

PUBLIC SAFETY COMMITTEE

AGENDA

TOWN OF CHINCOTEAGUE

February 3, 2015 – 5:00 pm – Council Chambers – Town Hall

CALL TO ORDER

ROLL CALL

OPEN FORUM/PUBLIC PARTICIPATION

AGENDA ADOPTION:

1. Bi-Monthly Emergency Management Report – Bryan Rush
2. Chincoteague Volunteer Fire Company Report
3. Discuss Possible Ordinance for False Fire Alarm Response Billing
4. Situational Report
5. Committee Member Comments

ADJOURN:

TOWN OF CHINCOTEAGUE EMERGENCY MANAGEMENT BI-MONTHLY REPORT

**Submitted by Bryan Rush
January 28, 2015**

PLANNING

EBOLA

Continued Ebola monitoring is ongoing by the Commonwealth of Virginia Department of Health. No active cases within Virginia at this time. Plans are being continually updated and revised to facilitate an emergency response if needed.

CAMPGROUND SAFETY

The Eastern Shore Disaster Preparedness Coalition is planning another meeting of Shore wide campground owners/managers to facilitate a blanket safety plan for each facility in the event of severe weather.

EMERGENCY CONTACTS

The emergency contacts list for the Town EOP is being reviewed and updated as necessary.

FLOOD PLAIN MANAGEMENT

The Emergency Management Division is assisting the Planning Department with surge maps of various storms to show flooding on the island. This is to combat the changes in base flood elevations (BFE) initiated by FEMA and devise a direction in planning that the Town should take.

LOGISTICS

NEW AMBULANCE TO BE PUT IN SERVICE

The new Chincoteague Ambulance 3-1 will be going into service the first week of February 2015. The 2014 Braun Chief XL will replace the 2008 Braun Chief XL which is in excess of 200,000 miles. The new ambulance comes as a 50/50 grant from the Virginia Office of EMS. Town EMS staff wrote and secured the grant for the volunteer fire company. Staff is currently adjusting shelving and adding after-market brackets. As soon as the radios are removed from the "old" 3-1 it will be taken out of service. Those same radios will then be installed in the "new" 3-1 and all EMS equipment will be transferred.

TIDE GAUGE

The tide gauge agreement has been sent to the USGS and we are awaiting a site visit and calibration. Estimates are that data should be accessible by the end of February 2015 to the middle of March 2015. This will be well ahead of the July 1 agreement.

EXERCISES

EBOLA

There was a table top exercise held at the Eastern Shore Community College through the Eastern Shore Disaster Preparedness Coalition on January 15, 2015. The objectives of the exercise were to implement the various plans of many agencies across the Shore to make sure everyone could respond together.

TRAINING

ICS 400

There will be an ICS 400 course at the Eastern Shore Fire Training Center on April 10 and 11, 2015. Anyone needing or interested in the course should contact Bryan Rush to sign up.

OPERATIONS

DAILY WEATHER MONITORING

Daily weather monitoring is on-going, with situational awareness emails sent to department heads as necessary. In the period November – January there has been 6 conference calls and 4 briefings have been sent to department heads.

PUBLIC INFORMATION

PREPAREDNESS

Disaster preparedness information will continue on the Town's web page, information kiosk in the office, and on the quarterly newsletter.

LIFEGUARDS

The National Park Service is recruiting for lifeguards for the upcoming season at Assateague National Seashore. Anyone interested in a summer job should apply at USAjobs.com.



TOWN OF CHINCOTEAGUE, INC.

MEMORANDUM

To: Public Safety Committee Chairman

Through: Robert Ritter, Jr., Town Manager

From: E. Bryan Rush, EM Coordinator *EBR*

Date: January 28, 2015

Subject: False Fire Alarm Responses

As directed, I have researched the potential creation of an ordinance for the Town of Chincoteague to bill businesses/persons who have a "system" fire alarm installed at their business or premise.

Currently, the situation as brought before Council by the Chincoteague Volunteer Fire Company shows numerous responses to false fire alarms at local businesses within the Chincoteague Volunteer Fire Company primary response area. Although response to such alarms is with due regard, for life and property; these responses put unnecessary resources such as equipment and personnel at risk for a crash or injury as well as the general public.

Contact with Mr. Brett Williams, Fire Marshall Supervisor at the Virginia State Fire Marshal's office was completed on January 26, 2015. Mr. William's clarified that the State Fire Safety Code does not address billing for responses to false fire alarms; thereby, relinquishing the ability to do so back to the locality.

York County, the City of Hampton, and the City/County of Suffolk are just a few localities that have such ordinances. The City of Norfolk is also beginning to work on such an ordinance as they already have one in regards to police false alarms. You will find Norfolk Police Department's ordinance as well as the City of Suffolk's Fire Alarm Response attached to this Memo. Also, attached is Suffolk's fee schedule for such responses.

