Trade and Industry;

(vi) Ministry of Finance and Economic Development;

(vii) Ministry supervising the Fire Service Authority.

(c) The State Fire Officer Director who shall serve as the secretary of the Board  
(c) A member of the public representing the private sector, with deep knowledge on fire safety and environmental hazards.

- (2) The member of the Board including the Chairman shall serve on part-time basis at the pleasure of the Governor and according to the terms stated in his letter of appointment.
- (3) The members of the Board, other than the ex-officio members, shall be appointed by the Governor.

#### **Meeting of the Board.**

7. (1) The Board shall hold its meeting on a quarterly basis except where there is an urgent necessity, the Chairman shall convene an emergency meeting by a notice which shall be served on all members of the Board.
- (2) The Chairman shall preside over every meeting of the Board and in his absence, members present shall nominate one of the members, and that member shall preside over that meeting.
- (3) The Chairman or the member presiding in the Chairman's absence shall have a casting vote in the event of a tie vote.
- (4) The quorum of the Board shall be four (4).
- (5) The Board may by resolution co-opt as a member any person whose advice it desires to have but no co-opted member shall be entitled to vote.
- (6) Where any member has an interest on any matter before the Board, such member shall declare such interest and shall be excluded from proceedings and voting on such matter.

#### **Tenure of members.**

8. Members of the Board other than the State Fire Director and the ex-officio members shall hold office at the pleasure of the Governor and according to the terms stated in their letters of appointment.

#### **Vacancy of the office.**

9. The seat of a member of the Board shall become vacant-
  - (a) Upon his death; or
  - (b) If he is absent from the meetings of the Board for a continuous period of 12 months; or
  - (c) If he is declared bankrupt; or
  - (d) If he is sentenced to imprisonment or he is of unsound mind or adjudged to be a lunatic; or
  - (e) If the Governor revokes his appointment.

### **Remunerations.**

10. Members of the Board shall be paid such remuneration and allowances as may be approved by the Governor.

### **Function of the Fire Board.**

11. The Board shall meet from time to time to give policy direction and oversight to the Authority.

## **PART II**

### *Reinforcement and combination Schemes.*

#### **Schemes for mutual assistance.**

12. (1) The Commissioner may require any two or more fire authorities to join in the making of a scheme (hereafter in this section referred to as a "reinforcement scheme") for securing the rendering of mutual assistance for the purpose of dealing with fires occurring in the areas of the authorities, participating in the scheme.
- (2) Any reinforcement scheme made under subsection (1) of this Section shall be submitted to the Commissioner and the Commissioner may approve it or may direct that any such scheme be submitted to him shall have effect subject to such modification as may be specified in the directions.
- (3) Where in the case of any fire authorities no reinforcement scheme has been made, or it appears to the Commissioner that any such scheme is no longer satisfactory, the Commissioner may make a reinforcement scheme for the authorities in question.
- (4) A reinforcement scheme may make provision for apportioning between the fire authorities concerned, in such proportions as may be specified by or under the scheme, expenses incurred in taking measures to secure the efficient operation of scheme.
- (5) Fire authorities shall not unreasonably refuse calls for assistance from other fire authorities or councils.
- (6) Where a reinforcement scheme has come into operation, it shall be the duty of the fire authorities to whom the scheme applies to carry it into effect.
- (7) Any reinforcement scheme may be varied by a subsequent scheme made in the like manner and subject to the like provisions.
- (8) A fire authority may enter into arrangements with the Federal Government, the State Government or any local government authority, established in any other State, which maintains a fire brigade to secure, on such terms as to payment or otherwise as may be provided by or under the arrangements, the provision by the government or local government authority of assistance for the purpose of dealing with fire occurring in the area of the fire authority, or for the rendering

of assistance by the authority for the purpose of dealing with fires occurring outside its area.

**Voluntary or compulsory scheme for combination of fire authorities.**

13. (1) If it appears to any two or more fire authorities that it is expedient that their areas should be combined for firefighting purposes, they may submit a scheme to the Commissioner in that behalf (hereinafter referred to as a "combination scheme"), and the Commissioner may by order approve a combination scheme submitted to him.
- (2) The Commissioner may require any two or more fire authorities to submit a combination scheme for those authorities.
- (3) Subject to the provisions of this law, a combination scheme shall make provision with respect to the following matters-
- (a) The constitution of an authority as the fire authority for the combined area and the establishment of a fire brigade therefore, the transfer to that brigade of members of fire brigades maintained by the constituent authorities;
  - (b) The payment of the expenses of the fire authority constituted by the scheme out of a combined fire service fund constituted in accordance with the provisions of the scheme;
  - (c) The payment into the combined fire service fund out of the local funds of the constituent areas, of contributions assessed in accordance with the provisions of the scheme for meeting liabilities imposed on that fund by the scheme;
  - (d) The transfer to the fire authority constituted by the scheme of such property, right and liabilities of the constituent authorities (being property, rights and liabilities held or incurred in connection with the provision of fire services) as may be determined by or under the scheme or the use by the fire authority constituted by the scheme of any such property;
  - (e) The payment of compensation to persons employed by the constituent authorities, who in consequence of the scheme suffer direct pecuniary loss by reason of the determination of their appointments, and may provide for any other matters incidental to or consequential on the provisions of the scheme.

