

STEPHENS CITY CODE

Chapter 6

FIRE PREVENTION AND PROTECTION

- Art. I. In General, §§6-1 – 6-40
- Art. II. Fireworks, §§ 6-41 – 6-60
- Art. III. Fire Prevention Code, §§ 6-61 – 6-85
- Art. IV. Fire Department, §§ 6-88 – 6-95

* State law reference-Town Charter, Virginia Code §15.2-900, et. seq.; 15.2-1100, et. seq.

Revised: Ord 5-6-08; Ord 6-3-08; Ord 8-4-09; Ord 9-1-09

FIRE PREVENTION AND PROTECTION

STEPHENS CITY CODE

ARTICLE I. IN GENERAL

Sec. 6.1 Obedience to orders at scene of fire; arrest of offenders; interfering with firemen

(a) Every person present at the scene of a fire shall be subject and obedient to the orders of firemen and police officers in any matter relating to extinguishing the fire, removal and protection of persons and property endangered by fire, smoke or water, freedom of fire department and medical personnel and apparatus to perform their duties or to function properly, and the maintenance of order at or near the scene of the fire, and it shall be unlawful for any person to disobey any lawful order of a fireman or police officer. Firemen and police officers shall have the authority to arrest persons who disobey such orders and to hold them in custody until the fire has been extinguished, at which time the violators shall be dealt with according to law.

(b) Any person who violates subsection (a) shall be fined not more than \$100.00.
(Code 1975, Sec 5-1)

State law reference – Penalty for disobeying officer in command at fire, Code of Virginia, Sec 27-19)

Sec. 6-2 Bonfires and outdoor rubbish fires, etc. – Generally

(a) No person shall kindle or maintain any bonfire or outdoor rubbish fire or authorize any such fire to be kindled or maintained without proper authorization of the chief of the fire department. The chief of the fire department may issue a general authorization subject to such restrictions as he may deem necessary for the protection of persons and property, or he may require special permits for such purposes. During construction or demolition of buildings or structure no waste materials or rubbish shall be disposed of by burning on the premises or in the immediate vicinity without having obtained a permit or other proper authorization.

(b) No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on any private land unless:

- (1) The location is not less than 50 feet from any structure and adequate provision is made to prevent fire from spreading to within 50 feet of any structure; or
- (2) The fire is contained in a waste burner of a type approved by the chief of the fire department and is located safely not less than 15 feet from any structure.

(c) Bonfires and rubbish fires shall be constantly attended by a competent person until they are extinguished. This person shall have a garden hose connected to the water supply, or other fire extinguishing equipment readily available for use.

FIRE PREVENTION AND PROTECTION

(d) The chief of the fire department may prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions or local circumstances make such fires hazardous.
(Code 1975, Sec 5-2)

Cross references – Buildings, ch.4; refuse and weeds, ch. 16

State law reference – Regulating the burning of woods, brush, etc., Code of Virginia, §10.1-1142

Sec. 6-3. Same – Permit required for fires off one's own property.

It shall be unlawful for any person to kindle or cause to be kindled any fire on any street, sidewalk or open lot, other than on his own property, without the permission of the chief of the fire department.

(Code 1975 §5-3)

Cross reference – Streets, sidewalks and public places, Ch. 17.

Sec. 6-4. Carelessly damaging property by fire.

If any person shall careless, negligently or intentionally set any woods or marshes on fire, or shall set fire to any stubble, brush, straw, or any other substance capable of spreading fire on lands, whereby the property of another is damaged or jeopardized, he shall be guilty of a class 4 misdemeanor and shall be liable for the full amount of all expenses incurred in fighting the fire.

(Code 1975 Sec.5-4)

State law references – Similar provision, code of Virginia, §18.2-88; regulating the burning of woods, brush, etc, Code of Virginia, §10.1-1142.

Sec. 6-5. Burning of leaves originating on premises of private residences.

Leaves originating on the premises of private residences may be burned on those premises, providing that:

- (1) Such burning is done between 9:00 a.m. and 5:00 p.m. and all embers are totally extinguished at the end of this period.
- (2) No material will be added to the fire between 3:00 p.m. and 9:00 a.m.
- (3) The location of burning is not less than 100 feet from any occupied building unless the occupant has given prior written permission.
- (4) To minimize the possibility of contaminant emission from inadvertent fires, at no time shall the fire be unattended.
- (5) The burning of leaves permitted under this section shall not be commenced, and shall be immediately terminated, upon declaration of an alert warning or emergency stage of the air pollution episode when proclaimed by either the executive director of the state air pollution control board or his designated representative.

