

EXHIBIT A**CHAPTER 8.1 - FIRE PREVENTION**

BE IT ORDAINED by the County Board of Arlington County, Virginia that Chapter 8 (Fire Prevention Code) of the Code of Arlington County Virginia, 1957, as amended, is hereby repealed in its entirety and that a new Chapter 8.1 (Fire Prevention Code) of the Code of the County of Arlington, Virginia, 1957, as amended, is hereby enacted as follows, effective April 28, 2009:

Chapter 8 of the Code of the County of Arlington, Virginia, 1957 as amended, is hereby repealed in its entirety.

Chapter 8.1 of the Code of the County of Arlington, Virginia 1957 as amended, is hereby enacted to read as follows:

**CHAPTER 8.1
FIRE PREVENTION CODE****ARTICLE 1 – GENERAL PROVISIONS****§ 8.1-1. Title.**

This code shall be known and may be cited as the Arlington County Fire Prevention Code and is referred herein as such, as “Ordinance” or as “this code.”

§ 8.1-2. Administration and enforcement of Virginia Statewide and Arlington County Fire Prevention codes.

The County of Arlington, referred to herein as such or as “County”, shall enforce the Virginia Statewide Fire Prevention Code promulgated by the Board of Housing and Community Development of the Commonwealth of Virginia pursuant to §27-98 of the Code of Virginia (1950, as amended). The provisions of the Virginia Statewide Fire Prevention Code and the Fire Prevention Code of the County of Arlington, Virginia, to include those buildings constructed under specific editions of the regional model codes, shall be enforced by the County Fire Marshal and, under the authority of the Chief Fire Marshal, by the Assistant Fire Marshal(s) and Deputy Fire Marshal(s) and such authorized representatives as designated by the Fire Marshal. The Fire Marshal, the Assistant Fire Marshals, and Deputy Fire Marshals shall have all of the powers of the local fire official, the local arson investigator and the local fire marshal and assistants set forth in Title 27 of the Code of Virginia. Each shall also have all of the powers of the fire official and the enforcing agency set forth in the Virginia Statewide Fire Prevention Code and the Fire Prevention Code of the County of Arlington, Virginia.

§ 8.1-2.1. Invalidity; severability; coded indicators.

(a) If any part, section, subsection, clause, or phrase of this Ordinance is, for any reason, declared unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portion of this Chapter which shall remain in effect as if this Chapter had been passed without the unconstitutional or otherwise invalid part, section, or subsection, sentence, clause, or phrase.

(b) Coded indicators of words, sections or phrases to be added, deleted, or revised, and the indicator “* * *” are solely for convenience of those using this code and shall not be considered to constitute a part of the Ordinance as adopted.

§ 8.1-2.2. Acts by deputy or designee.

Whenever a power is granted to or a duty is imposed upon a public officer or employee, the power may be performed by any authorized deputy or designee or by any other person duly authorized, unless this code expressly provides otherwise.

§ 8.1-3. Establishment of the Arlington County Fire Department.

The County Board of Arlington County hereby establishes pursuant to Section 27-6.1 of the Virginia Code (1950, as amended), a fire department known as the "Arlington County Fire Department" and referred to herein as such or as "fire department." The head of the department shall be known as the "Fire Chief" or "County Fire Chief," who shall be appointed by the County Manager. This fire department shall be the only fire department officially recognized and authorized to operate within Arlington County, Virginia. Where the fire department is referred to in this Chapter, this reference shall include the volunteer fire departments of the Arlington County Fireman's Association sanctioned by the Fire Chief.

§ 8.1-4. Response of equipment.

All fire apparatus and emergency medical equipment responding within Arlington County to a fire or emergency medical incident within the jurisdiction shall be under the control and direction of the Fire Chief or his/her designee.

Exceptions:

1. Any duly dispatched fire or emergency medical equipment from another city, town, or county that is (a) merely passing through Arlington County; or (b) merely transporting a patient to receive medical services within Arlington County.
2. Any private ambulance service certified to do business within the Commonwealth of Virginia.

§ 8.1-5. Fire and medical incident command.

All fire and medical emergencies occurring in Arlington County shall be the responsibility of the ranking officer of the Arlington County Fire Department and referred to herein as such or as “County.”

