

Andrew Peat

Correspondence
Kahn - Peat 2016 0712

From: Gary Kahne
Sent: July-12-16 16:53
To: corpadmin@saltspringfire.com
Subject: Fire Safety concern

Re:

To the ADMINISTRATOR Salt Spring Fire and Rescue Board of Trustees

Dear Sir or Madam,

On the advice of one of the members of the Salt Spring Island Fire Trustees, I write to ask that the following matter be brought up at the next board meeting.

The Alberta wildfires this past spring served as a wake up call for me. I began to inform myself as to what can and is being done locally to prevent such a disaster. In the course of doing so I came across the **Salt Spring Island Fire/Rescue Individual Residence Wildfire Hazard Assessment** on the local fire department's webpage.

While completing this exercise, it struck me how many of the risk factors listed, exist on the neighbouring property.

I met with Fire Chief A. George in order to bring this to his attention such that something could be done about it. (In briefest summary the property next door scored 78 on this scale where anything above 34 was deemed to represent an "extreme risk"). I also reviewed the extant fire safety legislation (RSBC 1996 Ch 144 S 21 -44) and brought a highlighted copy of this, along with the completed rating scale (see above) to my meeting with Mr. George, on June 15th.

The chief told me that he would look into what could be done. At the time I believed this was clearly spelled out in the above referenced legislation, however I was subsequently informed that the provisions of this act are no longer valid. While I am not certain as to what specific subsequent legislation has rendered this so, I have placed the matter before PSSG (Public Safety and Solicitor General for BC), for clarification, and as such would urge you not to embroil yourselves in the legal interpretative aspects of the present situation.

Rather I invite you to address the following:

What is not in dispute is that other than permission to enter an occupied dwelling, there are no restrictions on the fire department's ability to inspect a property regarding risk of fire..

After we met, Fire Chief George called Islands Trust and a week or so later attended a meeting arranged by Island Trust. I was later informed that the matter had been put in the hands of the Islands Trust.

I expressed surprise and disappointment that a matter of fire safety was being given over to Islands Trust, and Mr. George informed me of his understanding that fire officials could not enter an occupied dwelling, without the occupants' permission. (See above).

Notwithstanding this, it is now more than a month (and to my good fortune an especially rainy one) since I met with the fire chief; yet no one from the fire department has come by to look into the matter; neither from on the property (but outside the dwellings), nor from outside the bounds of the property in question.

I am left with the unpleasant conclusion that my concern is not being taken seriously.

Moreover, at this juncture, even if the trustees were able to compel someone to inspect the property (to the extent that they are permitted to under the law), that inspector would be in a clear conflict of interest, as any finding of danger would call the previous inaction into serious question. Further to this point I have been informed, by the BC Fire Commissioner himself, that the assessment of fire risk is very subjective and that what might be seen as a risk to one inspector may not be so seen by another inspector.

I am at a loss as to why no action has been taken and what if anything could now be done to assure me of the protection from the fire department I had previously believed I could count on as a member of this community. I would appreciate if an inspector from another jurisdiction could carry out an inspection of the property in question, and that this and any other action to protect my safety, could be carried out in a timely fashion.

Please rest assured of my willingness to provide further information that you might require to assist the fire department in its efforts to ensure my (and the community's) safety.

Thank you for your attention to this matter.

Dr. G. J. Kahne (Retired)

Please Note that on the advice of counsel and the BC Ombudsperson's office I must now ask for all replies to be in writing such that I might document my efforts to have this problem addressed. I have been advised that an invitation to discuss the matter by telephone or failure to reply, shall both be seen as constituting an effort to avoid a committed reply.

I find it regrettable that I have to resort to the above, and wish that this matter could have been dealt with in a more forthright and expeditious manner by the numerous authorities I have contacted.