(Code 1975,§5-5)

STEPHENS CITY CODE

State law references – Air pollution control board, Code of Virginia, §10.1-1300 et seq; executive director, Code of Virginia, §10.1-1303; local ordinances, Code of Virginia, §10.1-1321.

Sec. 6-6. Storage or display in roof-over malls.

No combustible goods, merchandise, or decorations shall be displayed or stored in a roof-over mall unless approved by the chief of the fire department.
(Code 1975, §5-6)

Sec. 6-7. Open flames, lights or kindling of fire restricted.

(a) No person shall take an open flame or light into any building, barn, boat or any other place where highly flammable, combustible or explosive material is kept, unless such light or flame shall be well secured in a glass globe, wire mesh cage or similar device of a type approved by the chief of the fire department.

(b) No heating or lighting apparatus or equipment capable of igniting flammable material of the type stored or handled shall be used in the storage area of any warehouse storing rags, excelsior, hair or other highly flammable or combustible material; nor in the work area of any shop or factory used for the manufacture, repair or renovating of mattresses or bedding; nor in the work areas of any establishment used for the upholstering of furniture.

(c) No person shall kindle a fire upon the land of another without permission of the owner thereof or his agent.
(Code 1975, § 5-7)

Sec. 6-8. Maintenance of chimneys, vents, heat-producing appliances and exhaust systems.

(a) Chimneys, flues or similar devices for conveying products of combustion or hot gases to the exterior of the building shall be maintained in such a manner as not to create a hazardous condition.

- (1) Existing masonry chimneys which upon inspection are found to be without flue liner and with open mortar joints which will permit smoke or gases to be discharged into the building, or which are cracked as to be dangerous, shall be made safe by means of fire clay liner, firebrick, a corrosion resistant metal pipe and otherwise repaired if necessary, or the chimney shall be removed. Metal pipe liners shall be one inch less in diameter than the least dimension of the flue, and the entire space between the metal liner and the walls of the chimney shall be filled with cement mortar.
- (2) Existing chimneys and vents of metal which are corroded or improperly supported shall be replaced, unless suitable repairs are made.

FIRE PREVENTION AND PROTECTION

- (3) Existing chimney and vent connectors of metal which are corroded or improperly supported shall be replaced.
- (b) All heat-producing appliances, including boilers, furnaces, incinerators, ovens, and restaurant type cooking appliances shall be installed and maintained in an approved manner.
- (c) Exhaust systems provided for restaurant cooking equipment shall be maintained in such a manner as not to create a hazardous condition, and shall be inspected or tested as follows:
 - (1) Hoods, grease removal devices, fans, ducts and other devices shall be inspected periodically and cleaned as needed to remove grease and deposits of residues.
 - (2) Fire extinguishing systems shall be inspected periodically and checked for proper operation. These inspections shall include a check that the supply of extinguishing agent in the system is adequate, and all actuation components are operating satisfactorily. Fusible links, if employed, shall be replaced or properly cleaned. Instructions for manually operating the system shall be posted conspicuously in the kitchen and employees checked for their knowledge of procedures.
 - (3) Any fire dampers shall be tested periodically to insure proper functioning of all parts.
- (d) Commercial, industrial and flue-fed incinerators shall be provided with approved spark arrestors or other effective means for arresting sparks and fly ash.
(Code 1975, §5-8)

Sec. 6-9. Handling readily combustible materials.

No person making, using, storing or having in charge, or under his control any shavings, excelsior, rubbish, sacks, bags, litter, hay, straw, or combustible waste materials shall fail or neglect at the close of each day to cause all such material which is not compactly baled and stacked in an orderly manner to be removed from the building or stored in suitable vaults or in metal or metal lined, covered, receptacles or bins. The chief of the fire department shall require suitable baling presses to be installed in stores, apartment buildings, factories and similar places where accumulations of paper and waste materials are not removed at least every second day.
(Code 1975, § 5-9)

Sec. 6-10. Storage of readily combustible materials.

(a) No person shall store in any building or upon any premises in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers, or rubber tires, or baled cotton, rubber or cork, or other similarly combustible material without a permit.

