County of Fairfax, Virginia
Planning Commission Meeting
April 8, 2026
Planning Commission Action

PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 62
(Countywide)

PLANNING COMMISSION RECOMMENDATIONS:
On April 8, 2026, the Planning Commission voted 11-0 (Commissioner Thomas was absent from the meeting) to recommend to the Board of Supervisors adoption of the amendments to the Code of the County of Fairfax, Chapter 62, as set forth in the Staff Report dated March 3, 2026, and that the proposed amendments become effective at 12:01 a.m. on July 1, 2026.

ATTACHED DOCUMENTS:
Staff Report dated March 3, 2026

MJ

FAIRFAX
COUNTY

STAFF REPORT

V I R G I N I A

Proposed Amendments to the Code of the County of Fairfax, Chapter 62

Fire Marshal Fees

PUBLIC HEARING DATES **March 3, 2026**

Board of Supervisors

PREPARED BY
FIRE PREVENTION DIVISION
FIRE AND RESCUE DEPARTMENT
703-246-4753

NJ

Americans With Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call 703-324-1334 or TTY 711 (Virginia Relay Center).

STAFF COMMENT

The proposed Fire Prevention Code of the County of Fairfax amendments increase Fire Marshal fees for plan review, inspection services and operational permits contained in the Prevention Code of the County of Fairfax (Chapter 62).

Existing Fire Prevention Code Provisions

The Fire Prevention Division of the County's Fire and Rescue Department reviews various plans, issues operational permits, performs inspections and witnesses periodic testing of existing fire protection systems for compliance with Fire Prevention Code of the County of Fairfax. Under the existing Fire Prevention Code, Fire Marshal fees are assessed for review of various types of plans, issuance of operational permits, and witnessing annual re-testing of existing fire protection systems. The Fire Marshal fees are based on the actual costs of performing each type of service. The Statewide Fire Prevention Code allows jurisdictions to assess fees to defray the costs associated with enforcing the code. The Fire Marshal's Office was directed by the BOS to set fees so that 90-100% of actual costs are recovered.

Background

The current Fire Marshal permit and inspection fees were adjusted in FY 2025 where Fees for most operational permits were set at $195. The Fire and Rescue Department recently reviewed the current fee structure and cost recovery effort within the Fire Prevention Division. As a result of the review, staff recommend an increase in existing fees to more closely align the fees with the cost of performing mandated services. Staff recommend a roughly 4.5% increase in fees for most operational permits, raising fees for most operational permits from $195 to $204. Staff also propose a fee increase to of the hourly rate for plan review and acceptance testing from $208 per hour to $216 per hour, representing a 3.7% increase. The rationale for the proposed rate increases is due to increased personnel costs, benefits and operational expenses. The projected FY 2026 cost recovery is 71 percent without the recommended fee increase.
The recommended increased rates would be comparable to those of surrounding jurisdictions and are intended to represent a 90% to 100% cost recovery rate.

Proposed Amendments

The proposed Fire Prevention Code of the County of Fairfax amendments increase the cost of most operational permits to $204. Exceptions to these permits include the following:

- Fire Prevention Permit Fees for Floor Finishing, and Hot Works would rise from $104 to $109.
- Fire Prevention Permit Fees for Pyrotechnics and Fireworks would rise from $936 to $982.
- Fire Prevention Permit Fees for Explosives Use would increase from $234 to $245.
- State Regulated Care Facility Inspections would increase from $33 to $35.

Additional changes to the hourly fees contained in Table 107.2 of the Fire Protection Code of the County of Fairfax (Chapter 62) concerning plan review, witnessed fire protection systems tests, and certain inspections would see increased rates from $208 per hour (billed in ¼ hour increments) to $216 per hour. The proposed rates increase is intended to approximate a 90% to 100% cost recovery rate which aligns with the directive set by the Board.

Conclusion

Despite the previous rate increase, rising personnel costs, benefits and operational expenses have resulted in the current fees not generating sufficient revenue to recover 90-100% of the Fire Marshal's costs to process and review plans, perform inspections or re-test existing fire protection systems. Staff believe that the proposed fee increase is appropriate.

Staff recommend the adoption of the proposed amendments as advertised with an effective date of 12:01 A.M. on July, 1, 2026.

Attachment I

CHAPTER 62. Fire Protection[1]

ARTICLE 1. In General

Section 62-1-1. Penalty.

Any person, firm, or corporation who shall violate any of the Sections of this Chapter or any provisions of the Fire Prevention Code of Fairfax County adopted by Section 62-2-6 or shall fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall fail to comply with such an order within the time fixed therein shall separately for each and every such violation and noncompliance respectively, be guilty of a violation of this Chapter and the violation shall be deemed a Class 1 Misdemeanor, and shall, upon conviction, be punishable by imprisonment not to exceed 12 months, or by a fine not to exceed $2,500.00 or both. Each day that a violation continues after a service of notice as provided for in this Code shall be deemed a separate offense. (3-91-62; 49-92-62; 12-94-62; 15-96-62; 13-06-62; 17-09-62; 04-12-62.)

Section 62-1-2. Use of fire apparatus, equipment, etc., within County.

a. It shall be unlawful for any person to operate or cause to be operated, upon a public highway or street in the County, any vehicle or equipment used, intended to be used, or designed to be used for the purpose of fighting fires, unless such vehicle or equipment is owned by a recognized firefighting company of the County.

b. For the purpose of this Section, a recognized firefighting company of the County shall be construed to mean one that has been recognized as such by resolution of the Board of Supervisors.

c. This Section shall not apply to the operation of firefighting vehicles and equipment owned by any firefighting company outside of the County when such vehicle or equipment is traveling in or through the County for a parade or other non-firefighting purposes or in response to a call from the Fairfax County Department of Public Safety Communications. (3-91-62; 12-94-62; 13-06-62; 17-09-62; 04-12-62; 23-22-62.)

Section 62-1-3. Damage or injury to fire department equipment or personnel.

It shall be unlawful for any person to damage or deface, or attempt, or conspire to damage or deface any fire department vehicle at any time, or to injure, or attempt to injure, or conspire to injure fire department personnel while such personnel are in the performance of departmental duties. (3-91-62; 12-94-62; 13-06-62; 17-09-62; 04-12-62; 23-22-62.)

Section 62-1-4. Unlawful boarding or tampering with fire department vehicles.

It shall be unlawful for any person, without proper authorization from the fire department officer-in-charge of said vehicle, to cling to, attach himself to, climb upon or into, board, or swing upon any fire department vehicle, whether such vehicle is in motion or at rest or to sound any warning device thereon or to manipulate, tamper with, or destroy or attempt to manipulate, tamper with, or destroy any lever, valve, switch, starting device, brake, pump, or any equipment, protective clothing, or tool on or a part of such fire department vehicle. (3-91-62; 12-94-62; 13-06-62; 17-09-62; 04-12-62.)

ARTICLE 2. Fire Marshal

Section 62-2-1. County Fire Marshal and Deputy Fire Marshal—Creation of office; appointment; powers and duties generally.

The Fairfax County Office of the Fire Marshal is hereby created. The County Executive shall appoint a County Fire Marshal whose powers and duties shall be as set forth in this Chapter. (3-91-62; 12-94-62; 13-06-62; 17-09-62; 04-12-62; 23-22-62.)

Section 62-2-2. Same—Tenure.

The County Fire Marshal shall not be appointed for a definite tenure, but shall continue contingent upon and subject to the personnel rules of the County. (3-91-62; 12-94-62; 13-06-62; 17-09-62; 04-12-62.)

Section 62-2-3. Oaths of Fire Marshal, Fire Code Official, and Technical Assistants to the Fire Marshal.

The County Fire Marshal, Fire Code Official, and Technical Assistants to the Fire Marshal, before entering upon their duties, shall, respectively, take an oath, before any officer authorized to administer oaths, faithfully to discharge the duties of their office. (3-91-62; 12-94-62; 13-06-62; 17-09-62; 04-12-62; Ord. No. 23-22-62.)

Section 62-2-4. Investigation and notification of fires and injuries.

a. The Fire Marshal shall investigate or cause to be investigated, every fire or explosion occurring within the County that is of a suspicious nature, or which involves the loss of life, or causes injury to persons, or causes destruction of or damage to property. Such investigation shall be made at the time of the fire or at a subsequent time, depending on the nature and circumstances of the fire. The Fire Marshal shall take charge immediately of the physical evidence, and in order to preserve any physical evidence relating to the cause or origin of such fire or explosion, take means to prevent access by any person or persons to such building, structure, or premises until such evidence has been properly processed. The appropriate police department, upon request of the County Fire Marshal, shall assist in the investigation, as needed. The results of any such investigation shall be forwarded by the Fire Marshal to the Commonwealth's Attorney for proper disposition.

b. A medical professional who is primarily responsible for the treatment of an individual for a burn injury described below shall, as soon as practicable, notify the Fairfax County Fire Marshal and the Department of Public Safety Communications. The treating physician or designee shall be responsible for giving the notice required by this section.

1. The provisions of this subsection apply to:
    i. Any burn injury from the result of direct flame contact causing 2nd degree burns (partial thickness) to 5 percent or more of the patient's body and all 3rd degree burns (full thickness), regardless of the percentage of burned area.
    ii. All chemical burns regardless of severity.
    iii. Any upper respiratory burn injury requiring advanced airway intervention and/or support.
    iv. Any burn injury which causes death or
    v. Any burn injury which is likely to cause death.
2. The provisions of this section do not apply to sunburn.
3. Notice under this section shall include:
    i. The name and address of the patient, if known.
    ii. A description of the burn injury.
    iii. The reported cause of the burn injury, if given.
    iv. The patient's prognosis.
    v. Any other fact concerning the burn injury which may assist in determining the origin and cause of the fire. (17-97-62; 13-06-62; 17-09-62; 04-12-62; 23-22-62.)

Section 62-2-5. Powers of arrest.

The Fire Marshal and all members of the Fire Marshal's staff permitted under Title 27 of the Code of Virginia to do so shall have the same police powers as a regular member of the County Police Department in the investigation and prosecution of all offenses involving fires, fire bombings, bombings, attempts or threats to commit such offenses, false alarms relating to such offenses, possession and manufacture of explosive devices, substances, and fire bombs, storage, use, and transportation of hazardous materials and hazardous waste, environmental crimes, and other offenses involving the calling or summonsing of fire or rescue equipment without just cause in violation of the Code of Virginia or the Code of the County of Fairfax, and other criminal or civil offenses arising out of or incidental to the investigation of the enumerated offenses. (17-97-62; 13-06-62; 17-09-62; 04-12-62.)

Section 62-2-6. Enforcement of the Virginia Statewide and Fairfax County Fire Prevention Codes.

The County of Fairfax shall enforce the Virginia Statewide Fire Prevention Code promulgated by the Board of Housing and Community Development of the Commonwealth of Virginia pursuant to Section 27-98 of the Code of Virginia. The provisions of the Virginia Statewide Fire Prevention Code and the Fire Prevention Code of the County of Fairfax shall be enforced by the County Fire Marshal, the Fire Code Official, and the Technical Assistants to the Fire Marshal. (3-91-62; 12-94-62; 17-97-62; 13-06-62; 17-09-62; 04-12-62.)

