



Wildfire Act

WILDFIRE REGULATION

B.C. Reg. 38/2005

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

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PART 1 – INTERPRETATION

Definitions

1 (1) In this regulation:

“**Act**” means the *Wildfire Act*;

“**Buildup Index**” has the same meaning as under the Canadian Forest Service’s publication, the Canadian Forest Fire Weather Index System, as amended from time to time;

“**category 1 campfire**” means an open fire that both

- (a) burns material in one pile no larger than 0.5 m in height and 0.5 m in width, and
- (b) is lit, fuelled or used
 - (i) by any person for a recreational purpose, or
 - (ii) by a first nation for a ceremonial purpose;

“**category 2 open fire**” means an open fire, other than a category 1 campfire, that burns

- (a) material in one pile not exceeding 2 m in height and 3 m in width,
- (b) material concurrently in 2 piles each not exceeding 2 m in height and 3 m in width, or
- (c) stubble or grass over an area that does not exceed 0.2 ha;

“**category 3 open fire**” means an open fire that burns

- (a) material concurrently in 3 or more piles each not exceeding 2 m in height and 3 m in width,
- (b) material in one or more piles each exceeding 2 m in height or 3 m in width,
- (c) one or more windrows each not exceeding 200 m in length or 15 m in width, or
- (d) stubble or grass over an area exceeding 0.2 ha;

“**category 4 resource management open fire**” means an open fire used for resource management that

- (a) burns unplied slash over an area of any size, or
- (b) is not a category 1 campfire or category 2 or 3 open fire and is lit, fuelled or used for silviculture treatment, forest health management, wildlife habitat enhancement, fire hazard abatement, ecological restoration or range improvement;

“**duff moisture code value**” means the value of the duff moisture code determined in accordance with the Canadian Forest Service’s publication, the Canadian Forest Fire Weather Index System, as amended from time to time;

“**engine**” means an internal combustion engine but does not include

- (a) an engine on or in a watercraft that is in the water, or
- (b) Repealed. [B.C. Reg. 60/2018, s. (b).]
- (c) an engine in an aircraft;

“**fibre recovery tenure holder**” means a person that holds

- (a) a forestry licence to cut entered into under section 47.6 (2.11) of the *Forest Act*, or
- (b) a fibre supply licence to cut entered into under section 47.3 (1) or 47.71 (6) of the *Forest Act*;

“**fine fuel moisture code value**” means the value of the fine fuel moisture code determined in accordance with the Canadian Forest Service’s publication, the Canadian Forest Fire Weather Index System, as amended from time to time;

“**fire control cost**” means a cost of the government for fire control activities that is recoverable under section 25 (1) (a) or 27 (1) (b) of the Act;

“**Fire Danger Class**” means the Fire Danger Class as determined under section 6 (2);

“**fire fighting hand tools**” includes shovels, axes, pulaskis, hand tank pumps and fire extinguishers;

“**fire suppression system**” means a system for suppressing fire by delivering

- (a) water,
 - (b) a suppressant,
 - (c) a surfactant, or
 - (d) any combination of the substances listed in paragraphs (a) to (c)
- and may include a water delivery system;

“**Fire Weather Index**” has the same meaning as under the Canadian Forest Service’s publication, the Canadian Forest Fire Weather Index System, as amended from time to time;

“**fuel break**” means

- (a) a barrier or a change in fuel type or condition, or
- (b) a strip of land that has been modified or cleared to prevent fire spread;

“**fuel hazard**” means the potential fire behaviour, without regard to the state of weather or topography, based on the physical fuel characteristics, including fuel arrangement, fuel load, condition of herbaceous vegetation and the presence of ladder fuel;

“heavy equipment” means crawler tractors, skidders, excavators or other suitable mechanized fire fighting equipment;

“high risk activity” means

- (a) mechanical brushing;
- (b) disk trenching;
- (c) preparation or use of explosives;
- (d) using fire- or spark-producing tools, including cutting tools;
- (e) using or preparing fireworks or pyrotechnics;
- (f) grinding, including rail grinding;
- (g) mechanical land clearing;
- (h) clearing and maintaining rights of way, including grass mowing;
- (i) any of the following activities carried out in a cutblock excluding a road, landing, roadside work area or log sort area in the cutblock:
 - (i) operating a power saw;
 - (ii) mechanical tree felling, woody debris piling or tree processing, including de-limbing;
 - (iii) welding;
 - (iv) portable wood chipping, milling, processing or manufacturing;
 - (v) skidding logs or log forwarding unless it is improbable that the skidding or forwarding will result in the equipment contacting rock;
 - (vi) yarding logs using cable systems;
- (j) to (q) Repealed. [B.C. Reg. 213/2008, s. 1 (b).]

“mining operation” means the operation and maintenance of a mine and includes any land clearing or construction of a mine;

“outdoor stove” means a device that

- (a) is used outdoors for cooking, heat or ambience,
- (b) burns charcoal briquettes, liquid fuel or gaseous fuel as the fuel source,
- (c) is certified by the Canadian Standards Association or the Underwriters Laboratories of Canada, and
- (d) has a flame height that is less than 15 cm;

“payroll loading cost” means a cost that is determined for a fiscal year in accordance with the manner established by Treasury Board;

“professional forester” has the same meaning as in the *Professional Governance Act*;

“protected area” means

- (a) any of the following, as defined in section 1 of the *Park Act*:
 - (i) a park;
 - (ii) a recreation area;

Part 1 – Interpretation

- (iii) a conservancy,
 - (b) an area established under the *Environment and Land Use Act* as a park or protected area, or
 - (c) an area established or continued as an ecological reserve under the *Ecological Reserve Act* or by the *Protected Areas of British Columbia Act*;
- “qualified holder”** means
- (a) a person, other than the government, who is a party to a wildfire response agreement, as defined in section 28 of this regulation, or
 - (b) a person, other than the government, who
 - (i) is the holder of an agreement or licence referred to in section 12 (1) (a), (c), (d), (e), (e.1) and (g) and (2) (a) of the *Forest Act*, and
 - (ii) is not in arrears, under the Annual Rent Regulation, B.C. Reg. 122/2003, for the annual rent payable respecting
 - (A) the agreement or licence, or
 - (B) in the case of a supplemental forest licence, the cutting permit issued under the supplemental forest licence;
- “railway operation”** means
- (a) the operation and maintenance of the engines, locomotives and rolling stock of a railway, and
 - (b) the repair, construction, reconstruction and maintenance of the railway track and the railway right of way;
- “registered forest technologist”** has the same meaning as in the *Professional Governance Act*;
- “utility transmission operation”** means the operation, transmission, construction, establishment, maintenance and repair of electrical, oil, gas, radio, microwave, and telephone service;
- “water delivery system”** means a system that can
- (a) deliver a sufficient volume of water to effectively fight a fire of a reasonably foreseeable size, taking all factors into consideration, including the conditions of any area where the water delivery system may need to be used, and
 - (b) deliver water to any place
 - (i) at the site of an industrial activity,
 - (ii) on the burn area or site of the high risk activity, or
 - (iii) reasonably adjacent to the burn area or the site of a high risk activity;
- “workers”** does not include individuals working
- (a) at a non-portable timber processing facility,
 - (b) on a tug or barge, or
 - (c) in a clerical or administrative capacity.