**Amendment or revocation of combination schemes.**

14. (1) (a) The Commissioner may by a subsequent scheme revoke or amend an order made under Section 13 or a scheme made by the combined authorities and approved by him under the said Section.



- (b) The combined authorities may, with the approval of the Commissioner, by a subsequent scheme amend or revoke a scheme made by them and approved by the Commissioner under Section 13.
- (2) Provision may be made by any such subsequent order or scheme -
  - (a) For the division of the combined area into any two or more areas or for the inclusion in the combined area of the area of any other fire authority;
  - (b) For the dissolution of any fire authority constituted by the original scheme, and the winding up of any combined fire service fund established there under or for the reconstitution of any such authority or fund;
  - (c) For the transfer to such fire brigade as may be determined by the subsequent scheme of members of the fire brigade established by the original scheme;
  - (d) For the transfer to such authorities as may be determined by the subsequent scheme of any officers, property, right or liabilities of the fire authority constituted by the original scheme;
  - (e) For any other matters incidental to or consequential on the provisions of the subsequent scheme.

**Discharge of functions through other fire authorities.**

- 15. (1) A fire authority may, with the approval of the Commissioner, make arrangements with any other fire authority who maintains a fire brigade or with the Government so as to secure, by the provision of services by the other fire authority or the Government, the discharge of all or any of its functions in respect of all or any part of its area of authority, and arrangements under this subsection may make provision with respect to the terms as to payments or otherwise on which the services in question are to be provided.
- (2) Where any fire authority has requested another fire authority to enter into arrangements under the last foregoing subsection, and the other fire authority is unwilling to do so or the authorities cannot agree as to the extent of the services to be provided under such arrangements or the terms on which they are to be provided; the matter may be referred by any of the fire authorities to be Commissioner whose decision shall be final and binding upon the authorities.

**Arrangements with persons other than fire authorities.**

- 16. A fire authority may enter into arrangements with persons (not being other fire authorities) who maintain fire brigades to secure, on such terms as to payment or otherwise as may be provided by or under the arrangements, the provision by those persons of assistance for the purpose of dealing with fires occurring in the area of the authority where either -
  - (a) it is necessary to supplement the services provided by the authority under the last foregoing Section; or

- (b) reinforcements at any fire occurring in the area of the authority can be more readily obtained from the resources of the said persons than from the resources of the authority.

**Power to enforce functions of fire authorities.**

17. (1) Where the Commissioner is satisfied that any fire authority has made default in performance of any function conferred or imposed upon it by or under this Law, he may make an order declaring the authority to be in default and may by the same or any other order-
- (a) for the purposes of removing the default, direct the authority to perform such of its functions in such manner and within such time or times as may be specified in the order; or
  - (b) transfer to such person or body as he may think fit such of the functions of the fire authority in default as may be specified in the order.
- (2) Where a fire authority with respect to which an order has been made under subsection (1) (a) of this Section fails to comply with any requirement thereof within the time order under paragraph (b) of that subsection.
- (3) Where any functions of the fire authority are transferred to any person or body under the provisions of subsection (1) of this Section, the expenses incurred by such person or body in discharging those functions shall be a debt due from the authority in default to such person or body.

**PART III**

*Functions of Fire Authorities.*

**Functions of Fire Authority.**

18. The State Fire Authority shall carry out the following functions to-
- (a) Coordinate the activities of fire authorities and fire brigades within the State;
  - (b) Ensure that the spread of wild fire in the State is extinguished and stemmed;
  - (c) Advise the Government on risks associated with the spread of wild fire in the State;
  - (d) Advise the Government on measures to prevent the spread of wild fire within the State;
  - (e) Coordinate the appointment and training of members of the Fire Services;
  - (f) Make arrangements for obtaining, by inspection or otherwise, information required for firefighting purposes with respect to the character of the buildings and other property in its area of authority, the available water suppliers and the means of access and other material circumstances.
  - (g) Formulate policies to prevent or mitigate the occurrence of fire outbreak in the State;
  - (h) Make arrangement for ensuring that reasonable steps are taken to prevent or mitigate damage to property resulting from measures taken in dealing with fires;

- (i) Ensure the availability of updated equipment for firefighting purposes in the State; and
- (j) Arrange for dealing with calls for the assistance of fire in the case of fire or other emergency and for summoning members of the fire brigade.

**Permits and approvals.**

19. (1) The Fire Authority shall issue fire safety permit to an owner of a building upon application made to it.
- (2) An application for fire safety permit shall be on forms provided by the organization and an applicant shall provide such information as may be required.
- (3) The Authority may approve an application if it is satisfied with the information supplied by an applicant.
- (4) A permit may be subject to such terms and conditions as may be laid out in any Regulation made under this Law.
- (5) A permit issued under this Law is renewable every two (2) years.
- (6) A permit issued under this Law shall not preclude the owner of a building from obtaining other permit or license that may be required by virtue of any other Law.
- (7) A condition for issuance of permit shall include evidence of adequate insurance cover for building.

