



RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way TEL 604 932 5535
Whistler, BC Canada V8E 0X5 TF 1 866 932 5535
whistler.ca FAX 604 935 8109

STAFF REPORT TO COUNCIL

PRESENTED: September 24, 2024 **REPORT:** 24-090
FROM: Whistler Fire Rescue Services **FILE:** 3900-20-3452
SUBJECT: FIRE AND LIFE SAFETY AMENDMENT BYLAW (APPOINTMENT OF FIRE INSPECTORS AND INVESTIGATORS) NO. 2452, 2024

RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Corporate Services and Public Safety be endorsed.

RECOMMENDATION(S)

That Council consider giving first, second and third readings to the “Fire and Life Safety Amendment Bylaw (Appointment of Fire Inspectors and Investigators) No. 2452, 2024”.

PURPOSE OF REPORT

This report seeks Council’s consideration for the first three readings of the “Fire and Life Safety Amendment Bylaw (Appointment of Fire Inspectors and Investigators) No. 2452, 2024” (Amendment Bylaw) to meet the requirements of the new *Fire Safety Act* (FSA) that came into effect on August 1, 2024.

Information Report Administrative Report (Decision or Direction)

DISCUSSION

Background

As announced by the province on August 1, 2024, the new FSA came into effect, introducing a new single standard of fire safety in BC. This comes after several years of consultation with the Union of BC Municipalities (UBCM) and the Office of the Fire Commissioner (OFC) to ensure the new FSA will meet members’ needs. The FSA, and the associated regulations, contribute to protecting people and communities through regular fire safety inspections and effective enforcement. The intent of the new FSA is to help prevent fire-related tragedies, preserve human life, and reduce property and economic loss due to fires.

The FSA addresses significant advancements in fire protection technology and a deeper understanding of fire behavior since 1979. It was developed and implemented in response to recommendations from BC Coroner’s reports and this legislation reflects close collaboration with UBCM, the Fire Chiefs’ Association of BC, regional districts and other key fire service partners.

SEPTEMBER 24, 2024

It is important to note that the FSA meets the B.C. government's commitment to achieve a single standard of fire safety in the province and will:

1. enable local authorities to designate personnel to carry out fire inspections and fire investigations,
2. establish an administrative penalty enforcement model to address non-compliance issues in a more direct, timely and effective manner, and
3. implement a risk-based approach for fire safety compliance monitoring in municipalities.

During fall 2024 and winter 2025, the OFC has indicated that it will work closely with all partners to ensure a measured implementation of the FSA requirements.

Analysis

The Amendment Bylaw has been prepared for Council consideration of first, second, and third readings. With the new FSA coming into effect on August 1, 2024, the current "Fire and Life Safety Bylaw No. 2201, 2019" (Current Bylaw) requires the following amendments to meet the new FSA requirements:

1. Replacing "*Fire Services Act*" with "*Fire Safety Act*" in all places where the legislation is referred to in the Current Bylaw.
2. Replacing the definition of "Fire Inspector" in section 3.3 (m) with "means those personnel designated to conduct fire safety inspections as set out in Section 4.10".
3. Adding the definition of "Fire Investigator" as section 3.3 (n) as "means those personnel designated to conduct fire investigations as set out in Section 4.11".
4. Adding a new section 4.10 as follows:

"The following persons and/or roles and such other personnel who may be designated by the Fire Chief from time to time, are designated as Fire Inspectors to conduct fire safety inspections:

- (a) Fire Chief
- (b) Deputy Fire Chief
- (c) Captains
- (d) Fire Prevention Officer
- (e) Fire Training Officer
- (f) Firefighter/Inspector"

5. Adding a new section 4.11 as follows:

"The following persons and/or roles and such other personnel who may be designated by the Fire Chief from time to time, are designated as Fire Investigators to conduct fire investigations:

- (a) Fire Chief
- (b) Deputy Fire Chief
- (c) Captains
- (d) Fire Prevention Officer"

The amendments proposed provide improvements in administrative efficiency, additional flexibility and authority for appointing inspectors and investigators. The OFC is setting up information sessions in the coming months to provide more information on some of the other changes to the FSA as there is a one-year transition period to fully incorporate all the new requirements under the FSA.

POLICY CONSIDERATIONS

Relevant Council Authority/Previous Decisions

[December 17, 2019 – Administrative Report No.19-162](#): Council considered the first three readings of the Current Bylaw and was subsequently adopted on January 7, 2020.

2023-2026 Strategic Plan

The 2023-2026 Strategic Plan outlines the high-level direction of the RMOW to help shape community progress during this term of Council. The Strategic Plan contains four priority areas with various associated initiatives that support them. This section identifies how this report links to the Strategic Plan.

Strategic Priorities

- Housing
Expedite the delivery of and longer-term planning for employee housing
- Climate Action
Mobilize municipal resources toward the implementation of the Big Moves Climate Action Plan
- Community Engagement
Strive to connect locals to each other and to the RMOW
- Smart Tourism
Preserve and protect Whistler's unique culture, natural assets and infrastructure
- Not Applicable
Aligns with core municipal work that falls outside the strategic priorities but improves, maintains, updates and/or protects existing and essential community infrastructure or programs

Community Vision and Official Community Plan

The Official Community Plan (OCP) is the RMOW's most important guiding document that sets the community vision and long-term community direction. This section identifies how this report applies to the OCP.

The Current Bylaw and Amendment Bylaw supports the OCP in all areas, particularly Chapter 5 Land Use Development, Chapter 8 Health Safety and Wellness, Chapter 10 Climate and Energy, Chapter 12 Infrastructure and Chapter 13 Development Permit Areas.

BUDGET CONSIDERATIONS

There are no budget considerations. Staff note that all personnel to be designated as fire inspectors or investigators have the required training for these new designations. Ongoing training is included in the Whistler Fire Rescue Services department operating budget.

SEPTEMBER 24, 2024

LÍŁWAT NATION & SQUAMISH NATION CONSIDERATIONS

The RMOW is committed to working with the LÍŁwat People, known in their language as *L'il'wat7úl* and the Squamish People, known in their language as the *Skwxwú7mesh Úxwumixw* to: create an enduring relationship; establish collaborative processes for unceded land planning; achieve mutual objectives; and enable participation in Whistler's resort economy.

There are no specific considerations to include in this report.

COMMUNITY ENGAGEMENT

Level of community engagement commitment for this project:

Inform Consult Involve Collaborate Empower

This report seeks to keep the public informed of the FSA and associated updates to the Current Bylaw.

REFERENCES

"Fire and Life Safety Amendment Bylaw (Appointment of Fire Inspectors and Investigators) No. 2452, 2024" (included in Council Package)

SUMMARY

This report presents "Fire and Life Safety Amendment Bylaw (Appointment of Fire Inspectors and Investigators) No. 2452, 2024" for Council consideration of first, second and third readings.

The Amendment Bylaw has been prepared pursuant to the new FSA and incorporates and updates the relevant sections of the Current Bylaw to update terminology and designate certain roles as Fire Inspectors and Fire Investigators.

SIGN-OFFS

Written by:

Thomas Doherty,
Fire Chief

Reviewed by:

Pauline Lysaght,
Manager of Legislative Services/ Corporate
Officer

Ted Battiston,
General Manager of Corporate Services and
Public Safety

Karen Elliott,
Acting Chief Administrative Officer