- (2) In the Act:
- “**fire control**” means an action to contain, extinguish or limit the spread of a fire;
- “**open fire**” does not include a fire vented through a structure that has a flue and is incorporated in a building.
- (3) Each of the following activities is included in the definition of “industrial activity” in section 1 of the Act:
- (a) high risk activities;
 - (b) operating equipment or machinery in relation to forest management during
 - (i) road construction, road maintenance and road deactivation,
 - (ii) timber harvesting, including sorting logs,
 - (iii) mechanical modification of forest debris and debris piling,
 - (iv) silviculture treatments, or
 - (v) portable wood chipping, milling, processing or manufacturing;
 - (c) operating equipment or machinery in relation to activities other than forest management during
 - (i) debris piling,
 - (ii) road construction, road maintenance or road deactivation,
 - (iii) rock drilling,
 - (iv) mining operations,
 - (v) railway operations,
 - (vi) utility transmission operations, or
 - (vii) portable wood chipping, milling, processing or manufacturing.
 - (d) to (m) Repealed. [B.C. Reg. 213/2008, s. 1 (c).]
- (4) A lawful recreational activity of a person is excluded from the definition of “industrial activity” if it takes place in a protected area.
- (5) For the purposes of sections 5, 6 and 8, there is a risk of a fire starting or spreading on an area only when the area is snow free and the daily
- (a) fine fuel moisture code value exceeds 75, or
 - (b) duff moisture code value exceeds 6.
 - (c) Repealed. [B.C. Reg. 157/2020, s. 2.]
- [am. B.C. Regs. 206/2005, s. 1; 75/2006, s. 1; 215/2006, s. 14; 213/2008, s. 1; 206/2010, s. 1; 96/2011, s. 1; 157/2012, Sch. 5, s. 1; 190/2014, Sch. 5; 60/2018; 157/2020, ss. 1 and 2; 11/2021, App. 3, s. 23; 110/2023, s. 1.]

Workers Compensation Act

- 2** A person is exempt from the requirements of the Act and this regulation as necessary to conform to the *Workers Compensation Act* and the regulations under that Act.

Prescribed municipalities

2.1 For the purposes of section 4 (2) of the Act, a prescribed municipality is one of the following municipalities:

- (a) District of Hudson’s Hope;
- (b) Resort Municipality of Whistler;
- (c) District of Tumbler Ridge;
- (d) District of Stewart;
- (e) City of Revelstoke;
- (f) District of Wells;
- (g) District of Mackenzie;
- (h) Town of Fort Nelson.

[en. B.C. Reg. 70/2009, s. 1.]

Prescribed criteria for bylaw

2.2 For the purposes of section 4 (2) of the Act, the prescribed criteria for a bylaw that relates to the lighting, fuelling or use of open fires are as follows:

- (a) the bylaw provides for fire prevention and forest protection;
- (b) the bylaw applies to an area that is
 - (i) serviced by a fire department or other type of organized fire response, and
 - (ii) subject to a system for the public to report fires.

[en. B.C. Reg. 70/2009, s. 1; am. B.C. Reg. 110/2023, s. 2.]

Prescribed circumstances respecting private managed forest land

2.3 For the purposes of section 4 (3) of the Act, the prescribed circumstances in respect of which sections 5 and 6 of the Act do not apply to an area that is private managed forest land are as follows:

- (a) if the area is within the boundaries of a municipality that is not a prescribed municipality referred to in section 4 (2) of the Act and there is a bylaw applicable to the area that
 - (i) relates to the lighting, fuelling or use of open fire, and
 - (ii) provides for fire prevention and forest protection;
- (b) if the area is within the boundaries of a prescribed municipality referred to in section 4 (2) of the Act, or a local government that is a local government under paragraphs (c) to (f) of the definition of “local government” in section 1 of the Act, and
 - (i) there is a bylaw applicable to the area that
 - (A) relates to the lighting, fuelling or use of open fires, and
 - (B) provides for fire prevention and forest protection, and
 - (ii) the area to which the bylaw applies is

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- (A) serviced by a fire department or other type of organized fire response, and
- (B) subject to a system for the public to report fires.

[en. B.C. Reg. 70/2009, s. 1; am. B.C. Reg. 110/2023, s. 2.]

Application of this regulation

- 3** If sections 5 and 6 of the Act do not apply to an area, sections 4 to 13, 16 and 18 to 27 of this regulation do not apply to the area.

[en. B.C. Reg. 70/2009, s. 2.]

PART 2 – FIRE PREVENTION

Division 1 – Precautions

Requirement to provide contact details

- 4** Before March 1 of each year, a person who, under the *Forest Act*, is the holder of

- (a) a major licence,
- (b) a timber sale licence that is not a major licence,
- (c) a community forest agreement,
- (d) a woodlot licence, or
- (e) a first nations woodland licence

must provide an official with a 24 hour a day contact telephone number if the person proposes to carry out an industrial activity on or after March 1 and before November 1 of that year.

[am. B.C. Regs. 206/2005, s. 3; 213/2008, s. 2; 104/2011, Sch. 7.]

Sufficient fire fighting hand tools for an industrial activity

- 5** If there is a risk of a fire starting or spreading on an area that is

- (a) forest land or grass land, or
- (b) within 300 m of forest land or grass land,

a person who carries out an industrial activity at a site in that area must ensure that fire fighting hand tools are available at that site in a combination and type to properly equip each person who works at the site with a minimum of one fire fighting hand tool.

[en. B.C. Reg. 75/2006, s. 2.]

High risk activities

- 6** (1) Repealed. [B.C. Reg. 213/2008, s. 3 (a).]
- (2) A person who carries out a high risk activity on or within 300 m of forest land or grass land on or after March 1 and before November 1, unless the area is snow covered, must determine the Fire Danger Class for the location of the activity
- (a) by reference to representative weather data for the area,

- (b) by reference to
 - (i) the Danger Region from Schedule 1,
 - (ii) the applicable numerical rating under the Buildup Index, and
 - (iii) the applicable numerical rating under the Fire Weather Index, and
 - (c) by cross-referencing the Buildup Index with the Fire Weather Index, for the applicable Danger Region, under Schedule 2.
- (3) If there is a risk of a fire starting or spreading, a person carrying out a high risk activity on or within 300 m of forest land or grass land must
- (a) do so in accordance with the applicable restriction and duration set out in Schedule 3 for the Fire Danger Class, and
 - (b) keep at the activity site
 - (i) fire fighting hand tools, in a combination and type to properly equip each person who works at the site with a minimum of one fire fighting hand tool, and
 - (ii) an adequate fire suppression system.
- (4) A person who is required, in accordance with subsection (3) (a) and Schedule 3, to maintain a fire watch and a fire watcher, must ensure that
- (a) the fire watcher is reasonably able to see all areas of the high risk activity at all times during the time the fire watch is required,
 - (b) if one fire watcher is not able to see all areas of the high risk activity at all times, that there are as many fire watchers as required to reasonably see all areas of the high risk activity at all times during the time the fire watch is required,
 - (c) each fire watcher is dedicated to patrolling and watching for smoke and fire on all areas of the site where the high risk activity occurred and not carrying out any other duties unrelated to being the fire watcher,
 - (d) each fire watcher has at least one fire fighting hand tool and access to a fire suppression system if one is required,
 - (e) the fire watcher immediately carries out fire control and extinguishes the fire, if practicable, and
 - (f) the fire watcher reports any fire in accordance with section 2 of the *Wildfire Act*.

[en. B.C. Reg. 75/2006, s. 2; am. B.C. Regs. 213/2008, s. 3; 110/2023, s. 3.]