**Control of Hazardous Materials.**

20. (1) The Fire Authority shall issue permit in respect of the condition and usage of materials which are hazardous to life and property.
- (2) The provisions of Section 19 shall apply in respect of a permit issued under this Section.

**Power to Inspect.**

21. (1) The Fire Authority shall inspect a building to ascertain whether it conforms with the terms or conditions specified in the permit issued in respect of the building.
- (2) Where a building does not conform with a term or condition in a permit, the appropriate fire authority shall issue a compliance notice requiring the owner to effect such alterations as may be necessary.

**Fees.**

22. An applicant for fire safety permit shall pay such fee as prescribed in the Regulation made pursuant to this Law.

**Fire Safety Permit.**

23. (1) A developer in Ekiti State shall, prior to commencement of construction, obtain fire safety permit from the State Fire Authority.

- (2) Any agent in Ekiti State who intends to engage in the operation of selling and servicing of firefighting equipment (extinguishers, fire alarm system, mains, hydrants, hose and reels) shall register with the State Fire Authority upon the payment of prescribed fee to the coffers of the State Government.
- (3) A developer in Ekiti State or owner of a building or structure who fails to obtain fire safety permit commits an offence and is liable on conviction to a fine as prescribed in the Regulation of this Law.

**Tampering with Fire Protection System and Appliances.**

24. (1) No person shall deface, remove, temper with, render inoperable or inaccessible, any fire protection system and appliances, except as necessary during emergency, maintenance, repair or as otherwise authorized by the appropriate Fire Authority.
- (2) Any person who contravenes subsection (1) of this section commits an offence and is liable on-conviction to a fine as prescribed in the Regulation.

**Service of Notice.**

25. (1) Upon being aware that any person has contravened any provision of this law, a fire authority shall issue the person with a written notice of contravention and shall cause an enquiry to be made into the subject matter of contravention.
- (2) A notice issued under subsection (1) of this Section shall be served whether by personal service, mail or by delivering same to any responsible person at the building or structure where the violation occurs, provided that in the case of an abandoned building, it is sufficient to post the notice on a conspicuous place at or near the entrance to the building.
- (3) Any person who mutilates, destroys or removes a notice posted under subsection (2) of this Section, without the consent of a fire authority commits an offence and is liable on conviction to a stipulated fine or imprisonment or both
- (4) For the purpose of subsection (2) of this Section, "responsible person" means the owner or occupier of a building and it includes the agent or beneficiary of the owner; or the agent or employee of the occupier.

**PART IV**

*Powers and duties of fire authorities and brigades.*

**Powers of Fire Authority.**

26. The Fire Authority shall have powers to-
  - (a) Acquire and dispose of moveable and immovable properties;
  - (b) Seal up buildings with risk of potential fire hazard;
  - (c) Issue Fire Safety Certificate to commercial buildings within the State; and

- (d) Provide for firefighting services and ensure that every fire authority shall secure the services for its area and authority of such a fire brigade and such equipment as is practicable for the purpose of meeting the requirements of the area;

**Duties of a Fire Authority.**

- 27. (1) It shall be the duty of every fire authority to make provisions for firefighting purposes and in particular every fire authority shall secure. –
  - (a) The services for its area of authority of such a fire brigade and such equipment as is practicable for the purpose of meeting the requirements of the area;
  - (b) The training of members of the fire brigade;
  - (c) Arrangements for dealing with calls for the assistance of the fire brigade in case of fire or other emergency and for summoning members of the fire brigade;
  - (d) Arrangements for obtaining, by inspection or otherwise, information required for firefighting purposes with respect to the character of the buildings and other property in its area of authority, the available water supplies and the means of access thereto, and other material circumstances;
  - (e) Arrangements for ensuring that reasonable steps are taken to prevent or mitigate damage to property resulting from measures taken in dealing with fires in the area of the fire authority.
- (2) For the purposes of such arrangements as are mentioned in subsection (1) (d) of this Section, any member of a fire brigade maintained in pursuance of this Law shall, if authorized in writing by the fire authority maintaining the brigade, have a right to enter any premises at all reasonable hours.

