

# Fire Safety Act Questions and Answers Revised: April 15, 2025

## Contents

Change Summary .....	2
Background.....	2
The Office of the Fire Commissioner .....	2
Definitions under the Fire Safety Act .....	4
Fire Safety Act Overview .....	6
Fire Inspectors and Fire Investigators and Local Authorities .....	7
Fire Investigator and Fire Inspector Training .....	13
Regional Districts.....	16
Improvement Districts .....	18
Application of the Fire Safety Act.....	19
Tools, Processes and Procedures .....	23
Fire Safety Act and Owners .....	26
Administrative Penalties .....	29
Administrative Requirements/Approach .....	30
Local Assistants to the Fire Commissioner.....	34
Insurance Companies.....	35



Office of the  
Fire Commissioner



## Change Summary

Note: Changes made since the last version was posted on February 26, 2025, are reflected in the table below. Note: only significant changes have been captured in the table.

Date Version	Question Number	Change
April 15, 2025	#13, #15 and #23	Updated the date that the Office of the Fire Commissioner fire inspector and fire investigator courses will be ready.

## Background

This Question and Answer (Q&A) document is a living document and will be updated regularly. The Office of the Fire Commissioner (OFC) will endeavour to notify partners when the Q&A is updated. However, we suggest that you check back regularly for updates.

The OFC has attempted to place the subject matter in the appropriate category. However, given that there is crossover, please review the entire document.

If you have a question that is not included in this Q&A, please email it to: [OFC@gov.bc.ca](mailto:OFC@gov.bc.ca)

The Fire Safety Act legislation can be located [here](#).

The associated Fire Safety Act regulations include the [Fire Safety Act Fire Safety Regulation](#) and the [Fire Safety \(Risk Analysis for Compliance Monitoring\) Regulation](#)

## The Office of the Fire Commissioner

### 1. What is the role of the Office of the Fire Commissioner?

- The Office of the Fire Commissioner's (OFC) mandate is to minimize the loss of life, injury, and damage to property from fire by administering and enforcing British Columbia's fire safety legislation and regulations.

- The OFC leads provincial fire prevention and fire reporting programs, promotes fire safety awareness and establishes minimum training standards for fire inspectors, fire investigators and fire services personnel. The OFC also provides structure fire expertise and coordinates fire services during emergencies.
- The Fire Safety Act establishes the powers and duties of the fire commissioner who is responsible for administering the Fire Safety Act and its regulations.
- The fire commissioner must also establish standards for fire inspectors and fire investigators, who are required to be designated by the local authority under the Fire Safety Act.

## **2. What is the role of the Office of the Fire Commissioner, fire service advisors?**

- The Office of the Fire Commissioner (OFC) has regionally located fire service advisors throughout the province.
- Fire service advisors are knowledgeable fire safety experts who can assist with any aspect of the Fire Safety Act.
- They are also delegated by the fire commissioner as fire inspectors and fire investigators under the Fire Safety Act and are appropriately trained to the OFC training standard for each function. This means they may conduct fire inspections and fire investigations in any area of the province when requested.
- All OFC fire service advisors have worked in the fire services field for several years and have established collaborative working relationships with fire services personnel throughout the province.
- The local authority can reach out to their regional fire service advisor for support with any matter under the Fire Safety Act.
- To locate the fire service advisor for your area, visit: [Request technical assistance or fire investigation support - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/safety/technical-support/technical-support.htm)

### **3. What is the Office of the Fire Commissioner's contact information?**

- The contact information for the Office of the Fire Commissioner (OFC) is:
  - Main phone number: 1-888-988-9488
  - After hours emergency: 1-800-663-3456
  - Email: [OFC@gov.bc.ca](mailto:OFC@gov.bc.ca)

## **Definitions under the Fire Safety Act**

### **4. How are municipalities and regional districts identified under the Fire Safety Act?**

- The following definitions are used under the Fire Safety Act to define municipalities and regional districts:
- Local authority means:
  - (a) the council of a municipality;
  - (b) the board of a regional district;
  - (c) any authority prescribed by regulation;
- Monitoring entity means the council of a municipality.

### **5. How is a premises defined under the Fire Safety Act?**

- Premises means any of the following:
  - (a) a private dwelling;
  - (b) a public building;
  - (c) the parcel of land on which a private dwelling or public building is located;
  - (d) a motor vehicle within the meaning of the Motor Vehicle Act, railway vehicle, aircraft, vessel or other means of transportation.

### **6. How is a private dwelling defined under the Fire Safety Act?**

- A private dwelling means the following:
  - (a) a structure that is occupied as a private residence;

- (b) if only part of a structure is occupied as a private residence, that part of the structure;
- (c) any other structure located on the parcel of land on which a private residence is located, except for a structure
  - (i) to which the public is ordinarily invited or permitted access, or
  - (ii) that is used for commercial, industrial or institutional purposes.

## **7. How is a public building defined under the Fire Safety Act?**

- A public building means the following:
  - (a) a building other than a building that is a private dwelling;
  - (b) a structure
    - (i) to which the public is ordinarily invited or permitted access, or
    - (ii) that is used for commercial, industrial or institutional purposes;
  - (c) a facility, including a storage yard or tank farm.

## **8. What is risk-based compliance monitoring?**

- Risk-based compliance monitoring applies to all monitoring entities, which under the Fire Safety Act is defined as municipalities.
- Risk-based compliance monitoring means that proactive inspections will be conducted, and the inspection frequency for any public building will be based on the risk profile for that building. For example, the monitoring entity may choose to inspect a high risk building more frequently than a low-risk building.
- High-risk buildings include public buildings such as bars, apartments, hotels, college residences, large office buildings and sawmills, among other public buildings.

