

MOTION:

**February 7, 2012
Regular Meeting
Ord. No. 12-**

SECOND:

RE: ADOPT AMENDMENTS TO CHAPTER 9.1, FIRE PREVENTION AND PROTECTION IN ACCORDANCE WITH THE STATEWIDE FIRE PREVENTION CODE AND THE INTERNATIONAL FIRE CODE

ACTION:

WHEREAS, Section 101.5 of the Virginia Statewide Fire Prevention Code allows a local governing body to adopt fire prevention regulations that are more restrictive or more extensive in scope than the Virginia Statewide Fire Prevention Code; and

WHEREAS, the Prince William County Fire Marshal's Office has determined the need for a greater level of fire safety regulation within the County and developed the necessary fire safety regulations to achieve such; and

WHEREAS, the citizens of Prince William County have had the opportunity to comment on such additional fire safety regulations; and

WHEREAS, County staff recommends that the Prince William Board of County Supervisors amend Chapter 9.1 of the Prince William County Code in the form of the proposed amendments attached hereto; and

WHEREAS, the Board of County Supervisors voted on January 10, 2012, by Resolution No. 12-26 to authorize the public hearing; and

WHEREAS, a public hearing has been duly advertised for this purpose and was conducted on February 7, 2012, pursuant to Section 15.2-5702(D) VA Code Annotated for this purpose, and all interested citizens were heard;

NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors does hereby adopt amendments to Prince William County Code Chapter 9.1 as set forth in the attachment, in accordance with the Statewide Fire Prevention Code and the International Fire Code.

February 7, 2012
Regular Meeting
Ord. No. 12-
Page Two

ATTACHMENT: Draft Amendments to the Prince William County Code

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

Department of Fire and Rescue Chief

Department of Fire and Rescue Assistant Chief and Fire Marshal

County Attorney

ATTEST: _____
Clerk to the Board

ARTICLE IV. - FIRE MARSHAL ^[30]

⁽³⁰⁾ **Editor's note**— Ord. No. 09-63, adopted Oct. 20, 2009, renumbered §§ 9.1-20—9.1-22 as §§ 9.1-19.1, 9.1-19.2 and 9.1-20. See Code Comparative Table for derivation.

Sec. 9.1-19. - Office created; deputies; appointments; compensation; term.

Sec. 9.1-19.1. - Oaths of office.

Sec. 9.1-19.2. - General powers and duties.

Sec. 9.1-20. - Fire marshal to be summoned to scene of fire, explosion, etc.

Sec. 9.1-21. - Impersonation.

Sec. 9.1-22. - Right of entry to investigate releases of hazardous material, hazardous waste, or regulated substances.

Sec. 9.1-23. - Power to arrest, to procure and serve warrants and to issue summons.

Sec. 9.1-23.1. - Police powers of fire marshals.

Sec. 9.1-19. - Office created; deputies; appointments; compensation; term.

- (a) The office of the county fire marshal is hereby created.
- (b) The board of county supervisors shall appoint the chief fire marshal (the fire marshal). The deputy fire marshal(s) and assistant fire marshals shall be appointed by the chief fire marshal, whose powers and duties shall be as set forth in this chapter and as authorized by the Code of Virginia.
- (c) The fire marshal shall receive such annual salary as the board of county supervisors may allow.
- (d) The fire marshal shall not be appointed for a definite tenure, but shall continue contingent upon and subject to the personnel rules of the county.

(Ord. No. 09-51, 8-4-09; Ord. No. 09-63, Attch., 10-20-09)

Sec. 9.1-19.1. - Oaths of office.

The fire marshal, deputy fire marshal, assistant fire marshals, and members of the fire marshal's staff, before entering upon their duties, shall, respectively, take an oath, before any officer authorized to administer oaths, faithfully to discharge the duties of their offices.

(Ord. No. 09-51, 8-4-09; Ord. No. 09-63, Attch., 10-20-09)

Sec. 9.1-19.2. - General powers and duties.

The fire marshal and deputies or assistants shall have such powers and duties as are prescribed by state law and by this chapter and other ordinances of the county.

(Ord. No. 09-51, 8-4-09; Ord. No. 09-63, Attch., 10-20-09)

Sec. 9.1-20. - Fire marshal to be summoned to scene of fire, explosion, etc.

The fire department officer-in-charge of any fire, explosion or incident to which fire apparatus or equipment responds shall immediately summons the fire marshal to the scene to investigate the circumstances involved. Such fire marshal shall make an investigation, or cause to be investigated, the origin and cause of every fire and explosion occurring within the county.

(Ord. No. 09-51, 8-4-09; Ord. No. 09-63, Attch., 10-20-09)

Sec. 9.1-21 removed

~~**Sec. 9.1-21. - Impersonation.**~~

~~It shall be unlawful and a Class 1 misdemeanor for any unauthorized person to use a badge, uniform or any other credentials, so as to gain access to any building, marine vessel, vehicle or premises, or to otherwise falsely identify himself as the fire marshal or his designated representative.~~

~~(Ord. No. 09-63, Attch., 10-20-09)~~

Sec.^[PWC1] 9.1-22. - Right of entry to investigate releases of hazardous material, hazardous waste, or regulated substances.

The fire marshal shall have the right to enter upon any property from which a release of any hazardous material, hazardous waste, or regulated substance, as defined in Code of Virginia, § 10.1-1400 or § 62.1-44.34:8, has occurred or is reasonably suspected to have occurred and which has entered into the ground water, surface water or soils of the county, city or town in order to investigate the extent and cause of any such release. If, in undertaking such an investigation, the fire marshal makes an affidavit under oath that the origin or cause of any such release is undetermined and that he has been refused admittance to the property, or is unable to gain permission to enter the property, any magistrate of the city or county where the property is located may issue an investigation warrant to the fire marshal authorizing him to enter such property for the purpose of determining the origin and source of the release. If the fire marshal, after gaining access to any property pursuant to such investigation warrant, has probable cause to believe that the release was caused by any act constituting a criminal offense, he shall discontinue the investigation until a search warrant has been obtained or consent to conduct the search has otherwise been given.

(Ord. No. 09-63, Attch., 10-20-09)

Sec. 9.1-23. - Power to arrest, to procure and serve warrants and to issue summons.

