

Fire Protection Services Act

Section 31 - 33

Offences

- 31.** A person who
- (a) contravenes or fails to comply with a requirement or obligation imposed on that person by this Act or the regulations;
 - (b) interferes with a person in the discharge of that person's duties under this Act or the regulations;
 - (c) tears down, removes or damages a regulation, order or notice made under the authority of the fire commissioner under this Act or the regulations; or
 - (d) interferes with, tampers or damages installed fire protection or detection equipment

commits an offence and is liable on summary conviction to a fine of not less than \$1,000 and not more than \$5,000 and in default of payment of the fine, to imprisonment for not more than 30 days, and in the case of a continuing offence, to a fine of \$5,000 each day or part of a day during which the offence continues and each continuance for a day or a part of a day of an offence referred to in this subsection constitutes a separate offence.

[2008 cF-11.01 s31](#)

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Action barred

- 32.** An action or other proceeding does not lie against the CEO, the fire commissioner or his or her designate for anything done or omitted to be done in good faith in the course of exercising a power or carrying out a duty under this Act.

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Regulations

- 33.** (1) The minister may make regulations
- (a) regulating the sale, installation and maintenance in structures or property of equipment or apparatus for burning fuel, whether solid, liquid or gas;
 - (b) regulating the sale, installation and maintenance of fire extinguishing materials, devices, apparatus and equipment;
 - (c) regulating the sale and use of family fireworks;
 - (d) regulating the sale and use of aerial pyrotechnics;
 - (e) respecting fire and life safety inspections;
 - (f) prohibiting the construction, structural alteration or change of use of a structure unless a plan and specifications in a form to be prescribed in the regulations are first furnished to the fire commissioner and approved by him or her;
 - (g) respecting the exemption of a municipality from the application of section 8, including any terms and conditions upon which an exemption may be made;
 - (h) providing that so much of this Act and the regulations as he or she considers desirable shall apply to structures or property owned or occupied by the Crown; and

(i) respecting the certification of persons or firms engaged in the installation, servicing, maintenance and repair of fire extinguishers, fixed fire extinguishing systems, fire alarm and detection devices and fire alarm monitoring devices.

(2) Regulations made under this section may be

- (a) made to apply to the whole of the province,
- (b) restricted in their application to specified areas of the province,
- (c) made to apply without limit of time or during particular periods,
- (d) applied at or between specified times only, and
- (e) applied in or upon particular circumstances or conditions only,

and different regulations may be

- (f) made in respect of structures or property of a different description or class, and
- (g) made in respect of structures or property of the same description or class in different circumstances,

and exceptions or limitations in favour of or against structures or property of a particular description or class may be prescribed.

(3) Regulations made under this section may be made with retroactive effect.

(4) The fire commissioner may attach to a permit issued under subsection (1) those conditions that he or she considers necessary or desirable and the conditions may be varied in respect of different permits, and the permits are subject to refusal, suspension or cancellation.