Precautions to prevent spread of fire

7 A person

- (a) carrying out an industrial activity that is wood waste disposal, wood sorting, wood milling, wood processing or wood manufacturing, or
- (b) operating a camp associated with that activity or any other industrial activity

on a site that is on or within 300 m of forest land or grass land must maintain a sufficient fuel break at or near the site to ensure that a fire originating at the site does not spread beyond the fuel break.

[am. B.C. Regs. 213/2008, s. 4; 110/2023, s. 4.]

Engines

- 8** A person must not operate an engine, other than an engine used in a railway operation,
- (a) on forest land or grass land or within 300 m of forest land or grass land, and
 - (b) at a time when there is a risk of a fire starting or spreading,
- unless
- (c) the necessary precautions are taken to ensure that the operation of the engine does not cause a fire,
 - (d) the engine is equipped with a safe and effective device for arresting sparks that is an integral part of the exhaust system and in good repair,
 - (e) the engine is equipped with an exhaust system and muffler that are within the manufacturer's specifications, and
 - (f) if the engine is over 7.5 kW (10 hp) and is stationary or semi-permanent, the engine is surrounded by a fuel break.

[am. B.C. Reg. 75/2006, s. 3.]

Railway operations

- 9** A person carrying out a railway operation, on or within 300 m of forest land or grass land, must
- (a) maintain locomotives and engines, equipment and rolling stock in a manner that does not produce an ignition source capable of starting a fire on or adjacent to the railway operation,
 - (b) maintain the railway right of way so that it is substantially free from dead or dry grass, weeds and other combustible materials,
 - (c) having regard to the Fire Danger Class, ensure that there are sufficient patrols of the railway right of way to provide for early and effective detection and suppression of fires on and adjacent to the right of way, and
 - (d) on or before March 1 of each year, provide to an official an annual schedule identifying the locations, dates and times of proposed rail grinding work.

[am. B.C. Regs. 75/2006, s. 4; 213/2008, s. 5.]

Utility transmission operations

- 10** A person carrying out an industrial activity that is a utility transmission operation, on or within 300 m of forest land or grass land, must
- (a) maintain utility transmission equipment, apparatus and materials in a manner that reduces the likelihood of producing an ignition source capable of starting a fire on or adjacent to the site of the utility transmission operation, and

- (b) maintain the site in a manner that prevents any fire from spreading from the site.

Division 2 – Fire Hazard Assessment and Abatement

Hazard assessment

- 11** (1) For the purposes of section 7 of the Act,
- (a) each of the following is a prescribed activity under subsections (1) and (2) of that section:
 - (i) operating a waste disposal site;
 - (ii) operating a dry land sort;
 - (iii) operating a camp associated with an industrial activity, and
 - (b) each of the following is a prescribed circumstance under subsection (1) of that section:
 - (i) an industrial activity or an activity prescribed under paragraph (a) of subsection (1) creates or increases a fire hazard or is likely to do so;
 - (ii) an official notifies a person carrying out an industrial activity or an activity prescribed under paragraph (a) of subsection (1) that a fire hazard exists at the site of the activity or operation.
- (2) Subject to subsection (3.1) of this section, the prescribed intervals, at which persons described in section 7 (1) of the Act must conduct fire hazard assessments, are
- (a) 3 month intervals during the period in which the persons are carrying on the industrial activity or the prescribed activity in an area inside, or within 2 km of, the boundaries of
 - (i) a local government under paragraphs (d) to (f) of the definition of “local government” in section 1 of the Act, or
 - (ii) a fire protection district in a regional district, and
 - (b) the shorter interval between the most recent 3 month interval and the date on which the activity ceases for an expected period of 3 months or more.
- (3) Subject to subsection (3.1) of this section, the prescribed intervals, at which persons described in section 7 (1) of the Act must conduct fire hazard assessments, are
- (a) 6 month intervals during the period during which the persons, in any area other than the area described in subsection (2), are carrying on the industrial activity or the prescribed activity, and
 - (b) the shorter interval between the most recent 6 month interval and the date on which the activity ceases for an expected period of 6 months or more.
- (3.1) The prescribed intervals, at which a person described in section 7 (1) of the Act who is a qualified holder must conduct fire hazard assessments, are the intervals

- (a) set out in subsection (2) or (3) of this section, as applicable, or
 - (b) specified by a professional forester or a registered forest technologist.
- (4) A person required to conduct a fire hazard assessment under section 7 (1) of the Act must
- (a) ensure that the fire hazard assessment includes an assessment of the fuel hazard and its associated risk of a fire starting or spreading, and
 - (b) provide a copy of the fire hazard assessment when requested to do so by an official.
- (5) A person referred to in section 7 (1) of the Act is exempt from section 7 (1) of the Act in respect of an area if a person referred to in section 7 (2.1) of the Act is required to abate fire hazards in respect of that area.

[am. B.C. Regs. 206/2005, s. 4; 96/2011, s. 2; 157/2012, Sch. 5, s. 2.]

Hazard abatement: general

- 12** (1) The following periods are prescribed as the periods in which persons described in section 7 (2) of the Act must abate fire hazards of which the persons are aware or ought reasonably to be aware:
- (a) for an area described in section 11 (2) (a) of this regulation, each of the 6 month periods beginning on the dates on which the persons are required under section 7 (1) of the Act to conduct fire hazard assessments;
 - (b) for an area other than an area described in section 11 (2) (a) of this regulation, each of the 12 month periods beginning on the dates on which the persons are required under section 7 (1) of the Act to conduct fire hazard assessments.
- (2) A person required to abate a fire hazard under section 7 (2) of the Act must reduce the fuel hazard on the site of the industrial activity or prescribed activity as necessary to ensure that carrying out the activity
- (a) does not increase the risk of a fire starting on the site, and
 - (b) if a fire were to start, would not increase the fire behaviour or fire suppression associated with the fire.
- (3) This section does not apply to a person who is a qualified holder.

[am. B.C. Regs. 206/2005, s. 5; 96/2011, s. 3.]

Hazard abatement: qualified holders

- 12.1** (1) In this section, “**abatement area**” means each area within which the industrial activity or prescribed activity takes place in each consecutive 12 month period that occurs after the date the activity begins.
- (2) The following periods are prescribed as the periods in which a person described in section 7 (2) of the Act who is a qualified holder must abate fire hazards of which the person is aware or ought reasonably to be aware:

Part 2 – Fire Prevention

- (a) for each abatement area within an area described in section 11 (2) (a) of this regulation, a period of 24 months, beginning on the date the industrial activity or prescribed activity begins in the abatement area,
- (b) for each abatement area within an area other than an area described in section 11 (2) (a) of this regulation,
 - (i) a period of 30 months, beginning on the date the industrial activity or prescribed activity begins in the abatement area, or
 - (ii) the period specified by a professional forester or registered forest technologist.
- (3) A person required to abate a fire hazard under section 7 (2) of the Act who is a qualified holder must reduce the fuel hazard on the site of the industrial activity or prescribed activity
 - (a) as necessary to ensure that carrying out the activity
 - (i) does not increase the risk of a fire starting on the site, and
 - (ii) if a fire were to start, would not increase the fire behaviour or fire suppression associated with the fire, or
 - (b) as specified by a professional forester or registered forest technologist.

[en. B.C. Reg. 96/2011, s. 4; am. B.C. Reg. 11/2021, App. 3, s. 24.]