The fire marshal and his assistants appointed pursuant to Code of Virginia, § 27-36 shall have the authority to arrest, to procure and serve warrants of arrest and to issue summons in the manner authorized by general law for violation of fire prevention and fire safety laws and related ordinances.

(Ord. No. 09-63, Attch., 10-20-09)

Editor's note— Ord. No. 09-63, adopted Oct. 20, 2009, repealed § 9.1-23, in its entirety and enacted new provisions to read as herein set out. Prior to amendment, § 9.1-23 pertained to reports to fire marshal as to fires, explosions, etc. See Code Comparative Table for derivation.

Sec. 9.1-23.1. - Police powers of fire marshals.

In addition to such other duties as may be prescribed by law, the fire marshal and his assistants

appointed pursuant to Code of Virginia, § 27-36 shall have the same police powers as a sheriff, police officer or law enforcement officer. The investigation and prosecution of all offenses involving hazardous materials, fires, fire bombings, bombings, attempts or threats to commit such offenses, false alarms relating to such offenses, possession and manufacture of explosive devices, substances and fire bombs shall be the responsibility of the fire marshal or his designee.

(Ord. No. 09-63, Attch., 10-20-09)

⁽³⁰⁾ **State Law reference**— Local fire marshals, Code of Virginia, §§ 27-30 et seq. (Back)

ARTICLE V. - FIRE PREVENTION CODE

Sec. 9.1-24. - Adopted; enforcement; availability for reference.

Sec. 9.1-25. - Amendment to the Virginia Statewide Fire Prevention Code—Generally.

Sec. 9.1-26. - Violations of the Statewide Fire Prevention Code.

Sec. 9.1-27. - Notification of fire.

Sec. 9.1-28. - Responsibility for filing incident report.

Sec. 9.1-29. - Obstruction of fire apparatus roads.

Sec. 9.1-30. - Interior finish, decorative materials, and furnishings.

Sec. 9.1-31. - Fire protection systems; standards.

Sec. 9.1-32. - Fire protection systems; systems out of service.

Sec. 9.1-33. - Fire alarms; faulty and nuisance alarms.

Sec. 9.1-34. - Fire department connections; signs.

Sec. 9.1-35. - Means of egress from buildings and/or occupancies; maintenance and inspection.

Sec. 9.1-36. - Hazardous materials; unauthorized discharges.

Sec. 9.1-24. - Adopted; enforcement; availability for reference.

(a) There is hereby adopted by the board of county supervisors, for the purpose of prescribing regulations to safeguard life and property from the hazards of fire or explosion arising from the improper maintenance of life safety and fire prevention and protection materials, devices, systems and structures, and the unsafe storage, handling and use of substances, materials and devices, wherever located, that certain code known as the Virginia Statewide Fire Prevention Code ("Fire Prevention Code"), as amended, save and except such portions as are deleted, modified or amended by this article, and the same is hereby adopted and incorporated as fully as if set out at length herein.

(b) The fire marshal shall have responsibility for enforcement of the Fire Prevention Code. The term "fire official," as used in the fire prevention code, shall mean the fire marshal or his designee.

(c) At least one copy of the fire prevention code adopted in subsection (a), above shall be on file in the office of the fire marshal, and it shall be available for inspection between the hours of ~~8:30~~8:00 a.m. and ~~5:00~~4:30 p.m., Monday through Friday inclusive, except for legal holidays.

(Ord. No. 09-51, 8-4-09)

State law reference— Similar provisions, Code of Virginia, § 27-94 et seq.

Sec. 9.1-25. - Amendment to the Virginia Statewide Fire Prevention Code—Generally.

Pursuant to the authority found in Code of Virginia, Tit. 27, Ch. 9, the "Virginia Statewide Fire Prevention Code" (Fire Prevention Code), the board of county supervisors hereby adopts the following changes to the fire prevention code.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-26. - Violations of the Statewide Fire Prevention Code.

(a) If any notice of violation issued pursuant to Section 111 of the Fire Prevention Code is not complied with within the time specified in the notice citing the alleged violation, the fire marshal shall request the county attorney to institute the appropriate legal proceedings to restrain, correct, or abate such alleged violation.

(b) Where two or more follow-up inspections are required because a responsible party, person, firm, or corporation has failed to comply with a previously issued order or notice of violation, a fee shall be charged as permitted in section 107.15 of the Fire Prevention Code. Fees shall be in accordance with the fee schedule set out in section 107.15 of the Fire Prevention Code.

(Ord. No. 09-51, 8-4-09)

Cross reference— Section 111.3, Fire Prevention Code (2009~~6~~ Edition)

Sec. 9.1-27. - Notification of fire.

In any building subject to inspection under any provision of the fire prevention code, when a fire or evidence of ~~these~~there having been a fire is discovered, even though it has apparently been extinguished, it shall be immediately reported to the Prince William County Public Communications Center. This shall be the duty of the owner, manager, or person in control of such building at the time of discovery. This requirement shall not be construed to forbid the owner, manager, or person in control of said building from using all diligence necessary to extinguish such fire prior to the arrival of the fire department.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-28. - Responsibility for filing incident report.

It shall be the responsibility of the fire department officer-in-charge, or his designee, to file with the chief fire marshal, in such form as he or she shall prescribe, a report of every fire, explosion, or incident to which apparatus or equipment responds. Such reports shall be filed at such time and location prescribed by the chief fire marshal.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-29. - Obstruction of fire apparatus roads.

Fire apparatus access roads and approved designated fire lanes shall not be obstructed in any manner including the parking of vehicles, staging or storage of devices, equipment or materials or any unauthorized use in accordance with sections 503.4.1 through 503.4.2 of the International Fire Code (2009~~6~~). The minimum widths and clearances established in section 503.2.1 shall be maintained at all

times.

(Ord. No. 09-51, 8-4-09)

Cross reference— Chapter 5, Section 503.4, International Fire Code (2009~~6~~ Edition).

Sec. 9.1-30. - Interior finish, decorative materials, and furnishings.