Section 62-2-7. Fairfax County Fire Prevention Code.

The regulations set forth herein shall be known as the Fire Prevention Code of the County of Fairfax, and shall be herein referred to as such or as this Code. (3-91-62; 12-94-62; 17-97-62; 13-06-62; 17-09-62; 04-12-62.)

Section 62-2-8. Amendments, additions, deletions to the Virginia Statewide Fire Prevention Code.

The Virginia Statewide Fire Prevention Code is hereby amended and changed pursuant to Section 27-97 of the Code of Virginia in the following respects:

104.1.2 Authority for enforcement of fireworks provisions by other than Technical Assistants to the Fire Marshal. Fairfax County police officers are empowered to enforce Section 5601.1.3 Fireworks, within the boundaries of the County and on all County-owned properties located outside the territorial limits of Fairfax County.

106.3.2 Inspection by others. The Chief of the Fire Department may designate such other persons as they deem necessary to make fire safety inspections. Such persons shall use the Virginia Statewide Fire Prevention Code and this Code as the basis for such inspections.

106.8. Summoning the Fire Marshal. The fire department officer-in-charge of any fire, explosion, or incident scene shall immediately summon the Fire Marshal to such scene to investigate the circumstances involved where such circumstances require investigation as outlined in Section 62-2-4 of this Code.

106.9 Notification of fire department. In any building, when a fire or evidence of a fire is discovered, even though it has apparently been extinguished, it shall be immediately reported to the chief of the fire department, or designee. This shall be the duty of the owner, manager, or person in control of such building at the time of discovery. This requirement shall not be construed to forbid the owner, manager, or person in control of said building from using all diligence necessary to extinguish such fire prior to the arrival of the fire department.

Table 107.2. Duration of permit is 365 days, unless otherwise noted. Amended as follows:

Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee	New Flat Fee	Hourly Fee	New Hr Fee
	Section 1 - Detailed Operational Permit Requirements. Note: All permit fees are per line item that applies.					
1	5101.2	*Aerosol Products, Level 2 or 3.* An operational permit is required to manufacture, store or handle, an aggregate quantity in excess of 500 pounds net weight.	~~$195~~	$204		
2	107.2	*Amusement Buildings: Permanent.* An operational permit is required to operate a special amusement building.	~~$195~~	$204		
3	107.2 403.11.2.1	*Amusement Buildings: Temporary or Mobile.* An operational permit is required to operate a special amusement building, (e.g., Haunted House). (60 day permit but not past event date)	~~$195~~	$204		
4	2001.3	*Aviation Facilities*. An operational permit is required to use a Group H or Group S Occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.	~~$195~~	$204		
5	107.2	*Assembly, Indoor (to include Exhibits and Trade Shows).* An operational permit is required to operate exhibits and trade shows. Permit is valid for up to 30 days, but not past event date.	~~$195~~	$204		
6	107.2 403.11.2.1	*Assembly, Outdoor (to include Carnivals, Circuses, Fairs, and Festivals).* An operational permit is required to conduct an outdoor gathering of 500 persons or more, at one time. Permit is valid for up to 30 days, but not past event date.	~~$195~~	$204		
7	107.2	*Assembly, Place of or Education* - Occupant Load 50 or Greater	~~$195~~	$204		
8	1201.4	*Battery Systems, Stationary Storage* An operational permit is required for the operation of stationary storage battery systems regulated by Chapter 12.	~~$195~~	$204		
9	301.2	*Cellulose Nitrate Film*: An operational permit is required to store, handle, or use cellulose nitrate film in a Group A Occupancy.	~~$195~~	$204		
10	2201.2	*Combustible Dust-Producing Operations.* An operational permit is required is required to operate a grain elevator, flour starch mill feed mill, or a plant pulverizing aluminum coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2.	~~$195~~	$204		
11	3701.3	*Combustible Fibers*. An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 Cubic Feet. *Exception*: An operational permit is not required for agricultural storage.	~~$195~~	$204		
12	601.3	*Commercial Kitchen Operation Requiring a Type I Hood.* An operational permit is required for the operation of a commercial kitchen requiring a Type I hood. *Exceptions:* 1. Assembly (Group A) or Educational (Group E) Occupancies having a Fire Prevention Code Permit (FPCP). 2. Mobile food preparation vehicles.	~~$195~~	$204		

(Supp. No. 174, 11-24)

Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee		Hourly Fee	
13	5301.2 5001.5 5401.2	*Compressed Gas: Corrosive*. An operational permit is required for the storage, use, or handling of corrosive gas in excess of 200 cubic feet at normal temperature and pressure (NTP). *Exception:* Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.	~~$195~~	$204		
14	5301.2 5801.2 5001.5	*Compressed Gas: Flammable*. An operational permit is required for the storage, use, or handling of flammable gas in excess of 200 cubic feet at normal temperature and pressure (NTP). *Exceptions:* 1. Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle, 2. cryogenic fluids; and 3. liquified petroleum gases.	~~$195~~	$204		
15	5301.2 6001.2 5001.5	*Compressed Gas: Toxic or Highly Toxic.* An operational permit is required for the storage, use, or handling of any toxic or highly toxic gas in any amount.	~~$195~~	$204		
16	5301.2 5001.5	*Compressed Gas: Inert or Simple Asphyxiant.* An operational permit is required for the storage, use, or handling of inert or simple asphyxiant gas in excess of 6,000 cubic feet at normal temperature and pressure (NTP). *Exception:* Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.	~~$195~~	$204		
17	5301.2 6301.2 5001.5	*Compressed Gas: Oxidizing (including Oxygen).* An operational permit is required for the storage, use, or handling of oxidizing gas in excess of 504 cubic feet at normal temperature and pressure (NTP). *Exception*: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.	~~$195~~	$204		
18	5301.2 6401.2 5001.5	*Compressed Gas: Pyrophoric.* An operational permit is required for the storage, use, or handling of pyrophoric gas in any amount.	~~$195~~	$204		
19	107.2	*Covered and open mall buildings*. An operational permit is required for: 1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall. 2. The display of liquid-fired or gas-fired equipment or vehicles in the mall. 3. The use of open-flame or flame-producing equipment in the mall.	~~$195~~	$204		

Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee	New Flat Fee	Hourly Fee	New Hr Fee
20	5501.2 2301.2 5001.5 5801.2	*Cryogenic Fluids. An operational permit is required to produce, store, transport onsite, use, handle or dispense cryogenic fluids in excess of the amounts listed below.* *Exception:* Vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading. *Type of Cryogenic Fluid* / *Inside Building (gallons)* / *Outside Building (gallons)* Flammable — More than 1 — 60 Inert — 60 — 500 Oxidizing (Includes oxygen) — 10 — 50 Physical or health hazard not indicated above — Any amount — Any amount	~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	$204 $204 $204 $204		
21	2101.2	*Dry Cleaning Plants*. An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.	~~$195~~	$204		
22	601.3	*Electrified Security Fence*	~~$195~~	$204		
23	5601.2	*Explosives*: Explosives Use, Each Site or Location (6 Month Permit).	~~$234~~	$245		
24	5601.2	*Explosives*: Firm or Company License.	~~$195~~	$204		
25	5601.2	*Explosives*: Storage and Display of Black Powder or Smokeless Propellant Indoors *Exception*: Storage in Group R-3 or R-5 occupancies of smokeless propellant, black powder, and small arms primers for personal use, not for resale, and in accordance with the quantity limitations and conditions set forth in Section 5601.1, Exceptions 4 and 12.	~~$195~~	$204		
26	5601.2	*Explosives:* Laboratory Use (6 Month Permit).	~~$195~~	$204		
27	3303.2.1	*Fire Prevention Program Manager:* A permit is required for the Fire Prevention Program Manager designated by the owner for safeguarding construction, alteration, and demolition operations. *Exception:* Building less than 5 stories above average grade plane and less than 50,000 square feet in size.	~~$0~~	$0		
28	5701.4	*Flammable and combustible liquids*. An operational permit is required: 1. To use or operation of a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the offsite transportation in pipelines regulated by the U.S. Department of Transportation (DOT), nor does it apply to piping systems. 2. *Class I*: Store, Handle, or Use in Excess of 5 Gallons in a Building or in excess of 10 Gallons Outside a Building. *Exceptions:* a. Storage or Use in the Fuel Tank of a Motor Vehicle, Aircraft, Motorboat, Mobile Power Plant, or Mobile Heating Plant, Unless Such Storage, in the Opinion of the Fire Official, Would Cause an Unsafe Condition.	~~$195~~ ~~$195~~	$204 $204		

Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee	New Flat Fee	Hourly Fee	New Hr Fee
		b. Storage or Use of Paints, Oils, Varnishes, or Similar Flammable Mixtures When Such Liquids are Stored for Maintenance, Painting, or Similar Purposes for a Period of Not More Than 30 Days. 3. *Class II or IIIA*: Store, Handle or Use in Excess of 25 Gallons in a Building or in Excess of 60 Gallons Outside a Building, except for Fuel oil used in conjunction with oil burning equipment. 4. To remove Class I or Class II liquids from an underground storage tank used for fuel fueling motor vehicles by any means other than the approved, stationary, on-site pumps normally used for dispensing purposes 5. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used. 6. To change the type of contents stored in a flammable or combustible liquid tank to a material that poses a greater hazard than that for which the tank was designed and constructed.				
29	5701.4	*Flammable/Combustible Liquid Tank. An operational permit is required for the following:* *a. Underground Storage, with or without dispensing equipment.* *b. Above-ground Storage, with or without dispensing equipment.* *c. Bulk Storage Facility - in Excess of 100,000 Gallons.* *d. Installation, Above ground or Underground Tank (90 Day Permit).* *e. Alter or Relocate an Existing Tank (90 Day Permit)* *f. Place Temporarily Out of Service.* *g. Underground Abandonment (90 Day Permit)* *h. Underground Removal (Commercial - 90 Day Permit)* *i. Underground Removal (Residential - 90 Day Permit)* *j. Above-ground Removal (Commercial - 90 Day Permit).* *k. Above-ground Removal (Residential - 90 Day Permit)* *l. Install Product Lines/Dispensing Equipment (90 Day Permit)* *m. Manufacture, Process, Blend, or Refine* *Note:* Installation permits are based on the fee Table in Appendix Q of Chapter 61 of the Code of the County of Fairfax.	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204 $204 $204 $204 $204 $204 $204 $204 $204 $204		
30	2401.3	*Floor finishing*: An operational permit is required for floor finishing or surfacing exceeding 350 square feet using class I or class II liquids (30-day permit).	~~$104~~	$109		
31	2501.2	*Fruit or crop-ripening*: An operational permit is required to operate a fruit or crop ripening facility or conduct a fruit-ripening process using ethylene gas.	~~$195~~	$204		
32	2601.2	*Fumigation, thermal insecticidal and fogging*: An operational permit is required to operate a business of fumigation, thermal or insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used. (15 day permit).	~~$195~~	$204		
33	5001.5	*Hazardous Materials.* An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts shown below:				
34		*Combustible Liquids*: refer to flammable and combustible liquids				

Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee	New Flat Fee	Hourly Fee	New Hr Fee
35		*Corrosive Gases*: refer to Compressed Gases				
36	5401.2	*Corrosive Liquids*: greater than 55 Gallons	~~$195~~	$204		
37	5401.2	*Corrosive Solids*: greater than 1000 Pounds	~~$195~~	$204		
38		*Explosives*: refer to Explosive Materials				
39		*Flammable Gasses*: refer to Compressed Gases				
40		*Flammable Liquids*: refer to Flammable and Combustible Liquids				
41	5901.2	*Flammable Solids*: greater than 100 Pounds	~~$195~~	$204		
42		*Highly Toxic Gases*: refer to Compressed Gases				
43	6001.2	*Highly Toxic Liquids*: any amount	~~$195~~	$204		
44	6001.2	*Highly Toxic Solids*: any amount	~~$195~~	$204		
45		*Oxidizing Gases*: refer to Compressed Gases				
46	6301.2	*Oxidizing Liquids:* a. Class 4: any amount b. Class 3: greater than 1 gallon. c. Class 2: greater than 10 gallons. d. Class 1: greater than 55 gallons.	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204		
47	6301.2	*Oxidizing Solids:* a. Class 4: any amount b. Class 3: greater than 10 pounds. c. Class 2: greater than 100 pounds. d. Class 1: greater than 500 pounds.	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204		
48	6201.2	*Organic Peroxides, Liquid* a. Class I: any amount. b. Class II: any amount. c. Class III: greater than 1 gallon. d. Class IV: greater than 2 gallons. e. Class V: no permit required.	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204		
49	6201.2	*Organic Peroxides, Solids:* a. Class I: any amount. b. Class II: any amount. c. Class III: greater than 10 pounds. d. Class IV: greater than 20 pounds. e. Class V: no permit required.	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204		
50	6401.2	*Pyrophoric Material:* a. Gas: any amount. b. Liquid: any amount. c. Solid: any amount.	 ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204		
51	6001.2	*Toxic Materials:* a. Gases: refer to compressed gases. b. Liquids: 10 gallons. c. Solids: 100 pounds.	 ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204		

Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee	New Flat Fee	Hourly Fee	New Hr Fee
52	6601.2	*Unstable (Reactive) Materials:* Liquids: a. Class 1: greater than 10 gallons. b. Class 2: greater than 5 gallons. c. Class 3: any amount. d. Class 4: any amount. *Solids:* a. Class 1: greater than 100 pounds. b. Class 2: greater than 50 pounds. c. Class 3: any amount. d. Class 4: any amount.	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204 $204 $204 $204 $204		
53	6701.2	*Water-reactive Solids and Liquids:* Liquids: a. Class 1: greater than 55 gallons. b. Class 2: greater than 5 gallons. c. Class 3: greater than any amount. Solids: a. Class 1: greater than 500 pounds. b. Class 2: greater than 50 pounds. c. Class 3: any amount.	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204 $204 $204		
54	5001.5	*Hazardous Production Facilities (HPM)*: An operational permit is required to store, handle or use hazardous production materials.	~~$195~~	$204		
55	3201.2	*High Piled Storage*. An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet.	~~$195~~	$204		
56	3501.2	*Welding and other Hot Work*: Public Exhibitions and Demonstrations (Each Exhibitor/Demo – Permit is valid for up to 10 days per event, but not past event date.)	~~$104~~	$109		
57	3501.2	*Welding and other Hot Work*: An operational permit is required for: a. Small Scale Hot Work. b. Fixed-Site Hot Work Equipment (Example: Welding Booth). c. Cutting or Welding, All Locations. d. Open Flame Device Roofing Operation, *to include Rubberized Asphalt Melter Operations* (Each Site/Location - 90 Day permit). e. Torch or Open-Flame Operations other than Roofing (Each Site/Location - 30 Day permit).	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~ ~~$104~~	 $204 $204 $204 $204 $109		
58	3001.2	*Industrial Ovens*: An operational permit is required for operation of industrial ovens regulated by Chapter 30.	~~$195~~	$204		
59	2801.2	*Lumber Yards and Agro-Industrial Solid Biomass and Woodworking Plants*. Storage or Processing of Lumber Exceeding 100,000 Board Feet (8,333 ft^3) (236 m^3).	~~$195~~	$204		
60	109.3.1	*Live/Work Units*: An operational permit is required for each Live/Work Unit that does not function solely as a dwelling unit.	~~$195~~	$204		
61	6101.2	*LP-Gas*: An operational permit is required for storage or use of LP-gas, (inside or outside any structure).	~~$195~~	$204		
62	6101.2	*LP-Gas:* An operational permit is required for storage and/or use outside, portable installation, per event, more than 10 gallons aggregate (30 day permit). *Exception*: Single-and two-family dwellings.	~~$104~~	$204		

Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee	New Flat Fee	Hourly Fee	New Hr Fee
63	6106.5 6109.16	*LP-Gas*: An operational permit is required for: a. Dispensing and Cylinder Refill Location. b. Retail cylinder exchange location. *c.* Automated cylinder exchange location.	 ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204		
64	315.2	*Miscellaneous Combustible Storage*: Storage inside any building or upon any premises in excess of 2500 cubic feet.	~~$195~~	$204		
65	319.2	*Mobile food preparation vehicle*: A permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease laden vapors.	~~$195~~	$204		
66	307.2	*Open Burning:* An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground, as follows: a. Bonfire (10 Day Permit) *b.* Silvicultural / Controlled Burning (90 Day Permit)	 ~~$195~~ ~~$195~~	 $204 $204		
67	301.2	*Open Flame and Candles.* An operational permit is required to use open flames or candles in connection with assembly areas, educational use, dining areas of restaurants or drinking establishments. a. Public meetings or gatherings in assembly or educational use (Each Event - Permit is valid for up to 60 days, but not past event date. b. Assembly areas or dining areas of restaurants or drinking establishments.	 ~~$104~~ ~~$195~~	 $109 $204		
68	2901.2	*Organic Coatings:* An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon in one day.	~~$195~~	$204		
69	323.4	*Powered Micromobility Devices*	~~$195~~	$204		
70	107.2	*Private Fire Hydrant* - An operational permit is required for the removal from service, use or operation of private fire hydrants.	~~$195~~	$204		
71	3901.3	*Processing and Extraction Facilities*	~~$195~~	$204		
72	5601.2	*Pyrotechnics and Fireworks:* An operational permit is required for Outdoor Fireworks Display (Aerial Audience) (One day Permit)	~~$936~~	$982		
73	5601.2	*Pyrotechnics and Fireworks*. An operational permit is required for Retail Sales (inside mercantile establishment) of Permissible Fireworks - Any Amount (45 day permit).	~~$936~~	$982		
74	5601.2	*Pyrotechnics and Fireworks*. An operational permit is required for Wholesale Sales of Permissible Fireworks - Any Amount (21 day permit. With a minor site plan, up to 45 day permit).	~~$936~~	$982		
75	6501.2	*Pyroxylin Plastic*: Storage or handling, more than 25 pounds of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastic.	~~$195~~	$204		
76	608.2	*Refrigeration Equipment:* An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.	~~$195~~	$204		
77	2301.2	*Repair garages and service stations*: An operational permit is required for operation of repair garages and automotive, marine and fleet service station.	~~$195~~	$204		
78	2001.3	*Rooftop Heliports*: An operational permit is required to operate a rooftop heliport.	~~$195~~	$204		
79	1205	*Solar photovoltaic power systems.* An operational permit is required for the installation and operation of a solar photovoltaic power system.	~~$195~~	$204		

(Supp. No. 174, 11-24)

Line #	Code Reference	Table 107.2 FIRE PREVENTION FEES AND DETAILED PERMIT REQUIREMENTS	Flat Fee	New Flat Fee	Hourly Fee	New Hr Fee
80	2401.3	*Spraying or dipping operations:* An operational permit is required for the following: a. Flammable/Combustible Liquid Spray Finishing Operation b. Flammable/Combustible Liquid Dip Tank Operation. c. Application of Combustible Powders/Spray/Fluidized. d. Organic Peroxides and Dual-component coatings. e. Spraying or dipping, all locations (permit/no inspection)	 ~~$195~~ ~~$195~~ ~~$195~~ ~~$195~~	 $204 $204 $204 $204		
81	5001.5	*Swimming Pool Operation:* The operation of a public or community pool requires an operational permit.	~~$195~~	$204		
82	3103.4	*Temporary membrane structures and tents,* (Permit is valid for up to 6 months, but not past event date.) *Exceptions:* 1. Tents used exclusively for recreational camping purposes. 2. Tents and air-supported structures that cover an area of 900 square feet or less, including all connecting areas or spaces with a common means of egress and with an occupant load of less than 50 persons.	~~$195~~	$204		
83	3105.3	*Temporary Special Event Structures (Stage Canopies)*	~~$195~~	$204		
84	3401.2	*Tire-rebuilding Plants*: An operational permit is required for the operation and maintenance of a tire-rebuilding plant.	~~$195~~	$204		
85	3401.2	*Tire Storage (scrap tires and tire byproducts)*: An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet of total volume of scrap tires and for indoor storage of tires and tire byproducts.	~~$195~~	$204		
86	107.2	*Waste Handling*: An operational permit is required for the operation of wrecking yards, junk yards and waste material handling facilities.	~~$195~~	$204		
87	2801.2	*Wood Products*: An operational permit is required to store chips, hogged material, lumber, or plywood in excess of 200 cubic feet.	~~$195~~	$204		
	Note: All permit fees are per line item that applies					
	Section 2 - Plan Review Fees					
88	3201.4	*Fire Safety and Evacuation Plan Review for High-Piled Combustible Storage Areas in Excess of 500 Square Feet.*			~~$208~~	$216
89	3201.3	*High-piled Combustible Storage Plan Review*			~~$208~~	$216
90	2803.7	*Lumber Yard/Agro-Industrial/Biomass Facility Plan Review*			~~$208~~	$216
91	6109	*Site and Installation Plan Review for Storage of Portable LP-Gas Containers Awaiting Use or Resale*			~~$208~~	$216
92	5001.5.1	*Hazard Communication*: Hazardous Material Management Plan Review			~~$208~~	$216
93	5001.6.3	*Hazardous Material Facility Closure Plan Review*			~~$208~~	$216
94	5001	*Hazardous materials facility emergency response plan, above the threshold planning quantity of extremely hazardous substances.*	~~$133~~	$139		
95	5001	*Tier II submissions, per chemical, to a maximum of $200.*	~~$33~~	$35		
	Section 3 - Inspection and Testing Fees					
96	107.10	*State Regulated Care Facility Inspections* (each inspection).			~~$33~~	$35
97	107.10	*Certificate of Occupancy Inspections* (Towns of Vienna and Herndon).			~~$208~~	$216
98	107.10	*Fire Prevention Permit Inspections, Follow-ups, Performance Testing, and Re- inspections.*			~~$208~~	$216

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99	107.10	*Fire Code Inspection* (Not Otherwise Specified), (i.e., Pre-Occupancy Punch List - Each Inspector).			~~$208~~	$216
100	901.6.3.1	*Testing and Reinspection of Existing Fire Protection Systems* (Each Inspector).			~~$208~~	$216
101	901.12	*Unwanted or Nuisance Fire Alarm Inspections, Follow-ups, and Re-inspections.*			~~$208~~	$216

107.4.1 Duration of permit. Permits shall remain in effect for 12 months from the date issued unless otherwise specified by Table 107.2 or unless suspended or revoked in accordance with this Code.

