

TO: CHAIR AND MEMBERS
FINANCIAL MANAGEMENT COMMITTEE

DATE: 2016 November 16

FROM: FIRE CHIEF

SUBJECT: FIRE SERVICES BYLAW AMENDMENTS

PURPOSE: To seek the approval of Council to amend the Service Fee Schedule in the Burnaby Fire Services Bylaw

RECOMMENDATION:

1. **THAT** Council approve amendments to the Burnaby Fire Services Bylaw to reflect the proposed additional fees as outlined in this report.
2. **THAT** the City Solicitor be authorized to bring forward the necessary bylaw amendment for Council's consideration.

REPORT**1.0 BACKGROUND**

The City Clerk's Office receives more than 200 Freedom of Information (FOI) requests each year, with close to 70% of these requests pertaining to Burnaby Fire Department reports. While there is a limited ability to levy a charge for responding to FOI request, the amount does not approach the real cost. Therefore, this report recommends changing the procedure for releasing Fire Department documents so that they would be routinely available, subject only to protection of personal privacy and payment of an administrative fee to cover staff time for producing the documentation. This report is to seek Council's approval to include this procedure in the Fire Services Bylaw and to amend the fee schedule as noted below.

2.0 DISCUSSION

Freedom of Information requests are the domain of the City Clerk's office, and Fire Department reports comprise a significant majority of these requests. Fire Department staff spend a considerable amount of time to produce the reports, and staff in the Clerk's office also spend a disproportionate amount of time on these requests relative to other

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From: Fire Chief
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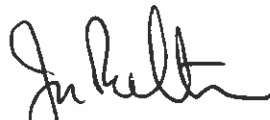
queries in order to review and redact certain information subject to the Freedom of Information and Protection of Privacy Act (FIPPA).

Most requests are from insurance companies and pertain to insured loss or personal injury, while other requests are from legal counsel to the parties involved in the report(s). Several other jurisdictions do not consider these requests as FOI, but instead include them in their Fire Services bylaws as publicly available documents. Removing these documents from the FOI process and including them as a public record will not change the amount of work required to produce them, but it will allow the Fire Department to request a reasonable fee to compensate for the time spent doing so. The changes contemplated would necessitate amendments to the fees schedule in the Fire Service Bylaw as noted below, with an accompanying fee structure for three separate types of reports similar to other cities such as Surrey, New Westminster and North Vancouver District. The current fee of \$10 for "Providing copy of any other report" would be replaced with a \$150 fee for providing such other reports.

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| Copy of fire investigation report | \$200 |
| Copy of motor vehicle incident report or medical incident report | \$100 |
| Copy of any other report | \$150 |

3.0 CONCLUSION

This report proposes that requests for Fire Department documentation will be routinely available, removing them from the Freedom of Information process and allowing the City to recover the cost of staff time for their production. It is recommended that staff be authorized to bring forward an amendment to the Fire Services Bylaw to implement the additional fees as proposed.



Joe Robertson
FIRE CHIEF

Copied to: City Manager
Director Public Safety and Community Services
Director Finance
City Solicitor