

DATE: December 2, 2021**FILE:** 7200.01**TO:** Chair and Directors
Black Creek - Oyster Bay Services Committee**FROM:** Russell Dyson
Chief Administrative OfficerSupported by Russell Dyson
Chief Administrative Officer*R. Dyson***RE: Black Creek – Oyster Bay Fire Protection Service Area Bylaw Updates**

Purpose

To propose amendments to the fire service regulation, administration and other relevant bylaws to simplify the operational management and administration of fire services.

Recommendations from the Chief Administrative Officer:

- 1) THAT staff prepare a fire regulation bylaw and a fire administration bylaw applicable to the Black Creek - Oyster Bay, Greater Merville and Mt. Washington Fire Protection Service Areas as outlined in the staff report dated December 2, 2021.
- 2) THAT staff prepare bylaw amendments for the following bylaws to reflect new fire regulation and fire administration bylaws, as outlined in the staff report dated December 2, 2021:
 - Bylaw No. 104 being “Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010”;
 - Bylaw No. 237 being “Comox Valley Regional District Elected Officials, Directors, Officers and Employees Indemnification Bylaw No. 237”.
 - Bylaw No. 679 being “Comox Valley Regional District Bylaw Adjudication Ticketing Bylaw No. 679, 2021”.

Executive Summary

This report proposes several bylaw amendments targeted at consolidating and simplifying fire service administration and regulation within the electoral areas. The proposed changes may be summarized as follows:

- An amalgamated fire service regulations bylaw for Black Creek/ Oyster Bay, Greater Merville and Mt. Washington fire protection service areas (FPSAs). These services are all attended by Oyster River Fire Rescue (ORFR). The Greater Merville FPSA regulation bylaw is outdated and the Mt. Washington FPSA has no regulation. Creating a new bylaw based on an updated version of the Black Creek/ Oyster Bay FPSA regulation bylaw for all three services will enable greater efficiencies for the ORFR in the application of the bylaw. This new bylaw may be termed as a “northern fire service” regulation bylaw.
- A consolidated fire administration bylaw for Black Creek/ Oyster Bay, Greater Merville and Mt. Washington FPSAs. Currently, Greater Merville and Mt. Washington FPSAs have no administration bylaw. Creating a new uniform bylaw based on an updated version of the Black Creek/ Oyster Bay fire administration bylaw for all three services will create further efficiencies for the ORFR. This new bylaw may be termed as a “northern fire service” administration bylaw.

- An update to Bylaw No. 104 being “Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010” which designates bylaw compliance officers for the purpose of ticketing and fines for offences.
- An update to Bylaw No. 237 being “Comox Valley Regional District Elected Officials, Directors, Officers and Employees Indemnification Bylaw No. 237” to amend the list of fire services for which volunteer firefighters are indemnified against legal proceedings.
- An update to Bylaw No. 679 being “Comox Valley Regional District Bylaw Adjudication Ticketing Bylaw No. 679, 2021” which designates bylaw compliance officers for the purpose of ticketing and fines for offences.
- As the applicable bylaws relate to fire services governed by both the Black Creek - Oyster Bay Services Committee and the Electoral Areas Services Committee this report is being brought to both committees for consideration.

Prepared by:

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Concurrence:

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Government Partners and Stakeholder Distribution (Upon Agenda Publication)

Oyster River Fire	✓
Mt. Washington Steering Group	✓

Background/Current Situation

The northern FPSAs serviced by Oyster River Fire Rescue include Black Creek - Oyster Bay, Greater Merville and Mt. Washington. A regulation bylaw, which regulates the lighting of fires in a fire service area, is recommended for the Mt. Washington FPSA, which currently has none and for the Merville FPSA, which has an outdated regulation bylaw. Staff are recommending that a new regulation bylaw, using Bylaw No. 357 being the “Black Creek – Oyster Bay Fire Service Administration Bylaw No. 293, 2014” bylaw as a template, be drafted to apply to all three FPSAs. Bylaw 357 has been reviewed by BC Wildfire staff who have commented positively and appreciate that the bylaw closely matches their rules and regulations.

This new regulation bylaw would repeal Bylaw No. 41 being “Fire Hazard Permit Bylaw No. 41, 1996” (Merville), and Bylaw No. 293 being “Black Creek – Oyster Bay Fire Service Administration Bylaw No. 293, 2014”. As an additional administrative update, this bylaw would also repeal Bylaw No. 261 being the “Tsolum Farnham Fire Protection Service Regulations Bylaw No. 261, 2013” as the Tsolum Farnham FPSA was folded into the Greater Merville FPSA service boundary in June 2018.

An administrative bylaw, which establishes the operational criteria and administrative parameters for Comox Valley Regional District fire departments, is recommended for the Mt. Washington and Merville FPSAs which currently have none. Staff are recommending that a new administrative bylaw, using Bylaw No. 293 being the “Black Creek – Oyster Bay Fire Service Administration Bylaw No. 293, 2014” bylaw as a template, be drafted to apply to all three northern FPSAs.

This new bylaw would repeal Bylaw No. 293 being the “Black Creek – Oyster Bay Fire Service Administration Bylaw No. 293, 2014”.

The two proposed bylaws for the northern FPSAs would necessitate administrative amendments to the following bylaws:

- Bylaw No. 104 being “Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010” to update the designation of bylaw compliance officers for the purpose of ticketing and fines for offences;
- Bylaw No. 237 being “Comox Valley Regional District Elected Officials, Directors, Officers and Employees Indemnification Bylaw No. 237” to amend the list of fire services for which volunteer firefighters are indemnified against legal proceedings; and,
- Bylaw No. 679 being “Comox Valley Regional District Bylaw Adjudication Ticketing Bylaw No. 679, 2021” which designates bylaw compliance officers for the purpose of ticketing and fines for offences.

Options

Option 1: That the Board direct staff to proceed with the recommended proposed bylaws and bylaw amendments as presented.

Option 2: That the Board provide alternate direction to staff regarding proposed bylaws for the relevant fire protection services areas.

Financial Factors

While this is an administrative proposal it is noted that the proposed northern FPSA regulation and administration bylaws are being consolidated for administrative convenience only. The fire protection service areas remain separate areas with separate budgets. No consolidation or subsidizing of funds is implied by these proposed bylaws.

Strategic Considerations: Strategic Drivers and Regional Growth Strategy

CVRD Board Strategic Drivers:							
Fiscal Responsibility		Climate Crisis and Environmental Stewardship and Protection		Community Partnerships		Indigenous Relations	

The subject of this report does not relate to the CVRD Strategic Drivers.

CVRD Regional Growth Strategy Goals:							
Housing		Ecosystems, Natural Areas and Parks		Local economic development		Transportation	
Infrastructure		Food Systems		Public Health & Safety	✓	Climate Change	

The improvement of fire service bylaws applies to the Regional Growth Strategy goal of public health and safety by supporting a high quality of life through the protection and enhancement of community health, safety and well-being.

Intergovernmental Factors

None.

Citizen/Public Relations

The applicable proposed bylaws will be forwarded to the Mt. Washington Steering Group for their consideration.