



# Technical Standards and Safety Authority

## Minutes of the Amusement Devices Advisory Council Meeting on April 8<sup>th</sup>, 2021

Minutes of the Amusement Devices Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held by teleconference at 9:00 a.m. on the 8<sup>th</sup> day of April, 2021.

**Present:** Vince Brenan, Ontario Association of Agriculture Society; Keith Brown, BOPS Inc.; Chris Clarke, Mobile Operators; Andrew Gidaro, A to Z Fun Rentals; Janice Jeffreys, A. E. Jeffreys Insurance Brokerage House Inc; Michelle Playfair, Bingemans Inc; Peter Switzer, Canada's Wonderland; Cindy Sypher (Chair), Sypher & Associates Field Engineering Ltd; Andreas Tanzer, Proslide Technology Inc; Kathryn Woodcock, TSSA's Consumer Advisory Council; Bill Carter, Jim Kong Amusements Inc; Mike Cruz, Canadian National Exhibition; Peter Gismondi, Superior Events; Darryl Hore, Caliber Engineering Corporation; Rick McMullen, 401 Mini-Indy Limited; Brendan Turner, Camp Quality Canada; Jay Millar, Main Events Fun & Games.

Angelina Brew, Advisory Council Coordinator; Suba Ariyaretnam, Manager, General Accounting & Financial Reporting; Dan Brazier, Chief Financial Officer; Alexandra Campbell, VP, Communication & Stakeholder Relations; Andrew Chin, Finance Specialist, Special Projects; Viola Dessanti, Director, Strategic Analytics; Joelle Javier, Engineer, Elevating and Amusement Devices Safety Program; Kristian Kennedy, Manager, Government Relations; Roger Neate, Director, Elevating and Amusement Devices Safety Program; Rob Kremer, Engineering Manager, Elevating and Amusement Devices Safety Program; Dean McLellan, Incident Management Specialist, Elevating and Amusement Devices; Bonnie Rose, President & CEO; Phil Simeon, Director, Regulatory Policy; Sonny Silva; Inspection Supervisor; Elevating and Amusement Devices Safety Program; Robert Wiersma, Manager, Public Safety Risk Management.

**Guests:** Diane Allen, Senior Policy Advisor, Technical Safety Unit, MGCS; Gloria Brifoglio, ASL-English interpreter; Kerry Grandfield, ASL-English interpreter; Mitch Thibault, Policy Advisor, Technical Safety Unit, MGCS.

**Regrets:** N/A

### 1. Constitution of Meeting

The Chair called the meeting to order at 9:00 a.m.

#### ▪ Safety Moment

For the safety moment, K. Kennedy spoke to the importance of radon safety, especially with so many people working from home during the COVID-19 pandemic.

### 2. Approval of the April 8<sup>th</sup>, 2021 agenda

Council approved the agenda for April 8, 2021 as presented.

### 3. Approval of November 12<sup>th</sup>, 2020 minutes

Council approved the minutes of November 12, 2020 as presented.



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#### 4. Review of Action items from last meeting

R. Neate spoke to the action items. On website postings, S. Silva commented that in the future state of the website and enhanced authorizations this is something TSSA will look into. In the meantime, it is perhaps something that can be on the association's website in the interim until TSSA can move forward with a new website and portal. S. Silva can take it back to Chris Clarke. There are contractual and privacy issues to factor in, which is why the association might be a good place to start. K. Woodcock commented that with some of the associations she is a member of there is the option of volunteering one's contact information.

On accreditation of mechanics R. Neate commented that it can be placed under the Other Business on the agenda as there are guests in attendance who wish to speak to the issue.

There was no other discussion about the action items.

#### 5. Chair's Update

C. Sypher did not have an update since the last meeting.

There were no questions or comments from Council.

#### 6. TSSA President & CEO's Report

B. Rose spoke to this item and treated the report circulated to Council prior to the meeting as read, focusing on key objectives. She noted that the first part of the IT revamp went live in March 2021. She opened the floor to questions and comments.

There were no other questions or comments from Council.

#### 7. Outcome-Based Regulator

P. Simeon spoke to this item. He noted that it is important for Council members to think about how Outcome-based Regulator will apply. TSSA wants industry to start seeing concrete results, which he will share in the presentation. He walked through an implementation snapshot of the outcome-based regulator model, namely compliance standards, risk-based inspection frequency, compliance support and enhanced authorizations. Overall, the approach is a one-window experience at the point of registration and renewal.