## **9. What does reactive inspections mean?**

- As regional districts are not monitoring entities, they will operate within a reactive (complaint based or owner requested) inspection framework.

- Upon request from a regional district, the Office of the Fire Commissioner (OFC), fire service advisors, will conduct fire inspections and fire investigations for the regional district.
- There will be no fee for service for any fire inspection, investigation, reporting in the OFC's Fire Inventory Reporting Evaluation System (FIRES) or travel expenses incurred by OFC staff.

**10. In Part 6 of the Fire Safety Act, Compliance Monitoring, is the monitoring entity the same thing as a designated fire inspector from the local authority?**

- The monitoring entity is defined as the council of a municipality, not the designated fire inspector. The fire inspector will work for the monitoring entity.

## Fire Safety Act Overview

**11. What is the Fire Safety Act?**

- On August 1, 2024, the Fire Safety Act came into force, replacing the Fire Services Act of 1979.
- The Fire Safety Act is intended to strengthen fire safety through an enhanced system of inspections and effective enforcement in the province and will:
  - enable local authorities to designate personnel to carry out fire inspections and fire investigations and enable local fire services to perform tactical evacuations.
  - establish an administrative penalty enforcement model to address non-compliance issues in a more direct, timely and effective manner.
  - implement a risk-based approach for fire safety compliance monitoring in municipalities.
- Under the Fire Safety Act and the associated regulations, there is a prescribed maximum amount of costs recoverable from an owner by a local

authority, or the fire commissioner, for securing evacuated premises up to \$100,000.

- The Fire Safety Act will protect people and communities through regular fire safety inspections and effective enforcement that will help prevent fire-related tragedies, preserve human life, and protect property and economic loss due to fires.

## **12. When did the Fire Safety Act come into effect?**

- The Fire Safety Act came into effect on August 1, 2024. The legislation can be found [here](#).

## Fire Inspectors and Fire Investigators and Local Authorities

### **13. What is a local authority required to do now that the Fire Safety Act has been brought into force?**

- Now that the Fire Safety Act has come into force, the local authority (municipalities and regional districts) must designate, in writing, a person or a class of persons as fire inspectors (section 8) and fire investigators (section 23).
- Local authorities should have designated fire inspectors and fire investigators in place now. If you do not, it is imperative that you complete this requirement promptly.
- The local authority is to use their own template for the designations. Note: there is no requirement to return the designation to the Office of the Fire Commissioner (OFC). Once the OFC has their technology solution in place, the OFC will contact departments to confirm designates.
- As of August 1, 2024, there is a one-year transition period before designated fire inspectors and fire investigators must meet established training standards.
- The transition period does not make the requirement of designating fire inspectors or fire investigators optional for local authorities.

- The transition period is intended to provide the time for local authorities to ensure that the designated fire inspector or fire investigator has obtained the required training.
- The OFC continues to develop the curriculum for the fire investigator and fire inspector course.
- While the OFC had anticipated a launch date in March 2025, additional time is being taken to refine the curriculum to ensure it meets the necessary standards. As soon as possible, an update on the launch date will be provided.
- As we approach the one-year transition period on August 1, 2025, the OFC is committed to working with communities to ensure designated inspectors and investigators have adequate time to complete training. More information will follow soon.

#### **14. Can a local authority designate a contractor to be a fire inspector and/or a fire investigator?**

- A local authority must designate, in writing, a person or a class of persons as fire inspectors (section 8) and fire investigators (section 23).
- 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.
- Local authorities should have designated fire inspectors and fire investigators in place now. If you do not, it is imperative that you complete this requirement promptly.
- Designated fire inspectors and fire investigators that already meet the Fire Safety Act Inspector Training Standard and Fire Safety Act Investigator Training Standard should complete a "Prior Learning Assessment and Recognition" (PLAR) form to confirm for the local authority that they meet the standard.



- The Office of the Fire Commissioner, Fire Safety Act Inspector Standard and the Fire Safety Act Investigator Standard and the Fire Safety Act Inspector Standard and Investigator Standard PLARs can be found here: [Fire Safety Act reference documents - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/safety/fire-safety-act-reference-documents)

#### **15.Can you explain the purpose of the PLAR?**

- On each Prior Learning Assessment and Recognition (PLAR) for the fire inspector or fire investigator role, the person must confirm that they have achieved all of the job performance requirements.
- If they do, then the PLAR serves as a confirmation of this. If they do not, then they will be required to take the Office of the Fire Commissioner (OFC) Fire Inspector or Fire Investigator course, or both if they are fulfilling both roles.
- The OFC continues to develop the curriculum for the fire investigator and fire inspector course.
- While the OFC had anticipated a launch date in March 2025, additional time is being taken to refine the curriculum to ensure it meets the necessary standards. As soon as possible, an update on the launch date will be provided.
- As we approach the one-year transition period on August 1, 2025, the OFC is committed to working with communities to ensure designated inspectors and investigators have adequate time to complete training. More information will follow soon.

#### **16.As of December 5, 2024, updated Prior Learning Assessment and Recognition (PLAR) Fire Inspector and Fire Investigator forms were uploaded to the BC government's website. What has changed and is there anything that local authority needs to revisit in these documents?**

- For both the investigator and inspector Prior Learning Assessment and Recognition (PLAR) forms, Section 1 was updated to allow those completing each PLAR to more easily identify the organizational affiliation of individuals who are not employees of the local authority.

- For both PLARs, the Job Performance Requirements (JPRs) have been updated to mirror the JPRs of the fire inspector and fire investigator training standard.
- There is no requirement to update Prior Learning Assessment and Recognition Fire Inspector and Fire Investigator Forms that have been completed, but please use the new forms moving forward.

