

The following is an extract from the *Fire Services Act* pertaining to **Section 22 orders** which is reproduced for convenience. For further details, please obtain a full version of the *Fire Services Act* on the BC government website www.gov.bc.ca.

S. 21 Inspection of fire hazards

On complaint of a person interested or, if believed advisable, without complaint, the fire commissioner and the commissioner's inspectors may at all reasonable hours enter any premises anywhere in British Columbia to inspect them and ascertain whether or not any of the following conditions exist:

- (a) the premises are in a state of disrepair that a fire starting in them might spread rapidly to endanger life or other property;
- (b) the premises are so used or occupied that fire would endanger life or property;
- (c) combustible or explosive material is kept or other flammable conditions exist on the premises so as to endanger life or property;
- (d) a fire hazard exists on the premises.

S. 22 Order to remedy conditions

(1) After an inspection the fire commissioner, or an inspector with the fire commissioner's authority, may in writing order that within a reasonable time, to be set by the order,

- (a) if section 21(a) applies, the owner remove or destroy the premises, or the owner or occupier repair the premises,
- (b) if section 21 (b) applies, the owner or occupier alter the use or occupancy of the premises,
- (c) if section 21 (c) applies, the occupier remove or keep securely the combustible or explosive material or remedy the flammable conditions, and
- (d) if section 21 (d) applies, the owner or occupier remove or take proper precautions against the fire hazard.

(2) After the receipt of an order, the owner, occupier or person in charge must comply with it.

(3) Subject to an agreement to the contrary,

- (a) the cost of complying with an order must be borne by the owner, and
- (b) if the occupier pays the cost, the occupier has a right of action or set off against the owner for the cost actually and necessarily paid in complying with the order.

S. 24 Power of local assistants

A local assistant may, in the municipality or part of British Columbia for which he or she is a local assistant, exercise the powers conferred by sections 21 and 22 and, with the written approval of the fire commissioner, the powers conferred by section 23.

S. 27 Appeal to fire commissioner

(1) If a local assistant makes an order under sections 21 to 24 to remove or to keep secure combustible or explosive material or to remedy a flammable condition, the occupier may appeal to the fire commissioner by registered letter mailed within 48 hours after receipt of the order.

(2) If a local assistant makes an order under sections 21 to 24 to repair, remove or destroy premises, or to alter the use or occupancy of premises, or to remove or to take proper precautions against a fire hazard, the owner or occupier may appeal to the fire commissioner by registered letter mailed within 10 days after receipt of the order

(3) The fire commissioner must promptly investigate each appeal, affirm, modify or revoke the order appealed from, and in writing communicate the decision and the reasons to the owner or occupier and to the maker of the order.