Hazard abatement: fibre recovery tenure holders

- 12.2** (1) Fibre recovery tenure holders are prescribed for the purposes of section 7 (2.1) of the Act.
- (2) The following periods are prescribed for the purposes of section 7 (2.1) of the Act:
- (a) 6 months after the date the fibre recovery tenure holder is issued with the forestry licence to cut or fibre recovery permit, as applicable, in respect of an area, if the area is located inside, or within 2 km of, the boundaries of
 - (i) a local government referred to in paragraph (d), (e) or (f) of the definition of “local government” in section 1 of the Act, or
 - (ii) a fire protection district in a regional district;
 - (b) 12 months after the date the fibre recovery tenure holder is issued with the forestry licence to cut or fibre recovery permit, as applicable, in respect of an area, other than an area described by paragraph (a).
- (3) The prescribed extent for the purposes of section 7 (2.1) of the Act is the extent necessary to ensure that, at the conclusion of the abatement operations, there are not more than 2 piles, each not exceeding 5 m³ in volume, of Crown timber on any hectare within the forestry licence to cut area or fibre recovery permit area, as applicable.

[en. B.C. Reg. 157/2012, Sch. 5, s. 3.]

PART 3 – FIRE CONTROL

Resources required for fire control activities

- 13** (1) A person carrying out an industrial activity who is required by section 6 (3) of the Act to carry out fire control for a fire started other than in the prescribed circumstances referred to in section 6 (1) of the Act, to which fire that provision applies, must make available to fight the fire
- (a) if it started on Crown land, all of the person's
 - (i) workers who are working within 30 km by road of the site of the industrial activity,
 - (ii) fire suppression systems located within 30 km by road of the site of the industrial activity, and
 - (iii) heavy equipment located within 30 km by road of the site of the industrial activity,
 - (b) if it started on land other than Crown land, all of the person's
 - (i) workers who are working on the land on which the fire started,
 - (ii) fire suppression systems located on that land, and
 - (iii) heavy equipment located on that land, and
 - (c) fire fighting hand tools, in a combination and type to equip all of the workers referred to in paragraph (a) (i) or (b) (i) with a minimum of one fire fighting hand tool.
- (2) The person who, under subsection (1), is required to make workers, fire suppression systems, heavy equipment and fire fighting hand tools available must deploy them as appropriate, given the circumstances and conditions applicable to the fire.
- (3) A person carrying out an industrial activity is exempt from section 6 (3) of the Act in respect of a fire that starts at or within 1 km of the site of the industrial activity if the site is
- (a) in a protected area, or
 - (b) on private land that is not owned by the person or another who acts on the person's behalf or under the person's direction.

[en. B.C. Reg. 75/2006, s. 5.]

Rates of compensation

- 14** The amount of the compensation that the government, under section 17 of the Act,
- (a) must pay to a person described in subsection (1) of that section, or
 - (b) may pay to a person described in subsection (2) of that section,
- is
- (c) for wages,
 - (i) at the rates set out in Schedule 4 of this regulation,

Part 3 – Fire Control

- (ii) if the minister is satisfied that the person to be paid is
 - (A) an individual who, immediately before carrying out the compensable fire control on behalf of a person carrying on the applicable industrial activity, was paid at a greater rate of remuneration than that set out in Schedule 4, or
 - (B) a person who, immediately before carrying out the compensable fire control, was carrying on the applicable industrial activity and who carried out the compensable fire control through employees or others acting at the person's direction and was paying the employees or others at a greater rate than that set out in Schedule 4,
at rates agreed to between the minister and the person, or
- (iii) in the absence of rates as described in subparagraph (i) or (ii), reasonable rates to be approved by the minister, and
- (d) for use of equipment,
 - (i) at the rates, if any, for that type of equipment that are set out in the Province of British Columbia B.C. Road Builders and Heavy Construction Association Equipment Rental Rate Guide, as amended from time to time,
 - (ii) if the minister is satisfied that the equipment supplier's costs for the equipment used in carrying out the compensable fire control are at rates greater than those referred to in subparagraph (i), at rates agreed to between the minister and the supplier, or
 - (iii) in the absence of rates as described in subparagraph (i) or (ii), at reasonable rates to be approved by the minister.

[en. B.C. Reg. 206/2005, s. 7; am. B.C. Reg. 75/2006, s. 6.]

Compensation

- 15** (1) In sections 9 (4) and (5) of the Act, “**damage caused to the private land**” means damage that is caused to private land as established by proof of loss by the owner or the tenant but does not include damage associated with
- (a) indirect or consequential damage to property,
 - (b) reforestation costs,
 - (c) lost opportunities, or
 - (d) aesthetics.
 - (e) Repealed. [B.C. Reg. 157/2020, s. 3 (a).]
- (2) For the purpose of section 9 (5) of the Act, the prescribed circumstances are that
- (a) if the fire was on the private land, the damage was avoidable damage caused by fire control carried out by the government, or
 - (b) if the fire was not on the private land, the damage was caused by fire control carried out by the government.

- (3) For the purposes of section 9 (4) and (5) of the Act, private land includes personal property on the land.

[am. B.C. Reg. 157/2020, s. 3.]

Rehabilitation if a person carries out fire control

- 16** For the purposes of section 6 (3) (d) of the Act, on Crown land the prescribed requirements are that the person carrying out the industrial activity, as soon as practicable, must

- (a) conduct a fire hazard assessment, ensuring that the fire hazard assessment includes an assessment of the fuel hazard and its associated risk of a fire starting or spreading,
- (b) prepare and submit to an official for approval a site rehabilitation plan that specifies measures for
 - (i) minimizing any fuel hazard created as a result of fire control operations, and
 - (ii) maintaining natural drainage patterns for all of the fire control works to minimize surface soil erosion by
 - (A) stabilizing and re-vegetating soil disturbed or exposed by heavy equipment,
 - (B) stabilizing the stream channel and stream bed at stream crossings, and
 - (C) stabilizing sump and dam locations that were created for the purpose of carrying out fire control, and
- (c) implement the measures specified in the approved site rehabilitation plan.

Rehabilitation if government carries out fire control

- 17** For the purposes of section 9 (6) of the Act, the prescribed requirements, applicable if the government exercises the discretion under that subsection to rehabilitate land, are that, as soon as practicable,

- (a) a fire hazard assessment must be carried out,
- (b) a site rehabilitation plan must be prepared that specifies measures for
 - (i) minimizing any fuel hazard created as a result of fire control operations, and
 - (ii) maintaining natural drainage patterns for all of the fire control works to minimize surface soil erosion by
 - (A) stabilizing and re-vegetating soil disturbed or exposed by heavy equipment,
 - (B) stabilizing the stream channel and stream bed at stream crossings, and
 - (C) stabilizing sump and dam locations that were created for the purpose of carrying out fire control, and

- (c) the measures specified in the site rehabilitation plan must be implemented.
[am. B.C. Reg. 206/2005, s. 8.]

PART 4 – PERMISSIBLE OPEN FIRES

Right of government to use fire

- 18** This Part does not apply to or in respect of a fire to which section 18 of the Act applies.

