

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA”, 2005, AS AMENDED, BY AMENDING §§ 42-1.1, 42-1.3, 42-1.4, 42-1.5, 42-1.6, 42-1.7, 42-1.8, 42-1.10, and 42-1.12 TO REMOVE THE PRINCE GEORGE EMERGENCY CREW AND ADD PRINCE GEORGE FIRE AND EMS COMPANY 6, 7 AND 8.

BE IT ORDAINED by the Board of Supervisors of Prince George County:

(1) That The Code of the County of Prince George, Virginia, 2005, as amended, is amended by amending §§ 42-1.1, 42-1.3, 42-1.4, 42-1.5, 42-1.6, 42-1.7, 42-1.8, 42-1.10, and 42-1.12 as follows:

CHAPTER 42 FIRE PREVENTION AND PROTECTION

ARTICLE I. IN GENERAL

Sec. 42-1.1. - Establishment of the Prince George Coordinated Fire and Emergency Medical Services System.

a) The Prince George County Coordinated Fire and Emergency Medical Services System **“Fire and EMS System”** is hereby established pursuant to Code of Virginia, § 27-6.1 et seq. The **Fire and EMS System** ~~fire and rescue system~~ shall provide comprehensive fire, rescue, emergency disaster management, hazard material ("hazmat") and emergency medical services throughout the county in accordance with state laws, county ordinances, and adopted policies.

(b) The **Fire and EMS System** ~~coordinated and integrated fire and emergency medical service system~~ shall be composed of the following volunteer, career, and combination departments **fire companies**, ~~volunteer rescue squad~~ and the Prince George County Department of Fire and EMS **“Fire and EMS Department”**, ~~including volunteers of~~ **to include** the following departments:

- (1) Prince George Volunteer Fire Department, Company 1.
- (2) Disputanta Volunteer Fire Department, Company 2
- (3) Carson Volunteer Fire Department, Company 3.
- (4) Burrowsville Volunteer Fire Department, Company 4.
- (5) Jefferson Park Volunteer Fire Department, Company 5.
- (6) **Prince George Fire and EMS Company 6**
- (7) **Prince George Fire and EMS Company 7**

(8) Prince George Fire and EMS Company 8

~~(6) Prince George Emergency Crew.~~

(9) Prince George Fire/EMS System Volunteers

(c) The **Fire and EMS System** ~~coordinated fire and EMS system~~ shall be a combined force of non-employee volunteer members of the several fire companies and ~~rescue squad~~, county employees, and county volunteers of the ~~Prince George County Department of Fire and Rescue~~ **Fire and EMS Department.**

(d) **All Volunteers and County Employees within the Fire and EMS System** ~~reporting to the department of fire and EMS~~ shall be managed and supervised by the fire and EMS chief and may be assigned to various duties including placement in stations and as personnel on apparatus.

Sec. 42-1.3. - Responsibilities of fire and **EMS** ~~emergency medical services (EMS)~~ chief

The head of the ~~coordinated fire~~ **Fire** and EMS system shall be known as the fire and EMS chief, who shall be appointed by the county administrator. The fire and EMS chief shall:

(1) Provide oversight and management of the **Fire and EMS System's** ~~coordinated system's~~ functions by:

a. Developing strategies in collaboration with the Prince George Fire and Emergency Medical Services (PGFEMS) **Advisory** Board, to retain and expand the volunteer base within the system to ensure that the health of the volunteer system remains a high priority for the fire and EMS chief.

b. The fire and EMS chief shall be authorized to oversee the emergency response operations of any agency as they relate to the provision of Fire and EMS services in Prince George County in accordance with the policies established by the fire and EMS Chief or the board of supervisors to include:

1. System fleet size, deployment, development, and functions

2. Minimum standards regarding apparatus and equipment

3. System funding by the county, including volunteer companies and monitoring and controlling system volunteer and county budgets and expenditures

4. Mutual aid and cooperative agreements.

5. Minimum standards and requirements for the Fire and EMS System's personnel, training, licensure, reporting requirements, rank structure, and the delivery of high-quality fire and emergency services;

6. The fire and EMS Chief shall represent the Fire and EMS Department and the Fire and EMS System and emergency management system of Prince George County to other groups, jurisdictions or levels of government;

7. System performance standards, such as minimum staffing and response goals;

8. A process for setting and maintaining first due areas, response districts and apparatus response orders.

c. The fire and EMS chief shall hire and terminate officers and staff using the guidelines and procedures of Prince George County Human Resource Department, and review and accept volunteers for the Fire and EMS Department. The fire and EMS chief may appoint such principal deputies or assistants as the county administrator may approve. Deputies and assistants may perform any of the duties of the fire and EMS chief, when authorized in writing by the fire and EMS chief. The fire and EMS chief shall provide for appropriate background investigation of staff and volunteer applicants and incumbents, including review of criminal and driving records, before recommending to the County Administrator that the applicant should be offered the position.