**17. As of December 5, 2024, updated Fire Safety Act Inspector and Investigator Training Standard documents have been uploaded to the BC government's website. What has changed and is there anything that the local authority needs to revisit in these documents?**

- For both standards, Job Performance Requirements (JPRs) were updated to exactly mirror specific sections of applicable National Fire Protection Association (NFPA) criteria.
- For both standards, no new JPRs have been added. If an individual previously met the Office of the Fire Commissioner (OFC) Fire Safety Act Inspector Training Standard or the Fire Safety Act Investigator Training Standard that was posted on the BC government website in August 2024 they will continue to meet the OFC inspector or investigator training standard.
- We encourage all organizations to download the latest versions of the Fire Safety Act Inspector Training Standard or the Fire Safety Act Investigator Training Standard.

**18. What section of the Fire Safety Act designates fire investigators and fire inspectors?**

- Designation of fire inspectors – section 8 of the Fire Safety Act 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 standard established by the fire commissioner.

- Designation of fire investigators – section 23 of the Fire Safety Act outlines:
  - 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 standard established by the fire commissioner.

**19. Does the local authority need to adjust their bylaws to designate fire inspectors and/or fire investigators?**

- Fire inspector and fire investigator designation can be done by resolution or a change to a bylaw, depending on how the service is set up. However, it may be different for each local authority.
- Local authorities should have designated inspectors and investigators in place now. If you do not, it is imperative that you complete this requirement promptly.
- Please reach out to your Chief Administrative Officer for advice.

**20. Who is responsible for conducting fire inspections and investigations?**

- Under the Fire Safety Act, it is a requirement for local authorities (municipalities and regional districts) to designate fire inspector(s) and fire investigator(s).
- Municipalities will operate within a risk-based compliance monitoring model and their designated fire inspector(s) will be responsible for conducting all fire inspections.
- As in the Fire Services Act, the Fire Safety Act also continues the requirement for all fires to be investigated and reported to the fire commissioner. Designated fire investigators will fulfil this requirement.
- As regional districts are not monitoring entities, they will operate within a reactive (complaint based or owner requested) inspection framework.

- 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.
- Ultimately, both reactive inspections and risk-based compliance monitoring are intended to keep occupants safe from potential fire hazards, with the goal to prevent fire-related tragedies, preserve human life, protect property and prevent economic loss due to fires.

**21.Can the local authority determine which jurisdictional area(s) the designated fire inspector or fire investigator covers?**

- Yes, the local authority is fully empowered to designate the jurisdictional areas of fire inspectors and fire investigators, if the person meets the training standards issued by the fire commissioner.

**22.If the local authority chooses not to investigate fires outside of their established fire protection areas who would be required to investigate and make the fire report to the fire commissioner?**

- Section 22 of the Fire Safety Act outlines the duty to report as follows:
- 22 (1) The occupier or, if none, the owner of land or premises where a fire has destroyed or damaged property or resulted in injury or death must, if a fire department did not attend, immediately report the fire
  - (a)to a fire department, or
  - (b)to the fire commissioner.
- (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.

- The legislative requirement in section 25 of the Fire Safety Act is for local authorities to investigate all incidents of fire in their respective jurisdictions that they are made aware of.
- The defined fire department fire protection area is not a limiting factor on this requirement of the local authority.
- The Office of the Fire Commissioner (OFC) has committed to performing fire inspections and fire investigations on behalf of the regional districts.
- Regional districts may request fire investigation support from the OFC via the process outlined in the “Regional District Inspections and Investigations Procedures” document. The document can be located here: [Fire Safety Act reference documents - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/safety/fire-safety-act/reference-documents)

### **23.What will be used to identify inspectors and investigators under the Fire Safety Act?**

- Identification for fire inspectors and fire investigators under the Fire Safety Act will be determined by the local authority who designates the fire inspector and fire investigator.

## **Fire Investigator and Fire Inspector Training**

### **24.What can you share about fire inspector and fire investigator training requirements?**

- There are different and specific training requirements for designated fire inspectors (“Fire Safety Act Inspector Standard”) and fire investigators (“Fire Safety Act Investigator Standard”).
- Designated fire inspectors and fire investigators that already meet the Fire Safety Act Inspector Training Standard and Fire Safety Act Investigator Training Standard, should complete a Prior Learning Assessment and Recognition (PLAR) form to confirm for the local authority that they meet the standard.

- It is the responsibility of the local government to ensure the PLAR is signed off accurately and that the PLAR stays in the personnel file of the designated fire inspector and fire investigator.
- Designated fire inspectors and fire investigators who do not meet the Office of the Fire Commissioner (OFC) Fire Safety Act Inspector Standard and the Fire Safety Act Investigator Standard, must take the OFC inspector and investigator training.
- Designated fire inspectors and fire investigators that meet the OFC Fire Safety Act Inspector Standard and the Fire Safety Act Investigator Standard and who have signed off on the PLAR, are also welcome to take the OFC training.
- The OFC will provide two online training courses: one for fire inspectors and one for fire investigators. Training materials for the courses and the online training will be provided at no charge.
- Each course will deliver attainable minimum standards and can be completed online in approximately 8 hours (per course).
- A fire inspector and fire investigator can perform both roles if they have met the Job Performance Requirements for both roles.
- The Office of the Fire Commissioner Fire Safety Act Inspector Standard and the Fire Safety Act Investigator Standard and the Fire Safety Act Inspector Standard and Investigator Standard PLARs can be found here: [Fire Safety Act reference documents - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/safety/fire-safety-act-reference-documents)

**25. Now that the Fire Safety Act has come into force, are designated inspectors and investigators required to meet the training standards right away?**

- No, there will be a one-year transition period, as defined in section 53 of the Fire Safety Act, before designated inspectors and investigators must meet the required training standards.