**Duty to ensure adequate supply of water.**

- 28. (1) A fire authority shall take all reasonable measures for ensuring the provision of an adequate supply of water, and for securing that it will be available for use, in case of fire.
- (2) The government agency in charge of water supply shall at the request of the fire authority concerned fix the hydrants on its mains at such places as may be most convenient for affording a supply for extinguishing any fire which may break out within the limits of supply, and shall keep in and of fixing, maintaining or renewing them shall be defrayed by the fire authority.
- (3) The number or proper position of such hydrants shall be referred to and determined by the State Fire Officer/Director.
- (4) The government agency in charge of water supply shall at the expense of the fire authority cause the situation of every fire hydrant provided by the water

- corporation to be plainly indicated by a notice or distinguishing mark, which may be placed on any wall or fence adjoining a street or public place.
- (5) Where any such hydrant is damaged as the result of any use made of it with the authority of the water corporation, not being a use for firefighting purposes or for any other purposes of a fire brigade maintained in pursuance of this law, the fire authority shall not be liable for the cost of repairing or replacing the hydrant incurred as a result of the damage.
  - (6) The Commissioner may make regulations providing for uniformity in fire hydrants provided by the government agency in charge of water supply and in any notices or marks indicating their situation, and in any case to which regulations under this subsection apply, the water corporation shall not be deemed to have complied with its obligations under subsections (2) and (4) of this Section unless the hydrant notices or marks conform with the regulations.
  - (7) Any person who uses a fire hydrant, otherwise than for firefighting purposes or for any other purposes of a fire brigade maintained in pursuance of this law or otherwise than for purposes authorized by the government agency in charge of water supply or other persons to whom the hydrant belongs, or who damages or obstructs any fire hydrant, otherwise than in consequence of its use for any such purpose as aforesaid, shall be liable on conviction to a fine as prescribed in Regulation to this Law.

**Notice to be served in respect of proposed works affecting supply and fire hydrants.**

29. (1) Where a person purposes to carry out any works for the purpose of supplying water to any part of the area of a fire authority, he shall give notice in writing thereof to the fire authority and the notice shall be given not less than six weeks before the works are begun.
- (2) At least seven days before any works which affect a fire hydrant are begun, the authority or person by whom the works are to be executed shall give notice in writing to the fire authority: Provided that where in a case of emergency it is not practicable for notice to be given at the time required by the foregoing provisions of this subsection, these provisions shall be deemed to have been complied with if the notice is given as early as may be.

**Provision of water supply.**

30. (1) A fire authority shall, for the purposes of this law have power by agreement to-
  - (a) secure to use, in case of fire, of water under the control of any person;
  - (b) improve the access to any such water;
  - (c) lay and maintain pipes and to carry out other works in connection with the use of such water in case of fire.
- (2) Subject to any agreement under subsequent (1) of this Section, a fire authority may use for firefighting purposes any convenient and suitable supply of water.

- (3) No charge shall be made for water supplied to a fire authority by the government or a local government in case of fire, but a Fire Authority shall be liable to pay reasonable compensation for water otherwise supplied.

**Government fire brigade.**

31. For the purposes of this Law, a government fire brigade and the members thereof, shall have all the powers and privileges of a fire brigade and the members thereof, maintained in pursuance of this Law.

**Powers of firemen and police in extinguishing fire.**

32. (1) Any member of a fire brigade maintained in pursuance of this Law who is on duty or any member of any other fire brigade who is acting in pursuance of any arrangements made under this law, or any police officer, may enter and if necessary break into any premises in which a fire has or is reasonably believed to have broken out or which it is necessary to enter for the purposes of extinguishing a fire or of protecting the premises or place from acts done for fire-fighting purposes, without the consent of the owner or occupier thereof, and may do all such things as he may deem necessary for extinguishing the fire or for protecting from fire, or from acts as aforesaid, any such premises or place or for rescuing any person or animal in distress or property therein.
- (2) Any person who willfully obstructs or interferes with any member of a fire brigade maintained in pursuance of this law, who is engaged in operations for fire-fighting purposes shall be liable on conviction to a fine as prescribed in the Regulation to this Law.
- (3) At any fire the senior member of a fire brigade present shall have the sole charge and control of all operations for the extinction of the fire.
- (4) The senior police officer present at any fire, or in the absence of any police officer, the senior member of a fire brigade present, may close to traffic any street or may stop or regulate the traffic in any street, whenever in the opinion of that senior member it is necessary or desirable to do so for firefighting purposes.
- (5) In this Section the expression "senior member of a fire brigade present" in relation to a fire, means the senior officer present of the fire brigade maintained in pursuance of this law in the area in which the fire originates, or if any arrangements or reinforcement scheme made under this law provided that any other person shall have charge of the operation for the extinction of the fire, that other person.
- (6) The provisions of this section shall come into operation on a date to be appointed by the commissioner by notice in the gazette and different dates may be appointed for the coming into operation of this section in different parts of the State.

**False alarms of fire.**

33. Any person who knowingly gives or causes to be given a false alarm of fire to any fire brigade maintained in pursuance of this law or to any member of such a brigade shall be liable on conviction to a fine as prescribed in the Regulation to this Law or to imprisonment for a term not exceeding 3 months, or to both.

