

AN ORDINANCE TO AMEND THE
CODE OF THE COUNTY OF DINWIDDIE, 1985, AS AMENDED,

BY AMENDING CHAPTER 10, FIRE PREVENTION AND PROTECTION

BY ADDING, ARTICLE VI. DINWIDDIE COUNTY FIRE AND EMS DEPARTMENT

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County:

(1) *That Chapter 10 of the Code of the County of Dinwiddie, 1985, as amended, is amended by inserting the following language:*

ARTICLE VI. DINWIDDIE COUNTY FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

Sec. 10-50. Establishment of the Dinwiddie County Fire and Emergency Medical Services Department.

- (a) The Dinwiddie County Fire and Emergency Medical Services Department ("Department") 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, hazardous material ("hazmat") and emergency medical services throughout the county in accordance with state laws, county ordinances, and adopted policies.
- (b) The coordinated fire and emergency medical service system shall be composed of the officials, staff and volunteers of the Department and the following volunteer fire and EMS companies, which shall be considered integral parts of Dinwiddie County's official safety program.

- 1) Dinwiddie Volunteer Fire and EMS – Station No. 1.
- 2) Ford Volunteer Fire and EMS – Station No. 2.
- 3) McKenney Volunteer Fire and EMS – Station No. 3.
- 4) Namozine Volunteer Fire and EMS – Station No. 4.
- 5) Old Hickory Volunteer Fire Department – Station No. 5.
- 6) Carson Volunteer Fire Department – Station No. 6.

Sec. 10-51. Responsibilities of Dinwiddie County Fire and Emergency Medical Services Department.

(a) The Department shall:

- (1) Manage the delivery of prehospital emergency patient care and services in the county consistent with state emergency medical services regulations and the guidance of the medical director.
- (2) Manage the provision of system-wide fire prevention, protection, investigation, suppression, rescue services, and services relating to hazardous materials and other hazards posing a threat to life and property, through policy development and implementation.
- (3) Manage delivery of services for natural and manmade disasters or weather-related emergencies.

- (4) Provide any additional, related, system-wide services that are essential for the provision of high-quality fire and emergency medical services.
- (5) Perform and deliver services consistent with state laws, county ordinances, and duly adopted policies of the Department.

Sec. 10-52. Responsibilities of fire and emergency medical services department lead.

(a) The lead of the Department shall be known as the Chief of Fire & EMS (the "chief"), who shall be appointed by the county administrator. The Department shall have as many other officers and employees as the board of supervisors may approve. The chief shall have the following duties:

- (1) Provide the general management of the Department function and may delegate authority to other officials and staff of the Department.
- (2) Establish and enforce departmental regulations. Such regulations shall be consistent with this chapter, but may provide for additional and more stringent requirements applicable to the Department. The chief shall have the authority to promulgate standard operating procedures and policies, both operational and administrative. The chief in collaboration with the fire and rescue association shall develop a policy for the development and adoption of policies and standard operating procedures.
- (3) Establish and enforce training and physical standards.
- (4) Establish equipment specifications for all departmental equipment, both mobile and nonmobile, and shall determine the Department's fleet size and function.
- (5) Control all station operations, relating to the provision of fire and rescue services, including staffing and shall ensure the regulations are applied to all personnel of the Department.
- (6) Provide for appropriate investigation of staff and volunteer applicants and incumbents, including a review of both criminal history and driving records. Personnel actions based on these reviews will be taken in accordance with county and departmental policy.
- (7) Provide general management, planning, preparation and response for any disaster that occurs in the county and requires the implementation of the county's emergency response plan and shall function as the coordinator of emergency management pursuant to Code of Virginia, Title 44.
- (8) Take all actions, on behalf of the county administrator, necessary to implement and carry out the terms of agreements for mutual aid, disaster preparedness and 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 chief in events exceeding the capabilities of an individual locality or government agency.
- (9) 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. The fire and rescue chief shall have the authority to take all actions necessary to

obtain funding and assistance from other localities and from state and federal agencies for these purposes. The powers enumerated in this subsection are only authorized at the express direction of the county administrator who serves as the director of emergency management, pursuant to Code of Virginia, Title 44.

Sec. 10-53. Responsibilities of volunteer fire companies and volunteer chiefs.