- The transition period will end July 31, 2025. At that time, the local authority is required to ensure the persons designated as fire inspector(s) and fire investigator(s) meet the fire inspector and fire investigator standards.
- The Office of the Fire Commissioner (OFC) anticipates the fire inspector and fire investigator courses to be ready mid-March 2025. Both will be available at no charge.

**26. When will the fire inspector and fire investigator training be available?**

- The OFC continues to develop the curriculum for the fire investigator and fire inspector course.
- While the OFC had anticipated a launch date in March 2025, additional time is being taken to refine the curriculum to ensure it meets the necessary standards. As soon as possible, an update on the launch date will be provided.
- As we approach the one-year transition period on August 1, 2025, the OFC is committed to working with communities to ensure designated inspectors and investigators have adequate time to complete training. More information will follow soon.

**27. Is there a limit to the number of people who can be designated as fire inspectors/fire investigators and who can complete the fire inspector/fire investigator training that will be offered by the Office of the Fire Commissioner?**

- There is no limit on the number of people who can be designated to complete the training.
- The local authority can designate a person or a class of persons as fire inspectors or fire investigators. This includes designating all building inspectors as fire inspectors under the Fire Safety Act.

## Regional Districts

### **28. For regional districts that have an inspection program both within municipalities and electoral areas how does the monitoring entity apply?**

- The term monitoring entity is defined as the council of a municipality.
- Within the municipal jurisdiction the requirement of the Fire Safety Act is the establishment of a risk-based compliance monitoring system. This system must be developed and implemented within the borders of the monitoring entity.
- If the function of compliance monitoring is performed by a regional district on behalf of the municipality, then a written agreement should be in place to confirm roles and responsibilities, and the regional district must abide by the Fire Safety Act when acting on behalf of the municipality (as a monitoring entity) when conducting inspections within municipal borders.
- In regional district jurisdictions there is no defined equivalent of a compliance monitoring system requirement, instead, they operate within a reactive model. The [Fire Safety Act: Regional District Inspection and Investigations Procedures](#) outlines the process for fire inspections and fire investigations in regional districts.

### **29. Why are regional districts operating within a reactive model?**

- Regional districts are not defined as monitoring entities in the Fire Safety Act.
- The regional districts have identified resource and administrative challenges that they believe would prevent them from undertaking fire inspections and fire investigations in their jurisdictions.
- The Office of the Fire Commissioner (OFC) has committed to performing fire inspections and fire investigations if requested on behalf of the regional district.



- There will be no fee for service for any fire inspection, investigation, reporting in the OFC's Fire Inventory Reporting Evaluation System (FIRES) or travel expenses incurred by OFC staff.
- However, a regional district with sufficient resources and local expertise may choose to undertake inspections and investigations within their jurisdiction.

### **30. What is the requirement for the regional districts to identify a public building?**

- Risk-based compliance monitoring applies to public buildings within municipalities (monitoring entity).
- Regional districts are not monitoring entities and are not required to implement a risk-based compliance monitoring system. As such, there is no requirement for regional districts to identify public buildings for fire inspections as regional districts will be reactive (e.g., complaint-based).
- The Office of the Fire Commissioner (OFC) expects that most of inspections in the regional districts to be focused on public buildings, defined as:
  - a building other than a building that is a private dwelling;
  - a structure
    - to which the public is ordinarily invited or permitted access, or
    - that is used for commercial, industrial or institutional purposes;
  - a facility, including a storage yard or tank farm.
- If a complaint is submitted that does not focus on a public building, the regional district, if they are accessing OFC support, will determine if an inspection is required or reasonable.

### **31. Are regional districts expected to take on the full responsibility for inspections and investigations at some point in the future?**

- The Office of the Fire Commissioner (OFC) has committed to performing inspections and investigations on behalf of the regional districts, as outlined in the [Fire Safety Act: Regional District Inspection and Investigations Procedures](#) document.

- There will be no fee for service for any fire inspection, investigation, reporting in the OFC's Fire Inventory Reporting Evaluation System (FIRES) or travel expenses incurred by OFC staff.
- The OFC will continue to work with UBCM during the continued implementation of the Fire Safety Act to ensure the appropriate processes and resources are in place.

**32. When a municipality is contracted to supply fire protection to a regional district area is it the municipality's responsibility to still do inspections and investigations?**

- The services provided between parties in a contractual arrangement are defined in the contract or service agreement that has been agreed to by both parties. This may include fire inspections and fire investigations, but this is an issue that must be negotiated between the parties.
- The responsibility of designating fire inspectors and fire investigators remains with the local authority of the area in question.

## Improvement Districts

**33. Are improvement districts identified under the Fire Safety Act?**

- Under the Fire Safety Act, a local authority is defined as a council of a municipality or a board of a regional district. Improvement districts are not identified as a local authority in the Fire Safety Act and are not authorized under the Fire Safety Act to appoint fire investigators or fire inspectors.
- Only local authorities (municipalities and regional districts) as defined by the Fire Safety Act are required and authorized to designate fire investigators and fire inspectors for their local government jurisdictions.

**34. Will improvement districts be considered local authorities?**

- The B.C. government has received requests for improvement districts to be identified as a local authority under the Fire Safety Act.