These ordinances typically allow for a number of responses to false alarms per a given time period, before a bill is sent. Time periods from 30 days to 6 months are all within the normal. The objective of billing is to deter the owners of system fire alarms from not

having proper maintenance as recommended and required by the manufacturer. This lack of maintenance is the major reason for the systems alarming falsely.

The enforcement of said ordinance is determined by the locality as the responsible person(s) for such activity.

Emergency Management staff recommends sending a draft ordinance to the Ordinance Committee for consideration and possible future adoption by the Town Council; however, before a draft can be crafted, a few questions need to be answered:

- What is the number of alarms allowed per time period?
 - Recommend any over 3 responses in 90 days
- What is the fee schedule?
 - Set fee
 - Increasing fee with increasing violations per time period
 - Recommend \$100 first offense past 3 in 90 days for businesses
 - Recommend \$200 second offense past 3 in 90 days for businesses
 - Recommend \$300 for third and subsequent past 3 in 90 days for businesses
 - Fee per individual apparatus and/or personnel
 - Separate business vs. personal(residential) fee
 - Recommend \$50 for first offense past 3 in 90 days for residential
 - Recommend \$100 for second offense past 3 in 90 days for residential
 - Recommend \$200 for third and subsequent offenses past 3 in 90 days.
 - A problem could occur in differentiating a rental (residential) from a business. A straight fee or a definitions page in the ordinance could assist in differentiating.
- What documentation is to be provided and to whom for bill drafting?
 - A written incident report stating the business name, address, nature of the false alarm, apparatus that responded, names of personnel on scene, name of fire officer in charge, name of business owner/manager that was consulted about incident on the scene, and a brief narrative of actions taken.
 - A marked fire response vehicle must be on scene to proceed with billing.
 - A fire officer or the highest ranking fire responder will serve as the OIC(officer in charge) of the incident
- Where will the revenue be placed/transferred?

Please feel free to contact me through Mr. Ritter with any questions.

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§ 15.2-911. Regulation of alarm company operators.

A. Any locality may by ordinance regulate the installation and maintenance of alarm systems operated by alarm company operators.

B. As used in this section, an "alarm company operator" means and includes any business operated for profit, engaged in the installation, maintenance, alteration, or servicing of alarm systems or which responds to such alarm systems. Such term, however, shall not include alarm systems maintained by governmental agencies or departments, nor shall it include a business which merely sells from a fixed location or manufactures alarm systems unless such business services, installs, monitors or responds to alarm systems at the protected premises.

C. As used in this section, the term "alarm system" means an assembly of equipment and devices arranged to signal the presence of a hazard requiring urgent attention and to which police or firefighters are expected to respond. Such system may be installed, maintained, altered or serviced by an alarm company operator in both commercial and residential premises.

(1978, c. 587, § 15.1-28.2; 1997, c. [587](#).)

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Bryan Rush

From: Burris, Roger <roger.burris@norfolk.gov>
Sent: Wednesday, January 21, 2015 3:25 PM
To: Bryan Rush
Subject: RE: ORDINANCE

This is what we have for police false alarms. We do not have any for false fire alarms yet. We have been talking about constructing some sort of fee schedule to include within an ordinance.

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- **Sec. 33-99. - Service fees for false alarms.**

Notwithstanding the penalties provided for in [section 33-98](#), the following provisions shall also apply to false alarms:

- (a) Schedule of fees. The third false alarm originating from any premises and to which police are dispatched or respond within six (6) consecutive months will result in a service fee being imposed by the city upon the alarm system user which fee must be paid within thirty (30) days after billing. The service fee shall be twenty-five dollars (\$25.00) for the third false alarm and forty-five dollars (\$45.00) for the fourth false alarm and each subsequent false alarm. Fees shall be collected pursuant to [section 33-100](#)
- (b) The city will notify an alarm system user upon occurrence of the fifth false alarm within a six-month period that the user's alarm system must be inspected by a registered alarm company operator to identify any problems or defects with the alarm system. The choice of alarm company operator and cost of the inspection are the responsibility of the alarm system user. The alarm company operator shall provide a copy of a report of inspection to the chief of police. The report shall outline the problems or defects found and the actions taken or needed to correct such problems or defects. If no problems or defects are noted, the report will certify the system as operable. If the system is certified as operable, it will be presumed that the false alarm(s) occurred through alarm system user error. The user must then be retrained and/or provide an alarm operator's training program for its employees, tenants and all others having access to the system. A report of this training must be filed by the alarm system user with the chief of police.