This section shall be applicable to all Assembly, Educational and Institutional occupancies. ~~covered by Sections 803.2 through 803.7 of the International Fire Code (2006).~~ Combustible materials such as paper, cotton batting, straw, cut or dry vines, leaves, trees, artificial flowers or shrubbery, or similar combustible materials, and foam plastic materials shall not be used for decorative purposes in non-sprinklered show windows, building lobbies, exits or exit accesses, interior stairways, or other parts of buildings, or any area of public use in such a quantity as to constitute a fire hazard.

(Ord. No. 09-51, 8-4-09)

Cross reference— Chapter 8, Section 803.1, International Fire Code (2006 Edition).-

Sec. 9.1-31. - Fire protection systems; standards.

All fire protection systems that were installed in compliance with any law, ordinance or order, shall be maintained in an operative condition at all times. An owner or occupant shall not reduce the effectiveness of the protection so required to include to silence, reset, remove, tamper with, damage, destroy, or use without just cause any fire detection or alarm system, fire protection system except for the purpose of extinguishing fire, training, recharging, repairing or when approved by the fire official. Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 901.6.1 of the International Fire Code (2009~~6~~ Edition).

(Ord. No. 09-51, 8-4-09)

Cross reference— Chapter 9, Section 901.6.1, International Fire Code (2009~~6~~ Edition).

Sec. 9.1-32. - Fire protection systems; systems out of service.

Where a required fire protection system is out of service, the Prince William County Public Safety Communications Center and the fire marshal shall be notified immediately and, where required by the fire marshal, the building shall be evacuated and/or an approved and documented fire watch shall be provided for all occupants and premises left unprotected by the inoperative system until the fire protection system has been returned to service and the fire watch has been terminated by the fire marshal.

Where utilized, fire watches shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the premises and keep watch for fire.

(Ord. No. 09-51, 8-4-09)

Cross reference— Chapter 9, Section 901.7, International Fire Code (2009~~6~~ Edition).

Sec. 9.1-33. - Fire alarms; faulty and nuisance alarms.

(a) Notwithstanding the provisions found in sections 2.5-1 et seq., of chapter 2.5 of this Code,

whenever faulty or nuisance alarms in an occupancy exceed three in any one-month period, the fire official may require the owner or occupant to conduct a witnessed test the fire protection system causing the faulty or nuisance alarm.

(b) For the purpose of this section, a faulty or nuisance alarm is deemed to occur whenever the fire officer in charge responding to a fire alarm call shall determine, after investigation, that faulty equipment initiated the alarm. An alarm caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance, or an alarm activated by a cause that cannot be determined may be deemed a faulty alarm.

(c) As soon as practical following the faulty or nuisance alarm, the responding officer in charge shall cause the fire marshal's office to be notified in writing of the facts and circumstances supporting his determination that faulty equipment initiated the alarm.

(d) Whenever an owner or occupant is required by this section to conduct a test of a fire alarm or suppression system, the fire official shall notify the owner or occupant in writing and prescribe a certified test consistent with standard procedures to be witnessed by the fire official or his designee.

(e) Any faulty equipment or systems identified during the test which will reduce the effectiveness of the protection shall be recorded and a notice of violation prepared and served in accordance with the provisions of section 111.0 of the ~~International~~ Virginia Statewide Fire Prevention Code (2009~~6~~). The notice of violation will require the repair, abatement or correction of any noted defects, the restoration of the system to normal operative condition and compliance with any law, ordinance or order affecting such alarm system.

The notice of violation shall be enforced pursuant to the provisions of section 110 of the International Fire Code (2009~~6~~).

(Ord. No. 09-51, 8-4-09)

Cross reference— Chapter 9, Sections 901.1, International-Virginia Statewide Fire Prevention Code (2009~~6~~ Edition).

Sec. 9.1-34. - Fire department connections; signs.

A metal sign with raised letters at least one-inch in size shall be mounted on all fire department connections serving automatic sprinklers, standpipes or fire pump connections. Such signs shall read: AUTOMATIC SPRINKLERS or STANDPIPES or TEST CONNECTION or a combination thereof as applicable.

Where multiple fire department connections are provided, a metal sign with raised letters at least one-inch in size shall be provided at all fire department connections to indicate the numerical street address, range of numerical street addresses, or fire protection zones served by a fire protection system connected to fire department connection. This sign is to be placed in a location as to be readily visible, free of obstruction, and approved by the fire marshal.

(Ord. No. 09-51, 8-4-09)

Cross reference— Chapter 9, Section 912.4, International Fire Code (2009~~6~~ Edition).

Sec. 9.1-35. - Means of egress from buildings and/or occupancies; maintenance and inspection.

The owner, operator, manager or other person responsible for the operation of an assembly,

educational or mercantile occupancy, or other occupancy or building open to the general public shall inspect and check egress facilities before such occupancy or building is occupied to determine compliance with this section. If such inspection reveals that any element of the means of egress cannot be accessed, is obstructed, locked, fastened or otherwise unsuited for immediate utilization, admittance to the occupancy or building shall not be permitted until necessary corrective action has been completed and the means of egress restored to a safe and compliant condition.

(Ord. No. 09-51, 8-4-09)

Cross reference— Chapter 10, Section 103027.2, International Fire Code (2009⁶ Edition).

Sec. 9.1-36. - Hazardous materials; unauthorized discharges.

The storage, use and handling of all hazardous materials shall be in accordance with section 2703 of the International Fire Code (2009⁶ Edition).

When hazardous materials or hazardous waste are released in any quantity, the code official shall be notified and the procedures required in accordance with sections 2703.3.1.1 through 2703.3.1.4 of the Fire Prevention Code (2009⁶ Edition) shall be followed.

(Ord. No. 09-51, 8-4-09)

Cross reference— Chapter 27, Section 2703.3 et seq., International Fire Code (2009⁶ Edition).

ARTICLE VI. - OPEN AIR BURNING ^[31]

⁽³¹⁾ **State Law reference**— Authority to adopt ordinances governing open air burning, Code of Virginia, § 10.1-1321(B).

Sec. 9.1-37. - General.

Sec. 9.1-38. - Definitions.

Sec. 9.1-39. - Allowable burning.

Sec. 9.1-40. - Permit required; applications; authorization; burning of land clearing refuse; open burning prohibited.