§ 8.1-6. Establishment of fire department standards governing participation.

The Fire Chief shall establish standards, rules and regulations to promote the objectives of the fire department, within the laws of the Commonwealth and County ordinances, which shall govern all County employees and other persons participating in firefighting activities and emergency medical operations.

§ 8.1-6.1. Criminal background check required for employment eligibility.

(a) In order to determine whether, in the interest of public welfare and safety, an applicant for fire department employment may have a record of past criminal conduct that is incompatible with the nature of employment in the Arlington County Fire Department, the Fire Chief or his/her designee shall request from the Virginia Central Criminal Record Exchange a criminal record check of each applicant for employment whose anticipated duties or responsibilities will involve (i) access to public records, Protected Health Information or to personal information, (ii) accountability for public funds, (iii) entry into secured areas outside of working hours, (iv) law enforcement and investigations conducted under the color of law, (v) right of entry onto private property, or (vi) assistance to the elderly or disabled. Such applicant shall submit to fingerprinting by the Arlington County Fire Marshal's Office, Arlington County Sheriff or other agency designated by the Fire Chief and provide descriptive information as may be required by the Sheriff or other agency to conduct such background check.

(b) The Fire Chief or his/her designee shall review the applicant's criminal history record to determine, in his/her sole discretion, whether the conviction record, if any, of the applicant is compatible with the nature of employment. Such criminal history record information obtained shall be considered confidential, shall be used solely to assess eligibility for public employment and shall not be disseminated to any person not involved in the assessment process or as authorized by the Fire Chief.

§ 8.1-7. Chief fire marshal, assistant fire marshal(s) and deputy fire marshal(s) -- Creation of offices.

The Arlington County Fire Prevention Office is hereby established and whose duties and powers are set forth herein. The County Fire Chief is authorized to and shall appoint a chief fire marshal, assistant fire marshal(s) and such deputy fire marshal(s), as he/she may deem necessary. For purposes of this Fire Prevention Code, the terms "chief fire marshal", "county fire marshal" and "Fire Marshal" shall have the same meaning as "code official," "fire official" and "fire code official" as defined in the Virginia Statewide Fire Prevention Code and each are used interchangeably herein.

§ 8.1-7.1. Same -- Oath of office.

The chief fire marshal, assistant fire marshal(s) and deputy fire marshal(s) shall respectively, before entering upon their duties, take an oath before any officer authorized to administer oaths to faithfully discharge the duties of their office.

§ 8.1-7.2. Delegation of duties and powers in the City of Falls Church, Virginia.

The Fire Marshal of Arlington County shall have concurrent authority in the City of Falls Church, Virginia to the extent permitted by the City of Falls Church and by agreement between the City of Falls Church and the Arlington County Fire Department. The County Fire Chief shall have the authority to agree to the terms and conditions under which the County Fire Marshal shall perform any functions in the City of Falls Church.

§ 8.1-8. Notification of the fire department.

In any building, structure, or premise subject to inspection under any provision of this code, when a fire, or evidence of there having been a fire, is discovered that has resulted in property damage or is of a suspicious nature indicating the possibility of an act of suspected terrorism, arson, or of recurrence, even though it has apparently been extinguished, it shall immediately be reported to the Fire Chief or his/her designee. This notification shall be the duty of the owner, manager, or other person in control (as defined herein) of such building, structure, or premises at the time of discovery. This requirement shall not be construed to forbid the owner, manager, or other person in control from using all diligence necessary to extinguish such fire prior to the arrival of the Arlington County Fire Department.

§ 8.1-9. Investigation.

The County 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, 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 also investigate, or cause to be investigated, the possession or manufacture of explosive devices, substances, and fire bombs within the County, attempts or threats to commit such offenses, and false alarms relating to such offenses or to fires or explosions. The Fire Marshal shall take charge immediately of the physical evidence and, in order to preserve that evidence relating to the cause or origin, take means to prevent access by any person to such building, structure, or premises until such evidence has been properly processed. The Arlington County Police Department, upon request of the Fire Marshal, shall assist in the investigation as needed. The results of any investigation shall be forwarded by the Fire Marshal to the Commonwealth's Attorney for proper disposition.

