



INFORMATION BULLETIN

Office of the
Fire Commissioner

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No. IN 021

Owner's Information Regarding Orders and Appeals

This bulletin provides information to owners regarding orders and appeals under the *Fire Services Act* and *BC Fire Code*.

Orders may be issued pursuant to Section 22, 30 or 33 of the *Fire Services Act*, or pursuant to the B.C. Fire Code depending on the types of fire and life safety items. Upon receipt the owner must comply with the order within the time frame specified.

A reasonable time limit is usually given to complete the work. If the appellant is requesting an extension for more time, it is more effective to approach the Local Assistant who issued the order to re-assess the timeline rather than appealing to the Fire Commissioner. The Local Assistant may seek technical support from the Office of the Fire Commissioner in determining a reasonable timeframe.

An owner must comply with the order, or, if felt justified, to appeal the order. A fire order identifies fire and life safety items of a property. The applicable sections of the *Fire Services Act* or the *BC Fire Code* are included with the fire order. It is important for the owner to read the information carefully so that the owner understands the responsibilities and the limitations on the appeal period.

The appeal process provides the appellant with an opportunity for the order to be reviewed by the Fire Commissioner or his delegate. It is not the intent of the appeal to delay the compliance and therefore prolong the fire risk exposure, nor is the intent of the appeal to request a new or separate inspection.

The appellant's appeal letter must be addressed to the Fire Commissioner and sent directly to the Office of the Fire Commissioner at the mailing address listed below. The appellant must state in the submission the reasons for the appeal. The letter must bear the signature of the appellant.

A Fire Service Advisor from the Office of the Fire Commissioner will be assigned to investigate the appeal. The role of the Fire Services Advisor is to review the non-compliance identified in the order and report the findings to the Fire Commissioner. The Fire Service Advisor cannot offer nor accept design solutions. The acceptance of the corrections to the non-compliance rests with the Local Assistant who issues the order.

The owner will receive a Notice to Owner with the Fire Commissioner's decision. The Fire Commissioner may affirm, modify or revoke the order. The Fire Commissioner or his delegate may contact the appellant to discuss the matter prior to finalizing the decision.

The contents of this information bulletin are not intended to be provided as legal advice and should not be relied upon as legal advice. Information Bulletins are distributed to British Columbia Fire Departments, Local Assistants to the Fire Commissioner and where applicable, other related agencies and authorities, in order to provide general information on fire-related issues.

For further information contact: Office of the Fire Commissioner, Ministry of Public Safety and Solicitor General,
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