Sec. 9.1-41. - Location.

Sec. 9.1-42. - Materials.

Sec. 9.1-43. - Attendance; safety fence.

Sec. 9.1-44. - Bonfire size and duration; material; permits.

Sec. 9.1-45. - Recreational fires prohibited; management responsibility.

Sec. 9.1-46. - Penalties, other remedies.

Sec. 9.1-47. - Other permits still required.

Sec. 9.1-37. - General.

(a) Section 307 of the International Code Council's International Fire Code (International Fire Code), (2009⁶ Edition), as amended, concerning open burning, which is adopted and incorporated in the Virginia Statewide Fire Prevention Code, is modified and superseded in the County by this article.

(b) A person shall not cause or allow open burning unless approved in accordance with this code and the Commonwealth of Virginia State Air Pollution Control Board's Regulations Concerning Emissions Standards for Open Burning, and Virginia Forestry Laws.

(Ord. No. 09-51, 8-4-09)

State law reference— Similar provisions, Code of Virginia, §§ 27-94 et seq.

Sec. 9.1-38. - Definitions.

The following words and terms shall, for the purpose of this article and as stated elsewhere in the Virginia Statewide Fire Prevention Code, have the means shown herein.

Bonfire means an outdoor fire utilized for ceremonial purposes.

Land clearing refuse means brush, stumps, and other vegetation and similar matter generated from site clearing, and shall not include demolition material or refuse products from other sites.

Open burning means the burning of any material wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

Recreational fire means an outdoor fire other than rubbish not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet or less and 2 feet or less in height for pleasure, religious, ceremonial, cooking or warming

~~-utilized to cook food for human consumption.-~~

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-39. - Allowable burning.

Open burning shall be allowed without prior notification to the fire marshal only for recreational fires, campfires, highway safety flares, smudge pots and small warning fires for outside workers during winter months.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-40. - Permit required; applications; authorization; burning of land clearing refuse; open burning prohibited.

(a) Open burning shall be allowed after obtaining a permit or other proper authorization from the fire marshal for recognized agricultural, silvicultural or range, or wildlife management practices, prevention or control of disease or pests, a bonfire, and for land clearing refuse.

(b) Applications for open burning shall be submitted in writing at least 72 hours before the fire is set and shall be in such form and contain such information as required by the fire marshal. Such application shall contain, as a minimum, information regarding: the purpose of the proposed burning, the nature and quantities of material to be burned, the date when such burning will take place, the location of the burning site, and the on-site fire extinguishing equipment to be provided.

(c) Open burning shall be permitted with prior notification to the fire marshal and in compliance with the Commonwealth of Virginia State Air Pollution Control Board regulations, provided that any conditions specified in the permission are followed for:

- (1) Disposal of hazardous or toxic materials where the fire marshal and the Virginia Department of Environmental Quality determine that there is no practical alternative method of disposal.
- (2) Instruction in the methods of firefighting or for research in the control of fire, in emergency or other extraordinary circumstances for any purpose determined to be necessary by the fire marshal and as authorized by the Virginia Department of Environmental Quality.
- (3) Disposal of debris or to remedy an emergency resulting from a disaster situation and when operating under an emergency declaration of the federal, state, or local government.

(d) Burning of land clearing refuse, other than agricultural, shall be conducted utilizing "special incineration devices" as defined in the State Air Pollution Control Board Regulations Concerning Emission Standards for Open Burning. A separate permit is required for each separate or new special incineration device on a site.

(e) The fire marshal shall prohibit open burning that will be offensive or objectionable due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous. The fire marshal shall order the extinguishment, by the permit holder or the fire department, of any open burning, which creates or adds to a hazardous or objectionable situation. Burning of land clearing refuse is prohibited in the months of May, June, July, and August and September in accordance with Virginia Emissions Standards for Open Burning.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-41. - Location.

The location for any open burning shall not be less than 50 feet from any structure, and provisions shall be made to preventing the fire from spreading to within 50 feet of any structure. Fires in approved containers shall be permitted, provided that such fires are not less than 15 feet from any structure. The burning of land clearing refuse shall not be less than 1,000 feet from an occupied structure.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-42. - Materials.

Open burning shall not be utilized for waste disposal purposes, shall be of the minimum size for the intended purpose, and the fuel shall be chosen to minimize the generation and emission of air contaminants.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-43. - Attendance; safety fence.

(a) Any open burning shall be constantly attended until the fire is extinguished. At least one portable fire extinguisher with a minimum 4-A rating, two portable fire extinguishers with a minimum 2-A rating each, or other approved on site fire extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

(b) Temporary fencing must be installed around any pit when not in use.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-44. - Bonfire size and duration; material; permits.

(a) A bonfire shall not be more than five feet by five feet by five feet in dimension and shall not burn longer than three hours. The maximum size and duration of a bonfire shall not be increased by the fire marshal unless it is determined that safety requirements of the situation and the desirable duration of the burn warrant the increase.

(b) Fuel for a bonfire shall consist only of seasoned dry firewood and shall be ignited with a small quantity of paper. The fire shall not be utilized for waste disposal purposes, and the fuel shall be chosen to minimize the generation of air contaminants.

(c) All permits shall be requested by and issued to the owner of the land upon which the bonfire is to be kindled.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-45. - Recreational fires prohibited; management responsibility.

(a) No charcoal cooker, smoker, grill, or any flammable liquid or liquefied petroleum gas fired stove or similar devices shall be ignited or used on the balconies or spaces under balconies of multifamily dwellings any structure, ~~nor in a similar manner in any occupancy~~ unless approved by the fire marshal. These devices can be used at ground level if greater at least than 15 feet from any structure.

Exceptions:

1) Electric grills and other devices approved by the fire marshal.

2) Detached one and two family dwellings and townhouses.

(b) The management of apartment buildings which have balconies and patios shall notify their tenants in writing of this requirement at the time the tenant initially occupies the area, and from time to time thereafter as may be necessary to reasonably ensure conformity.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-46. - Penalties, other remedies.

(a) Any person who conducts open air burning or other act in violation of any requirement of this article shall be guilty of a Class 1 misdemeanor. Each day upon which any such violation occurs shall be deemed a separate offense.