**Supplementary Powers of Fire Authority.**

34. (1) The Fire Authority shall have powers-
- (a) To provide accommodation for the fire brigade for its area and its equipment, including housing and other accommodation for members of the brigade and furniture reasonably required for such accommodation;
  - (b) To provide and maintain fire alarms in such positions in any street or public place as it thinks proper, and to affix any such fire alarm to any wall or fence adjoining a street or public place;
  - (c) To employ the fire brigade maintained by it, or use any equipment so maintained, outside its area.
  - (d) To employ the fire brigade maintained by it, or use any equipment so maintained, for purposes other than firefighting purposes for, which it appears to the authority to be suitable and, if it thinks fit, to make such charge as it may determine for any services rendered in the course of such employment or use.
- (2) Before making any standing arrangements for the exercise of the powers conferred by subsection (1) (d) of this Section, a fire authority shall obtain the approval of the Commissioner.
- (3) Save as expressly provided in this Law, a fire authority shall not make any charge for services rendered by the authority.
- (4) A local government which is granted a fire authority may acquire land compulsory or by agreement, subject to and in accordance with the provisions of the Ekiti State Local Government (Administration) Law, for the purposes of their functions under this Law and such purposes shall be deemed to be "local government purposes."

**PART V**

*The State Fire Director.*

**Powers of State Fire Director.**

35. (1) The State Fire Director may, with the approval of the Commissioner, give directions of a general character to a fire authority with respect to -
- (a) the standards and method of training of members of the fire brigade maintained by it;
  - (b) the design of equipment for such brigade;



- (c) the attendance of members of the fire brigade at a training institution or center established in pursuance of Section 40.
- (2) The State Fire Director shall at all reasonable times have a right of access to and be entitled to inspect -
  - (a) the premises in the occupation of a fire authority;
  - (b) the equipment of a fire authority;
  - (c) the books and records of a fire authority.
- (3) A Fire Authority shall furnish to the State Fire Director such information and returns relating to a fire service maintained by it in such form and within such time as he may require.

#### **Inspection of fire services.**

36. The State Fire Director shall cause inspections to be made of the fire brigade and services maintained in pursuance of this Law at such intervals as appear to him to be appropriate.

#### **Facilities for State Fire Director.**

37. (1) Every fire authority shall afford to the State Fire Director all reasonable facilities for performing the duties and exercising the powers conferred on him by or under this Law.
- (2) Any person who without reasonable excuse hinders, delays or obstructs the State Director Fire Service in the performance of his duties or the exercise of his powers, shall be guilty of an offence and liable on conviction to a fine as prescribed in the Regulation to this Law or to imprisonment not exceeding six months.

### **PART VI**

#### *Administrative provisions.*

#### **Conditions of service.**

38. Subject to the provisions of this Law, the Commissioner may with the approval of the Governor rules, in respect of a fire brigade maintained in pursuance of this Law, for all or any of the following purposes -
- (a) as to the ranks, pay and allowances of the members of the fire brigade;
  - (b) as to the hours of duty and leave;
  - (c) the procedure for the appointment by a fire authority of members of the brigade and period of service of members of the fire brigade;
  - (d) the qualifications for appointment to the brigade or to any ranks therein, and for promotion into any such rank and the procedure for such promotion;
  - (e) the maintenance of discipline of the fire brigade;

- (f) the pensions, gratuities or other like benefits which shall or may be granted to persons who are or have been members of the fire brigade or to the widows, children, dependents or personal representatives of such person;  
Provided the paragraphs (c), (d), (e) and (f) of this Section shall not apply in respect of a government fire brigade or a government fire authority.

**Fire brigade establishments to be determined by Commissioner.**

39. The establishment of members of a fire brigade of different description and ranks, and of fire stations and equipment of different descriptions, to be maintained by a fire authority shall be determined by the commissioner.

**Training institutions.**

40. The Commissioner may establish and maintain a central training institution and one or more local training Centres for providing courses of instruction in matters relating to fire services.

**Grants - in - aid.**

41. (1) The Commissioner may, with the consent of the Treasury, make grants to fire authorities in respect of expenditure incurred by them in connection with the provision of fire services not exceeding such percentage of the expenditure as may be specified by the Treasury.  
(2) Such grants may be made upon fulfillment of such conditions as may be determined by the Commissioner.

**Establishment of Fire Brigade Reward Fund.**

42. (1) There shall be established a fund to be known as the "Fire Brigade Reward Fund" into which shall be paid all pays forfeited by members of any fire brigade for offences against discipline, and all fine levied for assaults on members of any fire brigade, and such fund shall be applied and administered by the State Fire Officer in accordance with the provisions of regulations made under Section 51.  
Provided that different Fire Brigade Reward Funds may be established in respect of different fire authorities according as the commissioner may direct.  
(2) No charge shall be made for any service rendered by the fire service in extinguishing fires.  
(3) Charges may be made for services other than extinguishing fires rendered by the fire service at rates to be prescribed to be paid into the appropriate government account created for same purpose by Ekiti State Internal Revenue Service.  
(4) The cost of extinguishing fire shall be payable from the insurance cover.

- (5) Certain percentage of the charges shall be remitted to the fire Bridge Reward fund.
- (6) Any such prescribed charge may be sued for and recovered in a court of competent jurisdiction in the state by the State Fire Director in his official name with full cost of action from the person charged therewith as a debt to the Government of the state.
- (7) All private fire service providers in Ekiti State shall compulsorily register with or get certification/operational license (Renewable Yearly) from Ekiti State Fire Service as failure to comply will incur sanction accordingly.

