



Plain Language Summary for Bill 67: An Act to Amend the Fire Prevention Act

The Government of the Northwest Territories, Department of Municipal and Community Affairs is amending the *Fire Prevention Act*. The review of the *Fire Prevention Act* is identified as a priority of the 19th Legislative Assembly. The *Act* has not been comprehensively reviewed since it was first passed in 1988.

In 2016 the Department conducted initial public engagement with residents and stakeholders to understand the areas of the *Act* that needed review. The Department published a What We Heard Report in 2017 outlining the results of that engagement. Stakeholder groups were clear that the Office of the Fire Marshal's plan review function required a focused dialogue to help determine future changes to the *Act* and support regulations.

In 2022 the Department further engaged residents, officials, and stakeholders through a public engagement process to ensure there was a sound basis for any amendments. Stakeholders that participated in the engagement included community governments, professional organizations (Northwest Territories Association of Professional Engineers and Geoscientists, Northwest Territories Association of Architects, Northwest Territories and Nunavut Construction Association, Northwest Territories Association of Communities and Yellowknife Chamber of Commerce) and the Department of Infrastructure.

The Department compiled feedback into a What We Heard Report that was released in August 2022. The majority of respondents were in favour of each consideration.

The new *Act* will improve regulatory functions, create an authoritative plan review process and a formal avenue of appeal for plan reviews, as well as provide protection against personal liability that is comparable to other jurisdictions.

The new *Act* contains the following changes:

- Added liability exclusion provision for fire officials performing statutory functions under the *Act* – including Fire Marshals, Assistant and Deputy Fire Marshals, as well as local assistants;
- Authorize the Fire Marshal to delegate their duties and powers to persons within the public service they deem qualified and competent;

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-2-

- Make any requirements made in a plan review report by the Fire Marshal to be binding as orders under the *Act*;
- Establish a Plan Review Appeal Board and mechanism for a formal appeal of plan reviews made by the Fire Marshal instead of an immediate recourse to the Supreme Court; and
- Modernize language including the use of gender-neutral language.

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