- The B.C. government is not currently considering any legislative changes or prescribing improvement districts as local authorities. This is because the B.C. government is confident that regional district governance structures will allow elected decision-makers responsible for fire safety to balance the needs of their communities with the need to meet fire inspection and fire investigation requirements under the Fire Safety Act.
- The Office of the Fire Commissioner (OFC) encourages regional districts to collaborate and coordinate with those improvement district fire services that wish to conduct their own fire inspections and fire investigations and consider designating fire inspectors and fire investigators to operate within the improvement district boundaries.
- For those regional districts and improvement districts requiring OFC support with fire inspections and fire investigations, the OFC will provide the service as agreed upon in the “Regional District Inspections and Investigations Procedures” document that can be located here: [Fire Safety Act reference documents - Province of British Columbia \(gov.bc.ca\)](#)
- To locate the fire service advisor for your area, visit here: [Request technical assistance or fire investigation support - Province of British Columbia \(gov.bc.ca\)](#)

## Application of the Fire Safety Act

### **35.Are bed and breakfast accommodations (or like properties) with private accommodations and common areas (e.g., dining room) inspectable?**

- Airbnb units should be treated as private dwellings for the purposes of the Fire Safety Act and would not be part of the inspectable inventory for the risk-based compliance monitoring system reflected in the Fire Safety Act.
- This determination was made because the OFC views most short-term rentals, such as Airbnb’s, as not being inspectable properties because these short-term rentals are generally in a private dwelling.

- A private dwelling is defined in the Fire Safety Act as:
  - (a) a structure that is occupied as a private residence;
  - (b) if only part of a structure is occupied as a private residence, that part of the structure;
  - (c) any other structure located on the parcel of land on which a private residence is located, except for a structure
    - (i) to which the public is ordinarily invited or permitted access, or
    - (ii) that is used for commercial, industrial or institutional purposes.
- A monitoring entity is only required to implement a risk-based compliance monitoring system for public buildings; therefore, a private dwelling would not be an inspectable property under a risk-based compliance monitoring system.
- A bed and breakfast or retirement home facility should be an inspectable property under a risk-based compliance monitoring system if the arrangement consisted of common shared areas such as a common hallway, common egress and common eating.
- It is in the purview of the local authority to create a by-law to inspect all short-term rental properties, but it is not a requirement under risk-based compliance monitoring as defined by the Fire Safety Act.

### **36.Are daycares that are part of a private dwelling inspectable?**

- Yes, any portion of the private dwelling that is used as the daycare is inspectable as the public is invited or allowed into this portion the dwelling. The private portion of the dwelling is not to be considered for inspection.

### **37.Are campfires reportable fires?**

- The focus of reporting a fire should not be on the type of fire, but rather if the fire damaged property. Any fire that damaged property must be reported to the Office of the Fire Commissioner.
- To clarify, if the campfire did not damage any property, nor cause any injuries or deaths, then it is not reportable. If it did damage property, or cause injury or death, then it is reportable.

**38. How does the Fire Safety Act translate across fire protection areas?**

**Who is responsible for the inspections/investigations in the portion of a regional district that is outside municipal boundaries, but that a regional district provides fire suppression for?**

- The Fire Safety Act defines jurisdiction with respect to governance of the area by the definition of a local authority – meaning a council of a municipality or a board of a regional district.
- Within municipal boundaries the responsibility rests with the authority of the Mayor and Council.
- All areas outside of a municipality will be within a regional district (electoral area), and the responsibility rests with the Chair and Board of the regional district, regardless of any fire protection areas that are or are not established.
- The Fire Safety Act requires the local authority to designate a person or class of persons as fire inspectors and fire investigators for all areas of their jurisdictions.

**39. Do tactical evacuations include wildfire evacuations?**

- Section 13 [tactical evacuations] of the Fire Safety Act does not distinguish or limit the source of the threat to life due to a fire hazard.
- As such, the threats posed by a wildfire that would require immediate evacuation of a premises or geographic area, could be addressed by the fire chief if the need arises.

**40. Does the Fire Safety Act apply to federal reserve lands?**

- The Fire Safety Act does not apply to First Nations federal reserve lands.
- Enforcing fire codes on First Nations federal reserve lands is under federal jurisdiction, and the Fire Safety Act does not apply to on-reserve public buildings.

- Federal lands such as the Port Authority lands, a Canada Coast Guard base, or airports, would not be inspectable under the Fire Safety Act; however, a building within a municipality where a tenant is federal such as a post office, Fisheries and Oceans Canada (DFO) office, Canada Revenue Agency (CRA), is inspectable under the Fire Safety Act.
- If a local authority receives an enquiry about inspections or investigations on First Nations federal reserve lands, the local authority can refer the enquirer to the Office of the Fire Commissioner (OFC), and the OFC will contact the First Nation to offer support to conduct the inspection.

**41. Will there be enforcement on BC Building Code violations when they apply to fire requirements? Or does this remain with building officials or municipalities or regional districts?**

- The BC Building Code (BCBC) regulates the design and construction of buildings. The BC Fire Code regulates maintenance and operations of these same buildings' fire safety requirements and systems.
- Designated fire inspectors will enforce the BC Fire Code. The responsibility for enforcing the BCBC will continue to rest with the local authority (via their building staff or other designated staff). The current BCBC applies to buildings:
  - That are constructed (new buildings)
  - That are altered or renovated
  - Where the use or occupancy changes
  - Where components or parts of a building are replaced
- Existing buildings must conform to the edition of the code in force at the time those buildings were constructed.