108.4 Revocation. The fire official is authorized to revoke an operational permit issued under the provisions of this Code upon a finding of any of the following, whether found by inspection or otherwise: that there has been a false statement, misrepresentation, or other intervening act by the applicant as to the material facts in the application or documents on which the permit or approval was based including, but not limited to, any one of the following:

1. The permit is used for a location or establishment other than that for which it was issued.
2. The permit is used for a condition or activity other than listed on the permit.
3. Conditions and limitations set forth in the permit have been violated.
4. Inclusion of any false statements or misrepresentation as to a material fact in the application for permit or plans submitted or a condition of the permit.
5. The permit is used by a different person or firm than the person or firm for which it was issued.
6. The permittee failed, refused, or neglected to comply with orders or notices duly served in accordance with the provisions of this code or any other code or county ordinance within the time provided herein.
7. The permit was issued in error or in violation of an ordinance, a regulation, or this code.
8. The Certificate of Occupancy and/or Use Permit has been revoked or suspended.
9. The building has been deemed unsafe, uninhabitable, or presents a hazardous condition to occupants.

109.4 Approvals. Approval as the result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel provisions of this Code or of other ordinances of the jurisdiction shall not be valid.

109.5 Follow-up inspections resulting from noncompliance. Where follow-up inspections are required as a result of noncompliance with this Code, fees shall be assessed as listed under Table 107.2.

109.6 Inspections performed outside business hours. Inspections may be performed outside business hours at the sole discretion of the fire official. Fees for these inspections shall be assessed at twice the rate listed under Table 107.2. Fees shall be assessed in 30-minute increments.

110.5.1 Imminent threat to human health or safety or to property. If the fire official shall adjudge that the violation creates an imminent threat to human health or safety or to property, the fire official may restrain, correct, or abate such violation and institute appropriate legal proceedings to collect the full cost of such response from the owner and the tenant or other person in control of the premises.

112.1.1 Fairfax County Board of Fire Prevention Code Appeals. The Fairfax County Board of Building Code and Fire Prevention Code Appeals is the Local Board of Fire Prevention Code Appeals (BFPCA) for Fairfax County.

APPROVED. Approved by the County Fire Marshals Office.

APPROVED AGENCY. An established and recognized organization that is regularly engaged in conducting tests, furnishing inspection services or furnishing product evaluation or certification where such organization has been approved by the fire code official.

BLAST AREA. The area of a blast, including the blast site and adjacent areas that could reasonably be expected to be within the influence of flying material, fumes, and/or concussion as a result of the blasting operation being conducted.

BLAST SITE. The area in which explosive materials are being handled and which includes all boreholes to be loaded for a blast and a distance of 50 feet in all directions, as measured from the perimeter formed by the boreholes to be loaded.

BLASTING. The process of moving, heaving, breaking, or shattering soils and rocks, or doing other work, such as the demolition of structures or research and testing, that generates seismic waves through the use of energetic materials in chemical reactions, explosions, or other detonations or deflagrations.

CARBON MONOXIDE SOURCE. A piece of commonly used equipment or permanently installed appliance, fireplace or process that produces or emits carbon monoxide gas.

CONGESTED AREA. An urban, suburban, or industrialized area in which multiple structures may be impacted by the effects of blasting operations.

ELECTRIFIED SECURITY FENCE. Any fence, other than used in an agricultural setting, that meets the following requirements:

1. The fence is powered by an electrical energizer with both of the following output characteristics:
    a. The impulse repetition rate does not exceed 1 hertz (Hz).
    b. The impulse duration does not exceed 10 milliseconds, or 10/10000 of a second.
2. The fence is used to protect and secure commercial or industrial property.

FIRE CHIEF. The head of the County Fire and Rescue Department, County of Fairfax, Virginia, also referred to as the Fire Chief or Chief of the Fire and Rescue Department, or a duly authorized representative.

FIRE MARSHAL'S OFFICE. The County Fire Marshal, and, under the authority of the Fire Marshal, the Deputy Fire Marshal and members of the Fire Marshal's staff, also referred to as the Fire Prevention Division, fire code official, or the fire official.

FLYROCK. Any dirt, mud, stone, fragmented rock, or other material that is displaced from the blast area in an uncontrolled or unplanned manner by the effects of a blast.

HYBRID FIRE-EXTINGUISHING SYSTEM. A system that utilizes a combination of atomized water and inert gas to extinguish fire.

INFLATABLE AMUSEMENT DEVICE. A device made of flexible fabric or other combustible materials that is inflated by one or more air blowers providing internal air pressure to maintain its shape. Such devices are typically designed for recreational activities that allow occupants to bounce, climb, slide, negotiate an obstacle course or participate in interactive play.

LABORATORY. A facility that provides controlled conditions in which scientific research, experiments, and measurements may be performed.

LEGAL OFFICER. Add as follows. LEGAL OFFICER. County Attorney or the Commonwealth's Attorney for the County of Fairfax.

MISFIRE. Any explosive material, explosive charge, blast, or portion thereof which failed to function as intended.

OCCUPANT. Any person physically located or situated in or on any property, structure, space, or vehicle irrespective of the length of time or the reason for such occupancy.

POWERED MICROMOBILITY DEVICES. Motorized bicycles, motorized scooters and other personal mobility devices powered by a lithium ion or lithium metal battery. The term does not include motor vehicles that are required to be registered with the Virginia Department of Motor Vehicles.

RETAILER. Any persons selling fireworks or explosive materials and/or offering fireworks or explosive materials for retail sale.

RUBBERIZED ASPHALT MELTER (MELTER). Portable equipment used for the heating of rubberized asphalt material. The term applies only if both the material being heated is a mix of asphalt and inert material and when an indirect method of heating is used. An indirect method of heating refers to a fully enclosed double-shell oil or air system that transfers heat from a burner(s) or electric heating element(s) to the oil or air jacket around the outside of a material vat which then heats the rubberized asphalt material. Melters can be fueled by means of diesel or electric means. Melters are not considered asphalt (tar) kettles or pots as addressed in Section 303.

TEMPORARY STORAGE (OF EXPLOSIVES). Storage of explosive materials for not more than 24 hours.

WHOLESALER. A person, firm, or corporation offering explosive materials for sale or explosive materials to a retailer. Such term also includes a manufacturer of explosive materials, a representative of any such manufacturer, a distributor, a jobber, or a middleman of any description dealing in explosive materials, any of whom shall sell or offer to sell explosive materials to a retailer within the County.

301.2 Permits. Permits shall be required as set forth in Sections 107 and 108 for the activities or uses regulated by Sections 306, 307, 308, 315, and 319.

304.2.1 Handling readily combustible materials. No person producing, using, storing, or having charge of, or under their control, any shavings, excelsior, rubbish, sacks, bags, litter, hay, straw or other combustible waste material, shall neither fail nor 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, metal-lined, or approved noncombustible and covered, receptacles or bins. Baling equipment deemed suitable by the fire official shall be installed in stores, apartment buildings, factories, and other buildings where accumulations of paper and waste materials are not removed at least every day.

305.4.1 Mischievous fire play. It shall be unlawful for any person to ignite or use fire or other ignition sources in a deliberate, negligent, or unlawful manner for the purpose of impulsive or mischievous play or reckless experimentation.

307.2 Permit required. If under the requirements of the Commonwealth of Virginia or the County of Fairfax Air Pollution Control Chapter, a bonfire or controlled burning is allowed, a permit for each such fire shall be obtained from the fire official, in accordance with Section 107.2, prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Exceptions:

1. Recreational fires.
2. Fire set for the training of firefighters under the direction of the Chief of the Fire Department.
3. Fire set by a public health or safety officer where a health or fire hazard cannot be abated by any other means.

307.5.1 Endangering other property. No person shall kindle, authorize to be kindled, or maintain any permitted fire in such a manner that will endanger the property of another.

308.1.3 Torches for removing paint, sweating pipe joints, or roofing operations. Persons utilizing a torch or other flame-producing device for removing paint from a structure, sweating pipe joints, or roofing operations, shall provide a minimum of one portable fire extinguisher complying with Section 906 and with a minimum 4-A rating, two portable fire extinguishers, each with a minimum 2-A rating, or a water hose connected to the water supply on the premises where such burning is done. Combustible material in close proximity to the work shall be protected against ignition by shielding, wetting, or other approved means. The person doing the burning shall remain on the premises 1 hour after the torch or flame-producing device is utilized.

308.1.3.1 Permit. A permit in accordance with Section 107 and 108 shall be secured from the fire official prior to the utilization of a torch or flame-producing device in or on any building or structure.

308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices fueled by combustible or flammable gases, liquids, and solids shall not be operated or stored on a balcony or deck of any structure or within 15 feet of combustible construction or residential occupancy.

Exceptions:

1. Detached one- and two-family dwellings and townhouses.
2. Cooking devices using electricity as a heating source and listed by a recognized testing authority.
3. All cooking devices as allowed under the building code.

308.1.4.1 Notification of tenants. The management of multi-family residential occupancies which have balconies, decks, or patios shall notify their tenants in writing of the prohibitions outlined in section 308.1.4 of this Code when the tenant or occupant initially occupies the building and periodically thereafter as may be necessary to ensure compliance.

308.3 Group A occupancies. Open-flame devices shall not be used in a Group A occupancy.

Exceptions:

1. Open-flame devices are allowed to be used in the following situations, provided approved precautions are taken to prevent ignition of a combustible material or injury to occupants:
   - 1.1 Where necessary for ceremonial or religious purposes in accordance with Section 308.1.7.
   - 1.2. On stages and platforms as a necessary part of a performance in accordance with Section 308.3.2.
   - 1.3 Where candles on tables are securely supported on substantial noncombustible bases and the candle flames are protected.
   - 1.4 Where used in an approved manner to maintain the temperature of prepared food items, on a table used only to serve food.
2. Heat-producing equipment complying with Chapter 6 and the applicable building code.

3. Gas lights are allowed to be used provided adequate precautions satisfactory to the fire code official are taken to prevent ignition of combustible materials.

SECTION 322 RUBBERIZED ASPHALT MELTERS FOR ROOF DECK SYSTEMS

322.1 General. The provisions of this section shall apply to any type of fully enclosed chassis-mounted or portable rubberized asphalt melter using indirect heating of a mix of asphalt and inert material for application on roof decks. There shall be no direct burner or flame impingement on the material vat with indirect heating. Temperature rise in the material vat is gradual and controlled.

