

Date: 15/03/2022

To: Chair and Directors, Committee of the Whole

And To: John MacLean, Chief Administrative Officer

From: Stuart Larson, Manager of Protective Services

Date of Meeting: Committee of the Whole_Mar17_2022

File: 7200-01

Short Summary:

Fire Hall Use Review

Background:

Last year it was discussed that some residents claim that fire halls are public facilities and should be made available for use by the public as there are limited or no facilities available within their immediate areas and there is a demonstrated history of use. Fire chiefs state that the halls are a workplace, and they are no longer willing to accept liability for the unsupervised use of the facility. It must be recognized that there are no formal agreements in place with any organization for the use of fire department facilities, so liability for any incident falls upon the CRD at this time as the owner of the facility. Additionally, all maintenance, utilities, and cleaning are the responsibility of the CRD with no mechanism for cost recovery in place.

Since this discussion was conducted, staff has investigated several of the concerns posed such as:

1. What are the policies, if any, in other jurisdictions;
2. What are the liabilities to the CRD;
3. What are the code compliance issues for occupancy;
4. What issue(s) surround temporary use;
5. Were the halls initially built as dual purpose.

After reaching out to surrounding regional districts and municipalities, it was determined that there are no policies in place that address the permanent use of a fire facility as a dual occupancy on record. The consensus heard was that only the fire department has occupancy and that the only sanctioned uses outside of active response and training were for recruitment (open houses), internal functions such as awards and Christmas Dinners, and fund raising under the supervision, and with direct participation of the department and its members.

Staff contacted our insurance provider to provide clarification on liability. The following response was provided: "The events that are being held at the fire hall are deemed to be an

issue from a risk management point of view. If there was a fire call and Firefighters were delayed in leaving the fire hall to respond to a house fire and as a result there were bodily injury, death, or property destroyed because of the delay caused by folks at the hall, or say the access was being obstructed, this would put the Regional District and the Fire Department in negligence”.

The Chief Building Inspector attended the Deka Lake hall to determine what, if any, code conditions may be present. This report is attached as a separate item due to length. It should also be noted that on the original building permit, it only mentions design and occupancy for the fire department and does not reference any other occupancy such as a community group. A multi-occupancy facility would have been flagged and resulted in a vastly different design. In the case of the 150 Mile Fire Department, there are no permits on record as it is not within a building inspection area. The main difference for 150 Mile, is that the facility was constructed as a multi-use building and the two occupancies have a defined separation. While there are differing opinions, the 150 Mile facility is the only suitable fire hall for dual use.

The question was raised about temporary use for outside agencies other than a community organization, such as Municipal, Provincial, and Federal Elections. These are single-day public service uses that can be accommodated through an agreement that minimizes liability risk to the CRD with control measures put in place such as vehicle and foot travel plans. This is not an option for community groups as a “backdoor solution” as continued use would constitute a requirement for dual occupancy.

As noted above, 150 Mile is the only facility that was constructed as a multi-use building and the two occupancies have a defined separation. While there are differing opinions, the 150 Mile facility is the only suitable fire hall for dual use. Other CRD Fire Departments do not meet the requirements of an assembly occupancy under the British Columbia Building and Fire Code. The costs associated to renovate the buildings would be exceptionally high and would be required to meet current code, not the code at time of construction. In today’s reality, if significant renovations were to occur, it would be reasonable to expect a process of several years at minimum to start this process.

Attachments:

Fire Hall Assembly Report

Receipt Only:

That the memorandum from Stuart Larson, Manager of Protective Services, dated March 15, 2022, regarding the status of Fire Hall Usage, be received. *Further action at the discretion of the Committee.*