**42. For properties that are protected by an independent fire department, is there any requirement for these fire departments to conduct inspections and investigations?**

- Regarding independent fire departments conducting fire inspections and or fire investigations, the following is noted:

- If the independent fire department has members designated by the local authority as fire inspectors and/or fire investigators, the independent fire department may conduct fire inspections and/or fire investigations.
- The independent fire department can contact the Office of the Fire Commissioner (OFC) to request the support of an OFC fire service advisor.
- Contact information for the OFC is:
  - Main phone number: 1-888-988-9488
  - After hours emergency: 1-800-663-3456
  - Email: OFC@gov.bc.ca

## Tools, Processes and Procedures

### **43. What types of resource documents will be put in place for the Fire Safety Act?**

- As of December 5, 2024, the Office of the Fire Commissioner (OFC) has posted the **following resource** documents on the BC government website, **here: [Fire Safety Act reference documents - Province of British Columbia](#)**
- **Fire inspection information and forms** – local authorities are required to submit all orders issued under the authority of the Fire Safety Act to the OFC monthly. To support this, the following resources have been created:
  - Orders & Evacuations Reporting Instructions
  - Monthly Summary of Fire Inspector Orders (Fillable Form)
  - Monthly Summary of Tactical Evac Orders (Fillable Form)
- **For designated fire inspectors** – there may be times when a fire inspector is tasked with inspecting an occupied premises. Although fire inspectors have authority to access the premises, it is good practice for the inspector to obtain consent from the occupiers of the premises either verbally or using this form:
  - Consent to Enter Occupied Premises (Fillable Form)

- Upon completing an inspection, a **fire inspector** may find deficiencies and/or circumstances of non-compliance with the Fire Safety Act and the regulations (the B.C. Fire Code). The fire inspector may have to issue a fire inspector order directing the premises owner to correct the deficiencies. To support this, the following resources have been created:
  - Fire Inspector Order Instructions
  - Fire Inspector Order (Fillable Form)
  - Fire Inspector Order Confirmation of Delivery (Fillable Form)
  - Fire Inspector Order Additional Sheet (Fillable Form)
- There may be times that a **fire inspector** needs to request information or records with respect to a fire safety inspection they are completing. Failure to provide the information may result in the issuance of an administrative penalty to the person or corporation involved. To support this, the following resources have been created:
  - Information Request Relevant to a Fire Safety Inspection Instructions
  - Information Request Relevant to a Fire Safety Inspection (Fillable Form)
- **Preventative evacuations** – local authorities and the fire commissioner may need to exercise their authority to issue a preventative evacuation order. They may also need to recover costs incurred for securing evacuated locations where the owner fails to secure the premises. The following document provides guidance for those procedures:
  - Fire Safety Act Preventative Evacuation Procedures
- There may be situations where local authorities or the fire commissioner need to order the **evacuation** of an area or premises under section 14 of the Fire Safety Act. To support this, use the following evacuation forms:
  - Preventative Evacuation Order and Cancellation Instructions
  - Preventative Evacuation Order (Fillable Form)
  - Preventative Evacuation Cancellation (Fillable Form)
- **Compliance monitoring documents – risk analysis** – a monitoring entity (municipality) is required to implement a risk-based compliance monitoring system for public buildings within its jurisdictional boundaries.



- When implementing a **risk-based** compliance monitoring system, a monitoring entity must conduct a risk-analysis in accordance with the Fire Safety Act and its regulations.
- This **risk analysis** will support monitoring entities' decisions about the required frequency of physical fire safety inspections and the use of building owner fire safety assessments. The following document provides monitoring entities with guidance on the risk analysis process:
  - Fire Safety Act Guidelines for Risk Analysis for Monitoring Entities in British Columbia
- The following supplemental documents provide monitoring entities with examples of **risk analysis** methods for determining the total risk of a public building and guidelines for determining frequency of associated compliance monitoring activities, fire safety inspection and fire safety assessments:
  - Support Document for the Guidelines for Risk Analysis for Monitoring Entities in British Columbia
  - Risk Analysis for Monitoring Entities Questions & Answers
- **Fire investigation information and forms** – there may be times that a fire investigator needs to request information or records with respect to a fire investigation they are completing. Failure to provide the information may result in the issuance of an administrative penalty to the person or corporation involved. To support this, the following resources have been created:
  - Information Request Relevant to a Fire Investigation - Instructions
  - Information Request Relevant to a Fire Investigation - (Fillable Form)
- **Review process documents** – the following document sets the OFC policy and procedures for managing and conducting a review of decisions defined in section 42 of the Fire Safety Act. It explains the process the OFC will implement to maintain a fair and consistent method for administering reviews:
  - Fire Safety Act Reviews Policy and Procedures

- A person who is served with a decision must submit the Request for Review of a Decision form (below) to the OFC if they believe that an error was made in the issuance of an order (i.e., fire inspector or preventative evacuation) or a notice of an administrative penalty.
  - Request for Review of a Decision Instructions
  - Request for Review of a Decision (Fillable Form)
- As noted, all of the resources can be found on the BC government website here: [Fire Safety Act reference documents - Province of British Columbia](#)

#### **44.What resources still need to be produced and shared?**

- The Fire Safety Act Building Owner's Fire Safety Assessment Manual and the Fire Safety Act Administrative Penalty Policy and Procedures Manual still need to be shared.
- We expect these documents to be available in late spring/early summer 2025.

### **Fire Safety Act and Owners**

#### **45.What does the Fire Safety Act mean for building owners?**

- The BC Fire Code places a duty and responsibility on owners of public buildings to ensure that there is no fire hazard on, or in those buildings. The Fire Safety Act provides the local authority and the province with tools to ensure compliance.
- To meet the requirements of the BC Fire Code and the Fire Safety Act, building owners and operators may be required to conduct fire safety assessments and put the appropriate fire safety measures in place. The frequency and requirements for a fire safety assessment are set by the monitoring entity (municipalities).
- Failure to conduct a fire safety assessment may result in more enforcement actions by the monitoring entity, which may include completing a fire inspection for a fee from the municipality.

- Any established fire inspection fee will be imposed by the monitoring entity via bylaw.
- The [Fire Safety \(Risk Analysis for Compliance Monitoring\) Regulation](#) defines some of the requirements in establishing a risk-based compliance monitoring system and the overall risk for public buildings.
- The Office of the Fire Commissioner will work closely with all partners, including premise owners, to ensure a measured implementation of the Fire Safety Act requirements.