(Ord. No. 36,288, § 1, 12-11-90)

- **Sec. 33-100. - Payment of fees; revocation of permit for failure to pay fees.**

- (a) The city shall on the last day of each month certify to the city treasurer the name of the alarm system user, the address from which false alarms subject to penalty emanated and the amount due the city. The city shall cause billing to be sent and shall in turn notify the city attorney when any account is more than thirty (30) days in arrears.
- (b) All service fees assessed against the alarm system user shall be due and owing to the city treasurer. In the event legal action is necessary to collect the service fees, the alarm system user shall be required to pay the service fees and any and all legal fees, attorney's fees and court costs required to collect such monies.
- (c) The failure of a permit holder to pay any outstanding service fees and/or expenses of collection shall constitute grounds for the revocation of the alarm system users permit by the chief of police. The continued operation of an alarm system after notification that the permit has been revoked shall constitute a class 4 misdemeanor, and each day of continued operation of the alarm system shall constitute a separate offense.
- (d)

An alarm system user permit that has been revoked pursuant to subsection (c) of this section may be reinstated by the chief of police upon payment of all outstanding service fees and expenses of collection plus a reinstatement fee of one hundred dollars (\$100.00).

(Ord. No. 36,288, § 1, 12-11-90)

From: Bryan Rush [<mailto:brush@chincoteague-va.gov>]
Sent: Wednesday, January 21, 2015 2:39 PM
To: Burris, Roger
Subject: ORDINANCE

Mr. Burris,

I am looking into the feasibility of an ordinance for the Town of Chincoteague, allowing the locality to bill for multiple responses to automatic fire alarms proven to be false at a single location.

Does the City of Norfolk have such ordinance and if so, would you please email me a copy or a link for viewing?

I look forward to hearing from you!

E. Bryan Rush
Emergency Management Coordinator
EMS Supervisor
Town of Chincoteague
6150 Community Drive
Chincoteague Island, VA 23336
757-336-3138 EMS Headquarters
757-336-6519 Town Office
757-336-3155 **24 Hour EMERGENCY ONLY**
brush@chincoteague-va.gov

Visit us online at:
www.chincoteague-va.gov

Sec. 30-51. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm company operator means and includes any business operated for profit, engaged in the installation, maintenance, alteration or servicing of alarm systems or which responds to such alarm systems. Such term, however, shall not include alarm systems maintained by governmental agencies or departments, nor shall it include a business that merely sells from a fixed location or manufactures alarm systems unless such business services, installs, monitors or responds to alarm systems at the protected premises.

Alarm system means an assembly of equipment and devices arranged to signal the presence of a hazard requiring urgent attention and to which the department of fire and rescue is expected to respond. Such system may be installed, maintained, altered or serviced by an alarm company operator in both commercial and residential premises.

Alarm system user means the occupant or owner of the premises protected by the alarm system.

False alarms means the activation of any alarm that results in the response of the department of fire and rescue caused by the negligence or intentional misuse of the alarm system, malfunction of the alarm system, or any other activation not caused by heat, smoke or fire.

(Ord. No. 88-95, 11-15-1995; Ord. No. 2A-96, § 1(11-9), 1-17-1996)

Cross reference— Definitions generally, § 1-2.

State law reference— Similar provisions, Code of Virginia, § 15.2-911.

Sec. 30-52. - Penalties.

Except as otherwise provided, any person who violates any section of this division shall be guilty of a class 3 misdemeanor, punishable as provided in section 1-14(3).

(Ord. No. 88-95, 11-15-1995; Ord. No. 2A-96, § 1(11-15), 1-17-1996)

Sec. 30-53. - Alarm company operator and alarm system user registration.

- (a) Every alarm company operator and alarm system user shall register with the city on forms provided by the city.
- (b) Registration forms of the alarm company operator shall be accompanied by a nonrefundable fee established by the city council and on file in the city clerk's office to cover the costs of processing the application. The registration form must be renewed annually thereafter at an annual fee established by the city council and on file in the city clerk's office.

(Ord. No. 88-95, 11-15-1995; Ord. No. 2A-96, § 1(11-10), 1-17-1996)

Sec. 30-54. - Duties of alarm system users.

It shall be the responsibility of the alarm system users to instruct employees, or others who may have occasion to activate an alarm, that alarm systems are to be activated only in emergency situations to summon an immediate department of fire and rescue response. Alarm system users shall also instruct appropriate employees as to the operation of the alarm system, including setting, activation and resetting of the alarm. The alarm system user shall be responsible for maintaining the alarm system in proper working order.

(Ord. No. 88-95, 11-15-1995; Ord. No. 2A-96, § 1(11-11), 1-17-1996)

Sec. 30-55. - Service fees for false alarms.

