

BC *FIRE SAFETY ACT* COMES INTO FORCE

As of August 1st, 2024, the new *Fire Safety Act* is in force, replacing the former *Fire Services Act*. The *Fire Safety Act* received royal assent in 2016 but was not brought into force until now due to concerns about regional districts' capacity to take on fire inspection duties. Local governments will be interested in several features of the legislation.

Under the new *Act*, local governments must designate qualified individuals or a class of qualified individuals as fire inspectors and fire investigators. However, in recognition of regional district resource limitations, regional districts may request fire service advisors appointed by the Fire Commissioner to conduct inspections and investigations at no cost. A fire inspector may issue an order to the owner of premises in contravention of the Act or the regulations to take steps to remedy the contravention and may file that order with the Supreme Court of British Columbia, in which case the order is enforceable as an order of the Court.

Additionally, local governments may evacuate premises where the owner has failed to comply with an order or the local government determines that a fire in or on the premises would endanger life. A local government or a fire inspector may obtain a warrant from the Provincial Court without notice or personal appearance in order to enter premises without the consent of the occupier. If an owner fails to secure evacuated premises to prevent unauthorized entry, a local government may secure the premises and recover the costs of doing so from the owner to a maximum of \$100,000. Local governments may recover unpaid costs from the property taxes for the premises.

Further information may be found at the following links:

- 1) [Province of BC - *Fire Safety Act*](#)
- 2) [The Office of The Fire Commissioner—Question & Answer \(July 2024\)](#)
- 3) [Fire Safety Act—Reference Documents](#)

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Aidan is an associate lawyer with the firm and maintains a general municipal law practice, with particular interest in land use planning, judicial review, and freedom of information and privacy matters. Aidan has provided advice to local governments about zoning compliance, use of park land, and the scope of easements. As well, he has drafted leases and section 219 covenants, advised on conflict of interest and code of conduct issues, and assisted with submissions to the Office of the Information and Privacy Commissioner for British Columbia. Aidan has assisted with the preparation of pleadings in bylaw enforcement matters and written submissions to the Court of Appeal for British Columbia.

Aidan obtained his Juris Doctor from the University of Victoria and was called to the Bar of British Columbia in 2024, after articling with a municipal law boutique in Vancouver.

Our lawyers combine legal experience in local government, commercial real estate development, and construction law to provide legal services to local governments, owners, builders and developers on a range of projects, from concept to completion, and beyond.

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