Open fires in outdoor stoves

- 19** (1) The circumstances in which a person described in section 5 (1) or 6 (1) of the Act may light, fuel or use an open fire that is in an outdoor stove, and is in or within 1 km of forest land or grass land, are as follows:
- (a) the person is not prohibited from doing so under another enactment;
 - (b) to do so is safe and is likely to continue to be safe;
 - (c) the person takes reasonable precautions to ensure the fire is contained in the stove;
 - (d) before leaving the area, the person ensures that the fire is extinguished.
- (2) Without limiting subsection (1), a person who lights, fuels or uses an open fire referred to in that subsection must ensure that the fire does not spread beyond the outdoor stove.
- (3) If an open fire referred to in subsection (1) becomes out of control, the person who lit, fuelled or used the open fire
- (a) immediately must carry out fire control and extinguish the open fire if practicable, and
 - (b) as soon as practicable must report the open fire as described in section 2 of the Act.
- (4) A person to whom subsection (3) applies may discontinue carrying out fire control if relieved from doing so by an official.

[am. B.C. Regs. 157/2020, s. 4; 110/2023, s. 5.]

Category 1 campfire

- 20** (1) The circumstances in which a person described in section 5 (1) or 6 (1) of the Act may light, fuel or use a category 1 campfire in or within 1 km of forest land or grass land are as follows:
- (a) the person is not prohibited from doing so under another enactment;
 - (b) to do so is safe and is likely to continue to be safe;
 - (c) the person establishes a fuel break around the category 1 campfire;
 - (d) while the fire is burning, the person ensures that
 - (i) the fuel break is maintained, and

- (ii) the fire is watched and patrolled by a person to prevent the fire from spreading beyond the fuel break and the person is equipped with at least
 - (A) one fire fighting hand tool, or
 - (B) 8 litres of water in one or more containers;
- (e) before leaving the area, the person ensures that the fire is extinguished.
- (2) Without limiting subsection (1), a person who lights, fuels or uses a category 1 campfire must ensure that the fire does not spread beyond the fuel break.
- (3) If a category 1 campfire either spreads beyond the fuel break or becomes out of control, the person who lit, fuelled or used the category 1 campfire
 - (a) immediately must carry out fire control and extinguish the fire if practicable, and
 - (b) as soon as practicable must report the fire as described in section 2 of the Act.
- (4) A person to whom subsection (3) applies may discontinue carrying out fire control if relieved from doing so by an official.

[am. B.C. Regs. 75/2006, s. 7; 206/2010, s. 2; 157/2020, s. 4; 110/2023, s. 6.]

Category 2 open fire

- 21** (1) The circumstances in which a person described in section 5 (1) or 6 (1) of the Act may light, fuel or use a category 2 open fire in or within 1 km of forest land or grass land are as follows:
- (a) the person is not prohibited from doing so under another enactment;
 - (b) to do so is safe and is likely to continue to be safe;
 - (c) the person establishes a fuel break around each pile, grass or stubble area to be burned;
 - (d) while the fire is burning and there is a risk of the fire spreading beyond the fuel break, the person ensures that
 - (i) the fuel break is maintained,
 - (ii) a fire suppression system is available at the burn area, of a type and with a capacity adequate for fire control if the fire spreads beyond the fuel break, and
 - (iii) the fire is watched and patrolled by a person to prevent the fire from spreading beyond the fuel break and the person is equipped with at least one fire fighting hand tool;
 - (iv) Repealed. [B.C. Reg. 206/2005, s. 9.]
 - (e) before leaving the burn area, the person ensures that the fire is extinguished.
- (2) Without limiting subsection (1), a person who lights, fuels or uses a category 2 open fire in the circumstances set out in subsection (1) must ensure that the fire does not spread beyond the fuel break.

Part 4 – Permissible Open Fires

- (3) If a category 2 open fire, lit, fuelled or used in the circumstances set out in subsection (1), either spreads beyond the fuel break or becomes out of control, the person who lit, fuelled or used the open fire must
 - (a) carry out fire control immediately,
 - (b) extinguish the fire if practicable, and
 - (c) as soon as practicable, report the fire as described in section 2 of the Act.
- (4) A person to whom subsection (3) applies may discontinue carrying out fire control if relieved from doing so by an official.
- (5) A person carrying on an industrial activity who is required under subsection (3) to carry out fire control in respect of a category 2 open fire must make available to fight the fire at least the greater of
 - (a) one piece of heavy equipment, one fire suppression system and 6 workers who are each equipped with at least one fire fighting hand tool, and
 - (b) the workers, fire suppression systems, heavy equipment and fire fighting hand tools as described in section 13 (1) in relation to whichever is applicable, Crown land or land other than Crown land.
- (6) The person who, under subsection (5), is required to make workers, fire suppression systems, heavy equipment and fire fighting hand tools available must deploy them as appropriate, given the circumstances and conditions applicable to the fire.

[am. B.C. Regs. 206/2005, s. 9; 75/2006, s. 8; 157/2020, s. 4; 110/2023, s. 7.]

Category 3 open fire

- 22** (1) The circumstances in which a person described in section 5 (1) or 6 (1) of the Act may light, fuel or use a category 3 open fire in or within 1 km of forest land or grass land are as follows:
- (a) the person is not prohibited from doing so under another enactment;
 - (b) to do so is safe and is likely to continue to be safe;
 - (c) the person obtains a burn registration number for the fire
 - (i) by
 - (A) calling the telephone number made known by the government for that purpose, or
 - (B) contacting an official by other means, and
 - (ii) by providing the information referred to in section 24 of this regulation;
 - (d) the person takes all necessary precautions to ensure the fire is contained within the fuel break;
 - (e) the person establishes a fuel break around
 - (i) the cutblock, in the case of a qualified holder using a category 3 open fire for hazard abatement in a cutblock, and

- (ii) each pile, windrow or grass or stubble area, in all other cases;
- (f) while the fire is burning and there is a risk of the fire spreading beyond the fuel break, the person ensures that
 - (i) the fuel break is maintained,
 - (ii) a fire suppression system is available at the burn area, of a type and with a capacity adequate for fire control if the fire spreads beyond the fuel break,
 - (iii) the fire is watched and patrolled by a person to prevent the fire from spreading beyond the fuel break and the person is equipped with at least one fire fighting hand tool, and
 - (iv) the fire does not exceed the capacity of the persons, fire fighting tools and heavy equipment on site for timely action to prevent any fire from spreading beyond the fuel break.
- (2) A person who, in the circumstances set out in subsection (1), lights, fuels or uses a category 3 open fire on a burn area must ensure that the category 3 open fire is extinguished by the date specified by the official or person who issued the burn registration number.
- (2.1) A person who extinguishes a category 3 open fire in accordance with subsection (2) must document the actions taken to confirm extinguishment and provide that documentation at the request of an official.
- (3) Without limiting subsection (1) or (2), a person who lights, fuels or uses a category 3 open fire must ensure that the fire does not spread beyond the fuel break.
- (4) If a category 3 open fire lit, fuelled or used in the circumstances set out in subsection (1) either spreads beyond the fuel break or becomes out of control, the person who lit, fuelled or used the open fire must
 - (a) carry out fire control immediately,
 - (b) extinguish the fire if practicable, and
 - (c) as soon as practicable, report the fire as described in section 2 of the Act.
- (5) A person to whom subsection (4) applies may discontinue carrying out fire control if relieved from doing so by an official.
- (6) A person carrying on an industrial activity who is required under subsection (4) to carry out fire control in respect of a category 3 open fire must make available to fight the fire at least the greater of
 - (a) 2 pieces of heavy equipment, 2 fire suppression systems and 11 workers who are each equipped with at least one fire fighting hand tool, and
 - (b) the workers, fire suppression systems, heavy equipment and fire fighting hand tools as described in section 13 (1) in relation to whichever is applicable, Crown land or land other than Crown land.

