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REPORT TO ELECTORAL AREAS COMMITTEE MEETING OF WEDNESDAY, MAY 08, 2024

SUBJECT: Fire Services Governance Review Report – 2024 - 2027 Implementation Plan and Draft Bylaw No. 4608 to Amend Bylaw No. 3654 for Fire Commissions

ISSUE SUMMARY

To report to the Electoral Areas Committee with the implementation plan and fire commission bylaw amendment in response to the recommendations in the Fire Services Governance Review report.

BACKGROUND

The current fire service governance structure, challenges with regulatory compliance, and lack of direct oversight has been identified as a serious liability and risk for the Capital Regional District (CRD). On February 10, 2021, the Board directed staff to report back with operational, administrative, and governance strategies to meet and sustain regulatory compliance for fire services in the CRD electoral areas.

In November 2022, the CRD procured contractor Tim Pley & Associates to facilitate a review of roles, responsibilities, and governance models in CRD fire services. Protective Services coordinates 11 CRD Fire Services through delegated authority commissions, contracts with not-for-profit societies, and agreements with neighbouring jurisdictions.

In October 2023, the Fire Services Governance Report was released and staff were directed to distribute the report and to engage the fire commissions and fire societies and to report back to the Committee with an implementation plan.

The report identified 36 recommendations, as noted in Appendix A, designed to ensure CRD fire departments can meet and sustain regulatory compliance while minimizing the liability and risk to the firefighters, public and the CRD.

A key recommendation being, *“Commissions should be converted to an advisory capacity with a revised and focused set of responsibilities. Bylaw No. 3654 would be revised accordingly and new terms of reference for the Commissions would be developed with them”.*

Between October 17, 2023, and March 4, 2024, a total of 18 engagement sessions were completed between staff and the six commission, and three society operated fire services. The majority focus of the sessions was Bylaw No. 3654, “Fire and Emergency Response Commissions Bylaw, 2010”, and the authority to operate a fire service as delegated by the Board.

Specifically, the discussions focused on the definitions of, and differences between, Administrative and Advisory Authority to operate a service. The attached Bylaw No. 4608, Appendix B, is an amendment to Bylaw No. 3654. Appendix C illustrates a redlined version of the amendments which is considerate of all feedback received through the extensive engagement process with commissions and societies, while also respecting the intent of the consultant’s recommendations.

Electoral Areas Committee – May 8, 2024
Fire Services Governance Review Report – 2024 - 2027 Implementation Plan and Draft
Bylaw No. 4608 to Amend Bylaw No. 3654 for Fire Commissions **2**

The following is a summary of the implementation plan:

Year	Recommendation Topic	Number	Notes
2024	Occupational Health & Safety Programs	1 to 5, 11 & 20	Underway
	CVRD/Malahat Service Agreement	13	Underway
	Bylaw No. 3654 Amendment	14, 15, 17	Underway
	Fire Chiefs reporting to CRD Manager	18	Underway
	Fire Chiefs Employment Status	19	Underway
	South Galiano Service Agreement	22	Not started
	Create CRD Manager, Fire Services Position	25	Complete
	North Galiano Station 2 Ownership	28	Complete
	Status of Paid on Call firefighters	32	Not started
2025	Response to <i>Fire Safety Act</i> Update	7 to 9	Expectation of new regulation
	CRD Fire Service Operational Powers Bylaw	6 & 16	Fire Chief Authority
	Pender Island Service Agreement	21	Revision
	Expand Fire Admin Assistant to full time	26	2025 Initiative Business Case
	Pacheedaht First Nation Service Agreement	29 to 31	Port Renfrew
	Risk Assessment – Training Centers	33 & 34	Otter Point and Pender Island
	Saturna Island Service Agreement	35 & 36	Revision
2026	Galiano Island Consolidated Fire Service	23	First Budget Year
2027	Durrance Road Service Agreement	12	Renewal
	Create Fire Coordination Position	27	2027 Initiative Business Case

Recommendations not included in the current Implementation Plan		
Consolidation of Fire Commissions	24	No support from Commissions

ALTERNATIVES

Alternative 1

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

1. That the 2024-2027 Fire Services Governance Review Implementation plan be approved; and
2. That Bylaw No. 4608, “Fire Protection and Emergency Response Service Commissions Bylaw, 2010, Amendment Bylaw No. 2, 2024” be given first, second and third reading; and
3. That Bylaw No. 4608 be adopted.

Alternative 2

That the 2024-2027 Fire Services Governance Review Implementation plan and/or Bylaw No. 4608, 2024 be referred back to staff for additional information based on Electoral Areas Committee direction.

IMPLICATIONS

Alignment with Board & Corporate Priorities

A CRD Board priority for the 2023-2026 term is the effective advocacy, coordinated and collaborative governance, and leadership in organizational performance and service delivery.

- Initiative 16e-3 in the CRD Corporate Plan is to continue to review committees and commissions to find efficiencies and improve consistency.
- Initiative 16g-3 is to review and modernize fire and emergency management programs.

Financial Implications

Recommendations requiring new or additional funding will be addressed through the annual financial planning process for each service area.

Service Delivery Implications

The proposed shift of the responsibility for fire operations to CRD staff while the fire commissions retain oversight of the remaining fire service responsibilities and governance was the result of the consultations with the fire commission's membership. This was a hybrid approach based on feedback from the consultations that recognized the importance of the commission's role in supporting EA Fire Services while still meeting the intent of the consultant's recommendations. The proposed changes are designed to limit risk and liability to the CRD and the fire commission members that have been identified in the Corporate Risk Registry and through experience as an area of significant exposure. The implementation of these recommendations will result in the sustainable delivery of fire protection services in a manner compliant with regulatory requirements, which provides the highest possible level of safety for firefighters and residents.

Social Implications

The delivery of fire services in the electoral areas is community driven and there has been extensive communication and engagement resulting in an implementation plan that reflects stakeholder inputs. The CRD should continue to be mindful of the deep investment made by volunteers in the delivery of fire protection services in communities across the capital region areas, that their continued involvement will be dependent upon the continued feeling that they are contributing to their local community, and that changes to the current state and motivations for those changes could easily be misunderstood if not adequately communicated. Ongoing communication and consistent, reliable actions by the CRD will be critical to successful implementation of recommendations.

CONCLUSION

Substantial regulatory changes over the last decade have created significant challenges for rural volunteer-based fire service to achieve and maintain compliance within the current governance and operating structure. The Fire Services Governance Review report prepared by Tim Pley & Associates reviewed the governance models currently utilized by the CRD and provided recommendations for improvement. Staff have directly engaged local fire commissions, fire societies and key stakeholders for the purpose of developing an implementation plan in response to the recommendations in the consultant's report.

RECOMMENDATION

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

1. That the 2024-2027 Fire Services Governance Review Implementation plan be approved; and
2. That Bylaw No. 4608, “Fire Protection and Emergency Response Service Commissions Bylaw, 2010, Amendment Bylaw No. 2, 2024” be given first, second and third reading; and
3. That Bylaw No. 4608 be adopted.

Submitted by:	Shawn Carby, Senior Manager, Protective Services
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
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ATTACHMENTS

- Appendix A: Fire Services Governance Review Recommendations
- Appendix B: Bylaw No. 4608
- Appendix C: Redlined Consolidated Bylaw No. 3654 Including Amendments of Bylaw No. 4608