d. The fire and EMS chief shall lead the planning for, training and preparation for, and response to any disaster that occurs in the county and that requires implementation of the county's emergency response plan. The Board of Supervisors and the county administrator hereby designate the fire and EMS chief, and the fire and EMS chief shall so serve, as the coordinator

of emergency services for all purposes related to response to disasters pursuant to Title 44 of the Virginia Code.

e. Develop policies, in consultation with the PGFEMS **Advisory** Board, of system-wide policies that are essential to the effective and fair provision of high-quality, countywide fire and emergency services to include:

1. Standard operating guidelines for the system's delivery of fire, rescue, and emergency medical services;
- ~~2. System performance standards, such as minimum staffing and response goals;~~
- 2.** A seamless command structure and incident command system that complies with federal and state incident management standards;
- ~~4. Minimum personnel, training, licensure, and reporting requirements and the delivery of high-quality fire and emergency services;~~
- ~~5. System fleet size, deployment, and functions;~~
- ~~6. Minimum standards regarding apparatus and equipment;~~
- ~~7. System funding by the county, including volunteer companies and monitoring and controlling system volunteer and county budgets and expenditures;~~
- ~~8. A process for setting and maintaining first due areas, response districts and apparatus response orders;~~
- 3.** Development of a plan for construction and maintenance of stations and substations within the county; and
- ~~10. Mutual aid and cooperative agreements.~~

(2) **The fire and EMS chief shall** Make day-to-day operational decisions necessary for an effective coordinated system on matters not addressed by system-wide policies. The fire and EMS chief shall strive to consult with the PGFEMS **Advisory** Board prior to making any significant decision. If circumstances do not permit such prior consultation with the PGFEMS **Advisory** Board, the fire and EMS chief shall advise the PGFEMS **Advisory** Board as soon as practicable after the decision is made and **may** seek its recommendations for future actions.

(3) Serve as the chairman of the PGFEMS Advisory Board by participating in PGFEMS Advisory Board meetings and activities; providing and managing county staff support, as needed, for the PGFEMS Advisory Board; and overseeing the preparation of PGFEMS Advisory Board meeting documents. The fire and EMS chief shall also be a full voting member of the PGFEMS Board.

(4) Provide general management, planning, preparation, response and recovery for any disaster relating to fires, hazardous materials, natural or manmade events, weather or emergency medical services that may occur in the county.

(5) Assume responsibility, under the authority of the county administrator, to carry out agreements for mutual aid, disaster preparedness and the provision of services related to hazardous materials, rescues, fire suppression, investigation, medical services or other emergency response services deemed necessary in the judgment of the fire and EMS chief for events exceeding the capabilities of the county.

(6) The fire and EMS chief shall establish, publish, and enforce Fire and EMS Department regulations for the administration and operation of the Fire and EMS Department. The fire and EMS chief may establish additional, and more stringent, requirements for the internal operation of the Fire and EMS Department. No Fire and EMS Department regulations or directives can waive the requirements of the County, Federal, State, or other local laws or regulations, including those related to licensing.

(7) The fire and EMS chief may exercise all powers authorized by state law as necessary for the provision of coordinated fire and emergency medical services and exercise command authority of any emergency operation when deemed necessary for the safety and welfare of the public or responders. In such situations, the fire and EMS chief may relieve any person of his or her operational authority and may direct the operations of any fire, EMS, or emergency service provider in accordance with Code of Virginia § 27-23.9 (1950), as amended.

(8) The fire and EMS chief may delegate his or her operational authority to other officials and staff of the Fire and EMS Department.

(9) The fire and EMS chief, on behalf of the board of supervisors, shall have authority to enter into and take all actions necessary to implement and carry out the terms of agreements for mutual aid, disaster preparedness, and provision of services related to hazardous materials, rescue, fire suppression, investigation, medical services or other emergency response services deemed necessary in the judgment of the fire and EMS chief for emergency response in events exceeding the capabilities of an individual locality or government agency. The fire and EMS chief shall have the authority to enter into contracts on behalf of the county and to expend funds after an official disaster or emergency declaration to provide for the public safety during such events, in accordance with applicable laws and regulations and in accordance with the county purchasing policy. The fire and EMS chief shall have the authority to take all actions necessary to obtain funding and assistance from other localities and from state or federal agencies for those purposes.

(10) Provide any additional, related, system-wide services that are essential for the provision of high-quality fire and emergency medical services.

(11) (6) Exercise all powers authorized by state law as necessary for the provision of coordinated fire and emergency medical services.

Sec. 42-1.4. - Responsibilities of volunteer fire companies, ~~volunteer rescue squad~~ and volunteer chiefs.

(a) Definitions:

- (i) "Volunteer" means a member of the Fire and EMS Department who serves without pay and whose name has been duly certified to the Circuit Court Clerk of Prince George County by the secretary of such volunteer fire company as an active member thereof and as further defined in Virginia Code § 27-9.**
- (ii) "Active member" means a volunteer who provides 24 hours of station duty service to the county a month.**

(b) Volunteer fire companies and volunteer chiefs shall operate in conformity with state laws, county ordinances, and the duly adopted policies and directives of the

County, fire and EMS chief, and the Fire and EMS System. Every member of the volunteer fire company shall, upon any alarm of fire or call of a medical emergency, attend and endeavor to extinguish such fire or assist in the medical emergency as per Virginia Code § 27-11.