STEPHENS CITY CODE

(b) Storage in buildings shall be orderly, shall not be within two feet of the ceiling, shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur, and not so located as to endanger exit from the building. Storage in the open shall not be more than 20 feet in height, shall be so located, with respect to adjacent buildings, as not to constitute a hazard, and shall be compact and orderly.
(Code 1975, § 5-10)

Sec. 6-11. Flammable decorative materials in buildings of mercantile and institutional occupancy.

Highly flammable materials such as cotton batting, straw, dry vines, leaves, trees, artificial flowers or shrubbery and foam plastic materials shall not be used for decorative purposes in show windows or other parts of mercantile and institutional occupancies unless first rendered flameproof. Electric light bulbs in mercantile and institutional occupancies shall not be decorated with paper or other combustible materials unless such materials shall first have been rendered flameproof.
(Code 1975, §5-11)

Sec. 6-12. Accumulations of waste materials.

Roofs, courts, yards, vacant lots and open spaces shall be kept free and clear of deposits or accumulations of waste paper, hay, grass, straw, weeds, litter or combustible waste or rubbish of any kind. All weeds, grass, vines or other growth, when same endangers property, or is liable to be fired, shall be cut down and removed by the owner or occupant of the property.
(Code 1975, § 5-12)

Sec. 6-13. Hot ashes and other dangerous materials.

No person shall deposit hot ashes or cinders, or smouldering coals, or greasy or oily substances liable to spontaneous ignition, into any combustible receptacle, or place the same within ten feet of any combustible materials, except in metal or other noncombustible receptacles. Such receptacles, unless resting on a noncombustible floor or on the ground outside the building, shall be placed on noncombustible stands, and in every case shall be kept at least two feet away from any combustible wall or partition or exterior window opening.
(Code 1975, § 5-13)

Sec. 6-14. Use of torches for removing paint and sweating pipe joints.

(a) Any person using a torch or other flame-producing device for removing paint from any building or structure shall provide one fire extinguisher of a type approved by the chief of the fire department or water hose connected to a water supply in the area where such burning is done. In all cases, a fire watcher shall remain on the premises for one hour after the torch or flame-producing device has been used.

FIRE PREVENTION AND PROTECTION

(b) Any person using a torch or other flame-producing device for sweating pipe joints in any building or structure shall have available in the immediate vicinity where the sweating is done one fire extinguisher of a type so approved or water hose connected to a water supply. Combustible material in the close proximity of flame shall be protected against ignition by shielding, wetting or other approved means. In all cases, a fire watcher shall remain in the vicinity of the sweating operation for one-half hour after the torch or flame-producing device has been used.

(Code 1975 § 5-14)

Sec. 6-15. Smoking prohibited under certain conditions.

(a) Smoking shall mean and include the carrying of lighted pipe, cigar, cigarette, tobacco or other smokable substance in any form.

(b) Where conditions are such as to make smoking a hazard in any areas of warehouses, stores, industrial plants, institutions, places of assembly, and in open spaces where combustible materials are stored or handled, the chief of the fire department is empowered and authorized to order the owner or occupant, in writing, to post No Smoking signs in each building, structure, room or place in which smoking shall be prohibited. The chief of the fire department shall designate specific safe locations, if necessary, in any building, structure or place in which smoking may be permitted.

(c) No smoking signs of approved sized lettering and location required in accordance with subsection (b) of this section shall read "by order of the fire chief".

(d) It shall be unlawful for any person to remove any legally required "No Smoking" sign or to smoke in any place where such signs are posted.

(Code 1975 § 5-15)

State law references – Smoking in workrooms of food-producing establishments, Code of Virginia, §3.1-379; designation of smoking or nonsmoking areas by certain employers, Code of Virginia, §15.1-29.19.

Sec. 6-17 – 6-40. Reserved.

ARTICLE II. FIREWORKS

Sec. 6-41. Permits for display of fireworks, sale of fireworks to permit holders

Upon application in writing, the town council may issue a permit for the display of fireworks by fair associations, amusement parks or by any organization or group of individuals, under such terms and conditions as the council may prescribe. After such permit has been issued, sales of fireworks may be made for use under such permit, and the association,

STEPHENS CITY CODE

organization or group to which it is issued may make use of such fireworks under the terms and conditions of such permit.

(Code 1975§ 5-17)

State law reference-Similar provision, Code of Virginia, §59.1-144.

Sec. 6-42. Exemptions generally.