**46. Can you share more about the Building Owner's Fire Safety Assessment and the process?**

- The Office of the Fire Commissioner (OFC) is currently developing a "Fire Safety Act Building Owner's Fire Safety Assessment Manual."
- The OFC expects this document to be shared with fire services, local authorities and building owners in late spring/early summer 2025.
- This manual is primarily intended to be used by the building owner or building owner's authorized agent (representative) to complete a fire safety assessment and declaration.
- The British Columbia Fire Code (BCFC) outlines building owner responsibilities. The BC Fire Code, Sentence 2.2.1.1.(1). of Division C, states, "unless otherwise specified, the owner or the owner's authorized agent shall be responsible for carrying out the provisions of this Code."
- For more information on the BCFC, visit: [BC Codes 2024 - Province of British Columbia \(gov.bc.ca\)](https://www.gov.bc.ca/codes/)
- The building owner or the owner's authorized agent must be compliant with the Fire Safety Act, the BC Fire Code, and any other applicable regulations.
- A fire safety assessment form and declaration – which will be included in the Fire Safety Act Building Owner's Fire Safety Assessment Manual – will confirm the status of the building fire and life safety systems and confirm that these systems are inspected, tested and maintained as required by the Fire Safety Act and the BC Fire Code.

#### **47.What is the definition of “owner authorized agent”?**

- An “owner authorized agent” is a person, or corporation, that has the delegated authority by the owner of the premises, by written agreement (e.g., lease agreement, service agreement, or other contract) to act on behalf of the owner of the premises.
- A monitoring entity may request the premises owner or owner’s authorized agent to complete a fire safety assessment.
- If there are any instances of non-compliance identified by the owner or owner’s authorized agent during the fire safety assessment, then it is the responsibility of the premises owner to correct the deficiencies – whether that be through the agreement with the authorized agent to act on behalf of the owner or by the owner.

#### **48.How will the Fire Safety Act impact owners and any renovation permits, including life safety system requirements?**

- The Fire Safety Act does not impact renovation permits including life safety requirements. Building life safety system requirements are in the British Columbia Building Code (BCBC) and the British Columbia Fire Code (BCFC). These codes administer the required life safety systems through inspection, testing and maintenance requirements of the code.
- There are explanatory statements in the BCBC and the BCFC that respect and limit the application of the current code requirements to existing buildings that were constructed under previous versions of the codes.
- Essentially, neither set of codes are to be used to impose a requirement to install current code standards on an existing building, provided that the life safety system of the existing building is still sufficient to address the fire hazards presented by the major occupancy use of the building.
- The local government building official is responsible for determining the appropriate application of the BCBC using “BCBC2024 Div. Part 1 Sentence 1.1.1.1(1) Application of this code” to the renovation permit application.
- For more information on the BCBC and the BCFC, visit: [BC Codes 2024 - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov2/content/safety/bc_codes_2024/)

## Administrative Penalties

### **49.What are the administrative penalties under the Fire Safety Act?**

- An Administrative Penalty (AP) is designed to deter non-compliance with requirements under the Fire Safety Act and the associated regulations.
- AP amounts are:
  - up to \$25,000 in the case of an individual and \$50,000 in the case of a corporation.
  - if an offence continues for more than one day, separate daily administrative penalties, each not exceeding the maximums previously noted, may be imposed by the fire commissioner.
- An AP will be considered by the Office of the Fire Commissioner after the local authority has exhausted all the tools (e.g., bylaws) that they have at their disposal.
- Administrative penalties are only considered for serious, repeated and deliberate cases of non-compliance with the Fire Safety Act.
- Administrative penalty matters are between the provincial government and the person who is thought to have contravened the Fire Safety Act or failed to comply with an order issued under the Fire Safety Act.

### **50.Will designated fire inspectors and fire investigators be imposing administrative penalties under 33 (1) of the Fire Safety Act?**

- No. The authority in Section 33(1) is only for the fire commissioner, or delegate, who may impose an administrative penalty.
- The local authority designated fire inspectors and fire investigators will make a request for the issuance of an administrative penalty from the fire commissioner or delegate.
- As such, only the Province, through the Office of the Fire Commissioner, will issue an administrative penalty.

- However, because the primary principle of the administrative penalty is obtaining compliance and not punitive measures, the issuance of the administrative penalty will only be done when all other attempts and actions by the local authority have not been successful in obtaining compliance from a premise owner.

**51.What obligations do local authorities have to enforce the fire code (e.g., issue fines) as opposed to education/notifying building owners that they are not in compliance?**

- The Fire Safety Act enables local authorities in the province to designate fire inspectors and fire investigators within their respective jurisdictions to enforce the Fire Safety Act and its regulations (BC Fire Code).
- Local authorities should manage the risk of fire / fire code infractions and balance education and enforcement as they see fit. It is the responsibility of the building owner to adhere to the BC Fire Code, and it is the responsibility of the local authority to designate fire inspectors who may ensure that public buildings within their borders are safe.
- The local authority can only issue fines with respect to fire safety issues in their jurisdiction if they have a fire safety establishment bylaw.
- Enforcement of BC Fire Code violations regarding the issuance of administrative penalties under the Fire Safety Act are limited to the Province through the Office of the Fire Commissioner.

## Administrative Requirements/Approach

**52.Are local authorities required to implement new record-keeping policies to meet statutory requirements under the new Act?**

- Local authorities can continue to manage inspection and investigation enquiries from the public in the same manner that they currently do.
- The Office of the Fire Commissioner (OFC) will record all requests for support and service, including those made by regional districts. An interim

solution will be put in place while the OFC works to put a new technological solution in place.

- The OFC is working to develop and implement a centralized database to retain these records. Once in place, the OFC will be able to share relevant inspection and investigation information with UBCM and local authorities.