322.2 Permits. Permits shall be required in accordance with Section 107.2 and Chapter 35.

322.2.1 Torches. Any use of torches or burners shall require a separate permit in accordance with Chapter 35.

322.3 Location. The melter shall be located and operated in a controlled area. The area shall be as designated by the fire code official and identified by the use of traffic cones, barriers, and other suitable means. Where rubberized asphalt melters are staged and operated on roof decks, the design load of the roof deck shall be capable of supporting the weight of the rubberized asphalt melter where loaded to capacity with rubberized asphalt material. The design load of the roof deck shall be as determined on building drawings or by a design professional as approved by the fire code official. Rubberized asphalt melters shall be chocked in place on the roof deck at locations identified by the design professional and as approved by the fire code official. Rubberized asphalt cakes for use in rubberized asphalt melters shall be located on the roof at a location agreed upon by the applicant and the fire code official.

322.3.1 Buildings. Rubberized asphalt melters shall not be located inside buildings.

322.3.2 Air intakes. Air intakes into the building in the area of work shall be identified and shut off and an alternate supply of outdoor air into the building shall be coordinated, such as by temporarily covering air intakes to make them smoke and odor proof.

322.3.3 Exits. Rubberized asphalt melters shall not be located within 20 feet of any exit or combustible material. Rubberized asphalt melters shall not block any means of egress.

322.3.4 Combustible materials. Combustible materials on the roof deck shall be protected in accordance with Section 3504.

322.4 Fire Extinguishers. Not less than two approved 4-A:40-B:C fire extinguishers complying with Section 906 shall be provided and maintained within 25 ft. of the rubberized asphalt melter. A minimum of one approved 4-A:40-B:C fire extinguisher shall be provided in close proximity to the roofing material application. Each employee shall be instructed on the proper use of fire extinguishers and in the event of a fire to turn off all rubberized asphalt melter power supply, engines, and burners. Employees shall notify the fire department.

322.5 Attendant Supervision. An operating rubberized asphalt melter shall be attended by an employee who is knowledgeable and solely dedicated to the operation of the equipment and associated hazards. The employee shall always be within sight of the melter. The employee shall remain in the area of the melter for a minimum of one hour after the device is shut down in compliance with Section 3504.2.

322.6 Minimum Melter Design Requirements. A Rubberized asphalt melter shall be operated as a complete unit as designed and built by the manufacturer. Field changes that override controls or safety features are prohibited. Material vats shall be a permanent integral part of the rubberized asphalt melter unit. The rubberized asphalt melter chassis shall be substantially constructed and capable of carrying the load imposed upon it whether it is standing still or being transported.

322.6.1 Lids. Rubberized asphalt melter shall have lids permanently attached. The lids shall be kept closed at all times, except to add rubberized asphalt membrane cakes to the rubberized asphalt melter. Loading doors shall be designed as a safety door integral to the roofing material tank and shall be provided with handles that allow rubberized asphalt cakes to be lowered into the tank without operator exposure to the vat material.

322.7 Melter Operation. Rubberized asphalt melters shall be operated according to manufacturer

instructions. Rubberized asphalt melters shall operate using integral control systems that include shut off controls for the electric or diesel-fired burner, temperature controls for the oil or air system, and the material vat. Where a diesel burner is utilized, it shall fire into a burner flue assembly for the oil or air jacketed shell for uniform heat transfer to the material vat. There shall be no open flame devices on rubberized asphalt melters. All rubberized asphalt melters shall have an approved, working visible temperature gauge(s) that indicates the temperature of the rubberized material being heated and, in the case of oil jacketed rubberized asphalt melters, the temperature of the heat transfer oil heating the material vat. The rubberized asphalt melter shall have limit switches that prevent the material vat from heating beyond 400 degrees F.

322.8 Fuel System and containers. Fuel containers for diesel-powered melters shall be constructed and approved for the use for which they were designed. Rubberized asphalt melter fuel tanks shall be attached to the frame of the melter. Portable fuel tanks shall not be utilized to power rubberized asphalt melters. Diesel tanks and engines integral to rubberized asphalt melters shall be maintained in accordance with manufacturer instructions.

322.8.1 Refueling. Refueling of diesel tanks shall be performed when the rubberized asphalt melter is off. A refueling and spill prevention plan approved by the fire code official shall be utilized. Refueling shall be conducted using approved safety cans. No open flames shall be present within 20 feet of the refueling operation.

322.9 Maintenance. Rubberized asphalt melters and integral working parts shall be in good working condition and shall be maintained free of excessive residue.

322.10 Transporting. Rubberized asphalt melters shall not be transported over a highway, road, or street when the heat source for the melter is operating.

SECTION 323 POWERED MICROMOBILITY DEVICES

323.1 General.

Lithium-ion and lithium metal battery powered micromobility devices shall be operated and maintained in accordance with this section.

Exceptions:

1. Storage, repair and charging in residential occupancies of powered mobility devices, provided that such devices are for personal use by its owner.

2. Charging of a single powered mobility device in any occupancy by its owner.

323.1.1 Prohibited locations.

The use of a residential occupancy as a business for the charging of commercially owned powered micromobility devices as part of a rental or sales service shall not be permitted.

323.2 Battery chargers and equipment.

Powered micromobility devices shall be charged in accordance with their listing and the manufacturer's instructions using only the original equipment manufacturer-supplied charging equipment or charging equipment in accordance with the listing and manufacturer's instructions.

323.3 Listing.

Powered micromobility devices shall be listed and labeled in accordance with UL 2272 or UL 2849, as applicable.

323.4 Battery charging areas.

Where approved, powered micromobility devices shall permitted to be charged in a room or area that complies with all of the following:

1. Only listed devices utilizing listed charging equipment shall be permitted to be charged.

2. Is provided with sufficient electrical receptacles to allow the charging equipment for each device to be directly connected to a receptacle. Extension cords and relocatable power taps shall not be used.

3. Storage of combustible materials, combustible waste or hazardous materials shall not be permitted.

4. The charging operation shall not be conducted in or obstruct any required means of egress.

5. Removable storage batteries shall not be stacked or charged in an enclosed cabinet unless the cabinet is specially designed and approved for such purpose.

6. A minimum distance of 18 inches (457.2 mm) shall be maintained between each removable storage battery during charging operations unless each battery is isolated from neighboring batteries by an approved fire-resistant material.

7. A minimum of 18 inches (457.2 mm) shall be maintained between the location of the battery on each powered micromobility device during charging operations.

322.5 Fire safety plan.

A fire safety plan shall be provided in accordance with Section 403.10.6. In addition, the fire safety plan shall include emergency response actions to be taken upon detection of a fire or possible fire involving lithium-ion or lithium metal battery storage.

401.9 Promulgation of fire safety instructions. The fire official shall issue regulations which require the owner, lessor, or management agent of buildings to post signs where, in the professional judgment of the fire official, such signs are deemed to be effective in minimizing the danger to persons and property in case of fire.

401.9.1 Elevator warning signs. Elevator lobby call stations on each floor and on all elevator cars shall be marked with approved signs reading as follows: "USE STAIRWAYS IN CASE OF FIRE - DO NOT USE ELEVATOR." The requirements of this section shall apply to all buildings. Elevators installed in use group R-5 shall be exempt from the provisions of this section.

401.9.2 Posting of signs. It shall be unlawful for the owner of any building which is leased to another or the lessor or management agent of any such building, to fail to post the signs required by the preceding paragraphs

503.1. Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

Add the following exception to 503.1:

3. In communities developed with single-family dwellings and/or townhomes that were constructed prior to December 31, 1979, wherein the Fire Code Official has no site plan and/or subdivision plan depicting or identifying designated fire lanes/fire apparatus access roads for the development, the Fire Code Official may conduct an analysis to designate and/or modify the requirements of this section. Any code modification shall require a written request from the community association accompanied by a site plan depicting the dimensions and location of the subject streets relative to all dwellings, structures and points of assembly. Before granting a fire code modification request, the Fire Code Official shall evaluate the type and grade of construction, structural components, including but not limited to the exterior wall coverings, accessibility and/or obstructions throughout the subject area, available water supplies, the distance and rescue response time from a fire station, and other relevant factors. Such fire code modifications may be granted by the Fire Official only if the health, safety, and welfare of the community is not compromised.

503.1.1 Buildings and Facilities. Approved fire apparatus access roads shall be provided for every facility, building, or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility. The fire code official shall require fire lanes to be designated on public streets and on private property where necessary for the purpose of preventing parking in front of or adjacent to fire hydrants and fire department connections and to ensure access to buildings and

structures for firefighting and rescue apparatus.

Exceptions:

1. The *fire code official* is authorized to increase the dimension of 150 feet (45,720 mm) where any of the following conditions occur:
   1.1 The building is equipped throughout with an approved automatic sprinkler system in accordance with the applicable NFPA13, NFPA 13R, or NFPA13D standard.
   1.2 Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades, or other similar conditions, and an approved alternative means of fire protection is provided.
   1.3 There are not more than two Group R-3, R-5, or Group U occupancies.
2. Where approved by the fire code official, fire apparatus access roads permitted to be exempted or modified for solar photovoltaic power generation facilities.

503.2.1.1 Required markings and parking prohibitions. Required markings and parking prohibitions shall be based on the street width (curb-to-curb or paved surface) as in Table 503.2.1.1. This shall apply to both one- and two-way designated streets.

Table 503.2.1.1

Street width	Parking	Fire lane markings
< 28 feet	No parking allowed on either side	Both sides marked as fire lanes
28 to 36 feet	Parallel parking allowed on one side as determined by the fire code official	One side marked as a fire lane
> 36 feet	Parallel parking allowed on both sides	No fire lane markings required *Exception*: Required access to pools, fire department apparatus access roads, and similar areas shall be marked as fire lanes

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 100 feet in length shall be provided with an approved area for turning around fire apparatus.

503.3.1 Marking specifications. Fire lane markings shall conform to the following:

1. Sign Details
   1.1 Metal construction 12 inches by 18 inches.
   1.2 Red letters on reflective white background with 3 /8-inch red trim strip around entire outer edge of sign.
   1.3 Lettering on sign to read: “NO PARKING OR STANDING FIRE LANE”.

2. There shall be a ½-inch space after the line that reads "NO”, a 1-inch space after the lines that read “PARKING" and "OR", and a 1½-inch space after the line that reads "STANDING".

3. Lettering size and standard wording shall be as follows:
   3.1 “NO” (2 inches)
   3.2 “PARKING” (2 inches)
   3.3 “OR” (1 inch)
   3.4 “STANDING” (2 inches)
   3.5 “FIRE LANE” (2½ inches)

4. Arrow (if required) shall be 1 inch by 6 inches with a solid head 1½ inches wide by 2 inches deep.

5. Sign types.

5.1 Sign type "A". Standard wording with an arrow at bottom pointing to the right. One sign mounted parallel to the line of curbing or pavement edge at the end of the painted area (see figure 503.3.1.- A).



Figure 503.3.1.- A

5.2 Sign Type "C." Standard wording with an arrow at bottom pointing to the left. One sign mounted parallel to the line of curbing or pavement edge at the end of the painted area (see figure 503.3.1.- B).