(c) Volunteer fire companies ~~and rescue squads~~ shall have all the powers and duties granted to them by state law. They shall also have the following responsibilities while acting in conformity with **chains of command and** policies of the **Fire and EMS System**. ~~coordinated fire and rescue system:~~

- (1) Managing performance and responses by the company ~~or squad~~, including directing station activity and operations;
- (2) Assuming or delegating the role of incident commander within the system's integrated incident command structure;
- (3) Providing management within response districts and apparatus response orders;
- (4) Selecting and promoting **volunteer** officers and other **volunteer** personnel;
- (5) Recruiting, retaining and advocating on behalf of volunteer **and career** members;
- (6) Managing **volunteer** officers and personnel, including discipline, training, and keeping records; provided, however that the fire and EMS chief may take disciplinary action or other personnel action affecting volunteers in accordance with this article;
- (7) Preparing **and submitting** annual budgets **request** to the **fire and EMS chief** subject to approval by the county and managing expenditures in conformance with the approved budget;
- (8) Fundraising and managing all funds and assets that derive from private or non-county sources;
- (9) Collecting and forwarding to the fire and EMS chief any requested data, statistics and other information as may be necessary to assure the efficient operation of the **Fire and EMS System** ~~coordinated fire and rescue system;~~
- (10) Caring for and maintaining station facilities, apparatus and equipment; and
- (11) Managing station procurement of supplies and coordinating station procurement and care of county apparatus, equipment, and tools.

(12) The chief of each volunteer fire company shall submit to the fire and EMS chief a list of the active members thereof on September 1 of each year. Information contained in this report shall consist of and all documentation illustrating number of duty hours per month for each member and number of calls answered per member. On the first of each month, the chief of each volunteer fire company shall submit to the fire and EMS chief any additions or deletions to the active membership of that volunteer fire company

(13) Additional responsibilities beyond those named above may be necessary to ensure the effectiveness of the Fire and EMS System. Any additional responsibilities shall be communicated in writing from the fire and EMS chief.

(~~bd~~) The operational head of each volunteer fire company ~~and rescue squad~~ within the system shall be selected according to the by-laws of the company ~~or squad~~. Volunteer **station** chiefs shall exercise the authority granted to them by state law and the by-laws of their organizations **that have been approved by the fire and EMS chief**, so long as their actions do not conflict with the provisions of this article or the policies of the ~~coordinated fire~~ **Fire** and EMS **System**.

(~~ee~~) Volunteer companies ~~and squad~~ shall have authority to adopt policies, guidelines and protocols for the governance of their **the members** stations, which are consistent with state law, county ordinances, and policies of the ~~coordinated fire~~ **Fire** and EMS **System**. Nothing in this article is intended, nor shall it be construed, to make any member of a volunteer fire company ~~and rescue squad~~ an employee of the county. (~~df~~) Additional volunteer fire companies ~~and rescue squads~~ may be formed in accordance with state law, **the fire and EMS chief's recommendation**, and with board of supervisors' approval. They shall operate in conformity with state laws, county ordinances, and the policies of the **Fire and EMS System** ~~coordinated fire and EMS system~~.

(g) Volunteer fire companies shall file a copy of their, by-laws, any resolutions, minutes of the board of directors or associations annual report with the fire and EMS Chief.

Sec. 42-1.5. - Establishment of Prince George Fire and EMS **Advisory** Board.

(a) The Prince George County Fire and EMS Board ("PGFEMS Advisory Board") is hereby established to perform the following responsibilities:

- (1) Cooperate with and advise the fire and EMS chief on the delivery of fire, rescue and emergency medical services as representatives of the volunteer and combined companies and squad;
- (2) Facilitate communication and collaboration between the volunteer and county-employed members of the Fire and EMS System ~~coordinated fire and rescue system~~;
- (3) Communicate issues of importance to the fire and EMS chief concerning individual volunteer organizations or the Fire and EMS System ~~coordinated fire and emergency medical service system~~.

(b) The PGFEMS Advisory Board shall be composed of the highest ranking operational leader of each of the volunteer or combined organizations and the county fire and EMS chief, who shall also serve as the chairman of the board.

Sec. 42-1.6. - Duties of the Prince George Fire and EMS (PGFEMS) Advisory Board.

The PGFEMS Advisory Board shall perform the following duties:

(1) ~~Adopt by laws for its operation consistent with this article.~~ Consult with the fire and EMS chief to ensure that effective and efficient operational processes shall not supersede the fire and EMS chief's authority to govern the Fire and EMS System or amend the authority conceded to the fire and EMS chief under Code of Virginia § 27-23.9 (1950), as amended. Conflicting operational processes shall be interpreted at the sole discretion of the fire and EMS Chief.