- (a) To determine the total cost of responding to false alarms, the department of fire and rescue shall calculate the total number and type of apparatus and total number of personnel that responded to the false alarm and the total amount of time each apparatus and person spent responding to the false alarm.
- (b) Service fees shall be established by the city council and on file in the city clerk's office, based on the following schedule:
 - (1) Engine company.
 - (2) Ladder company.
 - (3) Squad truck.
 - (4) Rescue/salvage truck.
 - (5) Brush truck.
 - (6) Pickup truck.
 - (7) Battalion chief's vehicle.
 - (8) Personnel.

(Ord. No. 88-95, 11-15-1995; Ord. No. 2A-96, § 1(11-12), 1-17-1996)

Sec. 30-56. - Payment of service fees.

The finance department shall provide billing for any fee assessed under this division.

(Ord. No. 88-95, 11-15-1995; Ord. No. 2A-96, § 1(11-13), 1-17-1996)

Sec. 30-57. - Exceptions.

The fees of this division shall not be applied to any alarm system used, operated or installed in any premises or place owned, leased, occupied or under the control of the United States government, the state or any of its political subdivisions, nor to the city or its school board or any officer, agent or employee of the aforementioned government agencies while acting or employed in their official capacity.

(Ord. No. 88-95, 11-15-1995; Ord. No. 2A-96, § 1(11-14), 1-17-1996)

Bryan Rush

From: James T. Judkins <jjudkins@suffolkva.us>
Sent: Thursday, January 22, 2015 2:17 PM
To: Bryan Rush
Subject: RE: ORDINANCE

Here is the requested information:

Alarm Registration	25.00 per year
False Alarms (within 180 days)	
First False Alarm	No Charge unless malicious act
Second False Alarm	50.00
Third False Alarm	100.00
Additional False Alarms	200.00
Emergency Medical Services	
Basic Life Support (BLS)	400.00
Advanced Life Support Level I (ALS I)	650.00
Advanced Life Support Level II (ALS II)	800.00
Loaded Patient Mileage (LPM)	10.00 per mile
Apparatus Use Fee	
Ambulance	30.00 per hour
Engine	75.00 per hour
Ladder	125.00 per hour
Re-Hab	50.00 per hour, plus supplies used
Emergency Communication Unit	75.00 per hour
Personnel	
Firefighter	25.00 per hour/per person
Firefighter/Medic	30.00 per hour/per person
Supervisor	35.00 per hour/per person

Captain James T (Jim) Judkins, Jr.
Emergency Management Coordinator
Department of Fire and Rescue
300 Kings Fork Road
Suffolk, Va. 23434
Office: 757-514-4536
Fax: 757-538-0351
www.suffolkva.us/em

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From: Bryan Rush [<mailto:brush@chincoteague-va.gov>]
Sent: Thursday, January 22, 2015 1:36 PM
To: James T. Judkins
Subject: RE: ORDINANCE

Thanks!

E. Bryan Rush
Emergency Management Coordinator
EMS Supervisor
Town of Chincoteague
6150 Community Drive

Situation Report # 35
Ebola Virus Disease (EVD) Pre-Event
1600 28 January 2015

Summary. Virginia has established Unified Command in response to the EVD threat. Virginia Emergency Response Team (VERT) Agencies comprise the UC staff. Virginia Department of Health is Lead State Agency. No Virginia EVD cases have been identified.

Current Situation Metrics

Except as noted numbers are status during last operational period (Monday-Sunday)

Item #	Measure	Metric	Status
1	Patients with Ebola in Virginia <ul style="list-style-type: none"> • Total number confirmed to date 	0	
2	Patients under care for Ebola <ul style="list-style-type: none"> • Total number of individuals under care in Virginia for Ebola (confirmed or probable): list hospital(s) 	0	
3	Case finding <ul style="list-style-type: none"> • Number of patients for whom decision was made to do testing by DCLS 	0	
4	Airport screening <ul style="list-style-type: none"> • Number of travelers transported from Dulles Airport to hospital for evaluation 	0	
5	Post -arrival monitoring <ul style="list-style-type: none"> • Number of travelers added to active post-arrival monitoring • Number of travelers transferred out • Number of travelers who completed 21-day active monitoring • Number of travelers in active monitoring at end of operational period 	20 4 17 55	See Note 1 54 low risk (but not 0) 1 some risk By health planning region: 45 North; 2 Northwest;4 Central; 4 East; 0 Southwest
6	Individuals under quarantine orders <ul style="list-style-type: none"> • Number of individuals issued involuntary quarantine order 	0	

1. Number added to monitoring includes travelers reported to VDH by CDC's airport screening program at all airports and transfers from other states' monitoring programs. Number who completed monitoring did so while under VDH monitoring. Some travelers who start monitoring in Virginia are transferred to other states, are transferred to a U.S. military monitoring program or leave the U.S. before the end of the 21-day monitoring period.