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## REPORT TO ELECTORAL AREAS COMMITTEE MEETING OF WEDNESDAY, JUNE 10, 2026

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**SUBJECT**     **Bylaw Nos. 4759 and 4760 – Proposed Amendments to Bylaw No. 1857 “Capital Regional District Ticket Information Authorization Bylaw, 1990” and Bylaw No. 4683 “Bylaw Notice Enforcement Bylaw No. 1, 2025” – Fire Services**

### **ISSUE SUMMARY**

The purpose of this report is to amend CRD Bylaw No. 1857 and CRD Bylaw No. 4683 to authorize enforcement of CRD Bylaw No. 4489, “Fire Regulation Bylaw No. 2, 2022”, by means of Municipal Ticket Information (MTI) and Bylaw Notice, and to establish applicable penalty amounts.

### **BACKGROUND**

CRD Bylaw No. 4489 is a bylaw to regulate fire prevention and forest protection activities within the Juan de Fuca and Southern Gulf Islands Electoral Areas where local fire services are operated.

This bylaw establishes a comprehensive regulatory framework governing open burning within the Capital Regional District’s Juan de Fuca and Southern Gulf Islands Electoral Areas. It defines different types of fires (campfires, Category 2 and 3 open fires, and fires in incinerators or solid fuel appliances) and sets out when permits are required, when burning is prohibited, and what materials may not be burned. The bylaw also imposes safety requirements for all permitted fires, including supervision, fuel breaks, firefighting equipment and ensuring fires are fully extinguished. It aligns local rules with provincial legislation (such as the *BC Wildfire Act* and Open Burning Smoke Control Regulation) and states that the strictest applicable rules prevail. Additional provisions regulate specific fire types, incinerators and industrial activities, while also establishing offences and penalties for non-compliance.

The bylaw grants significant authority to Fire Chiefs and their designates to administer and enforce fire regulations within their service areas. This includes the power to issue, refuse, suspend or cancel permits; impose conditions or restrictions based on weather, fire danger or safety concerns; and order individuals to reduce or stop burning activities. Fire officials may also enter properties to inspect for compliance, take action to prevent or suppress fires, and require property owners to remove fire hazards. They can impose fire bans, restrict industrial activities, regulate appliances and incinerators, and issue written orders to correct unsafe conditions. Enforcement authority extends to directing compliance, addressing nuisances like smoke, and initiating penalties or cost recovery when violations occur.

While Bylaw No. 4489 establishes regulatory requirements and enforcement authority, effective implementation requires the ability to address non-compliance in a timely, proportionate and efficient manner. Currently, certain contraventions of Bylaw No. 4489 are not up to date in Municipal Ticket Information or by Bylaw Notice. As a result, enforcement options are limited to voluntary compliance measures or more formal court proceedings.

To provide enforcement staff with graduated compliance tools, it is proposed that specified contraventions of Bylaw No. 4489 be designated as offences enforceable by Municipal Ticket Information under the *Offence Act* (Appendix A) and as contraventions enforceable by Bylaw Notice under the *Local Government Bylaw Notice Enforcement Act* (Appendix C). These mechanisms allow for the issuance of tickets with prescribed fine or penalty amounts, supporting consistent, fair and efficient enforcement while reducing reliance on court-based proceedings. A redlined consolidation of Bylaw No. 1857 is attached as Appendix B and a redlined consolidation of Bylaw No. 4683 is attached as Appendix D.

Providing both enforcement options will enable a proportionate response to fire prevention and operational violations and strengthen the CRD's ability to ensure compliance with fire safety requirements in the interest of public safety.

## **ALTERNATIVES**

### *Alternative 1*

The Electoral Areas Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4759, "Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 89, 2026", be introduced and read a first, second, and third time;
2. That Bylaw No. 4759 be adopted;
3. That Bylaw No. 4760, "Bylaw Notice Enforcement Bylaw No. 1, 2025, Amendment Bylaw No. 3, 2026", be introduced and read a first, second, and third time; and
4. That Bylaw No. 4760 be adopted.

### *Alternative 2*

That Bylaw No. 4759 and Bylaw No. 4760 not proceed.

## **IMPLICATIONS**

### *Financial Implications*

Enforcement costs are accommodated within the Electoral Fire Service areas and the existing bylaw enforcement budget. Revenue from fines and penalties is expected to offset a portion of enforcement costs but is not intended to generate net revenue.

## **CONCLUSION**

Amending Bylaw No. 1857 and 4683 will provide appropriate enforcement mechanisms to support compliance with Bylaw No. 4489 and align it with other enforceable CRD regulatory bylaws.

## **RECOMMENDATION**

The Electoral Areas Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4759, "Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 89, 2026", be introduced and read a first, second, and third time;
2. That Bylaw No. 4759 be adopted;
3. That Bylaw No. 4760, "Bylaw Notice Enforcement Bylaw No. 1, 2025, Amendment Bylaw No. 3, 2026", be introduced and read a first, second, and third time; and
4. That Bylaw No. 4760 be adopted.

Submitted by:	Shawn Carby, CD, BHSc., MAL, Senior Manager, Protective Services
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Housing, Planning and Protective Services
Concurrence:	Kristen Morley, J.D., Corporate Officer & General Manager, Corporate Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

**ATTACHMENTS**

- Appendix A: Bylaw No. 4759, “Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 89, 2026”
- Appendix B: Bylaw No. 1857 (Redlined Consolidation)
- Appendix C: Bylaw No. 4760, “Bylaw Notice Enforcement Bylaw No. 1, 2025, Amendment Bylaw No. 3, 2026”
- Appendix D: Bylaw No. 4683 (Redlined Consolidation)