(2) Review all proposed policies affecting the ~~coordinated fire~~ Fire and EMS system and provide comments and advice to the fire and EMS chief and ensure the communication and compliance with system-level policies to all companies ~~and~~ squads.

(3) Meet regularly in order to consider concerns affecting the Fire and EMS System ~~coordinated system~~ and provide input regarding:

- a. Incident management;
- b. Nonconformance with system policies; and
- c. Assurance of quality in the delivery of fire and emergency services.

(4) Review and provide input and recommendations to the fire and EMS chief regarding new initiatives for the Fire and EMS System's ~~coordinated system's~~ operating and capital improvement budgets.

(5) Develop, in collaboration with the fire and EMS chief, a grievance procedure that is consistent with the procedure available to county employees to contest disciplinary or operational matters affecting individual volunteers. The general management and discipline of volunteers shall be a station-level responsibility, unless the fire and EMS chief must act and take personnel actions affecting any volunteer in order to protect the effective operation of the Fire and EMS System ~~coordinated fire and emergency medical service system~~.

(6) Meet on a regular basis and present a report annually to the board of supervisors regarding the health of the volunteer system.

Sec. 42-1.7. - Procedure for developing policies of the Fire and EMS System ~~coordinated fire and EMS system~~.——

All system-wide policies shall be developed through the following system:

(1) The fire and EMS chief shall prepare the new system-level policies and shall review all existing system-wide policies. Any member of the Fire and EMS System ~~coordinated fire and EMS system~~ may suggest new policies or policy amendments to the fire and EMS chief and the PGFEMS Board through the member's chain of command. Personnel policies that affect only county employees or county volunteers will not be considered by the PGFEMS Board.

(2) The PGFEMS Advisory Board shall be provided the opportunity to consult with and advise the fire & EMS chief before the issuance of any departmental policies or regulations. Following consultation, the fire and EMS chief in his or her sole discretion may issue those departmental policies or regulations that he or she deems necessary.

(3) The fire and EMS chief shall consider any comments and recommendations on proposed policies from the PGFEMS Advisory Board and ~~shall~~ may incorporate such recommendations for revision which, in his or her judgment, meet the system policy standards. ~~Should the chief decline to accept any material recommendation for revision~~

~~from the PGFEMS Board, he shall provide a written explanation of his decision to the PGFEMS Board after attempting to reach a consensus.~~

(4) After considering any draft policy, the PGFEMS Board shall ~~shall~~ **may** take one of the following actions by majority vote:

- a. Accept the draft policy as worded.
- b. Support the policy in principle, but with specific revisions.
- c. Decline to accept the policy.

(5) By majority vote, the PGFEMS Board may appeal **the approval of a policy by the fire and EMS chief** ~~any decision to decline to accept a policy~~ within seven days to the county administrator in writing giving its reasons for appeal. The county administrator shall consider such appeal and deny the appeal or remand to the **fire and EMS chief** PGFEMS Board for further review within ten days.

(6) If the policy is remanded to the fire and EMS chief to review the concerns of the PGFEMS Advisory Board, the fire and EMS chief shall consult with the county administrator on any changes to the policy and the county administrator shall work with the fire and EMS chief to make the final determination as to implementation of the policy.

Sec. 42-1.8. - Noncompliance with system policies.

- (1) **All fire and EMS employees, and volunteers shall comply with Fire and EMS Department regulations and directives as a condition of employment with or volunteer service in the Fire and EMS Department.**
- (2) **Upon an allegation of a breach of Fire and EMS Department regulations or directives, the fire and EMS chief shall have the authority to suspend the accused person or department entity from duty, pending an investigation. If the investigation substantiates the allegation, the fire and EMS chief may suspend from duty, terminate the employment, volunteer service of any individual, or revoke the authority of a volunteer entity to operate as an emergency medical service provider or as a fire service provider in the county to protect the public safety.**
- (3) **Fire and EMS volunteers and employees shall comply with all requirements of the Virginia Public Procurement Act and county purchasing policy. Should a member of the Fire and EMS Department breach a regulation or directive and thereby**

expend public funds or waste a county asset without authority, that person shall be civilly liable for those funds or that waste.

(4) The chiefs of all member organizations may communicate concerns about noncompliance with system policies to the fire and EMS chief.

(a) As soon as practicable after receiving any such complaint, the fire and EMS chief shall determine whether reasonable cause exists to believe that there has been a material noncompliance with any system policy.

(b) ~~The PGFEMS Board shall prepare a written reporting summarizing~~ **The fire and EMS chief may perform** the investigation ~~and its conclusions~~ **or delegate the investigation to the PGFEMS Advisory Board or other party that the fire and EMS chief has appointed to conduct the investigation. If the investigation is not performed by the fire and EMS chief, a written report summarizing the investigation shall be submitted** and submit the report to the fire and EMS chief no later than ten calendar days following the conclusion of the investigation. ~~If the PGFEMS Board determines, by majority vote,~~ **If a determination is made by the fire and EMS chief, after review of the investigation** that the charged party has materially non-complied with system policy, ~~with the concurrence of the fire and EMS chief,~~ the charged party shall comply with all recommended steps for remediation of the noncompliance.

