

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: March 20, 2025

RE: **Fire Safety Act – Inspections and Investigations Requirements**

Administrative Recommendation:

THAT the Board approve assigning responsibilities for Inspections and Investigations under the *Fire Safety Act* to the Office of the Fire Commissioner.

Purpose:

The purpose of this report is to specifically address the changes in the *Fire Safety Act*, requiring regional districts to provide reactive inspection services and fire inspection services.

Reference:

Fire Safety Act

Business Plan Objective: (*Tie to current RDOS Business Plan*)

4.2 Support Protective Services

Background:

The *Fire Safety Act* received Royal Assent on May 19, 2016. On August 1, 2024 the *Fire Safety Act* came into force with the enactment of the *Fire Safety Regulations*.

1. **Designation of fire inspectors** – section 8 of the Fire Safety Act outlines:
 - a. Section 8 (1) A local authority must designate, in writing, persons or a class of persons as fire inspectors to conduct fire safety inspections.
 - b. (2) A local authority may designate an individual as a fire inspector under subsection (1) only if the individual meets the applicable standard established by the fire commissioner. As regional districts (RD) are not monitoring entities, they will operate within a reactive (complaint based or owner requested) inspection framework.
2. **Designation of fire investigators** – section 23 of the Fire Safety Act outlines:
 - a. Section 23 (1) A local authority must designate, in writing, persons or a class of persons as fire investigators to conduct fire investigations.
 - b. (2) A local authority may designate an individual as a fire investigator under subsection (1) only if the individual meets the applicable standard established by the fire commissioner

Investigations of fires must be started, within 5 days after the date on which the local authority learned of a fire that destroyed or damaged property or resulted in injury or

death, ensure that a fire investigator begins to investigate the cause, origin and circumstances of the fire. Within 30 days after the investigation the fire investigator must submit to the fire commissioner, in the form required by the Fire Commissioner, a report containing:

- a. All facts ascertained about the cause, origin and circumstances of the fire.
- b. Any further information required by the fire commissioner.”

A local authority can designate a contractor to be a fire inspector or fire investigator if they meet the *Fire Safety Act* Inspector Training Standard or *Fire Safety Act* Investigator Training Standard.

Upon request from a Regional District, the Office of the Fire Commissioner (OFC) Fire Service Advisors will conduct fire inspections and/or fire investigations. The Regional District has the discretion to use their own designated Fire Inspector(s) and Fire Investigator(s), or to request the OFC to support the inspection or investigation requirements.

The Fire Department that responds to an incident is required to submit a report to the OFC and they will determine the next steps.

Analysis:

The training requirements for Fire Inspectors and Fire Investigators must meet the standard established by the Fire Commissioner, which are the National Fire Protection Association (NFPA), NFPA 1031 for Fire Inspections and NFPA 1033 for Fire Investigations. The OFC will be providing courses online for both starting this year.

There are currently 4 Rural Fire Chiefs that have NFPA 1031 Fire Inspections, however, we do not have any Rural Firefighters within the Regional District that are qualified under NFPA 1033 for Fire Investigations.

There are contractors that are trained that can be contracted on an as needed basis if available.

At this time the RDOS can rely on the OFC to provide these services, however, staff are concerned that this will not be sustainable in the long run.

Moving forward staff will:

- Encourage Rural Fire Department staff to take the OFC training and be prepared to provide the services within the respective Rural Fire Protection Area.
- Reach out to qualified consultants to determine the cost to be on-call to provide the services and the cost of the service provision for all rural areas outside of the Rural Fire Protection Areas.
- Investigate the cost of adding Inspections and Investigations to the Rural Fire Services under contract with municipalities.
- Investigate what is required to approve a bylaw for electoral area residents to pay for the service.

Financial Implications:

The Board included \$10,000 in the 2025 Budget to accommodate the cost of hiring a contractor if necessary.

If the OFC declines to provide this service in the future there will be costs associated with providing the services to electoral area residents.

Alternatives:

That the Board request that staff hire a contractor to be on-call to provide services as and when necessary.

Communication Strategy:

The RDOS website will be updated to provide the public with contact information in order to obtain inspection services.

Respectfully submitted:

Deborah Jones-Middleton

D. Jones-Middleton, Senior Manager of
Protective Services

Endorsed by:

"insert digital signature; or name in italics"

XXX, Senior Manager