**Power to hold inquiries.**

- 43. (1) The Commissioner may cause such inquiries to be held at such times, in such places as he may consider necessary or desirable for the purposes of this law.
- (2) The Commissioner may appoint in writing any person to conduct any such inquiry.
- (3) The Commissioner or persons appointed by him under this section shall cause a notice of the time and place of the inquiry to be given to the fire authorities and persons appearing to him to be interested.
- (4) Where the Commissioner causes an inquiry to be held, the costs of such inquiry shall be defrayed by such authority or person as he may direct, and the amount certified by him to be paid by such authorities or person shall be a debt due to the government from that authority or person.
- (5) The provisions of the local government administration law shall apply in relation to an inquiry under this section as they apply in relation to an inquiry under that law.

**PART VII**

*Offences /Penalties.*

**Contravening the provisions.**

- 44. Any person who contravenes or fails to comply with any of the provisions of this Law, or with any regulation or requirement made thereunder, for which no other penalty is specifically provided shall be guilty of an offence and on summary conviction thereof shall be liable to a fine as prescribed in the Regulation to this Law or to imprisonment for a term not exceeding three months or to both.

**Impersonation of members of the Fire Service.**

- 45. Any person not being a member of the Fire Service who puts on or assumes either in whole or in part, the dress, name, designation or description of any member of the Fire Service, or in any way pretends to be a member of the fire service or to possess authority from or on behalf of the fire service, for the purpose of obtaining admission into any building or other place, or of doing any act which such person would not by Law be entitled to do of his own authority shall be guilty of an offence, and on

summary conviction there of shall be liable to a fine of as prescribed in the Regulation to this Law or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

**Obtaining admission into the fire service by fraud.**

46. Any person who knowingly uses or attempt to pass off any forged or false certificate, character, letter, or other document for the purpose of obtaining admission into the fire service, or who, on applying for admission shall make any false statement whether orally or in writing, shall be guilty of an offence and on summary conviction thereof shall be liable to a fine as prescribed in the Regulation to this Law or to a term of imprisonment not exceeding four months or to both such fine and imprisonment and, if having been admitted to the fire service, shall further be liable to dismissal therefrom.

**Obstruction of and assault on members of the fire service and obstruction of fire engines.**

47. Any person who -
- (a) Willfully obstructs, interferes with, assaults or resists any member of the fire service in the execution of his duty under this Law or who aids, invites, induces or abets any other person to obstruct, interfere with, assaults, or resist any such member of the fire service or any person aiding or assisting such member, in the execution of his duty under this Law; or
  - (b) Willfully obstruct or delays the passage of any fire engine or other mobile firefighting equipment proceeding to a fire shall be guilty of an offence under this Law and on summary conviction thereof shall be liable to a fine as prescribed in the Regulation to this Law or to a term of imprisonment not exceeding six months or to both such fine and imprisonment

**Failure to yield right of way to Fire Engine.**

48. Any person who fails to yield right of way to a fire engine or other mobile fire-fighting equipment as required by this Law, shall be guilty of an offence and on summary conviction thereof shall be liable to a fine as prescribed in the Regulation to this Law or to imprisonment for a term not exceeding two months or to both such fine and imprisonment.

**Interference with fire-fighting equipment.**

49. (1) Any person who unlawfully interferes with, damages, or removes any fire-fighting equipment maintained by the fire service shall be guilty of an offence, and upon summary conviction thereof shall be liable to a fine as prescribed in the Regulation to this Law or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

- (2) For the purpose of this Section "fire-fighting equipment" includes any fire engine, mobile fire-fighting equipment, fire extinguishers, fire escape route fire alarm, fire hydrant cover, or any post pillar, plate or other mark used to indicate the position of a fire hydrant or other source of water or any other equipment.

**Failures of private fire service providers to comply with the provision in Part VI.**

50. Any private fire service provider who fails to comply with the above provision shall pay a fine as prescribed in the Regulation to this Law and the firm will be disallowed from operation.

**PART VIII**  
**Regulations.**

**Power to make regulations.**

51. The Commissioner may, subject to the provisions of this law and the approval of the Governor, make regulations generally for the better carrying into effect of the purposes and provisions of this Law, and without prejudice to the generality of the foregoing, may make regulations for all or any of the following purposes-