(c) Should the charged party substantially fail to implement the plan, the fire and EMS chief may modify the plan, discontinue the plan, implement an alternative plan, and/or take other action as needed. Prior to taking these steps, however, the fire and EMS chief must consult with the **county administrator** ~~board~~ about his/**her** intended action and consider **his/her** its recommendations except when immediate action is required, in which case he shall consult with the ~~board~~ **county administrator** as soon as practicable after such action.

(d) If the fire and EMS chief determines that the nature of the noncompliance is so serious as to merit consideration of de-certification of the organization, ~~or reduction in its funding by the board of supervisors~~ or repossession of equipment, ~~they~~ **he/she** shall apprise the county administrator who shall refer the matter to the board of supervisors, which shall be the sole authority to take any punitive action, pursuant to Code of Virginia, § 27-10. ~~and to determine annual appropriations.~~

Section 42-1.9. - In accordance with the requirements of the Code of Virginia, the following volunteer, **career, and combination** fire departments ~~and rescue squads~~ are recognized as an integral part of the official safety program of the county:

- (1) Prince George Volunteer Fire Department, Company 1.
- (2) Disputanta Volunteer Fire Department, Company 2.
- (3) Carson Volunteer Fire Department, Company 3.
- (4) Burrowsville Volunteer Fire Department, Company 4.
- (5) Jefferson Park Volunteer Fire Department, Company 5.
- (6) **Prince George Company 6**
- (7) **Prince George Company 7**
- (8) **Prince George Company 8**
- (9) ~~Prince George Emergency Crew.~~
- (9) **System** Volunteers within the Fire and EMS Department.

Only "active" members of the volunteer fire departments, ~~crew-system~~ and county department volunteers; defined as having responded to at least six emergency calls in the previous calendar year, shall be eligible for Line of Duty Act benefits, Code of Virginia, § 9.1-400 et seq.

Sec. 42-1.10. - Physical examination for firefighters.

- (a) Every firefighter, either salaried or volunteer, entering upon the service of the county, at the time of such entry, **and as requested by the fire and EMS chief** shall, at the expense of the county, undergo the physical examination required by Code of Virginia, § 27-40.1 by a physician licensed to practice medicine in the state, which physical examination shall include the examination of the eyes, ear, nose, and throat; the glandular system, chest and lungs, heart and abdomen, inguinal area; the extremities; blood pressure sitting, radial pulse, peripheral pulse; a general neurological examination; and a physical agility examination. In addition, such examination shall include a blood count, routine urinalysis, hemoglobin and hematocrit, blood serology, large chest X-ray (posterior-anterior and lateral), a 12-lead electrocardiogram, and any other specialty tests indicated by abnormal findings from any of the foregoing tests. The physician conducting such examination shall submit a written report thereof to the fire and EMS chief on a prescribed form which sets forth the result of each of the tests and studies, and his

findings, based upon the results, as to whether such firefighter is free from respiratory diseases, hypertension, heart disease or any other physical defect that would actually or potentially impair the firefighter's fitness to function as a firefighter.

- (b) The fire and EMS chief shall contract with such physicians, clinics or hospitals for the performance by such physicians, clinics or hospitals of the physical examination and laboratory and diagnostic studies prescribed in subsection (a) of this section.

Sec. 42-1.12. - Criminal history records check.

- (1) In accordance with the requirements of Code of Virginia, §§ 32.1-111.5, 15.2-1503.1 and 19.2-389, as amended, all applicants for employment with the Fire and EMS System ~~Prince George Coordinated Fire and Emergency Medical Services System~~, or applicants to become volunteers in such system, shall participate in a state and national criminal history records check as required and administered by the county and Commonwealth of Virginia. The fire and EMS chief is hereby designated as the county's representative in coordinating such record checks with the FBI and the Central Criminal Records Exchange. The applicant shall submit to fingerprinting and provide personal descriptive information to be forwarded along with the individual's fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information. The Central Criminal Records Exchange, upon receipt of an individual's record or notification that no record exists, shall forward it to the designated county governmental employee.
- (2) The fire and EMS chief shall review the criminal history records, if any exist, of applicants for employment and for volunteer service in the Fire and EMS Department. The fire and EMS chief shall periodically review the criminal history records, if any exist, of incumbents. These reviews will determine if the past conduct of any person would bar employment or service with the Fire and EMS Department. When in the sole judgment of the fire and EMS chief, a criminal history report contains such information that the opportunity for employment or volunteer service should be denied, that person will not be hired or accepted into the volunteer service. If that person is currently employed or serving as a volunteer, the fire and EMS chief shall immediately suspend that person from operational duty, and that person may be dismissed

from the Fire and EMS Department, subject to notice of the material in the criminal history records and the opportunity for a hearing before the fire and EMS chief.