(a) Volunteer fire companies may be formed, named and dissolved 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 Department. They shall also have the following responsibilities while acting in conformity with policies of the Department:

- (1) Managing performance and responses by the company, 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 chief may take disciplinary action or other personnel action affecting volunteers in accordance with this article;
- (7) Fundraising and managing all funds and assets that derive from private or non-county sources;
- (8) Collecting and forwarding to the chief any requested data, statistics and other information as may be necessary to assure the efficient operation of the Department;
- (9) Caring for and maintaining station facilities, apparatus and equipment; and
- (10) 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 within the system shall be selected according to the by-laws of the company . 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 Department.

(c) Volunteer companies 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 Department. 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.

Sec. 10-54. Compliance with regulations and policies and penalties.

(a) Compliance with all regulations, directives, policies, and procedures of the Department as enforced by the chief, by the entities, officials, and staff, is required of all fire and EMS personnel.

(b) As the Department's enforcing authority, the chief shall have the responsibility to remove, suspend or revoke the privileges of any individual or entity to operate as an emergency medical service (EMS) or fire service provider or officer in the county, for violations of regulations promulgated by the chief or the operational medical director, or for the purpose of protecting public safety. The general management and discipline of individual volunteers shall be a station-level responsibility. Disciplinary action of volunteer personnel shall not occur until after providing sufficient time for input from the respective volunteer company and the fire and rescue association.

Notwithstanding the provisions in this section, the chief shall be authorized at all times to take immediate action against any individual or entity to prevent or mitigate imminent harm to the health, safety, or welfare of county citizens, volunteers or county staff; to ensure operational readiness of the coordinated fire and emergency medical service system to deliver fire and emergency medical services; to comply with all applicable laws. Such immediate action may be taken concurrently with the other provisions of this section or Department policies and procedures. Any immediate action taken shall be communicated to the county administrator, fire and rescue association and/or volunteer company as soon as possible.

(c) Employees shall use the county's existing grievance policy to ask for review of the chief's decision. Volunteer personnel shall be afforded a similar review process as established by Departmental policy and applicable to any removal, suspension, or revocation of privileges.

(d) Volunteer entities found in non compliance shall be afforded a review process as established by Departmental policy and applicable to any removal, suspension, or revocation of privileges. Any review that results in recommendation to dissolve, decertify or reduce funding of any entity shall be referred to the Board of Supervisors as the sole authority to take such punitive actions, pursuant to Code of Virginia § 27-10, and to determine annual appropriations.

Sec. 10-55. Establishment of the Dinwiddie County Fire and Rescue Association.

(a) The Dinwiddie County Fire and Rescue Association ("DCFRA") is hereby established to perform the following responsibilities:

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

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

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

(b) The DCFRA voting members shall be composed of the highest-ranking operational leader of each of the volunteer organizations and the chief.

Sec. 10-56. Duties of the Dinwiddie County Fire and Rescue Association.

(a) The DCFRA shall perform the following duties:

- (1) Adopt by-laws for its operation consistent with this article.
- (2) Review all proposed policies and standard operating procedures affecting the coordinated fire and emergency medical service system. Provide comments and advice to chief and ensure the communication and compliance with policies to all companies.
- (3) Meet regularly in order to consider concerns affecting the coordinated fire and emergency medical service system and provide input regarding:
 - i. Incident management;
 - ii. Nonconformance with policies; and
 - iii. Assurance of quality in the delivery of emergency services.
- (4) Review and provide input and recommendations to the chief regarding new initiatives for operating and capital improvement budgets.
- (5) Develop, in collaboration with the chief, all policies and procedures as required in this ordinance.
- (6) Appoint committees as may be necessary, as well as committees that may be useful to facilitate communication regarding matters of importance to the coordinated fire and emergency medical service system in the performance of its essential mission, including county staff and volunteers in such committees, as appropriate.
- (7) Meet on a regular basis and present a report annually to the board of supervisors regarding the health of the volunteer system.

Sec. 10-57. Criminal History Checks.

- (a) 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 Dinwiddie County Fire and EMS Department, or applicants to become volunteers in the system, shall participate in a state and national criminal history records check as required and administered by the county. The 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) This ordinance adopted by the Board of Supervisors of Dinwiddie County, Virginia, on October 19, 2021 shall become effective immediately upon adoption.