



BRITISH  
COLUMBIA

*Fire Services Act*

FIRE CODE ADMINISTRATION  
REGULATION

**B.C. Reg. 161/2018**

Deposited and effective July 18, 2018

**Consolidated Regulations of British Columbia**

*This is an unofficial consolidation.*

B.C. Reg. 161/2018 (M280/2018), deposited and effective July 18, 2018, is made under the *Fire Services Act*, R.S.B.C. 1996, c. 144, s. 47.

This is an unofficial consolidation provided for convenience only. This is not a copy prepared for the purposes of the *Evidence Act*.

This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at [www.bclaws.ca](http://www.bclaws.ca).

See the User Guide for more information about the *Consolidated Regulations of British Columbia*. The User Guide and the *Consolidated Regulations of British Columbia* are available online at [www.bclaws.ca](http://www.bclaws.ca).

Prepared by:  
Office of Legislative Counsel  
Ministry of Attorney General  
Victoria, B.C.

*Fire Services Act*

**FIRE CODE ADMINISTRATION REGULATION**

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**Persons responsible for administration and enforcement**

- 1** (1) The fire commissioner is designated as the person responsible for the administration of the British Columbia Fire Code.
- (2) The fire commissioner and local assistants are designated as the persons responsible for the enforcement of the British Columbia Fire Code.

**Inspections**

- 2** (1) For the purposes of inspecting a building or facility for compliance with the British Columbia Fire Code, the fire commissioner or a local assistant may
  - (a) enter on or into property
    - (i) at a reasonable time and in a reasonable manner, and
    - (ii) after having taken reasonable steps to advise the owner or occupier of the property,
  - (b) be accompanied and assisted by a person possessing special or expert knowledge relevant to the building or facility,
  - (c) make examinations and conduct tests,
  - (d) require information relevant to the building or facility,
  - (e) require, for inspection or for the purposes of making copies or extracts, production of documents relevant to the building or facility, and
  - (f) make a record of a matter relevant to the inspection.
- (2) Despite subsection (1) (a), the fire commissioner or a local assistant may only enter a place that is occupied as a private dwelling if the occupier consents.

**Compliance orders**

- 3** (1) After inspecting a building or facility under section 2, the fire commissioner or a local assistant may issue a written order directing the owner or occupier of the building or facility to bring it, within a reasonable time to be specified in the order, into compliance with the British Columbia Fire Code.
- (2) An owner or occupier to whom an order is issued must comply with the order and, subject to any agreement to the contrary,
  - (a) the owner must bear the cost of complying, 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.

**Appeal to fire commissioner**

- 4 (1) If a local assistant issues an order to an owner or occupier under section 3, the owner or occupier may appeal to the fire commissioner by registered letter mailed within 10 days after receipt of the order.
- (2) The fire commissioner must promptly
  - (a) investigate each appeal,
  - (b) affirm, modify or revoke the order appealed from, and
  - (c) in writing, communicate his or her decision and the reasons for the decision to the owner or occupier and to the local assistant who issued the order.

**Appeal to Supreme Court**

- 5 (1) If an order issued to an owner or occupier under section 3 involves the loss or expenditure of more than \$500, the owner or occupier may apply for review by petition to the Supreme Court filed within 5 days after receipt of the order.
- (2) An application under subsection (1) must be commenced at a registry of the Supreme Court located in the judicial district where the property lies.
- (3) The owner or occupier must file the petition with the registrar of the court and give notice of it in writing to the fire commissioner.
- (4) The court must hear and determine the appeal and make the order it believes proper.
- (5) The decision under subsection (4) is final, except that on a point of law an appeal lies to the Court of Appeal.