- (7) The person who, under subsection (6), is required to make workers, fire suppression systems, heavy equipment and fire fighting hand tools available must deploy them as appropriate, given the circumstances and conditions applicable to the fire.

[am. B.C. Regs. 206/2005, s. 10; 75/2006, s. 9; 157/2020, s. 4; 110/2023, s. 8.]

Category 4 resource management open fire

- 23** (1) The circumstances in which a person described in section 5 (1) or 6 (1) of the Act may light, fuel or use a resource management open fire in or within 1 km of forest land or grass land are as follows:
- (a) the person is not prohibited from doing so under another enactment;
 - (b) to do so is safe and is likely to continue to be safe;
 - (c) the person submits a burn plan to an official and receives the official's approval to it in writing;
 - (d) the person obtains a burn registration number for the fire
 - (i) by
 - (A) calling the telephone number made known by the government for that purpose, or
 - (B) contacting an official by other means, and
 - (ii) by providing the information referred to in section 24;
 - (e) the person takes all necessary precautions to ensure the fire does not spread beyond the fuel break.
- (2) A person who lights, fuels or uses a resource management open fire on a burn area must ensure that the fire is extinguished by the date specified by the official or person who issued the burn registration number.
- (3) Without limiting subsection (1) or (2), a person who lights, fuels or uses a resource management open fire must
- (a) do so in accordance with the applicable approved burn plan, and
 - (b) ensure that the fire does not spread beyond the area specified in the burn plan.
- (4) If a resource management open fire either spreads beyond the area specified in the burn plan or becomes out of control, the person who lit, fuelled or used the fire
- (a) immediately must carry out fire control and extinguish the fire if practicable, and
 - (b) as soon as practicable must report the fire as described in section 2 of the Act.
- (5) A person to whom subsection (4) applies may discontinue carrying out fire control if relieved from doing so by an official.

[am. B.C. Regs. 157/2020, s. 4; 110/2023, s. 9.]

Burn registration number

- 24** (1) The following is the information to be provided under section 22 (1) (c) (ii) and 23 (1) (d) (ii):
- (a) the name, address and telephone or facsimile number, or other means of immediate contact, of the person who proposes to light, fuel or use the open fire;
 - (b) the location of the parcel of land that contains the proposed burn area, including a legal description of the parcel if available;
 - (c) the category of the proposed open fire;
 - (d) other information relating to the proposed open fire that the official or the person answering the telephone number requires.
- (2) A person answering the burn registration telephone number or an official who receives an application from a person in accordance with subsection (1) may
- (a) assign a burn registration number to the person unless the proposed open fire has been prohibited or restricted under section 10 of the Act, and
 - (b) specify a date on or before which the open fire must be extinguished.
- (3) A person who has been assigned a burn registration number must provide it to an official immediately on request.

[am. B.C. Regs. 75/2006, s. 10; 110/2023, s. 10.]

PART 5 – EXEMPTIONS

Exemptions from certain regulations

- 25** (1) An official's authority under section 72 (3) of the Act to exempt a person from a provision of a regulation made under section 72 (2) of the Act is restricted as follows:
- (a) the official must not grant the exemption unless satisfied that compliance by the person with that provision is not practicable in the applicable circumstances;
 - (b) the official must be satisfied that any
 - (i) conditions, or
 - (ii) alternative requirementsspecified under section 72 (3) of the Act are appropriate having regard to the subject matter of that provision and the applicable circumstances.
- (2) A person exempted under this section by an exemption made subject to conditions or to alternative requirements must comply with the conditions or alternative requirements.

[en. B.C. Reg. 75/2006, s. 11.]

Exemptions from certain provisions of the Act

- 26** (1) An official is authorized to exempt a person from section 5, 6 or 7 of the Act if satisfied that the exemption is necessary or desirable because the provision that will be the subject of the exemption is inappropriate, given the circumstances or conditions applicable to an area or to the operations of the person to be exempted.
- (2) In making an exemption under this section the official may make the exemption subject to conditions.
- (3) A person exempted under this section by an exemption made subject to conditions must comply with the conditions.

[am. B.C. Reg. 206/2005, s. 12.]

Process respecting exemptions

- 27** An exemption referred to in section 25 or 26 must
- (a) be in writing,
 - (b) specify the matter to which it relates,
 - (c) specify when the exemption comes into effect, and
 - (d) be delivered to the exempted person.

[am. B.C. Reg. 206/2005, s. 13.]

PART 6 – COST RECOVERY AND REMEDIES**Division 1 – Determinations****Definition**

- 28** In section 29, “**wildfire response agreement**” means an agreement between the government and a person in which
- (a) the person agrees to pay the government an amount of money, and
 - (b) the government agrees to either reduce or eliminate the costs it incurs in carrying out fire control in respect of a fire that is the responsibility of the person.

[en. B.C. Reg. 157/2020, s. 5.]

Circumstances for not seeking cost recovery

- 29** (1) The circumstances in which the minister, under section 25 (2) or 27 (1) (d) of the Act, may not by order require a person to pay to the government the government’s fire control costs determined under section 25 (1) (a) or 27 (1) (b) of the Act are that the person, through their acts or omissions, did not willfully cause or contribute to the start or spread of the fire, and
- (a) before the government has carried out fire control for the fire that gives rise to the government’s costs,

- (i) the person has entered into a wildfire response agreement with the government,
 - (ii) the agreement is in effect at the time of the fire, and
 - (iii) any failure of the person to act in accordance with the agreement did not directly or indirectly cause or contribute to the start or spread of the fire, or
- (b) the fire that gives rise to the government's costs results from timber harvesting, silviculture treatments, road construction, road maintenance or road deactivation by a person, or a contractor, agent or employee of that person,
- (i) who is the holder of an agreement or licence referred to in one of the following provisions of the *Forest Act*:
 - (A) section 12 (1) (a), (c), (d), (e), (e.1) or (g);
 - (B) section 12 (2) (a) or (b), and
 - (ii) who, as of the date of the fire, is not in arrears for the annual rent payable for the agreement or licence, as applicable, under the Annual Rent Regulation, B.C. Reg. 122/2003.
- (2) The activities of timber harvesting, silviculture treatments, road construction, road maintenance and road deactivation referred to in subsection (1) (b) do not include the lighting, fuelling or use of an open fire related to those activities.

[en. B.C. Reg. 75/2006, s. 12; am. B.C. Regs. 157/2020, s. 6; 110/2023, s. 11.]

Determination of damages

- 30** For the purposes of section 25 (1) (b) and 27 (1) (c) of the Act, the manner in which the dollar value of
- (a) Crown timber, if it is mature timber, is to be calculated is by ascertaining the amount of stumpage applicable to that timber under the *Forest Act* and assigning that amount as the dollar value for that timber,
 - (b) Crown timber, if it is not mature timber, is to be calculated is by determining
 - (i) Repealed. [B.C. Reg. 137/2014, s. (k).]
 - (ii) the average age of the timber when damaged or destroyed,
 - (iii) the area over which the damage and destruction occurred,
 - (iv) the extent of the damage and destruction, and
 - (v) either of
 - (A) the species composition of the stand of timber when the fire occurred, or
 - (B) the biogeoclimatic zone, subzone and variant of the area over which the damage and destruction occurred

- and assigning the amount that the minister considers reasonable as the dollar value of the timber after taking into account the matters set out in subparagraphs (i) to (v),
- (c) other forest land resources is to be calculated is by multiplying the number of hectares of other forest land resources damaged or destroyed,
- (i) if in a protected area or an area that is the subject of an order under section 7, 8, 10, 12, 14 or 15 of the Government Actions Regulation, by \$5 000, or
 - (ii) if in any other area, by \$1 000
- and then assigning the product obtained as the dollar value for those other forest land resources,
- (d) grass land resources is to be calculated is by multiplying by \$500 the number of hectares of grass land damaged or destroyed and then assigning the product obtained as the dollar value for those grass land resources, and
- (e) other property is to be calculated is by ascertaining the amount of the replacement value of that property and then assigning that amount as the dollar value for that property.