D. Hore commented that he hopes the approach will improve gaps between accounting and engineering. That gap and not non-compliant owners who do not follow rules is what was happening. Inconsistent accounting department enforcement of rules is more the issue from his vantage point. D. Hore gave the example of multiple billings for items that should only be billed only once, like multiple ziplines that should be classed as one device, and there is no way between accounting and engineering to get the matter resolved. A flat fee should alleviate this issue. S. Silva added that this was a manual process in the past. TSSA hopes the new billing model will mean an automatic process.

P. Simeon detailed how compliance standards will work and the feedback TSSA received at the council meetings in the autumn of 2020 on compliance standards and inspection reports. The process to develop compliance standards was outlined, including engaging a working group from industry.

D. McLellan showed a landing page for the escalator compliance standard, including links to regulatory documents, a graphic illustration of the device components, followed by a list of the key high-risk compliance requirements, each of which includes photographs. He spoke to the importance of buy-in from stakeholders, including a range of participants who provided feedback and field-tested the compliance



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standards. It is a “living” document that can change over time. With amusement devices, R. Neate indicated that TSSA and the sector will begin with compliance standards for easier rides and then complex and unique rides will be looked into later.

P. Switzer commented that he can understand the purpose of a compliance standard for escalators but asked what the gap is to fill on the amusement side since the sector already uses similar compliance documents and checklists. D. McLellan replied that what is different for TSSA is that it tells inspectors and owners ahead of time what the high-risk items are it builds in more consistency in TSSA inspections. P. Switzer indicated that he is interested in being part of the compliance standard development. He asked how long the escalator standard took to develop. D. McLellan commented that there were three meetings, from October to January. R. Neate indicated that the program is laying out its plan so by next fall there should be a work plan on engagement.

There were no further questions or comments from council.

#### 8. Stakeholder Engagement

A. Campbell spoke to the item. She spoke to what TSSA heard during the fall advisory council meetings, namely concerns about membership limits, which TSSA will address by considering letting members continue membership after two terms if there are no replacements. Councils also raised the issue of the relationship between Risk Reduction Groups and councils. Finally, consumer representation on all councils is a principle TSSA would like enshrined in the terms of reference. She also spoke to a desire to hold joint meetings, two of which were piloted this spring, namely Fuels and Boilers and Pressure Vessels/Operating Engineers. The idea of joint meetings is something TSSA would like to recommend going forward, including possibly for elevating devices, amusement devices and ski lifts.

K. Woodcock said the purpose of the advisory councils is to bring outside information into TSSA, less to use them as a plenary for TSSA to share information. It may make sense for operating engineers and boilers and pressure vessels as they are the same industry, but it is not as compelling for the ED, AD and Ski sectors. She did say it is tedious to hear the same messages at several meetings, so joint meetings might be worthwhile. Optimizing staff efficiency should not be the focus of council structures. A. Campbell replied that councils should be primarily about hearing from stakeholders, but where issues cut across all or most sectors, it is optimizing efficiency for stakeholders too, not only TSSA staff. Siloed sectors are also broken down with joint meetings. So, a balance is necessary between specific and general council meetings. K. Woodcock suggested webinars for issues like fee structure changes.

There were no questions or comments from council.

#### 9. Business Model Update

D. Brazier treated the presentation as read.

P. Switzer asked if recovery from lost fees on fee relief will be recovered later or from another source. D. Brazier commented that it is coming from the Government of Ontario. M. Playfair on behalf of the waterpark association would like a review of fees for waterslides specifically, asking that they be classified as minor and major amusement devices and consideration for fees to be based on whether the attraction is minor or major. She understands that is not possible at the moment but would like on the record that how fees are applied to waterslides specifically is something the sector would like to see. D. Brazier said the business model is not static. It will be reviewed in the future. TSSA has committed to review it in one year after going live. D. Hore indicated a similar request for ziplines. Some are very simple and small and would like to be included in that review. The Chair thanked TSSA for the fee relief. It has been a very difficult year for the sector. The sector appreciates the support from the regulator and the Government of



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Ontario. S. Silva recognized the role of the sector in seeing the fee relief through. A. Gidaro commented that the sector is grateful for the support and had the Minister on a call to thank her directly. There will likely need to be relief next year as well at the rate things are going with the coronavirus.

There were no other questions or comments from Council.