This article shall have no application to any officer or member of the armed forces of this state, or of the United States, while acting within the scope of his authority and duties as such, nor to any offer of sale or sale of fireworks to any authorized agent of such armed forces; nor shall it be applicable to the sale or use of materials or equipment otherwise prohibited by this article, when such material or equipment is used or to be used by any person for signaling or other emergency use in the operation of any boat, railroad train or other vehicle for the transportation of persons or property.

(Code 1975 § 5-18)

State law reference-Similar provisions, Code of Virginia, § 59.1-146.

State law reference-Fireworks, Code of Virginia, § 59.1-142 et seq.

Sec. 6-42. Use of certain fireworks on private property.

This article shall not apply to sparklers, fountains, Pharaoh's serpents, caps for pistols, or to pinwheels commonly known as whirligigs or spinning jennies, when used, ignited or exploded on private property with the consent of the owner of such property.

(Code 1975, § 5-19)

State law reference-Similar provisions, Code of Virginia, § 59.1-147.

Sec. 6-44. When manufacture, transportation, sale, etc., of fireworks unlawful.

(a) Except as otherwise provided in Code of Virginia, title 59.1, Chapter 11 (§59.1-142 et seq.) it shall be unlawful for any person to transport, manufacture, store, sell, offer for sale, expose for sale, or to buy, use, ignite or explode any firecracker, torpedo, skyrocket, or other substance of thing, of whatever form or construction, that contains any explosive or inflammable compound or substance, and is intended, or commonly known, as fireworks and which explodes, rises into the air or travels laterally, or fires projectiles into the air, other than sparks or those fireworks excepted under the provisions of Code of Virginia, § 59.1-147(a).

(b) Unless prohibited pursuant to Code of Virginia, § 59.1-148, the provisions of subsection (a) of this section shall not be applicable to any person who manufactures, stores, markets and distributes fireworks for the sole purpose of fireworks displays permitted under Code of Virginia§ 59.1-144, or the laws of other states.

(Code 1975, § 5-20)

State law reference-Similar provision, Code of Virginia, § 59.1-142.

FIRE PREVENTION AND PROTECTION

Sec. 6-45. Disposition of seized fireworks.

Any law enforcement officer arresting any person for a violation of this article shall seize any article mentioned in section 6-44 in the possession or under the control of the person so arrested and shall hold the same until final disposition of any criminal proceedings against such person. If a judgment of conviction is entered against such person, the court shall order the destruction of such articles upon expiration of the time allowed for appeal of such judgment of conviction.

(Code 1975, § 5-21)

State law reference-Similar provisions, Code of Virginia, § 59.1-143.

Secs. 6-46 – 6-60. Reserved.

ARTICLE III. FIRE PREVENTION CODE

Sec. 6-61. Adopted: purpose; where filed; applicability; short title.

The Town hereby adopts the Virginia Statewide Fire Prevention Code which is hereby adopted and incorporated in this Chapter by reference and made applicable to the Town. Such provisions and requirements are hereby adopted, *mutatis mutandis*, and made a part of this Chapter as fully as thought it was set forth at length here. It shall be unlawful for any person within the Town to violate any provision of this Fire Prevention Code. All future amendments to the Statewide Fire Prevention Code are incorporated herein in a like manner at the time the Statewide Fire Prevention Code is updated or changed. The specific intent of this Ordinance is to incorporate future amendments of the Statewide Fire Prevention Code into this Ordinance at the time they become effective statewide.

A copy of the Statewide Fire Prevention Code is now and shall remain on file in the office of the Town Clerk and shall be available to the Public for inspection and use during all regular business hours.

(Ord. 6/3/2004)

Sec. 6-62. Definitions

(a) Wherever in the fire prevention code or elsewhere in this article the term “chief of the fire department” or “fire chief” appears it shall be construed to mean the chief of the fire department of this town, or such other person who may be exercising any of the powers and performing any of the duties of the chief of the fire department pursuant to an agreement entered into under the provisions of Section 6-16, or both such persons, as the case may be.

STEPHENS CITY CODE

(b) Wherever in the fire prevention code the word "municipality" appears it shall be construed to mean the Town of Stephens City and the unincorporated area surrounding the town which is within one mile of the town limits.

(Code 1975, § 5-24)

Cross reference-Definitions and rules of construction generally, § 1-2.

Sec. 6-63. Permits, inspections and fees.