[am. B.C. Regs. 137/2014, s. (k); 157/2020, s. 7.]

Determination of government fire control costs

- 31** (1) For the purposes of section 25 (1) (a) and 27 (1) (b) of the Act, the manner in which the amount of the government's fire control costs in respect of a particular fire is to be calculated is
- (a) by ascertaining the sum of the following costs, expenditures and charges that are attributable to the fire:
 - (i) hourly wages and overtime wages of responding employees, including payroll loading costs;
 - (ii) distance charges for use of government and private vehicles;
 - (iii) food, transportation and accommodation expenditures;
 - (iv) costs for expendable supplies and materials consumed;
 - (v) air tanker fuel costs and flight costs;
 - (vi) helicopter fuel costs and flight costs;
 - (vii) aircraft basing charges for contracted aircraft;
 - (viii) retardant and other suppressant costs;
 - (ix) rent on use of equipment;
 - (x) replacement, repair or cleaning of damaged or used vehicles or equipment, directly resulting from the fire control;
 - (xi) private goods and services contracted, hired, rented or purchased;
 - (xii) investigation, research and analysis services related to
 - (A) post-incident evaluation,

- (B) contingency plan reviews, and
- (C) other incident follow-up activities;
- (xiii) consulting and other professional charges;
- (xiv) rehabilitation and/or slope stabilization costs, and
- (b) by adding to the sum ascertained under paragraph (a) for overhead an amount equal to the greater of
 - (i) \$200, and
 - (ii) 20% of the amount determined under paragraph (a)to arrive at the total dollar amount of the government's fire control costs for the fire.
- (2) The rates to be charged for the purposes of subsection (1) (a) are,
 - (a) for wages,
 - (i) the rates, if any, that
 - (A) are applicable and in effect in the part of British Columbia in which the particular fire occurs, and
 - (B) have been established as terms and conditions of employment by collective agreement or by another method,
 - (ii) if the minister is satisfied that the person to be paid is
 - (A) an employee who immediately before carrying out the compensable fire control was paid at greater rates of remuneration than the rates under subparagraph (i), or
 - (B) an employer who carried out the compensable fire control through employees and was paying employees at greater rates of remuneration than the rates under subparagraph (i),the rates agreed to between the minister and the person, or
 - (iii) in the absence of rates as described in subparagraph (i) or (ii), the rates set out in Schedule 4, and
 - (b) for use of equipment,
 - (i) the rates, if any, for that type of equipment that are set out in the Equipment Rental Rate Guide authorized by the government, as amended or reissued from time to time,
 - (ii) if the minister is satisfied that the equipment supplier's costs for the equipment used in carrying out the fire control are at rates greater than those referred to in subparagraph (i), at rates agreed to between the minister and the supplier, or
 - (iii) in the absence of rates as described in subparagraph (i) or (ii), reasonable rates to be approved by the minister.

[am. B.C. Regs. 206/2005, s. 14; 157/2020, s. 8.]

Prescribed categories of leases

- 32** Leases from the government under the *Land Act* of Crown land for purposes other than for grazing, aquaculture, float homes or private moorage are the prescribed categories of leases for the purposes of section 25 (2) (a) of the Act.

Division 2 – Administrative Penalties and Offences**Administrative penalties**

- 33** (1) The maximum amount of an administrative penalty that may be levied under section 27 (1) (a) of the Act for contraventions of this regulation is
- (a) \$100 000 for the contravention of section 6 (2), (3) or (4), 9, 10, 13 (1), 19 (2) or (3), 20 (2) or (3), 21 (2), (3), (5) or (6), 22 (3), (4), (6) or (7), 23 (3) or (4), 25 (2) or 26 (3), and
 - (b) \$10 000 for the contravention of section 4, 5, 7, 8, 11 (4), 16, 22 (2) or 23 (2).
- (2) The maximum amount of an administrative penalty that may be levied under section 27 (1) (a) of the Act for contraventions of the Act is
- (a) \$100 000 for the contravention of section 6 (1), (2) or (3), 7 (2), (2.1) or (4), 22 (1), 34 (3) or 56 (2), and
 - (b) \$10 000 for the contravention of section 2, 3 (1) or (2) (a) or (b), 5 (1) or (2), 10 (3) or (4), 11 (2), 12 (2) (a) or (b), 13 (2) or 16 (2).

[en. B.C. Reg. 75/2006, s. 13; am. B.C. Regs. 157/2012, Sch. 5, s. 4; 58/2018, App. 1, s. 1.]

