

## *Fire and Rescue Department*

### 92-02-Fire Prevention

Fund/Agency: 001/92	Fire and Rescue Department	
Personnel Services	\$5,670,101	<div style="text-align: center;"> <p><b>CAPS Percentage of Agency Total</b></p> <p>6.6%</p> <p>93.4%</p> <p>■ Fire Prevention ■ All Other Agency CAPS</p> </div>
Operating Expenses	\$1,038,197	
Recovered Costs	\$0	
Capital Equipment	\$83,000	
<b>Total CAPS Cost:</b>	<b>\$6,791,298</b>	
Federal Revenue	\$0	
State Revenue	\$0	
User Fee Revenue	\$4,546,121	
Other Revenue	\$56,919	
<b>Total Revenue:</b>	<b>\$4,603,040</b>	
<b>Net CAPS Cost:</b>	<b>\$2,188,258</b>	
Positions/SYE involved in the delivery of this CAPS	78/78	

#### ► CAPS Summary

The mission of Fire Prevention (FP) is to prevent:

- Fires
- Release of hazardous materials and hazardous conditions
- Loss of life or injury
- Property loss
- Consequences when fires or hazardous material releases occur within Fairfax County, and to ensure public safety, public health, and economic growth.

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Six separate service areas are provided by FP staff to accomplish its mission. These functions are identified below:

The **Engineering Plans Review** Section reviews fire alarm, building, sprinkler, tank, range hood, site, and other plans for compliance with the Statewide Building and Fire Prevention Codes and the Fairfax County Fire Prevention Code. Plans review staff provide code interpretations for the building industry and the general public. Service is provided to all developers, architects, engineers, owners, contractors, and designers, and the public at-large who submit plans for new construction, alterations, renovations, or modifications of sites, buildings, building tenants, and fire protection systems.

The **Fire Protection Systems Testing** Section enforces the Statewide Building Code and Fairfax County Fire Prevention Code. Inspectors witness code-mandated acceptance tests as well as code-mandated annual re-tests of all fire protection systems in buildings under construction or renovation and in existing buildings. In addition, they review plans for fire lane installation and evacuation procedure requirements of the Fire Prevention Code. Acceptance testing services are provided to citizens, contractors, developers, and businesses with fire protection systems.

The **Inspections** Section inspects buildings, institutions, and occupancies to ensure compliance with the Statewide and Fairfax County Fire Prevention Codes and the Virginia Petroleum Storage Tank Regulations. Inspections involve both commercial and residential structures. In addition, Inspections personnel inspect all home day care centers for fire safety for the Office for Children. The inspection of public buildings and industrial facilities, investigation of safety complaints received from citizens and other government agencies, and the issuance of Fire Prevention Code Permits are all functions mandated under the Fire Prevention Code. They also perform occupancy inspections to ensure compliance with the portions of the Statewide Building Code that deal with fire safety items prior to the Department of Public Works and Environmental Services (DPW&ES) issuing the Occupancy Permit.

The **Investigations** Section is responsible for enforcing State and County arson and fire bombing laws. This function includes the investigation of the cause of fires and bombings to include prosecution of those responsible where it is determined that a criminal act has been committed in a fire incident.

Efforts involve investigating all fires of suspicious or incendiary origin, large loss, and involving injury or loss of life to determine the cause, origin, other circumstances, and significant dollar losses. Prosecution of those responsible for criminal acts in fire incidents may also be required. Although Fire Investigators have the responsibility to prosecute those who intentionally destroy property, their primary mission is to determine how and why the fire started so the public and industry can be informed, educated, and protected.

The **Hazardous Materials (Hazmat) Services** Section investigates and protects public health, safety, and the environment from the potential impact of hazardous materials used, stored or transported within Fairfax County and, if hazardous materials are released, ensures appropriate actions are taken to clean up or remediate the release. The staff of this branch performs operation of LAB1, the mobile Fire & Hazmat Investigation Lab. The branch also has responsibility to enforce the explosives and blasting portions of the Fire Prevention Code. Staff support to the federally-mandated Fairfax Joint Local Emergency Planning Committee (LEPC) is provided by the Hazmat section.

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The **Life Safety Education** Section conducts educational presentations for all segments of Fairfax County's population. These efforts involve providing critical educational information to high-risk populations. Special programs have been developed to meet the specific needs of preschoolers, senior adults, and culturally diverse citizens. In addition, accurate information regarding major incidents is provided to the news media, the general population, and the diverse communities of Fairfax County. Education is also provided through videos, public service announcements, planned media events, and feature presentations on Fairfax County Cable Television. Staff personnel serve as department spokespersons during significant incidents and at special events.

The vast majority of fire prevention services is mandated by applicable building and fire codes, state code, or federal law. In fact, prevention work is frequently referred to as "The Fire Marshal's Office" (FMO) because it is the enforcement arm of the Fire and Rescue Department (FRD). Under state statute and in cooperation with the DPW&ES, the Fire Prevention Division enforces applicable sections of the Virginia Uniform Statewide Building Code (VUSBC), Title 27 of the Code of Virginia and Chapter 62 of the Fairfax County Fire Prevention Code.