**53. Will the monitoring entities be compensated for inspections or is the “fee” referenced in section 20 imposed only by a local authority bylaw?**

- Failure of a building owner to conduct a fire safety assessment may result in more enforcement actions by the monitoring entity, which may include performing an actual fire inspection for a fee.
- Under Section 20 of the Fire Safety Act, monitoring entities (municipalities) can establish fees for fire inspections and impose the fees via municipal bylaw.

**54. Will fire reporting be a requirement for the designated investigator, or can an alternate be assigned?**

- The Fire Safety Act does not restrict the reporting of the investigation information to the Office of the Fire Commissioner (OFC) from being assigned to another person or alternate within the local authority; however, the alternate must have access to the OFC’s FIRES reporting system.
- Section 25 of the Fire Safety Act outlines the requirement that a local authority must begin a fire investigation 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.
- In municipalities, this will be done by the local authority’s designated fire investigator.
- The process for municipalities is different than the process for regional districts.

- The OFC and UBCM have worked to develop a “Regional District Inspections and Investigations Procedures” document that provides for the OFC to function as the designated investigator and inspector and to complete fire investigations and fire inspections on behalf of the regional district, as requested.
- This means that for regional districts, there will be no fee for service for any fire inspection, investigation, reporting in the OFC’s Fire Inventory Reporting Evaluation System (FIRES) or travel expenses incurred by OFC staff.
- The “Regional District Inspections and Investigations Procedures” document can be located here: [Fire Safety Act reference documents - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/safety/fire-safety-act-reference-documents)

**55.What is the process to preserve a fire scene while a regional district is waiting for the Office of the Fire Commissioner fire investigator to arrive?**

- Site preservation will vary according to the circumstances of each fire scene and the capacity of the local authority.
- The Office of the Fire Commissioner (OFC) and the regional districts have an agreement as outlined in the [Fire Safety Act: Regional District Inspection and Investigations Procedures](#), that an OFC fire service advisor (FSA) will attend the fire scene and conduct the fire investigation and complete all reporting.
- Like the Fire Services Act that was in place before the Fire Safety Act came into effect, the responsibility to preserve all aspects of the fire scene, including site preservation, are the responsibility of the local authority.
- The OFC FSA is available to provide advice on how a fire scene may be preserved.



**56. Who owns the fire investigation report?**

- The fire investigation report and all corresponding information will belong to the local authority to enable them to meet the legislated obligation of reporting the fire incident information to the fire commissioner.
- Once the fire incident report is submitted to the Province, then the information becomes the Province's to use and protect as outlined in the Information Management Act.

**57. If a local authority pays for an alternate fire investigator to complete the fire investigation report, does the local government own the report?**

- The ownership of the report to the local authority should be confirmed by the local authority and the alternate fire investigator through their specified contract.
- The requirement to submit a fire incident report from the fire investigation to the fire commissioner, remains and needs to be met by the local authority.

**58. If a local authority designates a member from their own staff as a fire inspector and/or fire investigator, is the employee protected from personal liability when carrying out the function of inspector/investigator?**

- Section 6 of the Fire Safety Act states that any person performing the work of the fire commissioner when delegated by the fire commissioner has immunity from legal proceedings short of gross negligence or actions made in bad faith.
- The local authority staff is provided immunity by the Local Government Act (section 738) for actions related to their obligations under the Fire Safety Act, short of gross negligence or actions made in bad faith.

### **59.What is the status of the local assistants to the fire commissioner program?**

- The local assistants to the fire commissioner (LAFC) functions that were part of the Fire Services Act were discontinued on October 28, 2024.
- The LAFC badges are to be returned at the fire department's cost. When returning a badge, please also include a letter that reflects the LAFC name and badge number and the sending department's name.
- Contact and address information for returns are as follows:
  - Mailing details:
    - Office of the Fire Commissioner
    - Attn: Tammy-Lou Nieman
    - PO Box 9214 Stn. Prov. Govt.,
    - Victoria, B.C. V8W 9J1
  - Courier details:
    - Office of the Fire Commissioner
    - Attn: Tammy-Lou Nieman / Contact number: 236-478-2385
    - 11<sup>th</sup> Floor – 1001 Douglas Street
    - Victoria B.C., V8W 2C5

### **60.Can existing Local Assistants to the Fire Commissioner still complete investigations/inspections?**

- People who served as local assistants to the fire commissioner should not be acting in that capacity any longer and the local assistants to the fire commissioner (LAFC) functions that were part of the Fire Services Act were discontinued on October 28, 2024.

**61. Under the Fire Services Act, a Local Assistant to the Fire Commissioner was protected from prosecution. Are these same protections available to the fire inspectors and fire investigators under the Fire Safety Act?**

- Section 6 of the Fire Safety Act reflects that any person performing the work of the fire commissioner, when delegated by the fire commissioner has immunity from legal proceedings short of gross negligence or actions made in bad faith.
- The local authority designated fire inspectors and fire investigators are provided immunity by the Local Government Act (sec. 738) for actions related to their activities under the Fire Safety Act, short of gross negligence or actions made in bad faith.

## Insurance Companies

**62. Do insurance companies still need to report on fire losses under the new Fire Safety Act?**

- On August 1, 2024, the new Fire Safety Act came into effect replacing the Fire Services Act.
- With the new act in place, insurance companies are no longer legislated to report on fire losses as they were under the Fire Services Act section 19.
- However, insurance companies continue to be valued partners in ensuring accurate data from fire incident claims to help evaluate fire loss, economic impacts and fire trends in our province. Insurance reports also help ensure accuracy in fire incident reporting from local governments.
- Insurance companies are asked to please continue to report on fire losses through the insurance fire report that can be found, here: [Reporting a fire: guidelines, manuals and forms - Province of British Columbia \(gov.bc.ca\)](#)