- (3) In the interest of the public welfare and safety, the fire and EMS chief shall review the department of motor vehicle records of applicants for employment and for volunteer service in the Fire and EMS Department. The fire and EMS chief shall periodically review the department of motor vehicle records of incumbents. These reviews will determine if the past conduct of any person would bar employment or service with the Fire and EMS Department. When in the sole judgment of the fire and EMS chief a driving history report contains such information that the opportunity for employment or service should be denied, that person will not be hired or accepted into the volunteer service. If that person is currently employed or serving as a volunteer, the fire and EMS chief shall immediately suspend that person from driving duty, and that person may be dismissed from the Fire and EMS department, subject to notice of the material in the criminal history records and the opportunity for a hearing before the fire and EMS chief and the Advisory Board.

(2) *That the Ordinance shall be effective immediately.*

ORDINANCE TO AMEND "THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA", 2005, AS AMENDED, BY AMENDING §§ 42-1.1, 42-1.3, 42-1.4, 42-1.5, 42-1.6, 42-1.7, 42-1.8, 42-1.10, and 42-1.12 TO CHANGE THE TERM FIRE & EMS DIRECTOR TO FIRE & EMS DIRECTOR/CHIEF

BE IT ORDAINED by the Board of Supervisors of Prince George County:

(1) That The Code of the County of Prince George, Virginia, 2005, as amended, is amended by amending §§ 42-1.1, 42-1.3, 42-1.4, 42-1.5, 42-1.6, 42-1.7, 42-1.8, 42-1.10, and 42-1.12 as follows:

CHAPTER 42 FIRE PREVENTION AND PROTECTION

ARTICLE I. IN GENERAL

Sec. 42-1.1. - Establishment of the Prince George Coordinated Fire and Emergency Medical Services System.

a) The Prince George County Coordinated Fire and Emergency Medical Services System is hereby established pursuant to Code of Virginia, § 27-6.1 et seq. The fire and rescue system shall provide comprehensive fire, rescue, emergency disaster management, hazard material ("hazmat") and emergency medical services throughout the county in accordance with state laws, county ordinances, and adopted policies.

(b) The coordinated and integrated fire and emergency medical service system shall be composed of the following volunteer fire companies, volunteer rescue squad and the Prince George County Department of Fire and EMS, including volunteers of the department:

- (1) Prince George Volunteer Fire Department, Company 1.
- (2) Disputanta Volunteer Fire Department, Company 2
- (3) Carson Volunteer Fire Department, Company 3.
- (4) Burrowsville Volunteer Fire Department, Company 4.
- (5) Jefferson Park Volunteer Fire Department, Company 5.
- (6) Prince George Emergency Crew.

(c) The coordinated fire and EMS system shall be a combined force of non-employee volunteer members of the several fire companies and rescue squad, county employees, and county volunteers of the Prince George County Department of Fire and Rescue.

(d) Volunteers reporting to the department of fire and EMS shall be managed and supervised by the fire and EMS director/chief and may be assigned to various duties including placement in stations and as personnel on apparatus.

Sec. 42-1.3. - Responsibilities of fire and emergency medical services (EMS) director/chief

The head of the coordinated fire and EMS system shall be known as the fire and EMS director/chief, who shall be appointed by the county administrator. The fire and EMS director/chief shall:

(1) Provide oversight and management of the coordinated system's functions by:

a. Developing strategies in collaboration with the Prince George Fire and Emergency Medical Services (PGFEMS) Board, to retain and expand the volunteer base within the system to ensure that the health of the volunteer system remains a high priority for the fire and EMS director/chief.

b. Develop policies, in consultation with the PGFEMS Board, of system-wide policies that are essential to the effective and fair provision of high-quality, countywide fire and emergency services to include:

1. Standard operating guidelines for the system's delivery of fire, rescue, and emergency medical services;
2. System performance standards, such as minimum staffing and response goals;
3. A seamless command structure and incident command system that complies with federal and state incident management standards;
4. Minimum personnel, training, licensure, and reporting requirements and the delivery of high-quality fire and emergency services;
5. System fleet size, deployment, and functions;
6. Minimum standards regarding apparatus and equipment;
7. System funding by the county, including volunteer companies and monitoring and controlling system volunteer and county budgets and expenditures;
8. A process for setting and maintaining first due areas, response districts and apparatus response orders;

9. Development of a plan for construction and maintenance of stations and substations within the county; and

10. Mutual aid and cooperative agreements.

(2) Make day-to-day operational decisions necessary for an effective coordinated system on matters not addressed by system-wide policies. The fire and EMS director/chief shall strive to consult with the PGFEMS Board prior to making any significant decision. If circumstances do not permit such prior consultation with the PGFEMS Board, the fire and EMS director/chief shall advise the PGFEMS Board as soon as practicable after the decision is made and seek its recommendations for future actions.

