



Analysis of Suggestions for Improvement as part of the FY 2010 County's Line of Business & Schools Program Review Processes Fall 2008

Request By: Public

Suggestion: Require Fire Marshal Inspections for rental properties on an annual basis. Zoning Enforcement cannot keep up with the inspections in a timely manner.

Response By Fire and Rescue Department

Background: The Fire Marshal's office does conduct annual inspections as outlined in Chapters 61 and 62 of the Fairfax County Code with respect to the Uniform Statewide Building Code and the Statewide Fire Prevention Code.

The Fire and Rescue Department (FRD) interprets this suggestion to be referencing inspections conducted by the Zoning Enforcement Division of the Department of Planning and Zoning (DPZ) on property maintenance. Currently, the Fire Marshal's office does not have any enforcement authority relating to property maintenance codes. The designation of enforcement authority for property maintenance rests directly with the Building Official from the Fairfax County Department of Public Works and Environmental Services (DPWES). The Building Official delegates the DPZ Zoning Administrator such powers and authority necessary to enforce the Property Maintenance Code.

The Building Official delegates authorities to the Fire Marshal concerning enforcement of portions of the building code and the Fairfax County Code bestows enforcement of the Statewide Fire Prevention Code to the fire official; however, these authorities do not extend to property maintenance.

The only authorities granted to the Fire Marshal concerning zoning issues are contained in Chapters 101 and 112 of the Fairfax County Code concerning fire flow, fire hydrants, etc. in the Subdivision and Site Plan ordinances.

Recommendation:

FRD does not recommend the implementation of this suggestion. In order to grant the Fire Marshal's office authority to enforce property maintenance, the Fairfax County Code would have to be amended. In addition, the Fire Marshal's office would need additional training in the area of zoning enforcement as well as additional staff positions to handle the increased workload.