(b) Nothing contained herein shall preclude the County from seeking such other relief at law or equity for violations of the provisions of this article, as may be deemed expedient, whether or not criminal charges have been or may be made.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-47. - Other permits still required.

Nothing contained in this article shall relieve any person of any requirement to obtain other permits relating to the conduct of open air burning which may be established by law.

(Ord. No. 09-51, 8-4-09)

ARTICLE VII. - EXPLOSIVES, FIREWORKS AND MODEL ROCKETRY

Sec. 9.1-48. - General.

Sec. 9.1-49. - Definitions.

Sec. 9.1-50. - Approval of permissible fireworks.

Sec. 9.1-51. - Retail display and sale of fireworks.

Sec. 9.1-52. - Records to be kept by wholesaler and retailer.

Sec. 9.1-53. - Unlawful fireworks.

Sec. 9.1-54. - Seizure of prohibited fireworks.

Sec. 9.1-55. - Sales to minors.

Sec. 9.1-56. - Manufacture, assembly and testing of fireworks, explosive materials and fireworks, generally.

Sec. 9.1-57. - Rocketry.

Sec. 9.1-58. - Wholesale and retail stores.

Sec. 9.1-59. - Magazine required.

Sec. 9.1-60. - Financial responsibility; certificate of insurance required.

Sec. 9.1-61. - Emergency contact for certified blasters.

Sec. 9.1-62. - Loss, theft, or unauthorized removal of explosive materials.

Sec. 9.1-63. - Improper or unlawful storage of explosive materials.

Sec. 9.1-48. - General.

In addition to the provisions set out in sections 3301, et seq., chapter 33 of the International Fire Code (2009⁶ Edition), NFPA 495 shall govern the possession, manufacture, transportation, storage, sale, handling and use of explosive materials. The Prince William County Fire Marshal shall enforce the regulations contained herein pertaining to the intra-county transportation of explosives.

(Ord. No. 09-51, 8-4-09)

Cross reference— Section 3301.1.1, International Fire Code (2009⁶ Edition).

Sec. 9.1-49. - Definitions.

In addition to the definitions identified in section 3302.1 of the International Fire Code (2009⁶ Edition) and the Fire Prevention Code (2009⁶ Edition), which are incorporated herein by reference, the following are hereby adopted:

Approved. As approved by the Prince William County Fire Marshal's Office.

Permissible fireworks. Only those Division 1.4(g) fireworks which have been approved by the Prince William County Fire Marshal and comply with the most recent and approved standards of the American

Chapter 9.1 - FIRE PREVENTION AND PROTECTION
ARTICLE IV. - FIRE MARSHAL

Fireworks Standard Laboratory.

Retailer. A person, firm, or corporation offering for sale or selling permissible fireworks to the general public.

Wholesaler. A person, firm, or corporation offering for sale or selling permissible fireworks to a retailer.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-50. - Approval of permissible fireworks.

Any person, firm, or corporation engaged in the business of selling or offering to sell fireworks within the County shall submit a list of such fireworks to the County fire marshal for approval no later than a minimum of 120 days prior to the proposed sale date. When deemed necessary, as shown in Table 9.1-78, the County fire marshal may require a person, firm or corporation selling or offering to sell fireworks to submit, at least five samples of each fireworks intended to be sold within the county, together with complete specifications including the manufacturer and trade name of such fireworks and a chemical analysis of each such fireworks so submitted. Said samples, specifications, and chemical analysis shall be submitted to the fire marshal's office no later than 120 days prior to the proposed sale date in the county. No wholesaler shall deliver, nor any wholesaler or retailer sell any fireworks in the county other than those so approved.

Table 9.1-78
American Fireworks Standard Laboratories

AFSL Standard

	Submittal Requirements		Prohibited for Consumer Use
	Manufacturer, trade name only	Manufacturer, trade name, may require samples, and chemical composition	
101 Combination items		X	
102 Comets, mines, and shells			X
103 Firecrackers			X
104 Fountains	X		
105 Ground spinners and chasers	X		
106 Specialty items		X	
107 Party, trick, or toy smoke devices			X
108 Reloadable tube aerial shells			X
109 Roman candles			X
110 Sky rockets, missiles, and helicopters			X
111 Handheld sparkling devices	X		
112 Wheel	X		

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-51. - Retail display and sale of fireworks.

In addition to the restrictions set forth in section 3301.2.2 of the Statewide Fire Prevention Code, retail sales of permissible fireworks shall be done only from an approved fixed location. Such locations shall comply with all County rules and regulations applicable to such sites. The sale or storage of any fireworks shall be prohibited on the property of another without the express written permission of the owner. The sale of fireworks within commercial or residential occupancies is prohibited. Operational permits for the sales of fireworks shall be valid for the period June 1 to July 15 of each year, and shall be issued only after a bond, or evidence of liability insurance has been filed with the fire marshal's office.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-52. - Records to be kept by wholesaler and retailer.

Each wholesaler shall maintain full and complete records of all purchases and sales of fireworks and each retailer shall maintain full and complete records of all purchases of fireworks from wholesalers. The county fire marshal or his designated agent is authorized to examine the records of any wholesaler or retailer as they relate to the purchases and sales of fireworks within the county.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-53. - Unlawful fireworks.

It shall be unlawful for any person, firm, or corporation to transport, manufacture, store, handle, possess, sell, offer for sale, expose for sale or to buy, use, ignite or explode any fireworks, with the following exceptions:

- (1) Storage and handling of fireworks as permitted in Section 3304, International Fire Code (2009~~6~~ Edition).
- (2) Manufacture, assembly and testing of fireworks as permitted in section 3305, International Fire Code (2009~~6~~ Edition).
- (3) The use of fireworks for display as permitted in Section 3308, International Fire Code (2009~~6~~ Edition).
- (4) The possession, storage, sale, handling and use of permissible fireworks where allowed by applicable local and state laws, ordinances and regulations provided such fireworks comply with CPSC 16 CFR, Parts 1500 and 1507, and DOT 49 CFR, Parts 100-178, for consumer fireworks, as permitted in section 3309 of this Code (2009~~6~~ Edition).

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-54. - Seizure of prohibited fireworks.