Offences

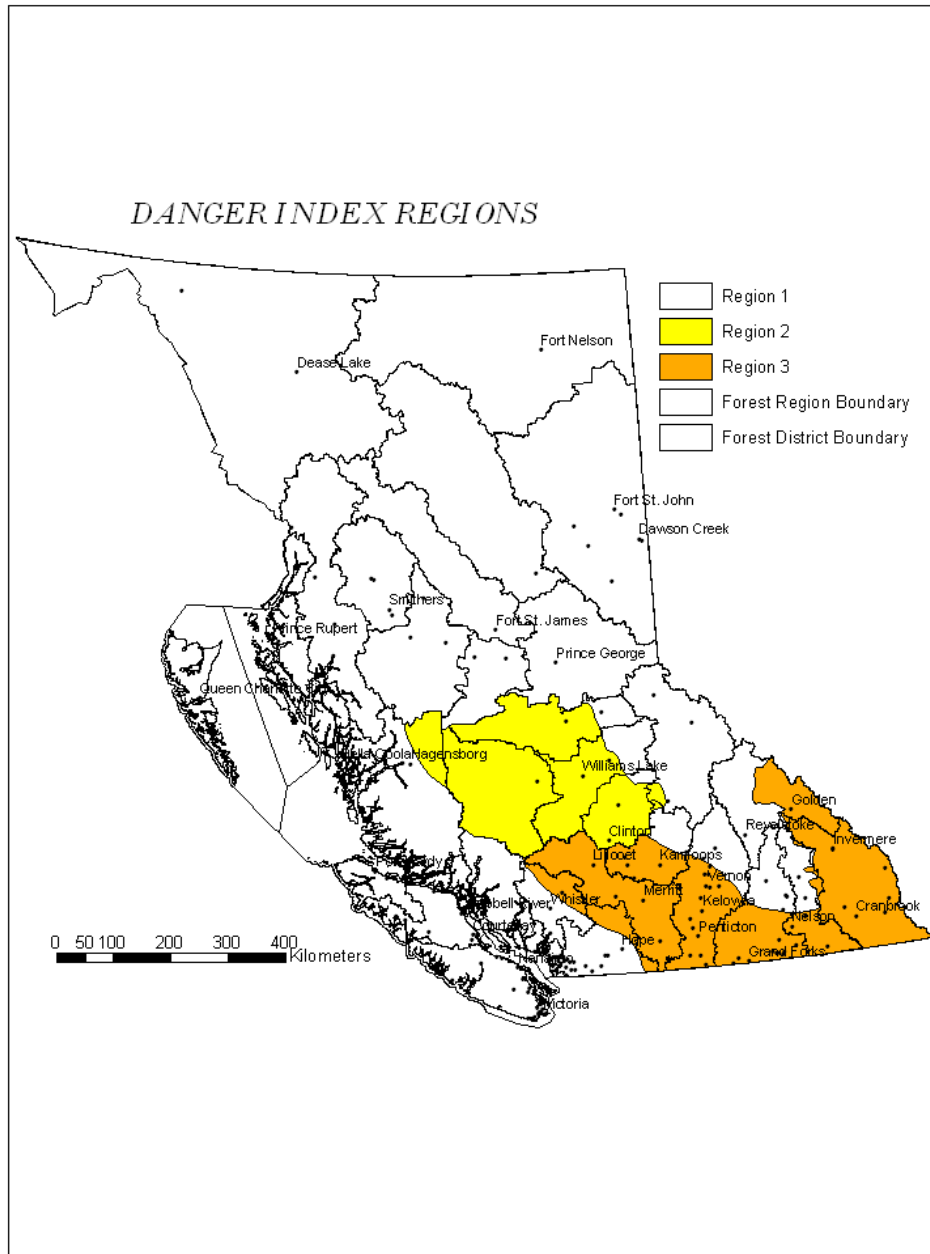
- 34** (1) A person who contravenes section 6 (2), (3) or (4), 8, 9, 10, 13 (1), 19 (2) or (3), 20 (2) or (3), 21 (2), (3), (5) or (6), 22 (3), (4), (6) or (7), 23 (3) or (4), 25 (2) or 26 (3) commits an offence and is liable on conviction to a fine not exceeding \$100 000 or to imprisonment for not more than one year or to both.
- (2) A person who contravenes section 4, 5, 7, 11 (4), 16, 22 (2), 23 (2) or 24 (3) commits an offence and is liable on conviction to a fine not exceeding \$10 000.

[en. B.C. Reg. 75/2006, s. 13; am. B.C. Regs. 58/2018, App. 1, s. 2; 110/2023, s. 12.]

SCHEDULE 1

DANGER REGIONS

(Section 6)



SCHEDULE 2

[am. B.C. Reg. 206/2005, s. 15.]

FIRE DANGER CLASS*(Section 6)***Danger Region 1**

BUILDUP INDEX	FIRE WEATHER INDEX				
	0	1 - 7	8 - 16	17 - 30	31 +
0 – 19	I	II	II	III	III
20 – 42	II	II	III	III	IV
43 – 69	II	III	III	IV	IV
70 – 118	II	III	IV	IV	V
119 +	III	III	IV	V	V

Danger Region 2

BUILDUP INDEX	FIRE WEATHER INDEX				
	0 - 4	5 - 16	17 - 26	27 - 37	38 +
0 – 48	I	II	II	III	III
49 – 85	II	II	III	III	IV
86 – 118	II	III	III	IV	IV
119 – 158	II	III	IV	IV	V
159 +	III	III	IV	V	V

Danger Region 3

BUILDUP INDEX	FIRE WEATHER INDEX				
	0 - 4	5 - 16	17 - 27	28 - 46	47 +
0 – 50	I	II	II	III	III
51 – 90	II	II	III	III	IV
91 – 140	II	III	III	IV	V
141 – 200	II	III	IV	IV	V
201 +	III	III	IV	IV	V

SCHEDULE 3

[en. B.C. Reg. 157/2020, s. 9; am. B.C. Regs. 83/2022; 110/2023, s. 13.]

RESTRICTIONS ON HIGH RISK ACTIVITIES

Item	Column 1 FIRE DANGER CLASS (DGR)	Column 2 RESTRICTION	Column 3 DURATION
1	III (moderate)	After 3 consecutive days of DGR III or greater, maintain a fire watcher immediately after the high risk activity ends for a minimum of one hour	Until after the fire danger class falls below DGR III
2	IV (high)	Maintain a fire watcher immediately after the high risk activity ends for a minimum of 2 hours	Until after the fire danger class falls to DGR III for 2 consecutive days or falls below DGR III
3		After 3 consecutive days of DGR IV, cease activity between 1 p.m. local time and sunset each day	
4	V (extreme)	Cease activity between 1 p.m. local time and sunset each day and maintain a fire watcher immediately after the high risk activity ends for a minimum of 2 hours	Until after the fire danger class falls below DGR IV for 2 or more consecutive days
		After 3 consecutive days of DGR V, cease activity all day	Until after the fire danger class falls to DGR IV for 3 or more consecutive days or falls below DGR IV

SCHEDULE 4

[en. B.C. Reg. 143/2019.]

RATES OF COMPENSATION

(Sections 14 and 31)

CATEGORY	TYPE OF ASSISTANCE	RATE
1	Administrative Assistant Type 2, Camp Assistant, Helibase Assistant, Warehouse Assistant, Kitchen Staff Assistant, Resource Clerk, Supply Clerk, Trades Helper	\$18/hr
2	Firefighter, Helitorch Crew Member, Administrative Assistant Type 1, Security Guard, Radio Operator, Driver (Class 5 Licence)	\$20/hr

Schedule 4

CATEGORY	TYPE OF ASSISTANCE	RATE
3	Crew Leader, Power Saw Operator, Aviation Operations Clerk, Dispatcher, Time Recorder (Certified), Occupational First Aid Attendant Level 3, Air Patrol Person, Helispot Manager, Cook, Loadmaster, Driver/Operator (Class 4 Licence)	\$23/hr
4	Officer (Information, Safety, Liaison) Type 2, Base/Camp Manager, Security Manager, Fire Cache (Warehouse) Manager, Ordering Manager (Expediter), Danger Tree Assessor, Fire Warden, Helitorch Mixmaster, PSD Operator, Field Observer, Weather Observer, Thermal Imaging Operator, Driver/Operator (Class 1, 2 or 3 Licence)	\$25/hr
5	Incident Commander Type 4, Strike Team/Task Force Leader, Staging Area Manager, Helibase Manager, Helitorch Manager, all Unit Leaders, Contracting Officer, Contract Monitor, Line Scout	\$27/hr
6	Incident Commander Type 3, Helicopter Coordinator, Division/Group Supervisor	\$30/hr
7	Section Chief (and Deputy) Type 2, Branch Director (Operations, Equipment, Rehabilitation), Officer (Information, Liaison, Safety) Type 1, Agency Representative, Danger Tree Assessor Coordinator, Faller Coordinator, Certified Tradespeople with tools	\$32/hr
8	Faller (WorkSafeBC Certified), Specialist (Coordination Centre Thermal Imaging, Training, Information Technology, Computer, Fire Behaviour, Ignitions, GIS, Rehabilitation, First Nations Cultural, Aviation Safety)	\$36/hr
9	Deputy Incident Commander Type 2, Section Chief (and Deputy) Type 1, Coordination Centre Liaison Officer, Strategic Operational Planner, Coordination Centre Aviation Coordinator	\$41/hr
10	Deputy Incident Commander Type 1, Agency Administrator, Coach/Mentor Type 1	\$43/hr

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