Figure 503.3.1.- B

5.3 Sign Type "D". Standard wording with no arrow. Two signs, back-to-back, mounted perpendicular to line of curbing or pavement edge. To be seen from either side. Located every 100 feet in long stretches of a marked, painted fire lane (see figure 503.3.1.- D).



Figure 503.3.1.- D

5.4 Posts for fire lane signs shall be metal and securely mounted. Signs shall be located and spaced as shown on the approved plans. In long stretches, the maximum distance between fire lane signs shall be 100 feet. Fire lane signs are to be mounted 7 feet above the finished grade to the bottom of the sign.

5.5 All curbs or paved spaces designated as fire lanes shall be indicated by yellow (highway grade) paint as approved by the fire code official. In areas without curbing, a 6-inch-wide yellow stripe shall be applied to the edge of the pavement. The property owner or designee shall repaint whenever the paint begins to fade or when directed by the fire code official.

503.3.2. Tampering. It shall be unlawful for any person to deface, injure, tamper with, remove, destroy, or impair the usefulness of any posted fire lane sign or marking installed under the provisions of this code.

503.6.1 Emergency operation for security gates and barricades. Gates and barricades that are installed across a fire apparatus access road that is normally intended for vehicular traffic shall be installed with a fire department access system which has an emergency override fire department master key switch as approved by the fire official. Gates and barricades shall be maintained operational at all times.

503.8 Carnival, fair, festival, and circus access. It shall be the responsibility of the owner, operator, or other person responsible for the establishment, erection, or operation of any carnival or circus to establish, erect, and operate such carnival or circus so that there is provided and maintained an access lane, capable of supporting fire and rescue apparatus in all weather conditions, and so arranged as to afford access to within 100 feet of all booths, tents, rides, and other equipment, buildings, and structures used as part of or in conjunction with the carnival or circus.

503.9 Pool access. Stretcher access for a 24-inch x 84-inch stretcher must be provided from the fire department vehicular access to the pool deck.

Exception: Individually owned pools located on single-family lots.

506.3 Number and labeling of required keys. In buildings with fire command centers, 15 sets of common keys shall be provided for access to building services and systems regulated by Section 601 of this Code and to all storage, trash and utility rooms, roof access doors, and doors to other secured areas. In all other buildings required to provide fire department access, 3 sets of common keys shall be provided. Individual keys shall be clearly labeled as to function and each set of keys shall be individually tagged in a manner approved by the fire official.

506.4 Height of key boxes. Required key boxes shall be installed at the primary fire department entrance, in a visible and accessible position, 42 inches to 54 inches above finished grade. For new or renovated buildings, fire department key boxes must be installed prior to occupancy.

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507.5.5 Clear space around hydrants and fire department connections. A 4-foot clear space shall be maintained around each side of fire hydrants, and a 5-foot clear space shall be maintained on each side of a fire department connection, except as otherwise required or approved.

601.3 Permits. Permits shall be obtained for refrigeration systems, commercial kitchen hoods, and electrified security fences as set forth in Sections 107.2.

Add term to list of definitions in Section 602.1 DEFINITIONS as follows:

ELECTRIFIED SECURITY FENCE

606.3.3.3.2 Type I hood fire protection records. Add Subsection as follows: 606.3.3.3.2 Type I hood fire protection records. The occupant shall maintain on premises a copy of all literature issued by the system manufacturers at time of installation and an approved plan of the fire protection system covering the cooking appliances. These items shall be made available to the fire code official on request.

Section 611 Electrified Security Fence

611.1 General. Notwithstanding any other state, local or other legal requirements, the installation of an electrified security fence shall comply with 2006 international standards and specifications of the International Electrotechnical Commission for electric fence energizers in "International Standard IEC 60335, Part 2-76." Installation of the electrified security fence must conform to the requirements of this Code and other pertinent laws and ordinances.

611.2 Electrification. The energizer for electric fences must be driven by a commercial storage battery or batteries not to exceed 12 volts DC. The storage battery is charged primarily by a solar panel. However, the solar panel may be augmented by a commercial trickle charger. The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of IEC Standard No. 60335-2-76.

611.3 Perimeter fence or wall. No electric fence shall be installed or used unless it is completely surrounded by a non-electrical fence or wall that is not less than six feet tall. There shall be a space of four (4) to twelve (12) inches between the electric fence and the perimeter fence or wall.

611.4 Height. Electric fences shall have a minimum height of 8 feet and a maximum of 10 feet.

611.5 Warning signs. Electric fences shall be clearly identified with warning signs that read: "Warning-Electric Fence" and contain icons that are universally understood at intervals of not less than thirty feet.

610.6 Hours of activation. Electric fences must only be energized during hours when the public does not have legal access to the protected property, except when personnel are available on-site to deactivate the electric fence.

611.7 Key Box. Electric fences shall have installed a key box system in accordance with this Code.

611.7.1 Controller and key location. The electric fence controller and rapid entry key box for the electric fence must be located in a single accessible location for the entire fence.

807.5.2.4 Furniture, furnishings and displays. Furniture, furnishings, displays or other objects shall be prohibited in exit corridors serving Group E occupancies.

Exception: Furniture, furnishings, displays, and other objects shall be permitted in exit corridors when secured in place and not located in any portion of the required 72-inch exit corridor width or other required element of the means of egress. Upholstered furniture shall meet the requirements for Class I when tested in accordance with NFPA 260.

901.3. Permits. Permits shall be required as set forth in Sections 107 and 108.

901.6.4. Periodic retests. Periodic inspections and tests when required by the fire official shall be witnessed by the fire official. The fire official shall collect fees from the building owner or tenant for the witnessing of tests

required under this section, based on staff hours expended witnessing these tests.

901.6.4.1. Reinspection and testing fees. Fees for witnessing the testing and reinspection of existing fire protection equipment and systems, under the authority of 901.6.4, shall be assessed as listed under Subsection 107.2. A fee, based on hours reserved, shall be assessed for inspections not cancelled with notice.

901.12 Unwanted or Nuisance alarms. Inspection fees shall be as in Table 107.2 and 109.6. Whenever unwanted nuisance fire alarm activations occur in any occupancy exceed three in a 90-day period, the fire official may require the owner or occupant to conduct a test of the fire protection system causing the nuisance alarm. Testing shall be in accordance with section 901.6.4.

1. For the purpose of this section, an unwanted or nuisance alarm is deemed to occur whenever the fire official or fire department officer in charge responding to a fire alarm call shall determine, after investigation, that faulty equipment initiated the alarm.
2. As soon as possible following the unwanted or nuisance alarm determination, the responding officer in charge shall cause the Office of the Fire Marshal to be notified in writing of the facts and circumstances supporting the determination that faulty fire protection equipment initiated the alarm.
3. Whenever an owner or occupant is required by this section to conduct testing of a fire protection system, the fire official shall notify the owner or occupant in writing and prescribe a certified test consistent with standard procedures and a report of such testing shall be provided to the fire official upon request.

907.8.5 Posting of central station monitoring company and point of contact. The name, telephone number, and account number of the current central station monitoring company shall be posted and maintained inside the fire alarm control panel. Information for an alternate contact such as the building owner or representative shall also be posted. If the fire alarm system is not monitored, that fact shall be posted and maintained inside the fire alarm control panel, along with the building owner or representative contact information.

1201.4 Permits. Permits shall be required as set forth in Sections 107 and 108.

2001.3. Permits. For permits to operate aircraft-refueling vehicles, application of flammable or combustible finishes and hot work shall be required as set forth in Sections 107 and 108.

2006.11.5 Notification of the fire department. The fire department shall be notified of any fuel spill that is considered a hazard to people or property or which meets one or more of the following criteria:

1. Any dimension of the spill is greater than 10 feet (3048 mm).
2. The spill area is greater than 50 square feet (4.65 m^2).
3. The fuel flow is continuous in nature.
4. The procedures as set forth in section 5003.3.1 shall also be followed.

2101.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

2201.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

2301.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

2401.3. Permits. Permits shall be required as set forth in Sections 107 and 108.

2501.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

2601.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

2701.5. Permits. Permits shall be required as set forth in Sections 107 and 108.

2801.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

01.2 Permits. Permits shall be required as set forth in Sections 107 and 108.

3001.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

3103.2. Approval required. Tents and temporary membrane structures having an area in excess of 900 square feet (84 square meters) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire code official in accordance with Table 107.2

Exceptions:

1. Tents used exclusively for recreational camping purposes.

3103.4. Permits. Permits shall be required as set forth in Sections 107 and 108.

3104.5 Fireworks. Fireworks shall not be manufactured stored, sold, displayed, or used inside or within 100 feet of tents or membrane structures.

3105.3. Permits. Permits shall be required as set forth in Sections 107 and 108.

3201.2. Permits. Permits shall be required as set forth in Sections 107 and 108.

3303.2 Fire prevention program manager. The owner shall designate a person to be the fire prevention program manager who shall be responsible for the fire prevention program and ensure that it is carried out through completion of the project. The fire prevention program manager shall have the authority to enforce the provisions of this chapter and other provisions as necessary to secure the intent of this chapter. Where guard service is provided in accordance with NFPA 241, the manager shall be responsible for the guard service.

3303.2.1 Pre-fire plans. The fire prevention program manager shall develop and maintain an approved pre-fire plan in cooperation with the fire chief. The fire chief and the fire code official shall be notified of changes affecting the utilization of information contained in such pre-fire plans.

3303.6 Training. Training of responsible personnel in the use of fire protection equipment shall be the responsibility of the fire prevention program manager. Records of training shall be kept and made a part of the written plan for the fire prevention program.

3303.7 Fire protection devices. The fire prevention program manager shall determine that all fire protection equipment is maintained and serviced in accordance with this code. The quantity and type of fire protection equipment shall be approved. Fire protection equipment shall be inspected in accordance with the fire protection program.

3303.8 Hot work operations. The fire prevention program manager shall be responsible for supervising the permit system for hot work operations in accordance with Chapter 35.

3308.10 Daily fire safety inspection. The fire prevention program manager shall be responsible for completion of a daily fire safety inspection at the project site. Each day, all building and outdoor areas shall be inspected to ensure compliance with the inspection list in this section. The results of each inspection shall be documented and maintained on site until a certificate of occupancy has been issued. Documentation shall be immediately available on site for presentation to the fire code official upon request.

Failure to properly conduct, document and maintain documentation required by this section shall constitute an unlawful act in accordance with Section 110.1 and shall result in the issuance of a notice of violation in accordance with Section 110.3 to the fire prevention program manager. Upon the third offense, the fire code official is authorized to issue a stop work order in accordance with Section 112, and work shall not resume until satisfactory assurances of future compliance have been presented to and approved by the fire code official.

1. Any contractors entering the site to perform hot work each day have been instructed in hot work safety requirements in Chapter 35 and hot work is only performed in areas approved by the fire prevention manager.
2. Temporary heating equipment is maintained away from combustible materials in accordance with the

equipment manufacturer's instructions.

3. Combustible debris, rubbish and waste material is removed from the building in areas where work is not being performed.