The fire official is authorized to remove or cause to be removed or disposed of in an approved manner, at the expense of the owner, explosives, explosive materials, or fireworks offered or exposed for sale, stored, possessed or used in violation of this chapter. Any county law enforcement officer or fire marshal arresting any person for a violation of this chapter shall seize the materials in question in the

possession or under the control of any person so arrested and shall hold the same until final disposition of any criminal proceedings against such person. Where no criminal proceedings can be instituted due to lack of knowledge as to who owns or is responsible for fireworks, the fireworks in question shall be destroyed after 30 days.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-55. - Sales to minors.

The sale to or possession of permissible fireworks ~~to~~ by persons under the age of 18 shall be prohibited unless the person is accompanied by a parent or legal guardian.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-56. - Manufacture, assembly and testing of fireworks, explosive materials and fireworks, generally.

The manufacture, assembly and testing of explosives, ammunition, blasting agents and fireworks shall be prohibited in Prince William County, with the following exceptions:

- (1) The hand loading of small arms ammunition prepared for personal use and not offered for resale.
- (2) The mixing and loading of blasting agents or the assembly of two component explosives for use at approved blasting sites in accordance with NFPA 495. An operational permit shall be obtained as required in section 107.2 of the Fire Prevention Code (2009~~6~~ Edition) for any blasting operation within Prince William County.
- (3) The use of binary explosives or phosphoric materials in blasting or pyrotechnic special effect applications in accordance with NFPA 495 or NFPA 1126. An operational permit shall be obtained as required in section 107.2 of the Fire Prevention Code (2009~~6~~ Edition) for any blasting operation and for the use of pyrotechnic special effect materials within Prince William County.
- (4) Storage, use and handling of explosives or explosive materials in an approved laboratory setting permitted in accordance with section 107.2 of the Fire Prevention Code (2009~~6~~ Edition).

(Ord. No. 09-51, 8-4-09)

Cross reference— Section 3305.1, Fire Prevention Code (2009~~6~~ Edition).

Sec. 9.1-57. - Rocketry.

The storage, handling, and use of model and high-power rockets shall comply with the requirements of NFPA 1122, NFPA 1125 and NFPA 1127. Any type of rocketry other than that described in the definition of model rocketry as set forth in NFPA 1122 shall be prohibited.

(Ord. No. 09-51, 8-4-09)

Cross reference— Section 3301.1.4, International Fire Code (2009~~6~~ Edition).

Sec. 9.1-58. - Wholesale and retail stores.

The storage of explosives and explosive materials, small arms ammunition, small arms primers,

propellant-actuated cartridges and smokeless propellants in magazines, shall comply with the provisions of section 3304 of the International Fire Code (2009~~6~~ Edition).

The storage or display of explosives and blasting caps in wholesale and retail stores shall be prohibited.

(Ord. No. 09-51, 8-4-09)

Cross reference— Section 3304.1, International Fire Code (2009~~6~~ Edition).

Sec. 9.1-59. - Magazine required.

Explosives and explosive materials, and Division 1.3G fireworks shall be stored in magazines constructed, located, operated and maintained in accordance with the provisions of section 3304 of the International Fire Code (2009~~6~~ Edition) and NFPA 495 or NFPA 1124. The storage of explosives, explosive material, blasting agents and Division 1.3G fireworks shall be prohibited within the legal geographic boundaries of any district where such storage is prohibited by the fire marshal with the following exceptions:

(1) Storage of fireworks at display sites in accordance with section 3308.5 of the International Fire Code (2009~~6~~) and NFPA 1123 or NFPA 1126.

(2) Portable or mobile magazines not exceeding 120 square feet in area shall not be required to comply with the requirements of the International Building Code.

(Ord. No. 09-51, 8-4-09)

Cross reference— Section 3304.2, International Fire Code (2009~~6~~ Edition).

Sec. 9.1-60. - Financial responsibility; certificate of insurance required.

Before a permit is issued, as required by section 3301.2 of the Fire Prevention Code (2009~~6~~ Edition), for the storage, transportation, disposal, or use of explosives or blasting agents, wholesale or retail sale of permissible fireworks, or any fireworks display, the applicant shall file with the fire marshal's office a certificate of insurance which shows that the applicant has liability insurance in the amount of at least \$52,000,000.00 combined single limit for bodily injury and property damage. This insurance policy shall become available for the payment of any damage arising from the acts or omissions of the applicant, his agents, or his employees in connection with the storage, transportation, disposal, or use of explosives or blasting agents, retail sales of fireworks, or fireworks display. The applicant shall ensure that the insurance policy is in effect at the time of the commencement of the activities authorized by the permit, and remains continuously in effect until such activities are completed.

(Ord. No. 09-51, 8-4-09)

Cross reference— Section 3301.2.4, Fire Prevention Code (2009~~6~~ Edition).

Sec. 9.1-61. - Emergency contact for certified blasters.

In addition to the provisions set out in sections 3301.4, et seq., of the Fire Prevention Code, persons using explosive materials, within the confines of the county, shall provide emergency contact information to the fire official and update such by the first day of January, April, July, and October. Such information shall include the employer's name, office address, office telephone number, 24-hour emergency contact telephone number, blaster's name, and a 24-hour emergency contact telephone

number.

(Ord. No. 09-51, 8-4-09)

Cross reference— Section 3301.4 et seq., Fire Prevention Code (2009~~6~~ Edition).

Sec. 9.1-62. - Loss, theft, or unauthorized removal of explosive materials.

The loss, theft, or unauthorized removal of explosive materials from a magazine or permitted facility or site shall be reported to the fire official, local law enforcement authorities, and the U.S. Department of Treasury, Bureau of Alcohol, Tobacco and Firearms and Explosives (BATF) immediately. Immediate notification to the fire official shall be by telephone or in person followed by a letter giving complete details as to the types, amounts and manufacturer of the explosive materials and other relevant details relating to the loss, theft or unauthorized removal. The letter shall be delivered to the fire official within 24 hours of the verbal notification.

Notwithstanding the foregoing, the loss of Division 1.4G (consumer fireworks) need not be reported to the Bureau of Alcohol, Tobacco, and Firearms and Explosives (BATF).

