



The Corporation of the District of Saanich

# Report

**To:** Mayor and Council

**From:** Michael Kaye, Fire Chief

**Date:** November 07, 2024

**Subject:** New Bylaw: Fire Bylaw Amendment Bylaw

**File:**

### RECOMMENDATIONS

That Council adopt the *Fire Services Housekeeping Bylaw, No. 10106*, which provides amendments to the following existing bylaws:

- *Fire Prevention and Life Safety Bylaw, 2021, No. 9712*
- *Fire Services Operational Bylaw, 2021, No. 9713*
- *Ticket Bylaw, 2010, No. 9029.*

### PURPOSE

The purpose of this report is to recommend Council adopt the Fire Services Housekeeping Bylaw, to ensure the following:

- The Fire Prevention and Life Safety Bylaw and Fire Services Operational Bylaw align with the *Fire Safety Act*, which came into effect on August 1, 2024; and
- To provide proper sectional reference of the above bylaws in the Ticket Bylaw.

### BACKGROUND

The functional framework of our Fire Department relies on bylaws to define operations, administration, powers and responsibilities. The Provincial *Fire Safety Act* came into effect on August 1, 2024, and our corresponding bylaws require amendments to comply with and grant the Fire Department required authorities under the Act.

### DISCUSSION

Under the *Local Government Act* and the *Community Charter*, various powers exercised by a fire department must be provided for by bylaw. The proposed amendment bylaw will provide updates to the Fire Prevention and Operational Bylaws language, terminology and references to the new *Fire Safety Act* (previously the *Fire Services Act*).

Amendments to Schedule 1 of the *Ticket Bylaw* provide updates to the section references for enforcement of the Fire Prevention and Operational Bylaws.

Should Council choose to not adopt the proposed amendment bylaw, the District’s two primary bylaws that confer authority and scope the powers of the Fire Department will not be in compliance with the enabling legislation. The most immediate amendment addresses the *Fire*

*Safety Act* requirement for Council to designate Fire Safety Inspectors and Fire Investigators, in order to carry out fire safety inspections and fire investigations, respectively. Without this Council designation, the Fire Department is unable to carry out such inspections and investigations.

For reference, the following documents are attached:

1. Appendix A - Proposed *Fire Services Housekeeping Bylaw, No. 10106*;
2. Appendix B - Blacklined amendments to the *Fire Prevention and Life Safety Bylaw, 2021, No. 9712*;
3. Appendix C - Blacklined amendments to the *Fire Services Operational Bylaw, 2021, No. 9713*; and
4. Appendix D - Blacklined amendments to the Ticket Bylaw, 2010, No. 9029.

## **COUNCIL OPTIONS**

1. That Council adopt the amendment bylaw as submitted.
2. That Council requests further modifications to the bylaws and return them for approval.
3. That Council dismiss the amendment bylaw, and pass the following resolution, in order to ensure that the Fire Department can continue to carry out fire investigations and fire safety inspections:

“That Council designate each of the following members or class of members as a Fire Safety Inspector:

- (i) the Fire Chief;
- (ii) the Deputy Fire Chiefs;
- (iii) Members holding the rank of Assistant Deputy Fire Chief or acting in that position;
- (iv) the Assistant Chief Fire Prevention;
- (v) the Captain Inspector, the Lieutenant Inspector and other Members assigned to the Department’s Fire Prevention Division;
- (vi) Members holding the rank of Captain or acting in that position;
- (vii) Members holding the rank of Fire Training Officer; and
- (viii) such other Members or classes of Members as may be designated in writing by the Fire Chief;

in each case, provided that, from and after August 1, 2025, the relevant Member meets at least the minimum standards for the training of Fire Inspectors as set by the Fire Commissioner.

That Council designate each of the following members or class of members as a Fire Investigator:

- (i) the Assistant Chief Fire Prevention;
- (ii) the Captain Inspector, the Lieutenant Inspector and other Department Members assigned to the Department’s Fire Prevention Division; and
- (iii) such other Members or classes of Members as may be designated in writing by the Fire Chief;

In each case, provided that, from and after August 1, 2025, the relevant Member meets at least the minimum standards for the training of Fire Investigators as set by the Fire Commissioner.”

## **FINANCIAL IMPLICATIONS**

There are no material financial implications arising from the new bylaw structure.

Reviewed by: Andie Britton-Fraser, Municipal Solicitor

Approved by: Michael Kaye, Fire Chief

Attachments:

- Appendix A - Proposed Fire Services Housekeeping Bylaw, No. 10106;
- Appendix B - Blacklined amendments to the Fire Prevention and Life Safety Bylaw, 2021, No. 9712;
- Appendix C - Blacklined amendments to the Fire Services Operational Bylaw, 2021, No. 9713; and
- Appendix D - Blacklined amendments to the Ticket Bylaw, 2010, No. 9029.

**ADMINISTRATOR'S COMMENTS:**

I endorse the recommendation from the Fire Chief.

Brent Reems, Chief Administrative Officer