4. Temporary wiring does not have exposed conductors.

5. Flammable liquids and other hazardous materials are stored in locations that have been approved by the fire prevention manager when not involved in work that is being performed.

6. Fire apparatus access roads required by Section 3310 are maintained clear of obstructions that reduce the width of the usable roadway to less than 20 feet.

7. Fire hydrants are clearly visible from access roads and are not obstructed.

8. The location of fire department connections to standpipe and in-service sprinkler systems are clearly identifiable from the access road and such connections are not obstructed.

9. Standpipe systems are in service and continuous to the highest work floor, as specified in Section 3313.

10. Portable fire extinguishers are available in locations required by Section 3315 and 3317.3.

3401.4. Permits. Permits shall be required as set forth in Sections 107 and 108.

3501.2 Permits. Permits shall be required as set forth in Sections 107 and 108.

3701.3 Permits. Permits shall be required as set forth in Sections 107 and 108.

3901.3 Permits. Permits shall be required as set forth in Sections 107 and 108.

5001.5.2 Hazardous Materials Inventory Statement (HMIS). Where required by the fire code official, an application for a permit shall include an HMIS, such as Superfund Amendments and Reauthorization Act of 1986 (SARA) Title III, Tier II Report or other approved statement. The HMIS shall include the following information:

1. Product name.

2. Component.

3. Chemical Abstract Service (CAS) number.

4. Location where stored or used.

5. Container size.

6. Hazard classification.

7. Amount in storage.

8. Amount in use-closed systems.

9. Amount in use-open systems.

The HMIS shall be maintained onsite or readily available through another means where approved by the fire code official for use by emergency responders and shall be updated not less than annually.

5601.1 Scope. The provisions of this chapter shall govern the possession, manufacture, transportation, storage, handling, sale and use of explosives, explosive materials, fireworks and small arms ammunition.

Exceptions:

1. The Armed Forces of the United States, Coast Guard or National Guard.

2. Explosives in forms prescribed by the official United States Pharmacopoeia.

3. The possession, storage and use of small arms ammunition where packaged in accordance with DOT packaging requirements.

4. The possession, storage, and use of not more than 15 pounds (6.81 kg) of commercially manufactured

sporting black powder, 20 pounds (9 kg) of smokeless powder and any amount of small arms primers for hand loading of small arms ammunition for personal consumption.

5. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.
6. Special industrial explosive devices that in the aggregate contain less than 50 pounds (23 kg) of explosive materials.
7. The possession, storage and use of blank industrial-power load cartridges where packaged in accordance with DOTn packaging regulations.
8. Transportation in accordance with DOTn 49 CFR Parts 100—185.
9. Items preempted by federal regulations.
10. The storage, handling, or use of explosives or blasting agents pursuant to the provisions of Title 45.1 of the Code of Virginia.
11. The display of small arms primers in Group M when in the original manufacturer's packaging.
12. The possession, storage and use of not more than 50 pounds (23 kg) of commercially manufactured sporting black powder, 100 pounds (45 kg) of smokeless powder, and small arms primers for hand loading of small arms ammunition for personal consumption in Group R-3 or R-5, or 200 pounds (91 kg) of smokeless powder when stored in the manufacturer's original containers in detached Group U structures at least 10 feet (3048 mm) from inhabited buildings and are accessory to Group R-3 or R-5.

5601.1.6 Manufacturing. The manufacture of explosives and blasting agents shall be prohibited. This shall not apply to hand loading of small arms ammunition for personal use when not for resale, the assembly of two component explosives for use on site, or the mixing of blasting agents for use on site.

5601.1.7 Permit required for sale of explosive materials. It shall be unlawful for any person, firm or corporation, wholesaler or retailer to sell, offer for sale or expose for sale any explosive materials within the county without a permit from the Fire Marshal's Office. Such permit shall be issued only after the applicant files with the Fire Marshal's Office a certificate of insurance which shows that the applicant has liability insurance in the amount of at least $5,000,000 combined single limit for bodily injury and property damage. This insurance policy shall be available for the payment of any damage arising from the acts or omissions of the applicant, their agents or employees in connection with the activities authorized by the permit. The applicant shall ensure that the insurance policy is in effect at the time of the commencement of the activities authorized by the permit, and remains continuously in effect until such activities are completed.

5601.1.7.1 Storage & Handling in Sales of Explosive Materials. Except where approved in 5604.1, the storage of explosive materials within the county in support of wholesale or retail sales is prohibited. Except where approved in *5604.1*, it shall be unlawful for any person, firm or corporation, wholesaler or retailer to package, ship, transfer, or otherwise handle explosive materials in the county without a permit from the Fire Marshal's Office.

5601.2.4 Insurance required for blasting. Before a permit is issued for the storage, transportation, disposal, or use of explosives or blasting agents, the applicant shall file with the Office of the Fire Marshal a certificate of insurance which shows that the applicant has liability insurance in the amount of at least $5,000,000 combined single limit for bodily injury and property damage. This insurance policy shall be available for the payment of any damage arising from the acts or omissions of the applicant, their agents, or employees in connection with the storage, transportation, disposal, or use of explosives or blasting agents. The applicant shall ensure that the insurance policy is in effect at the time of the commencement of the operations or activities authorized by the permit and remains continuously in effect until such operations or activities are completed.

5601.7. Seizure. The fire official is authorized to remove or cause to be removed or disposed of in an approved manner, at the expense of the owner, explosives, explosive materials, or fireworks offered or exposed for sale, stored, possessed, or used in violation of this chapter.

5603.1 General. Records of the receipt, handling, use, sale or disposal of explosive materials, and reports of any accidents, thefts or unauthorized activities involving explosive materials shall conform to the requirements of this section.

5603.2 Transaction record. The permittee shall maintain a record of all transactions involving receipt, removal, use, sale or disposal of explosive materials. Such records shall be maintained for a period of 5 years.

Exception: Where only Division 1.4G (consumer fireworks) are handled, records need only be maintained for a period of 3 years.

5603.4.1 Accidents with no injuries or property damage. Any blasting misfires, malfunctions, or other unintended blasting related events or accidents involving the use of explosives, explosive materials, or fireworks which do not involve injuries or property damage shall be reported to the fire official immediately.

5603.8 Improper storage. If at any time Division 1.3G fireworks, explosives, or explosive materials are found not properly stored in a magazine, it shall immediately be reported to the Fairfax County Office of the Fire Marshal.

5604.1 General. Storage and transportation of explosives and explosive materials, small arms ammunition, small arms primers, propellant-actuated cartridges and smokeless propellants in magazines shall comply with the provisions of this section.

5604.1.1 Overnight Storage. The overnight storage of explosive materials, including Division 1.3G fireworks, is prohibited.

Exceptions:

1. Overnight storage approved by a special use permit issued by the Fairfax County Board of Supervisors.
2. Explosive materials used for laboratory testing purposes, up to 1 pound total in storage of which no more than ¼ pound is in use at any time, when approved by the fire code official and stored in compliance with the magazine requirements of section 5604.3.
3. Explosive materials in storage for a period of not more than 7 days for specialized blasting operations such as the demolition of structures or loading of similarly complex blasts, when approved by the fire code official. Storage for more than 7 days shall necessitate approval of the Fairfax County Board of Supervisors.
4. Wholesale and retail stocks of small arms ammunition, explosive bolts, explosive rivets or cartridges for explosive activated power tools in quantities involving less than 500 pounds total explosive material.
5. The temporary storage of fireworks at display sites in accordance with 5608.5 and NFPA 1123 or NFPA 1126.

5604.1.1.1 Enforcement. The Fairfax County Office of the Fire Marshal shall enforce the regulations contained herein pertaining to the intra-county transportation of explosives.

5604.1.1.2 Notification. Operators of vehicles transporting explosives in Fairfax County shall immediately notify the Fire Official upon experiencing a mechanical breakdown or being otherwise unable to move.

5604.1.2 Transfer of explosive materials. The on-site delivery of explosive materials where explosives would be transferred from the delivery vehicle to an on-site vehicle shall be prohibited without the prior approval of the Fire Marshal. Approval of on-site delivery will be dependent on an inspection of the proposed transfer site. Such operations will only be approved where:

1. Transfer is from the magazine of the delivery vehicle directly to the magazine of the receiving vehicle(s).
2. All vehicles delivering and/or receiving explosive materials shall possess a valid Explosives Transport

Vehicle permit.

3. The area of the transfer is barricaded and posted.

4. An appropriate guard shall be posted to ensure the safety and security of the transfer operations and prevent unauthorized persons from entering the transfer area.

5. Transfer of explosive materials will cease, and all explosive materials will be secured immediately upon entry of an unauthorized person into the transfer area.

6. Transfer shall be conducted in accordance with an approved blast plan.

5604.2.1 Control in wholesale and retail stores. The storage or display of explosives and blasting caps in wholesale and retail stores is prohibited unless in a magazine.

5604.3 Magazines. The storage of explosives and explosive materials in magazines shall comply with Table 5604.3. Explosive materials in overnight storage, regardless of quantity, shall utilize Type 1 or Type 2 magazines as approved by the fire code official. Regardless of magazine type, storage of explosives in non-sprinklered buildings is prohibited.

5607.3 Blasting in congested areas. When blasting is done in a congested area or in close proximity to a structure, railway or highway, or any other installation, precautions in the loading, delaying, initiation, and confinement of blasts shall be taken to minimize earth vibrations, air blast effects, and fragments from being thrown. Sufficient burden, spacing, stemming, blasting mats, or other protective means shall be used to prevent fragments from being thrown.

5607.3.1 Pre-blast surveys. A pre-blast survey shall be performed on each structure located within a minimum of 150 feet and any well located within a minimum of 250 feet of the blast site. Written confirmation that the pre-blast survey has been done shall be maintained by the blasting contractor. Requests for access to structures for pre-blast surveys shall be made by certified mail to the last known address of the owner(s) of any structures located within the pre-blast survey areas as defined herein. If permitted by the owner(s), said pre-blast surveys shall be conducted to determine the pre-blast conditions of these structures. A minimum of 14 days' notice shall be provided for the scheduling of the pre-blast survey. Documentation consisting of a written acknowledgement that the survey has been performed or declined by the property owner and a map depicting the above referenced 150- and 250-feet radius, shall be provided to the fire code official at the time of the Explosive Use Site Permit Inspection meeting.

5607.3.2 Pre-blast notification. All structures located within a minimum of 300 feet of the blast site shall be notified of the scheduled blasting 10 days prior to blasting and no blasting shall occur until such notice has been given.

5607.5 Utility notification. Whenever blasting is being conducted in the vicinity of utility lines or rights-of-way, the blaster shall notify the appropriate representatives of the utilities at least 5 business days in advance of blasting, specifying the location and intended time of such blasting. Verbal notices shall be confirmed with written notices. Blasting operations will not proceed until the owners/operators of utilities have been contacted and measures for safe control have been taken.

Exception: When approved by the fire code official the time limit shall not apply in emergency situations.