Successful implementation of the Fire Prevention mission helps to ensure lower property insurance costs, foster economic development, lower the number and severity of firefighter injuries, and increase the quality of life in Fairfax County. Fairfax County's Fire Prevention Division (FPD) is recognized as one of the most innovative in the United States, and is one of the most thorough in its inspection work. This is reflected in the Insurance Services Office's statistical rating of Fairfax County as having the lowest ratio of total dollars lost to total dollars protected in the state of Virginia. Commercial insurance rates also reflect the County's high standards in fire prevention. A dollar's worth of commercial insurance in Fairfax County costs 47 cents. By comparison, a dollar's worth of commercial insurance in the City of Richmond costs about \$1.50.

In FY 2001, the FPD generated \$3,419,842 in revenue, primarily through fees assessed for Fire Prevention Code permits, engineering plans review, and costs recovered from parties responsible for hazardous materials incidents. This represents a recovery rate of 66 percent of all personnel costs associated with prevention activities.

### ► **Method of Service Provision**

Fire prevention activities are accomplished by 78 merit staff, 2 grant funded staff and 24 exempt limited term staff.

Fire investigators provide coverage 24 hours a day, 7 days a week for fire incidents. Inspection, hazmat, testing, and life safety education staff are on-call after normal business hours for emergencies and to enforce the Fire Prevention Code by responding to fire protection system malfunctions, to ensure that the systems are repaired and fire protection is maintained.

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All prevention services are provided directly by County employees who are trained and certified. For instance, fire and hazmat investigators are certified by the Virginia Department of Fire Programs and the National Association of Fire Investigators as fire investigators with full police powers. Hazardous materials investigators must also obtain technical certification from the Virginia Department of Emergency Management, as well as environmental crimes training and motor carrier safety training. Fire inspections and testing personnel must be certified by Virginia Department of Fire Programs and the Virginia Department of Housing and Community Development in accordance with VA Code Sections 27-34.2 and VR 394-01-2. The certification process includes an initial inspector training course (120 hours) with annual re-certification training. Engineering plans reviewers are state-certified technical assistants to the Building Official and the Fire Official under USBC 102.3 and the Statewide Fire Prevention Code F-102.2. Life safety education personnel are certified educators.

### ► Performance/Workload Related Data

#### Objectives:

- To maintain a maximum average plan lag time less than or equal to 15 working days for all plan types and recoup all costs associated with plans review.
- To conduct 100 percent of new occupancy inspections within two business days of request.
- To increase acceptance tests that are witnessed within seven to ten business days from 39 percent to 43 percent, toward a goal of 50 percent.
- To maintain a closure rate of 60 percent of investigations into the cause and circumstances of all fires, bombings, and threats to do so, that meet reporting requirements (statutorily mandated).
- To maintain a case closure rate of 50 percent of investigated complaints involving hazardous materials, hazardous waste, and environmental crimes occurring within Fairfax County to ensure public safety and health, clean-up, code compliance, and prosecution of criminal offenses arising out of the investigation process

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Title	FY 1998 Actual	FY 1999 Actual	FY 2000 Actual	FY 2001 Estimate <sup>1</sup>	FY 2002 Estimate
Average plans lag-time in working days	NA	16.6	23.4	10.4	10.4
Percent of occupancy inspections conducted within 2 business days	100%	100%	100%	100%	100%
Percent of acceptance tests witnessed within 7-10 business days <sup>2</sup>	85%	64%	36%	39%	43%
Percent of fire investigation cases closed	53%	61%	64%	61%	60%
Percent of Hazmat cases closed/year	59%	50%	52%	50%	50%

<sup>1</sup> Data reflected in table is FY 2001 actual data.

<sup>2</sup> The FY 1998 service quality and outcome figures were in error for acceptance testing and resulted in skewed data. In FY 1999 and FY 2000, there was a significant increase in service demand, resulting in the continuing decline in the percent of acceptance tests witnessed within 7-10 days. In late FY 2000, nine senior building inspector positions were approved during the budget process.

### ► **Mandate Information**

This CAPS is Federally or State mandated. The percentage of this CAPS' resources utilized to satisfy the mandate is 76 - 100%. The specific Federal or State code and a brief description of the code follows:

- Title 36-97 et seq of the Code of Virginia; Chapters 9-10 of the Virginia Uniform Statewide Building Code (VUSBC); Fairfax County Code Sections 61, 62 and 112. -- All require examination of all plans and applications for permits within a reasonable time after filing. Enforcement of portions of the VUSBC dealing with fire protection, including means of egress, is done in cooperation with DPW&ES.
- Title 27 of the Code of Virginia, Section 27-94 et seq; VR 394-01-6; Code of Fairfax County 62-2-8. -- Enforcement of the Statewide Fire Prevention Code, to include levying of fees, inspections and compliance with the Statewide Fire Prevention Code (SFPC) and the VUSBC by County businesses.
- VUSBC, Chapter 9; SFPC Sections F-501.4.5; F311; F-701.2; Code of Fairfax County, Section 62-2-8. -- Mandate acceptance testing and re-testing of fire protection systems, fire lane inspection and evacuation plan review.
- Title 36-99.6 of the Code of Virginia. -- Enforcement of the Petroleum Storage Tank Regulations.
- Code of Fairfax County Section 30-3-1. -- Inspection of all home day care facilities.