- (a) The review of the prescribed fees and fines stated in the Regulation to this Law.
- (b) The application and administration of any Fire Brigade Reward Fund established under the provisions of Section 42.
- (c) The prevention of fire, the reduction of the risk of fire and the safety of persons, animals or property in or near any building, or class of buildings from fire hazards;
- (d) The prohibition or control of the use, in the erection, alteration, improvement or repair of any building or other structure, of materials considered by the commissioner to constitute a fire hazard; or of the use, in the erection, alteration, improvement or repair of any building or other structure, of any materials which because of the use or proposed use of the said building or other structure, or because, of its location or proposed location or otherwise the commissioner considers to constitute a fire hazard;
- (e) Requiring owners of multiple dwellings, cinemas, theatres, offices and other such buildings, structures or places to which the public resort from time to time, to take such precautions as the Commissioner may specify for the safety against fire hazards of the tenants and occupiers of, or invitees in, or other uses of, such buildings, structures or places;
- (f) For the purposes of paragraph (c), the classification by the commissioner of such buildings, structures or places as therein mentioned into different categories; the making of different safety requirements in respect of each such category; the conferment of powers upon the State Fire Director to limit the

numbers of persons occupying or using such buildings, structures or places at any one time, and to require owners thereof to install such firefighting equipment of such standard as the commissioner may prescribe and generally to regulate the user of such buildings, structures or places so that at all times the invites therein or tenants, occupiers or other users thereof shall have free access to such fire-fighting equipment.

- (g) Prescribing the types of signals, audible or visual, to be used on fire engines or other mobile fire-fighting equipment.

### Repeal.

52. The Fire Services Law, CAP. F1, Laws of Ekiti State, 2012 is hereby repealed.

## PART IX

### *Interpretation and Citation.*

#### Interpretation.

53. In this law, unless the context otherwise requires-
- “**Combination scheme**” means a scheme whereby two or more fire services combine for fire-fighting purposes;
  - “**Commissioner**” means the State Commissioner for Infrastructure and Public Utilities or a member of the State Executive Council, as may be decided by the Governor, with the oversight function and responsibility for the time being charged with responsibility for Fire Services in Ekiti State;
  - “**Equipment**” includes fire engines and other vehicles and appliances and other apparatus, and also uniforms and badges of rank;
  - “**Fire authority**” means a service which constituted as a fire service under this law or any combination scheme made there under;
  - “**Fire-brigade**” means an organized body of firemen established by the Government or by a fire authority;
  - “**Fire-fighting purposes**” means the purposes of the extinction of fires and the protection of life and property in case of fire;
  - “**Government fire services**” means any person or authority appointed as such under Section 2 of the Law;
  - “**Permanent Secretary**” means the Permanent Secretary having supervision of the matters and departments with responsibility for which the commissioner is charged;
  - “**Police officer**” means any member of the Nigeria Police force; department with responsibility for which commissioner is charged;
  - “**Reinforcement scheme**” means a scheme whereby two or more fire authorities join in rendering mutual assistance for the purpose of dealing with fires occurring areas;
  - “**Supervising Ministry**” means Ministry of Infrastructure and Public or any Ministry designated by the Government;

“**State Fire Officer**” means the person for the time being appointed to the office of the State Fire Officer and includes a person appointed to act in that office;  
“**Treasury**” has the meaning assigned to it in the Public Administration Law;  
“**Water Corporation**” means the corporation established by the Ekiti State Water Supply, Sanitation and Hygiene Sector Law.

**Citation.**

54. This Law may be cited as the Ekiti State Fire Service Law, 2023.

**SUBSIDIARY LEGISLATION**

*List of subsidiary legislation*

1. Fees chargeable by Government Fire Authority for services other than Fire Fighting

**FEEs CHARGEABLE BY GOVERNMENT FIRE AUTHORITY FOR SERVICES OTHER THAN FIRE FIGHTING**

[Date of commencement:.....]

1. The charges prescribed in the schedule below shall not be payable where services other than for the purposes of firefighting are rendered to any of the following –
  - (a) Any ministry, department or other office of the government;
  - (b) Any philanthropic or charitable organization provided such organization is not insured against the occurrence for which the services are renderedThe charges shall be subject-to-review as and when the need arises.