(3) Serve as the chairman of the PGFEMS Board by participating in PGFEMS Board meetings and activities; providing and managing county staff support, as needed, for the PGFEMS Board; and overseeing the preparation of PGFEMS Board meeting documents. The fire and EMS director/chief shall also be a full voting member of the PGFEMS Board.

(4) Provide general management, planning, preparation, response and recovery for any disaster relating to fires, hazardous materials, natural or manmade events, weather or emergency medical services that may occur in the county.

(5) Assume responsibility, under the authority of the county administrator, to carry out agreements for mutual aid, disaster preparedness and the provision of services related to hazardous materials, rescues, fire suppression, investigation, medical services or other emergency response services deemed necessary in the judgment of the fire and EMS director/chief for events exceeding the capabilities of the county.

(6) Exercise all powers authorized by state law as necessary for the provision of coordinated fire and emergency medical services.

Sec. 42-1.4. - Responsibilities of volunteer fire companies, volunteer rescue squad and volunteer chiefs.

(a) Volunteer fire companies and rescue squads shall have all the powers and duties granted to them by state law. They shall also have the following responsibilities while acting in conformity with policies of the coordinated fire and rescue system:

- (1) Managing performance and responses by the company or squad, including directing station activity and operations;
- (2) Assuming or delegating the role of incident commander within the system's integrated incident command structure;
- (3) Providing management within response districts and apparatus response orders;
- (4) Selecting and promoting officers and other personnel;
- (5) Recruiting, retaining and advocating on behalf of volunteer members;
- (6) Managing officers and personnel, including discipline, training, and keeping records; provided, however that the fire and EMS director/**chief** may take disciplinary action or other personnel action affecting volunteers in accordance with this article;
- (7) Preparing annual budgets subject to approval by the county and managing expenditures in conformance with the approved budget;
- (8) Fundraising and managing all funds and assets that derive from private or non-county sources;
- (9) Collecting and forwarding to the fire and EMS director/**chief** any requested data, statistics and other information as may be necessary to assure the efficient operation of the coordinated fire and rescue system;
- (10) Caring for and maintaining station facilities, apparatus and equipment; and
- (11) Managing station procurement of supplies and coordinating station procurement and care of county apparatus, equipment, and tools.

(b) The operational head of each volunteer fire company and rescue squad within the system shall be selected according to the by-laws of the company or squad. Volunteer chiefs shall exercise the authority granted to them by state law and the by-laws of their organizations, so long as their actions do not conflict with the provisions of this article or the policies of the coordinated fire and EMS system.

(c) Volunteer companies and squad shall have authority to adopt policies, guidelines and protocols for the governance of their stations, which are consistent with state law, county ordinances, and policies of the coordinated fire and EMS system. Nothing in this article is intended, nor shall it be construed, to make any member of a volunteer fire company and rescue squad an employee of the county.

(d) Additional volunteer fire companies and rescue squads may be formed in accordance with state law and board of supervisors' approval. They shall operate in conformity with state laws, county ordinances, and the policies of the coordinated fire and EMS system.

Sec. 42-1.5. - Establishment of Prince George Fire and EMS Board.

(a) The Prince George County Fire and EMS Board ("PGFEMS Board") is hereby established to perform the following responsibilities:

(1) Cooperate with and advise the fire and EMS director/chief on the delivery of fire, rescue and emergency medical services as representatives of the volunteer companies and squad;

(2) Facilitate communication and collaboration between the volunteer and county-employed members of the coordinated fire and rescue system;

(3) Communicate issues of importance to the fire and EMS director/chief concerning individual volunteer organizations or the coordinated fire and emergency medical service system.

(b) The PGFEMS Board shall be composed of the highest ranking operational leader of each of the volunteer organizations and the county fire and EMS director/chief, who shall also serve as the chairman of the board.

Sec. 42-1.6. - Duties of the Prince George Fire and EMS (PGFEMS) Board.

The PGFEMS Board shall perform the following duties:

(1) Adopt by-laws for its operation consistent with this article.

(2) Review all proposed policies affecting the coordinated fire and EMS system and provide comments and advice to the fire and EMS director/chief and ensure the communication and compliance with system-level policies to all companies and squads.

(3) Meet regularly in order to consider concerns affecting the coordinated system and provide input regarding:

a. Incident management;

b. Nonconformance with system policies; and

c. Assurance of quality in the delivery of emergency services.

(4) Review and provide input and recommendations to the fire and EMS director/chief regarding new initiatives for the coordinated system's operating and capital improvement budgets.

(5) Develop, in collaboration with the fire and EMS director/chief, a grievance procedure that is consistent with the procedure available to county employees to contest disciplinary or operational matters affecting individual volunteers. The general management and discipline of volunteers shall be a station-level responsibility, unless the fire and EMS director/chief must act and take personnel actions affecting any volunteer in order to protect the effective operation of the coordinated fire and emergency medical service system.

(6) Meet on a regular basis and present a report annually to the board of supervisors regarding the health of the volunteer system.

Sec. 42-1.7. - Procedure for developing policies of the coordinated fire and EMS system.

