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Subject Appointing Fire Investigators and Fire Inspectors per Fire Safety Act Requirements

REQUEST

Designate positions who may perform the duties of a Fire Investigator and/or Fire Inspector in Electoral Areas A, B, C, E, F, and G of the Regional District of East Kootenay, both inside and outside of fire protection areas.

OPTIONS

1. THAT all RDEK Fire Chiefs, Deputy Fire Chiefs, Assistant Fire Chiefs, Fire Prevention Officers, and qualified Officers be designated as Fire Investigators and Fire Inspectors within all Electoral Areas of the Regional District of East Kootenay, as required by the *Fire Safety Act*.
2. THAT _____ be designated to fulfill the role of Fire Investigator and Fire Inspector within all Electoral Areas of the Regional District of East Kootenay, as required by the *Fire Safety Act*.

RECOMMENDATION

Option 1

BACKGROUND

The *Fire Safety Act* (FSA), which received royal assent in 2016, took effect in British Columbia on August 1, 2024, replacing the previous *Fire Services Act*. The FSA was developed in response to recommendations from a B.C. Coroners report on the 2012 Lakeland Mills explosion, with the aim of enhancing fire safety across the province. It introduces a more rigorous system of inspections and enforcement, establishes a uniform fire safety standard across B.C., and promotes compliance through a penalty system and enhanced monitoring.

Under the previous *Fire Services Act*, Fire Service Advisors from the Office of the Fire Commissioner (OFC) assisted local authorities in conducting fire inspections and investigations as part of the Local Assistant to the Fire Commissioner (LAFC) program. This program concluded on October 28, 2024. The new Act introduces new requirements for Regional Districts (RD), including support for the province's commitment to a single fire safety standard for all public buildings, as well as designating persons or positions as Fire Investigators and Fire Inspectors. The FSA requires local authorities to investigate all incidents of fire in their respective jurisdictions that they are made aware of per the duty to

report fires in section 22 of the FSA. Further, defined fire protection areas are not a limiting factor on this requirement, all electoral areas are included in this requirement. Currently, the Office of the Fire Commissioner (OFC) has committed to performing fire inspections and fire investigations on behalf of Regional Districts at no cost to the RD; and can be requested by the designated Fire Investigator/Inspector through the Emergency Coordination Center (ECC) in Victoria.

REQUIREMENTS

Fire Safety Act (FSA)

Designation of fire inspectors – section 8 of the Fire Safety Act (FSA) outlines:

- Section 8 (1) A local authority *must designate* in writing persons or a class of persons as fire inspectors to conduct fire safety inspections.
- (2) A local authority may designate an individual as a fire inspector under subsection (1) only if the individual meets the applicable standards established by the fire commissioner.

Designation of fire investigators-section 23 of the FSA outlines:

- Section 22 (2) A fire department or the fire commissioner, as the case may be, must immediately report a fire referred to in subsection (1) to the local authority within whose boundaries the land or premises where the fire occurred are located.
- Section 23 (1) A local authority *must designate* in writing persons or a class of persons as fire investigators to conduct fire investigations.
- (2) A local authority may designate an individual as a fire investigator under subsection (1) only if the individual meets the applicable standards established by the fire commissioner.

TRAINING

Designated individuals are required to have a minimum level of training in order to fulfill the duties of a Fire Investigator or Inspector; that must be completed within the year.

The Office of the Fire Commissioner is providing two online training courses: one for fire inspectors and one for fire investigators. Each course is 8-10hours in length. Training materials for the courses and the online training will be provided at no cost. Organizational costs will be incremental staff time.

Designated fire inspectors and fire investigators that already meet the *Fire Safety Act* Inspector Training Standard and *Fire Safety Act* Investigator Training Standard, can complete a “Prior Learning Assessment and Recognition” (PLAR) form to confirm for the local authority that they meet the standard.

Two RDEK Chiefs have previously completed training that meets or exceeds all or one of the investigator/inspector training requirements.

PROCESS

Designating the positions that will be able to act as Fire Investigators and Fire Inspectors is the first step in aligning with the new *Fire Safety Act* requirements. As with all legislative changes it will take time to fully assess the impacts of the new Act on the organization, and to determine any policies and procedures that may need to be developed to ensure we are fulfilling the legislated requirements.

SPECIFIC CONSIDERATIONS

Financial

The *Fire Safety Act* requires Fire Investigations and Inspections in areas that do not currently have a Fire Protection Service established. Additional staff hours are anticipated for incidents that take place in unprotected areas.

All salaries and expenses for Fire Investigations and Inspections for any property in the rural areas (including ones with fire services) will be charged to Electoral Area Administration. Currently, the costs are expected to be minimal.

Attachment

1. Fire Safety Act Questions and Answers
2. Fire Safety Act: Regional District Fire Inspections and Investigations Procedures