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- Title 27 of the Code of Virginia, Sections 27-30 and 27-31; Code of Fairfax County 62-2-4. -- Appointment of a Fire Marshal by governing body and that 'such fire marshal shall make an investigation into the origin and cause of every fire occurring within the limits for which he was appointed.'
- Public Law 99-499, October 17, 1986 (Superfund Amendments and Reauthorization Act of 1986, Title III (SARA) and 42 USC 9601 et seq. -- This law is a Federal mandate to local governments to comply with the notification and reporting requirements of the Emergency Planning and community Right to Know Act. The law has explicit procedures for data collection, reporting and use at Federal, State and local levels.
- Virginia Freedom of Information Act, Title 2.1-340.1 of the Code of Virginia. -- Official records must be made available to a citizen within a given timeframe and reasonable charges for the cost of providing the information may be made.

### ► User Fee Information

Subsubject Code	Fee Title	FY 2002 ABP Fee Total
0470	Fire Protection Systems Test Overtime Revenue	\$480,000
<b>Current Fee</b>		<b>Maximum Allowable Fee Amount</b>
\$150/half hour or fraction thereof (Test Overtime Revenue)		No limitation
<b>Purpose of Fee:</b> Systems Test Overtime fees are collected for fire protection system tests that take place after regular working hours at the request of the building owner or manager. The fees are paid prior to the test. The fee offsets the cost of providing the service.		
Levy Authority	Requirements to Change the Fee	Year Fee Was Last Adjusted
VA 27-98 FC 61-1-3 FC 62-2-6	A change or increase to the fee requires amending the Fairfax County Building Code. In the past, the Fire and Rescue Department has worked in conjunction with DPW&ES when fee changes are necessary in order to coordinate/consolidate the collection function.	1993
<b>Other Remarks:</b>		

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Subobject Code	Fee Title	FY 2002 ABP Fee Total
0468	Fire Prevention Code Permits	\$903,817
<b>Current Fee</b>		<b>Maximum Allowable Fee Amount</b>
\$100/permit (generally, may be less) \$575/firework displays		No limitation
<b>Purpose of Fee:</b> These permits are issued for 55 processes or hazardous uses including bonfires and other outdoor burnings. Installation, upgrade, closures, removal or abandonment of fuel storage tanks is also included.		
Levy Authority	Requirements to Change the Fee	Year Fee Was Last Adjusted
VA 27-98 FC 62-2-8	A change or increase to the fee requires amending the Fairfax County Fire Protection Code.	1996
<b>Other Remarks:</b>		

Subobject Code	Fee Title	FY 2002 ABP Fee Total
0469	Fire Marshal Fees	\$3,151,648
<b>Current Fee</b>		<b>Maximum Allowable Fee Amount</b>
\$76-\$88/hour depending upon whether regulated by the Fire Prevention Code or the Building Code		No limitation
<b>Purpose of Fee:</b> This fee is charged for plans review, inspections and fire protection system acceptance tests. The BOS voted to increase the Fire Prevention Code-related fees from \$76 to \$88 per hour in FY 1997. The rest of the fees are regulated by the Building Code.		
Levy Authority	Requirements to Change the Fee	Year Fee Was Last Adjusted
VA 27-30 through VA 27-37.1 VA 27-98 FC 61-1-5 FC 62-2-6 VA 36-105	An increase or change to these fees requires amending the Fairfax County Fire Prevention and Building Codes	1996- Fire Prevention Code 1989- Building code
<b>Other Remarks:</b>		

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Subobject Code	Fee Title	FY 2002 ABP Fee Total
0604	Copying Charges	\$10,656
<b>Current Fee</b>		<b>Maximum Allowable Fee Amount</b>
Incident reports: \$5 Subpoenas and/or FOIA: Standard FOIA charges \$10 for the cover; \$.50 per page for the first 50 pages; \$.25 per page thereafter		Amount as defined by FOIA – no maximum
<b>Purpose of Fee:</b> To respond to requests for incidents reports in Hazardous Materials and Investigations branches as defined under the Virginia Freedom of Information Act.		
Levy Authority	Requirements to Change the Fee	Year Fee Was Last Adjusted
VA § 2.1-341.2 VA § 2.1-342 VA § 8.01-413	Legislative change	1999
<b>Other Remarks:</b>		