#### 10. CAD Strategy Update

P. Simeon detailed the CAD amendment changes that were made in the Amusement Devices CAD. There are no new Ontario-specific amendments in the CAD. TSSA will retain older ones. It will be published April 15 and effective June 15. TSSA has a six-month compliance timeframe for the codes to be effective. D. Hore asked if the CAD amendment is posted on the TSSA website for comment. He did not get notification of it through typical channels. K. Kennedy explained that TSSA uses e-subscriber lists and council mailing lists to notify stakeholders of the consultations.

There were no other questions or comments from council.

#### 11. Safety and Compliance Report

R. Wiersma commented that since there was limited amusement devices activity, there were only 92 occurrences this year. He noted one incident in which an individual broke into a zipline facility with a makeshift harness who died in hospital from his injuries.

There were no questions or comments from council.

**Action:** A. Brew to circulate the link of the annual state of safety report to the council.

#### 12. Emerging Trends

- **Incidents since the last ADAC meeting**

R. Neate indicated there were no developments to report. D. Hore asked what the CAD distribution mechanism for industry is to provide feedback. S. Silva commented that CAD amendments are sent by subscriber notification.

K. Kennedy noted that CAD amendments are sent directly to council members. Also, there is an e-subscriber option on TSSA's website for industry and if a council member is part of the risk reduction group members involved in drafting the CAD amendments.

There were no questions or comments from council.

#### 13. Ministry of Government and Consumer Services Update

D. Allen treated the item as read.

There was no questions or comments from council.

#### 14. Topics Raised by Council

The Chair indicated there are no specific items she is aware of. S. Silva did not have anything else to add either.

There were no questions or comments from council.



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#### 15. Questions and Other Business

Mechanic sign-off and minor alterations were discussed. J. Javier spoke to the guests' concerns as it appeared they were not on the call. The issues revolved around professional engineer sign-off for alterations. S. Silva commented that an alteration checklist like the one for elevators is being worked on by TSSA. TSSA hopes to have it completed shortly. J. Javier said it will help reduce the burden for simple alterations. She encouraged members to contact her with any questions or input.

The Chair shared a letter on her screen to call attention to the state of amusement device mechanic certification. The Peterborough Zoo has a lone AD mechanic who is set to retire. The training time requirement is not feasible for a single device – the zoo has a mechanical miniature train – and mechanic training would take too long given specific and extensive requirements for mechanic certification. The train requirements are more akin to automobile requirements than those of an amusement device.

S. Silva commented that it is not only the nuts and bolts of a device that justifies the hours. TSSA can clarify the nature of the hours in this regard with the operator, but he agreed there is a gap. P. Switzer commented that this topic has been brought to council before and there has been no success striking a Training and Certification Advisory Board (TCAB) to discuss. R. Neate commented that a TCAB is an option but the time and resources to execute are a challenge with strategic priorities. That is why J. Sorman was not available for the meeting today. P. Switzer indicated this is not unique to one site. He knows the Toronto Zoo has a similar challenge. D. Hore indicated that the requirements are harming operators that follow the rules and not those who sign-off on mechanic training for staff who do not have the certification. B. Carter commented that this is a good reason for having a mechanics list that is accessible to operators.

K. Woodcock noted that from a consumer perspective we would not want to water down requirements. The best way to protect to consumer is to make sure the person is qualified only for that unique device and not other amusement devices. D. Hore commented that he is willing to advance this with support of other council members, if TSSA is not going to disregard it. R. Neate commented that TSSA will look at a proposal, but asked that participants make sure it is a well-rounded group bringing it forward. K. Woodcock added that we would not want to recreate the Walkerton situation. Operators should not be making decisions in isolation even though they are working in isolation; they should be aware of the larger community of mechanics and must maintain their currency and communication with the community. At Walkerton, two brothers were running a water system alone.

The Chair commented that on April 13, 2021 a safety roundtable will be hosted by the International Association of Amusement Parks and Attractions (IAAPA). It is a good opportunity to network and share information about amusement rides.

#### 16. Membership renewals:

Andrew Gidaro, Janice Jeffreys, Peter Switzer, Cindy Sypher, Andreas Tanzer and Kathryn Woodcock all indicated their intention to renew their membership.

P. Gismondi does not want to renew his membership. R. McMullen will be renewing his membership.

**Action:** A. Brew to start recruitment process for P. Gismondi's position.

#### 17. Adjournment

The meeting adjourned at approximately 11:04 a.m. Council held an in-camera session with B. Rose, preceded by a council only in-camera session without TSSA staff or guests.