



REPORT

To: Electoral Area Directors Committee

Report Number: CS-EADC-003

From: Trish Morgan, General Manager of Community Services

Date: August 12, 2020

Subject: Fire Services Legal Opinion

RECOMMENDATION:

That the Electoral Area Directors Committee receive the report titled "Fire Services Legal Opinion – CS-EADC-003" for information.

BACKGROUND/RATIONALE:

Over the past year the Electoral Area Directors Committee have requested that staff clarify the legal liability associated with financially supporting emerging independent volunteer fire departments. Since the wildfires in 2016, a number of groups throughout the region have inquired about starting fire departments independent of the Peace River Regional District. As such, the question has arisen as to whether the PRRD can provide financial support to them through grants.

Denise McCabe, from Fulton & Company LLP, has worked most recently with the Cariboo Regional District and Thompson Nicola Regional District to examine the legal liability associated with providing financial support to independent fire departments. Ms. McCabe is scheduled to make a presentation to the Regional Board on October 8, 2020.

ALTERNATIVE OPTIONS:

1. That the Electoral Area Directors Committee provide further direction.

STRATEGIC PLAN RELEVANCE:

- ☒ Responsive Service Delivery
- ☒ Enhance Emergency Planning and Response Capacity

FINANCIAL CONSIDERATION(S):

None at this time, however, Ms. McCabe's presentation will outline the challenges associated with financially supporting independent fire departments.

COMMUNICATIONS CONSIDERATION(S):

None

OTHER CONSIDERATION(S):

The Regional District directly operates the Charlie Lake Fire Department. Through agreement and a service establishment bylaw, provides funding to the Moberly Lake Volunteer Fire Department and

Tomslake & District Volunteer Fire Department, and as such is considered the “Authority Having Jurisdiction” by the Office of the Fire Commissioner.