(Ord. No. 09-51, 8-4-09)

Cross reference— Section 3303.3, International Fire Code (2009~~6~~ Edition).

Sec. 9.1-63. - Improper or unlawful storage of explosive materials.

In addition to the provisions in sections 3303.1, et seq., of the International Fire Code (2009~~6~~ Edition), if at any time explosives or explosive materials are found stored in an improper or unlawful manner, immediate notification shall be made to the fire official who shall take all necessary actions to safeguard or dispose of such explosives or explosive materials.

(Ord. No. 09-51, 8-4-09)

Cross reference— Section 3303.1 et seq., International Fire Code (2009~~6~~ Edition).

ARTICLE VIII. - CRIMINAL OFFENSES

Sec. 9.1-64. - Impersonation.

Sec. 9.1-65. - Damage or injury to fire department equipment or personnel.

Sec. 9.1-66. - Unlawful boarding or tampering with fire and rescue vehicles.

Sec. 9.1-67. - Unlawful use of fire or rescue apparatus, equipment, etc., within county.

Sec. 9.1-68. - Allowing fire to spread to land of another.

Sec. 9.1-69. - Carelessly damaging property by fire.

Sec. 9.1-70. - Refusal to obey orders of a fire or rescue officer.

Sec. 9.1-71. - Prohibited parking within a designated fire lane; unauthorized use.

Sec. 9.1-72. - Penalty for chapter violations.

Sec. 9.1-64. - Impersonation.

It shall be unlawful and a Class 1 misdemeanor for any unauthorized person to use a badge, uniform or any other credentials, so as to gain access to any building, marine vessel, vehicle or premises, or to otherwise falsely identify himself as the fire marshal or his designated representative.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-65. - Damage or injury to fire department equipment or personnel.

It shall be unlawful and a Class 1 misdemeanor for any person to damage or deface, or attempt or conspire to damage or deface any fire or rescue vehicle belonging to the DFR or a volunteer company at any time, or to injure, or attempt to injure or conspire to injure fire and rescue personnel while such personnel are in the performance of their duties.

(Ord. No. 09-51, 8-4-09)

Cross reference— Damaging property, generally, § 16-38.

Sec. 9.1-66. - Unlawful boarding or tampering with fire and rescue vehicles.

It shall be unlawful and a Class 1 misdemeanor for any person, without proper authorization from the fire or rescue officer in charge of said vehicle, to cling to, attach himself to, climb upon or into, board or swing upon any fire or rescue vehicle, whether such vehicle is in motion or at rest, or to sound any warning device thereon, or to manipulate, tamper with or destroy or attempt to manipulate, tamper with or destroy any lever, valve, switch, starting device, brake, pump or any equipment, protective clothing or tool, on or a part of such vehicle.

(Ord. No. 09-51, 8-4-09)

Cross reference— Tampering with vehicles, generally, § 16-39.

Sec. 9.1-67. - Unlawful use of fire or rescue apparatus, equipment, etc., within County.

(a) It shall be unlawful and a Class 2 misdemeanor for any person to operate or cause to be operated upon a public highway or street in the county any vehicle or equipment used, intended to be used, or designed to be used for the purpose of fighting fires or responding to emergency incidents, unless the use of such vehicle or equipment is authorized by the County.

(b) This section shall not apply to the operation of firefighting vehicles or rescue equipment owned by any fire or rescue company outside of the county when such vehicle or equipment is traveling in or through the county for parade or other non-firefighting purposes or in response to a call from the county's public safety communications center.

(Ord. No. 09-51, 8-4-09)

Cross reference— Traffic, Ch. 13.

Sec. 9.1-68. - Allowing fire to spread to land of another.

Any person who intentionally sets or procures another to set fire to any woods, brush, leaves, grass, straw or any other inflammable substance capable of spreading fire, and who intentionally allows the fire to escape to lands not his own, whereby the property of another is damaged or jeopardized, shall

be guilty of a Class 1 misdemeanor and shall be liable for the full amount of all expenses incurred in fighting the fire.

(Ord. No. 09-51, 8-4-09)

State law reference— Similar provisions, Code of Virginia, § 18.2-87.

Sec. 9.1-69. - Carelessly damaging property by fire.

If any person shall carelessly, negligently or intentionally set any woods or marshes on fire, or set fire to any stubble, brush, straw or any other substance capable of spreading fire on lands, whereby the property of another is damaged or jeopardized, he shall be guilty of a Class 4 misdemeanor and shall be liable for the full amount of all expenses incurred in fighting the fire.

(Ord. No. 09-51, 8-4-09)

State law reference— Similar provisions, Code of Virginia, § 18.2-88.

Sec. 9.1-70. - Refusal to obey orders of a fire or rescue officer.

(a) Any person or persons refusing to obey the orders of the officer in charge at an incident scene shall be guilty of a Class 4 misdemeanor.

(b) Any officer in charge at an incident scene shall have the power to make arrests for violation of the provisions of this section.

(c) Any person neglecting to obey any order of an officer in charge of an incident scene shall upon conviction of such offense, be fined not to exceed \$100.00.

(Ord. No. 09-51, 8-4-09)

Sec. 9.1-71. - Prohibited parking within a designated fire lane; unauthorized use.

Notwithstanding the provisions found in sections 13-324 and 13-325 of this Code, it shall be unlawful for any person to park a vehicle within a designated fire lane. In any prosecution under this section, proof that the vehicle described in the complaint, summons or warrant was parked in violation of this Code, together with proof that the defendant was at the time of such prohibited parking the registered owner of the vehicle, shall constitute a prima facie evidentiary presumption that such registered owner of the vehicle was the person who parked the vehicle at the place and at the time such violation occurred. In addition, the vehicle parked in violation of this section may be impounded by the county police department and held until the penalty provided and the towing and storage charges incurred are paid. This section shall be enforced by the county fire marshal's office and the county police department.

It shall be unlawful for any person, firm, or corporation to otherwise obstruct, stage or store devices, equipment, or materials, or use any designated fire lane without authorization from the fire official.

(Ord. No. 09-51, 8-4-09)

Cross reference— Chapter 5, Section 503.4, International Fire Code (2009~~6~~ Edition).