5607.7 Nonelectric Detonator Precautions. Precautions shall be taken to prevent accidental initiation of nonelectric detonators from stray currents induced by lightning or static electricity. Blast initiation devices shall not be connected to non-electric systems until the blast area is secured, traffic is stopped if necessary, and audible warnings have been sounded.

5607.8 Blasting area security. Beginning at the time that explosive materials arrive on site, only authorized persons engaged in loading operations or otherwise authorized to enter the site shall be allowed at the blast site. Beginning with the time that individual loaded boreholes are connected together, only authorized persons engaged in blasting operations or otherwise authorized to enter the area shall be allowed within the blast area. No activity of any nature other than that which is required for loading holes with explosives shall be permitted within the blast area. The blast site and blast area shall be guarded or barricaded and posted. Blast area security shall be

maintained until after the post-blast inspection has been completed.

5607.9 Drill Holes. Holes drilled for the loading of explosive charges shall be made and loaded in accordance with NFPA 495. Loaded boreholes shall not be left unattended.

5607.9.1 Equipment for loading and stemming. Only equipment and machinery necessary to load boreholes shall be allowed within the blast site after the arrival of explosives. Said equipment or machinery shall not be operated over loaded boreholes or at any location where there is a potential to contact explosive materials. Equipment and machinery used to stem loaded boreholes shall not be operated within the blast site once loading operations begin.

5607.9.2 Stemming of loaded boreholes. All boreholes loaded with explosives shall be stemmed to the collar or to a point which will confine the charge. Stemming shall be a minimum of 4 feet unless otherwise approved. Stemming will be stone appropriately sized to the borehole diameter. Drill cuttings shall not be used as stemming material.

5607.13 Firing control. No blast shall be fired until the blaster in charge has made certain that all surplus explosive materials are in a safe place in accordance with Section 5607.10, all persons and equipment are removed from the blast area or protected under approved cover, and that an adequate warning signal audible throughout the blast area has been given.

5607.16 Blast records. A record of each blast shall be created immediately following the blast and retained for at least five years and shall be available for inspection by the fire code official. When required by the fire code official, the diameter and depth of boreholes, type and amount of explosives, and explosives per delay period shall be listed for each individual borehole and not averaged over the entire site. The record shall contain the following minimum data:

1. Name of contractor.
2. Location and time of blast.
3. Name of certified blaster in charge.
4. Type of material blasted.
5. Number of holes bored and spacing.
6. Diameter and depth of holes.
7. Type and amount of explosives.
8. Amount of explosive per delay of 8 milliseconds or greater.
9. Method of firing and type of circuit.
10. Direction and distance in feet to nearest dwelling, public building, school, church, commercial building, institutional building, or other installation.
11. Weather conditions.
12. Whether or not mats or other precautions were used.
13. Type of detonator and delay period.
14. Type and height of stemming.
15. Seismograph record when utilized.

Exception: Items 8 and 13 of this section are not applicable to restricted blasters.

5607.17 Blasting in asbestos rock. Blasting operations conducted in rock or soils that present a hazard to public health through dust generation or other effects of drilling and blasting must be reported as such to the fire code official and the blaster-in-charge must obtain and maintain all necessary health, safety, and environmental

permits or approvals.

5607.18 Blast effects monitoring. All blasts occurring within the County will be monitored by at least one seismograph placed in proximity to the nearest structure to the blast. The seismograph must be capable of monitoring both ground vibration and air overpressure and the blaster in charge must be able to provide the results of blast monitoring on-site immediately following the blast. Additional seismographs may be required by the fire code official as conditions at the blast warrant.

1. All seismographs will be properly calibrated by a qualified firm. Annually, calibration records shall be presented to the fire code official upon request.
2. Adequate trigger levels shall be set for the blast being conducted but at no time less sensitive than:
    a. Ground vibration: 0.05 inches per second peak particle velocity
    b. Air blast: 100 decibels
    c. Recording time: 5 seconds.
3. GPS coordinates documenting the location of each seismograph used in mineral mining will be included in the blasting records required in 5607.16.

5607.19 Detonating cord and safety fuse. The use of detonation cord in blasting and explosives operations will comply with NFPA 495 and the requirements listed in 29 CFR 1926.908(a) through (j). Safety fuse shall be used only where approved by the fire official. The use of safety fuse shall comply with the requirements listed in 29 CFR 1926.907(a) through (m).

5608 Fireworks Display. Change title to: Section 5608 Fireworks.

5608.1 General. Outdoor fireworks displays, use of pyrotechnics before a proximate audience and pyrotechnic special effects in motion picture, television, theatrical and group entertainment productions shall comply with Sections 5608.2 through 5608.10 and NFPA 1123 or NFPA 1126. The manufacture of fireworks is prohibited within the County. The display, sale, or discharge of fireworks shall comply with the requirements of this chapter.

5608.1.1 Unlawful activities. Except as hereinafter provided, it shall be unlawful for any person, firm, or corporation to transport, manufacture, store, possess, sell, offer for sale, expose for sale, or to buy, use, ignite, or explode any fireworks.

5608.1.1.1 Reloading. It shall be unlawful for any person, firm, or corporation to reload any mortar where shells or fireworks fail to ignite during any shoot, show or display. In the event that a shell fails to ignite in the mortar, the mortar shall be marked to indicate the presence of an unfired shell, and the mortar shall not be reloaded or reused while the misfired shell remains a hazard.

5608.1.1.2 Cold Spark Machines. It shall be unlawful for any person, firm, or corporation to utilize cold spark machines within a structure or building.

5608.1.2 Permissible fireworks. The provisions of *5608.1.1* shall not apply to consumer 1.4G permissible fireworks which have been approved by the Fire Marshal's Office. Such permissible fireworks shall be used only on private property with the approval of the owner. The sale or storage of any fireworks shall be prohibited on the property of another without the express written permission of the owner. The sale of fireworks to minors shall be prohibited unless the minor is accompanied by a parent or legal guardian.

5608.2.1.1 Permit required for display of aerial fireworks. The Office of the Fire Marshal may issue permits, upon application in writing, for the display of aerial fireworks, commonly known as pyrotechnic displays, for fair associations, amusement parks, or by any organization, individual, or group of individuals; provided such display is in general accord with the applicable sections of NFPA 1123 and NFPA 1126, as listed in chapter 80 of this Code. After such permit has been issued, sales of fireworks may be made for use under such permit and the association, organization, group, or individual to which it is issued may make use of such fireworks under the terms and conditions of such permit. No permit shall be issued until the applicant files with the Fire Marshal's Office a certificate of insurance which shows that the applicant has liability insurance in the amount of at least $5,000,000 combined single limit for bodily injury and property damage. This insurance policy shall become available for the

payment of any damage arising from the acts or omissions of the applicant, their agents, or employees in connection with the display of aerial fireworks. The applicant shall ensure that the insurance policy is in effect at the time of the commencement of the activities authorized by the permit and remains continuously in effect until such activities are completed.

5608.2.3 Permit required for sale of fireworks. It shall be unlawful for any person, firm, or corporation, wholesaler, or retailer to sell, offer for sale, or expose for sale any fireworks within the county without a permit from the Fire Marshal's Office. This permit shall be valid for a maximum of 45 days. Such permit shall be issued only after the applicant files with the Fire Marshal's Office a certificate of insurance which shows that the applicant has liability insurance in the amount of at least $5,000,000 combined single limit for bodily injury and property damage. This insurance policy shall be available for the payment of any damage arising from the acts or omissions of the applicant, his agents, or his employees in connection with the activities authorized by the permit. The applicant shall ensure that the insurance policy is in effect at the time of the commencement of the activities authorized by the permit and remains continuously in effect until such activities are completed.

5608.10 Retail display and sale. In addition to the restrictions set forth in section, 5601.2.2, retail sales of permissible fireworks shall only be conducted from approved, fixed locations. Such locations shall comply with all Fairfax County rules and regulations applicable to such sites. The sale or storage of any fireworks shall be prohibited on the property of another without the express written permission of the owner. Staff selling permitted, permissible fireworks shall be 18 years or older.

5608.10.1 Precautions. Fireworks displayed for retail sale shall not be made readily accessible to the public and under the supervision of retail staff. A minimum of one pressurized water fire extinguisher complying with section 906 shall be located not more than 15 feet and not less than 10 feet from the retail sale location. "NO Smoking" signs complying with section 310 shall be conspicuously posted in areas where fireworks are stored or displayed for retail sale.

5608.10.2 Sales to minors. The sale of permissible fireworks to persons under the age of 18 shall be prohibited unless the person is accompanied by a parent or legal guardian.

5608.10.3 Records to be kept by wholesaler and retailer. Each wholesaler shall maintain full and complete records of all purchases and sales of fireworks and each retailer shall maintain full and complete records of all purchases of fireworks. The Fairfax County Fire Marshal or designated agent is authorized to examine the books and records of any wholesaler or retailer documenting the purchases and sales of fireworks within the county.

5608.11 Approval of permissible fireworks. Persons engaged in the business of selling or offering to sell fireworks at wholesale shall submit to the Office of the Fire Marshal a list of fireworks for approval. Persons engaged in the business of selling fireworks at wholesale may be required to submit to the Office of the Fire Marshal at least 5 samples of each firework intended to be sold or delivered by such wholesaler, together with complete specifications including the manufacturer and trade name of such fireworks and a chemical analysis of each such fireworks submitted. No wholesaler or retailer shall sell or deliver in the county any fireworks other than those approved by the State Fire Marshal's Office.

5701.4 Permit required. Permits shall be required as set forth in Sections 107 and 108 and regulated in accordance with this section. The manufacture, storage, possession, sale and use of fireworks or explosives shall not take place without first applying for and obtaining a permit.

5704.2.7.10 Leak reporting. A consistent or accidental loss of liquid, or other indication of a leak from a tank system, shall be reported immediately to the fire department, the fire code official and other authorities having jurisdiction. The procedures as set forth in section 5003.3.1 shall also be followed.

(3-91-62; 4-91-62; 49-92-62; 12-94-62; 15-96-62; 17-97-62; 37-97-62; 44-99-62; 15-03-62; 13-06-62; 27-08-62; 33-08-62; 17-09-62; 04-12-62; 43-14-62; 23-22-62.)
(Supp. No. 174, 11-24)

ARTICLE 3. Junior Firefighters

Section 62-3-1. Junior firefighters.

Any person residing in the County of Fairfax, the City of Fairfax, or the towns of Vienna, Herndon and Clifton, aged 16 years or older, who is a member of a Fairfax County volunteer fire company, with parental or guardian approval, is authorized to (i) seek certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs; and (ii) work with or participate in non-hazardous activities of such volunteer fire company, provided such person has attained certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs, subject to the following conditions:

1) Evidence of residency in the Commonwealth shall be provided by the junior firefighter.

2) The junior firefighter shall present an original letter by a parent or legal guardian that permits junior firefighter participation.

3) The junior firefighter shall provide an original consent form signed by a parent or legal guardian allowing participation in Virginia Department of Fire Programs training courses.

4) The junior firefighter shall be provided with a copy of the County's liability insurance coverage applicable to junior firefighters. (11-16-62; 32-18-62.)