**SCHEDULE 2**

**OTHER FEES CHARGEABLE BY GOVERNMENT FIRE AUTHORITY FOR SERVICES  
OTHER THAN FIRE**

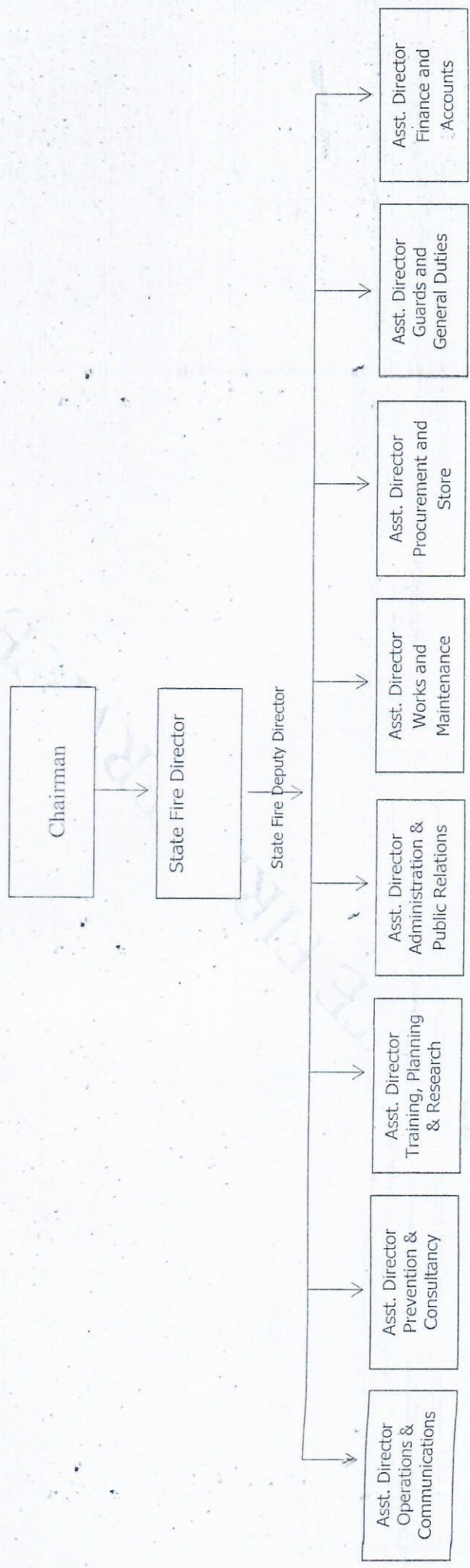
S/N	DESCRIPTION OF SERVICES	PROPOSED RATE FOR INITIAL INSPECTION		SUBSEQUENT ANNUAL RENEWAL	
		(ZONE A) ₦	(ZONE B) ₦	(ZONE A) ₦	(ZONE B) ₦
<b>1</b>	<b>PETROL/GAS STATION</b>				
i	Initial Inspection of Site	100,000.00	100,000.00	25,000.00	25,000.00
ii	Issuance of Fire Safety Certificate	100,000.00	100,000.00	25,000.00	25,000.00
<b>2</b>	<b>HOTEL (FSC)</b>				
i	Standard with 25 rooms and above	20,000.00	20,000.00	10,000.00	10,000.00
ii	Hotels with reception halls and with 10-24 rooms	15,000.00	15,000.00	10,000.00	10,000.00
iii	Local Hotels with less than 10 rooms	10,000.00	10,000.00	5,000.00	5,000.00
<b>3</b>	<b>FACTORIES/INDUSTRIES /COMPANIES (FSC)</b>				
i	With over 100 workers	50,000.00	50,000.00	40,000.00	40,000.00
ii	With between 51-99 workers	40,000.00	40,000.00	30,000.00	30,000.00
iii	With between 25-50 workers	30,000.00	30,000.00	20,000.00	20,000.00
iv	With less than 25 workers	20,000.00	20,000.00	10,000.00	10,000.00
<b>4</b>	<b>SAW MILL (FSC)</b>	50,000.00	50,000.00	20,000.00	20,000.00
<b>5</b>	<b>BAKERIES</b>				
i	With Electric /Gas Oven	20,000.00	20,000.00	10,000.00	10,000.00
ii	With Wooden Oven	10,000.00	10,000.00	5,000.00	5,000.00
<b>6</b>	<b>AUTOMOBILE FIRMS &amp; PREMISES</b>				
i	With Garage	20,000.00	20,000.00	10,000.00	10,000.00
ii	Without garage	10,000.00	10,000.00	5,000.00	5,000.00
<b>7</b>	<b>REQUEST (FIRE REPORT)</b>				
i	Factories, Industries, companies & Business	5,000.00	5,000.00	-	-

	Premises Private/Residential Buildings				
ii		2,000.00	2,000.00		
8	TRAINING OF INDUSTRIAL STAFF ON DEMAND	10,000.00	10,000.00	10,000.00	10,000.00
9	BANKS	10,000.00	10,000.00	10,000.00	10,000.00
10	SCHOOLS:				
i	Tertiary institutions	50,000.00	50,000.00	30,000.00	30,000.00
ii	Secondary schools	30,000.00	30,000.00	20,000.00	20,000.00
iii	Nursery / primary schools	20,000.00	20,000.00	10,000.00	10,000.00

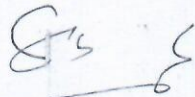
NOTE: ZONE A = ADO EKITI (STATE CAPITAL), ZONE B = ALL OTHER LOCAL GOVERNMENT AREAS

SCHEDULE 3

ORGANOGRAM OF EKITI STATE FIRE SERVICE



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


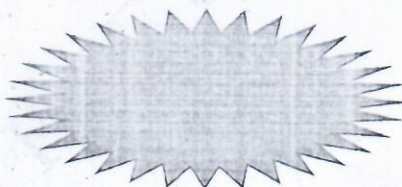


.....  
**MR. TOLA ESAN**  
*Clerk of the House of Assembly*



.....  
**RT. HON. OLUBUNMI ADELUGBA**  
*Speaker of the House*

**Governor's Assent**  
I hereby signify my assent to this Bill



**MR. BIODUN ABAYOMI OYEBANJI**  
**Executive Governor of Ekiti State**

MADE AT ADO EKITI THIS <sup>5<sup>TH</sup></sup>..... DAY OF JUNE 2023