(a) The town council may establish and from time to time amend a schedule of fees to be paid for permits, certificates and inspection required by the fire prevention code. Any schedule so established shall be maintained on file in the office of the town clerk and a true copy thereof shall also be maintained on file in the offices of the chief of the fire department and the town treasurer. When any such schedule has been so adopted the fees therein provided shall be payable to the town treasurer prior to the issuance of the applicable permits and certificates or making the applicable inspections.

Cross reference-Virginia Uniform Statewide Building Code adopted, § 4-1.

State law references-Regulation of the keeping of gunpowder and other combustibles, Code of Virginia, § 15.1-14; municipal fire prevention regulations, Code of Virginia, § 15.1-15; Virginia Statewide Fire Prevention Code Act, Code of Virginia, § 27.94 et seq.; explosives, Code of Virginia, § 59.1-137 et seq.

(b) Permits issued pursuant to the fire prevention code shall be valid for the period of time stated in each such permit, but not for more than one year; provided, that in any case in which an annual town license is required in addition to such permit hereunder, the permit may be written so as to be valid for an indefinite period.

(Code 1975, § 5-25)

Sec. 6-64. Modifications.

The chief of the fire department shall have power to modify any of the provisions of the fire prevention code upon application in writing by the owner or lessee of any property affected thereby, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code; provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the chief of the fire department thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

(Code 1975, § 5-29)

Sec. 6-65. Appeals.

Whenever the chief of the fire department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the fire prevention code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly

FIRE PREVENTION AND PROTECTION

interpreted, the applicant may appeal from the decision of the chief of the fire department to the local board of appeals as provided in the fire prevention code.

(Code 1975, § 5-30)

State law reference-Appeals from decisions of local enforcing agencies, Code of Virginia, § 27-98.

Sec. 6-66. Conflicts.

In any instance where in a provision of the fire prevention code is in conflict or incompatible with an applicable provision of federal or state law, the more stringent provision shall prevail, unless otherwise provided by such federal or state law.

(Code 1975, § 5-31)

Sec. 6-67. Violations and penalties.

(a) Any person who shall violate any of the provisions of the fire prevention code or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the town council or by court of competent jurisdiction within the time fixed therein shall be guilty of a class 1 misdemeanor. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

State law reference-Violations of fire prevention code, Code of Virginia, § 27-100.

Secs. 6-68 – 6-85. Reserved

ARTICLE IV. FIRE DEPARTMENT

Sec. 6-86. Volunteer fire department designated fire department of the Town; Line of Duty Act.

(a) The Stephens City volunteer fire department, heretofore established pursuant to the applicable provisions of Code of Virginia, title 27, chapter 2, (§ 27-6.1 et seq.), as such department exists on the effective date of this Code, shall continue to be the fire department of the town.

STEPHENS CITY CODE

(b) The town fire department is hereby recognized as an integral part of the official safety program of the town within the purview of Code of Virginia, § 15.1-136.2 (Code 1975, § 5-33)

Cross reference-rescue squads recognized, § 2-11.

State law references-Line of Duty Act, Code of Virginia, § 15.1-136.1 et seq.; organization of fire company, Code of Virginia § 27-9.

Sec. 6-87. Composition and property.

(a) The fire department shall have such personnell (regular, volunteer, or both), as may from time to time be authorized by the town council. There shall be a chief of the fire department, not more than two assistant chiefs, and such other ranks and grades as may be specified by the town council.

(b) The town may provide at least one suitable structure for housing the apparatus and equipment of the fire department, which shall be and remain the property of the town. (Code 1975, § 5-34)

State law reference-Number of persons in fire company, Code of Virginia, §27-8.

Cross reference-Administration, ch. 2

State law references-Municipal gifts, donations and payments to voluntary fire-fighting organizations and rescue squads, Code of Virginia, §§ 15.1-25, 15.1-26; fire departments and fire companies, Code of Virginia, §27-6.1 et seq.; ordinances as to fire departments, etc., Code of Virginia, §27-14.

Sec. 6-88. Appointment of Fire Chief, Fire Marshall, assistant chiefs, and other officers and grades

(a) The chief and assistant chiefs of the fire department shall be appointed by the Town Council. When a vacancy is to be filled in any such office, the mayor and an appropriate committee of the Town Council, designated by the Council, shall confer with a nominating committee consisting of three incumbent ranking officers of the fire department and not more than three other members of the department chosen by its membership. The Mayor and Council Committee shall then report to the Town council any nomination or nominations, and any recommendations, made by the nominating committee, together with such nominations and recommendations as the Mayor and Council committee may deem appropriate. The Town Council shall then proceed to fill such vacancy or vacancies by majority vote; provided, that before taking such vote the Council may further consider the matter and may postpone action for such a period as a majority of the Council may determine.