Sec. 9.1-72. - Penalty for chapter violations.

(a) Unless otherwise specified in this chapter, any person, firm or corporation who shall violate any of the sections of this chapter, or any provisions of the fire prevention code adopted in accordance with this chapter, shall separately for each and every such violation and noncompliance respectively, be guilty of a violation of this chapter, and shall, upon conviction, be punishable as a Class 1 misdemeanor.

(b) A violation of this chapter shall be construed to be an infringement, breach, or failure to comply with any provision of this chapter or any order made thereunder, or any act of building in violation of any detailed statement, specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or any failure to comply with such an order within the time fixed therein.

(c) Each day that a violation continues after a service of notice as provided for in this Code shall be deemed a separate offense.

(Ord. No. 09-51, 8-4-09)



Melissa S. Peacor
County Executive

COUNTY OF PRINCE WILLIAM

OFFICE OF EXECUTIVE MANAGEMENT

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January 26, 2012

TO: Board of County Supervisors

FROM: Chief Kevin J. McGee *KJM*
Department of Fire and Rescue

THRU: Melissa Peacor
County Executive

RE: Adopt Amendments to Chapter 9.1, Fire Prevention and Protection in
Accordance with the Statewide Fire Prevention Code and International
Fire Code

I. Background in chronological order is as follows:

- A. County Code – Chapter 9.1 of the Prince William County Code identifies fire prevention and protection requirements and responsibilities.
- B. Statewide Fire Prevention Code – Chapter 9.1 of the Prince William County Code contains amendments to the Statewide Fire Prevention Code which are more restrictive.
- C. 2009 Edition of the International Fire Code – The Commonwealth of Virginia adopted the 2009 Edition of the International Fire Code by reference with certain amendments effective March 1, 2011.
- D. Updated Amendments – With the State's adoption of the 2009 Edition of the International Fire Code there is a need to update the references contained in the current County Code.

II. Current Situation is as follows:

- A. Local Amendment Revisions – Due to the adoption of the 2009 Edition of the International Fire Code and improvements identified by the Department of Fire and Rescue Fire Marshal's Office (FMO), Prince William County must update the Prince William County Code. The Fire and Rescue Association was briefed on January 4, 2012. Local

amendments that need to be updated to Chapter 9.1 of the Prince William County Code are as follows:

- 2009 Edition Reconciliation – All references in Chapter 9.1 to the 2006 Editions of the International Fire Code and the Statewide Fire Prevention Code need to be amended to cite the 2009 editions.
 - Minor Corrections – Corrected some formatting, spelling and times.
 - Duplicate Code – Removed a duplicate Code section 9.1-21.
 - Restricting Certain Hazards – The language in the referenced Code changed for restricting combustible decorations and interior finish in exits, lobbies and displays in Assembly, Educational and Institutional occupancies to constitute a hazard to the public, 9.1-30.
 - Tampering with Fire Protection – More clearly defines tampering, 9.1-31.
 - Fire Watch – Requires fire watch to be documented, 9.1-32.
 - Recreational Fires – Aligns definition with Statewide Fire Prevention Code to include religious and ceremonial purposes. 9.1-38
 - Air Pollution Control – Recognizes that DEQ added May and September to restricted burning months, 9.1-40.
 - Grilling on Balconies – Language clarifies the prohibition to grilling on balconies of certain buildings. Intended to include two-over-two R-3 buildings, 9.1-45.
 - Fireworks – Expanded to prohibit *possession* of permissible fireworks by minors unless accompanied by parent or guardian, 9.1-55.
 - Liability Insurance – Increased the indemnification of blasters and fireworks shooters to \$5,000,000. Recommended by Risk Management, 9.1-60.
- B. Adoption of Updated Amendments – Section 101.5 of the Statewide Fire Prevention Code allows a local governing body to adopt fire prevention regulations that are more restrictive or extensive in scope than the Statewide Fire Prevention Code.

- C. Public Hearing Requirement – A public hearing must be held to solicit comments prior to the Board adopting changes to the County Code. The Board of County Supervisors authorized the Public Hearing on January 10, 2012 by Resolution No. 12-26. The Public Hearing has been advertised in a newspaper of general circulation once each week for two weeks.
- D. Board Action Requested – The Board of County Supervisors is asked to adopt amendments to Chapter 9.1, Fire Prevention and Protection in accordance with the Statewide Fire Prevention Code and International Fire Code.

III. Issues in order of importance are:

- A. Timing – Why is this action coming before the Board of County Supervisors at this time?
- B. Legal – What are the legal issues associated with this action?
- C. Service Level/Policy Impact – How are services impacted by this action?
- D. Fiscal Impact – What is the impact on current and/or future budgets?

IV. Alternatives in order of feasibility are:

- A. Adopt amendments to Chapter 9.1, Fire Prevention and Protection in accordance with the Statewide Fire Prevention Code and International Fire Code.
 - 1. Timing – This action is coming before the Board at this time because the State adopted the 2009 Edition of the International Fire Code by reference, with certain amendments effective March 1, 2011. This action has triggered a need to revise Chapter 9.1 of the County Code.
 - 2. Legal – The required public hearing was authorized, advertised and held prior to the Board's adoption of any changes to the Prince William County Code. Section 101.5 of the Statewide Fire Prevention Code makes provisions to allow a local governing body to adopt fire prevention regulations that are more restrictive or extensive.

3. Service Level/Policy Impact – This action will align Prince William County Code with the Statewide Fire Prevention Code and International Fire Code.
4. Fiscal Impact – There is no fiscal impact.

B. Take no action.

1. Timing – If the Board takes no action, Chapter 9.1 of the Prince William County Code will contain incorrect references which will conflict with the new Statewide Fire Prevention Code.
2. Legal – The amendments to Chapter 9.1 of the Prince William County Code will not occur.
3. Service Level/Policy Impact – The level of safety to County residents and businesses will not be enhanced.
4. Fiscal Impact – There is no fiscal impact.

IV. Recommendation is that the Board of County Supervisors concur with Alternative “A” and approve the attached ordinance.

Staff Contact: Assistant Chief Lance McClintock – X6364
Battalion Chief Joseph Robertson – X6490