All system-wide policies shall be developed through the following system:

(1) The fire and EMS director/chief shall prepare the new system-level policies and shall review all existing system-wide policies. Any member of the coordinated fire and EMS system may suggest new policies or policy amendments to the fire and EMS director/chief and the PGFEMS Board through the member's chain of command. Personnel policies that affect only county employees or county volunteers will not be considered by the PGFEMS Board.

(2) The fire and EMS director/chief shall consider any comments and recommendations on proposed policies from the PGFEMS Board and shall incorporate such recommendations for revision which, in his judgment, meet the system policy standards. Should the chief decline to accept any material recommendation for revision from the PGFEMS Board, he shall provide a written explanation of his decision to the PGFEMS Board after attempting to reach a consensus.

After considering any draft policy, the PGFEMS Board shall take one of the following actions by majority vote:

- a. Accept the draft policy as worded.
- b. Support the policy in principle, but with specific revisions.
- c. Decline to accept the policy.

- (3) By majority vote, the PGFEMS Board may appeal any decision to decline to accept a policy within seven days to the county administrator in writing giving its reasons for appeal. The county administrator shall consider such appeal and deny the appeal or remand to the PGFEMS Board for further review within ten days.

Sec. 42-1.8. - Noncompliance with system policies.

The chiefs of all member organizations may communicate concerns about noncompliance with system policies to the fire and EMS director/chief.

- (1) As soon as practicable after receiving any such complaint, the fire and EMS director/chief shall determine whether reasonable cause exists to believe that there has been a material noncompliance with any system policy.

- (2) The PGFEMS Board shall prepare a written report summarizing the investigation and its conclusions and submit the report to the fire and EMS director/chief no later than ten calendar days following the conclusion of the investigation. If the PGFEMS Board determines, by majority vote, that the charged party has materially noncomplied with system policy, with the concurrence of the fire and EMS director/chief, the charged party shall comply with all recommended steps for remediation of the noncompliance.

- (3) Should the charged party substantially fail to implement the plan, the fire and EMS director/chief may modify the plan, discontinue the plan, implement an alternative plan, and/or take other action as needed. Prior to taking these steps, however, the fire and EMS director/chief must consult with the board about his intended action and consider its recommendations except when immediate action is required, in which case he shall consult with the board as soon as practicable after such action.

- (4) If the board and fire and EMS director/chief determine that the nature of the noncompliance is so serious as to merit consideration of de-certification of the organization or reduction in its funding by the board of supervisors or repossession of equipment, they shall apprise the county administrator who shall refer the matter to the board of supervisors, which shall be the sole authority to take any punitive action, pursuant to Code of Virginia, § 27-10, and to determine annual appropriations.

Sec. 42-1.10. - Physical examination for firefighters.

- (a) Every firefighter, either salaried or volunteer, entering upon the service of the county, at the time of such entry, shall, at the expense of the county, undergo the physical examination required by Code of Virginia, § 27-40.1 by a physician licensed to practice medicine in the state, which physical examination shall include the examination of the eyes, ear, nose, and throat; the glandular system, chest and lungs, heart and abdomen, inguinal area; the extremities; blood pressure sitting, radial pulse, peripheral pulse; a general neurological examination; and a physical agility examination. In addition such examination shall include a blood count, routine urinalysis, hemoglobin and hematocrit, blood serology, large chest X-ray (posterior-anterior and lateral), a 12-lead electrocardiogram, and any other specialty tests indicated by abnormal findings from any of the foregoing tests. The physician conducting such examination shall submit a written report thereof to the fire and EMS director/chief on a prescribed form which sets forth the result of each of the tests and studies, and his findings, based upon the results, as to whether such firefighter is free from respiratory diseases, hypertension, heart disease or any other physical defect that would actually or potentially impair the firefighter's fitness to function as a firefighter.
- (b) The fire and EMS director/chief shall contract with such physicians, clinics or hospitals for the performance by such physicians, clinics or hospitals of the physical examination and laboratory and diagnostic studies prescribed in subsection (a) of this section.

Sec. 42-1.12. - Criminal history records check.

In accordance with the requirements of Code of Virginia, §§ 32.1-111.5, 15.2-1503.1 and 19.2-389, as amended, all applicants for employment with the Prince George Coordinated Fire and Emergency Medical Services System, or applicants to become volunteers in such system, shall participate in a state and national criminal history records check as required and administered by the county. The ~~director of the fire and EMS~~ director/chief system is hereby designated as the county's representative in coordinating such record checks with the FBI and the Central Criminal Records Exchange. The applicant shall submit to fingerprinting and provide personal descriptive information to be forwarded along with the individual's fingerprints through the Central Criminal Records Exchange to the Federal Bureau of

Investigation for the purpose of obtaining criminal history record information. The Central Criminal Records Exchange, upon receipt of an individual's record or notification that no record exists, shall forward it to the designated county governmental employee.

(2) That the Ordinance shall be effective immediately.