(b) Appointments in the fire department below the rank of assistant chief shall be made as provided by the bylaws of the fire department; but no person so appointed shall enter upon the discharge of the duties of the rank or grade to which he has been so appointed until

FIRE PREVENTION AND PROTECTION

such appointment has been approved by majority vote of the Town Council.

Cross Reference-Administration, Ch. 2

State law reference-Appointment of chief and other officers, Code of Virginia, §27-13.

(c) The Fire Marshall for the Town shall be appointed by the Town Council as a volunteer position. The Fire Marshall for the Town shall have all of the powers, duties and responsibilities as provided for under the Code for the Commonwealth of Virginia, as amended by the General Assembly from time to time, including those powers set forth in Chapter 3, of Title 27 of the Code of Virginia.

State law reference-Code of Virginia, § 27-30

Sec. 6-89. General powers and duties of department.

The fire department shall have all the powers and perform all duties prescribed for it in this Code and other ordinances and resolutions of the Town Council, and as prescribed for Town fire departments in the Code of Virginia generally, and especially as prescribed in Code of Virginia, Title 27, Chapter 2, Article 1 (§ 27-6.1 et seq.)

Sec 6-90. General powers, duties and responsibilities of chief.

The chief of the fire department, under the general management and control of the Town Council through the Mayor, shall be the commanding officer of the fire department and shall have the powers and perform the duties prescribed for his office by state law, this Code and other ordinances and resolutions of the Town Council. He shall be responsible for:

1. The administration, training, discipline and morale of the members of the fire department; and.
2. The maintenance and good care of equipment and apparatus of the fire department and for the efficient employment of personnel, equipment and apparatus of the department for the prevention and extinguishment of fires within the Town.

(Code 1975, §Sec 5-37)

State law reference-Powers and duties of fire chief, Code of Virginia, § 27-15.1 et seq.

Sec. 6-91. Powers and duties of assistant chiefs and other officers and members.

Each assistant chief of the fire department shall have such powers and perform such duties as may be delegated to him by the chief. All officers and members of the department shall have such powers and perform such duties as may be prescribed for their respective ranks and grades by the regulations of the department and by their superiors in the chain of command.

(Code 1975, § 5-38)

STEPHENS CITY CODE

Sec. 6-92. Chain of command; obedience to orders.

(a) The chain of command within the fire department shall descend from the chief through the senior assistant chief and downward through the other officers and firemen in order of rank and seniority within rank. Subordinates shall have the powers and perform the duties of their immediate superiors when such superiors are absent or disabled. It shall be unlawful for any member of the fire department to refuse or fail to comply with any lawful order of his superior in the chain of command.

(b) Any person who violates subsection (a) shall be fined not more than \$100.00.
(Code 1975, § 5-39)

State law reference-Penalty for disobeying officer in command at fire, Code of Virginia, § 27-19

Sec. 6-93. Department regulations.

The mayor or committee of the town council designated by the council for such purpose, in consultation with the chief of the fire department and the president or principal officer of the volunteer fire department, may from time to time promulgate and amend such regulations for the fire department, no inconsistent with state law, this Code or other ordinance or resolution of the town council, as may be deemed appropriate for the government of the fire department or to implement the provisions of this article. Such regulations shall be in full force and effect when approved by resolution of the town council and a true copy thereof has been placed on file in the headquarters of the fire department for the inspection and use of the members of the department, and it shall then be unlawful for any member of the department to violate or fail to comply with any such approved regulation so filed at department headquarters.

(Code 1975, § 5-40)

Sec. 6-94. Department bylaws.

Pursuant to Code of Virginia, § 27-7, the town council hereby empowers the members of the fire department to make bylaws to promote the purposes and objectives of the department, no inconsistent with state law, this Code or other ordinance or resolution of the town council; provided, that such bylaws shall not become effective until approved by resolution of the town council.

(Code 1975, § 5-41)

Sec. 6-95. Unauthorized removal of fire apparatus.

It shall be unlawful for any person, without having authority from the mayor, chief of the fire department or other office of the fire department so to do, to remove any apparatus, equipment or other property of the fire department from the fire station or other premises where it is kept for use by the fire department.

(Code 1975, § 5-42)

State law reference-Purchase, maintenance, etc., of equipment, Code of Virginia, § 27-15.2

