

## CHAPTER 11

### FIRE PREVENTION AND PROTECTION<sup>1</sup>

#### Article I. Line of Duty

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### ARTICLE I. LINE OF DUTY

#### DIVISION 1. LINE OF DUTY ACT APPLICABLE IN COUNTY

**Sec. 11-1. Line of Duty Act applicable in County.**

The Bath County Board of Supervisors designates the Hot Springs Volunteer Fire Association, Millboro Volunteer Fire Association, Inc., Millboro First Responders, Millboro Area Rescue Squad, Hot Springs Rescue Squad, Bath-Highland Volunteer Fire Department, the Burnsville Volunteer Fire Department, Burnsville First Responders, Mountain Grove Volunteer Fire Department, and Mountain Grove First Responders, as integral parts of the official safety program of the County.

**Sec. 11-2. Authorization of participation by teenagers of a certain age, training; and certification in volunteer firefighting activities.**

(a) Subject to any restrictions that may be adopted by the volunteer fire company, any person who is sixteen (16) years of age or older, after first obtaining his/ her parent's or legal guardian's approval, in writing, is authorized to work with or fully participate in all activities of

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<sup>1</sup> **Cross references**-Chapter 2; office of emergency services, Sections 2-16 *et seq.* **State law reference**-Fire protection, Code of Virginia, Sections 27-1 *et seq.* **Contents of this Chapter are based upon the following County ordinance** — **Ord. of 3-13-73, as amended by Ord. of September 9, 2003, and March 13, 2007,** pertaining to the official safety program of Bath County; and **March 9, 2010,** pertaining to the regulation of alarm systems.

the volunteer fire company, provided such person has attained certification under the National Fire Protection Association NFPA 1001, Level One, fire fighter standards, as administered by the Virginia Department of Fire Programs. The certification record and parental or guardian consent shall be kept on file in the office of the volunteer fire department for each participant who is enrolled pursuant to this section.

(b) Any trainer or instructor of such minor or any member of a paid or volunteer fire company who supervises such minor shall be exempt from the provisions of section 40.1-103 Code of Virginia, provided the volunteer fire company or the Board of Supervisors has purchased insurance which provides coverage for injuries to, or the death of such minor in the performance of activities under this section.

## ARTICLE II. REGULATION OF ALARM SYSTEMS<sup>2</sup>

**Secs. 11-3 to 11-10. Reserved.**

**Sec. 11-11. Definitions.**

For the purposes of this article, an "*automatic security alarm*" or "*fire alarm*" (alarm system) is an alarm that provides for a means to notify off-site personnel of a possible emergency situation without the direct involvement or intervention of people on the site where the alarm is located. An automatic alarm will generally either sound an audible tone that can be heard by off-site personnel or provide alarm information to a remote answering point by means of an automatic dialing system. "*Alarm system*" is further defined in Section 15.2-911 of the Code of Virginia, which section is incorporated herein by reference. A "*false alarm*" is any security or fire alarm signal, communicated directly or indirectly to the Public Safety Answering Point ("PSAP") which is not in response to an actual or threatened criminal activity or fire risk requiring immediate sheriff's department, fire or rescue response.

**Sec. 11-12. Application for installation.**

(a) Every individual, business or organization which has installed or seeks to install an alarm system within Bath County that meets the definition in Section 11-11 ("Alarm System User") is required to obtain a permit to operate the system upon passage of this ordinance and, for new installations not yet installed, prior to installation. The permit shall identify all necessary information regarding the premises, location, contact names, telephone numbers, addresses, directions and other information needed by emergency personnel in order to carry out their respective duties. Whenever a permit is issued, it shall be the responsibility of the owner of the system to maintain any and all components associated with that alarm system. Additionally, each system owner shall notify the Bath County Sheriff of any changes in information or use which

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<sup>2</sup> At its regular meeting on March 9, 2010, following a public hearing continued from February 9, 2010, on motion by the Hon. Richard B. Byrd, the Board of Supervisors voted unanimously to adopt and codify this ordinance to replace the ordinance which had been adopted on March 11, 1997. The vote was 5 in favor and none opposed. The ordinance is effective at midnight, Tuesday, March 9, 2010.

would affect the response to an alarm. Failure to do so may result in revocation of the permit to operate.

(b) The Bath County Sheriff shall be responsible for carrying out the enforcement provisions of all sections of this article regarding the installation and procedures for automatic fire and security alarm systems. The Bath County Building Official shall be available to provide inspection and enforcement according to the Uniform Statewide Building Code, at the request of the Bath County Sheriff.

**Sec. 11-13. Responsibilities for alarm systems in general.**

(a) Each Alarm System User shall be responsible for ensuring the proper functioning and maintenance of the system in its entirety from the point of origination to the point of termination.

(b) Neither Bath County nor any individual acting on behalf of Bath County in an official capacity shall be held liable for failure of an alarm component or system which is installed in Bath County or which terminates in Bath County.

**Sec. 11-14. Service fees for false alarms.**

Three or more false alarms originating from any premises and to which emergency services are dispatched or respond within any period of six (6) consecutive months shall result in a service fee being imposed by Bath County upon the Alarm System User, which fee shall be paid to the Treasurer of Bath County within thirty (30) days after billing. The service fee shall be One Hundred Dollars(\$100.00) for the third false alarm and Two Hundred Dollars (\$200.00) for the fourth false alarm. Subsequent false alarms within any period of six (6) consecutive months shall be charged a service fee of One Thousand Dollars (\$1,000) per day for each day that the system remains unrepaired or maintained to the satisfaction of the Sheriff and the Building Official.

**Sec. 11-15. Penalty for non-conformance.**

Failure to adhere to this ordinance shall be punishable as a class 1 misdemeanor.