§ 8.1-9.1. Powers, including powers of arrest.

(a) The County Fire Marshal, assistant fire marshal/s and authorized deputy fire marshal/s, appointed pursuant to or permitted by Title 27 of the Code of Virginia (1950, as amended) shall have the same police powers as a member of the Arlington County Police Department, any sheriff or any other law-enforcement officer authorized by general law in the investigation and prosecution of all violations and offenses. The County Fire Marshal, assistant fire marshal/s and authorized deputy fire marshal(s) are responsible for the investigation and prosecution of all offenses involving fires, arson, 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, the storage, use and transportation of hazardous materials and hazardous waste, environmental crimes; and any other offenses involving fire or

fire safety or the calling, causing to dispatch, or summoning of fire or rescue equipment without just cause, in violation of the Code of Virginia (1950, as amended) or the Code of Arlington County, Virginia, 1957 as amended and any regulations under these codes, and other criminal or civil offenses arising out of, or incidental, to the investigation of the enumerated offenses.

(b) The County Fire Marshal, assistant fire marshal/s and authorized deputy fire marshal/s or designee/s shall have the authority to exercise all those powers described in Sections 27-34.2 and 27-34.2:1 of the Code of Virginia (1950, as amended).

(c) The police powers granted in this section shall not be exercised by any fire marshal until such person has met the requirements of Sections 27-34.2 and 27-34.2:1 of the Code of Virginia(1950, as amended) and has been designated by the Chief Fire Marshal to exercise such powers.

§ 8.1-9.2. Summoning a fire marshal.

The Arlington County Fire Department officer-in-charge of any fire, explosion or incident scene shall immediately summon or cause to be dispatched the Fire Marshal or his/her designated representative to such scene to investigate the circumstances involved.

§ 8.1-10. Effect of repeal of chapter; revival.

Neither the adoption of this code nor the repeal hereby of the prior fire codes or ordinances shall in any manner affect the prosecution for violations of this code, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any permit, fees or penalty at the effective date due and unpaid under such ordinance, nor be construed as affecting any of the provisions of such code relating to the collection of any such permit, fees or penalty or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance, and all rights and obligations thereof appertaining shall continue in full force and effect. Any repeal of the fire prevention code shall not be construed as reviving such former ordinance, clause or provision, unless expressly provided therein.

§ 8.1-11. Penalty and continuing violation.

(a) Any person, owner, firm, entity, or corporation who violates any section of this Ordinance, fails to comply with any provisions of the Arlington County Fire Prevention Code or of the Virginia Statewide Fire Prevention Code , or violates or fails to comply with any order made there under, or who fails 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 Ordinance and shall, upon conviction, be punishable as a Class 1 misdemeanor in accordance with Virginia law, including by imprisonment for not more than twelve (12) months and/or a fine of not more than \$2,500.00 . Each day that a violation continues after service of notice, as provided for in the Virginia Statewide Fire Prevention Code, shall be deemed a separate offense.

(b) The imposition of the criminal penalties herein prescribed shall not preclude the County from enforcing any administrative remedies set forth elsewhere in this code or the Code of Arlington County, Virginia, 1957 as amended or preclude the County from instituting appropriate civil action, including but not limited to injunction, to restrain, correct or otherwise abate a violation of this Ordinance. The suspension or revocation of any license, permit, certificate or other privilege conferred by the County shall not be regarded as a penalty.

§ 8.1-12. Fines and costs.

(a) Other than those occurring within the jurisdiction of the City of Falls Church pursuant to this code or as otherwise provided for in any agreement between the two jurisdictions, all fees, cost recovery, fines and costs collected under the terms of this Ordinance shall be paid over to the Treasurer, Arlington County and credited by him/her to the General County Fund. Costs shall be taxed in prosecutions under this code in the same amounts and in the same manner as prescribed by law in misdemeanor cases under state statutes.

(b) The fire department shall recover or impose fees and penalties for fire department response to the location of a false, faulty, or nuisance alarm. The fees imposed shall be identical to those set forth in Chapter 33 and §33-14 and §33-15 of the Code of Arlington County, 1957, as amended. As used herein, the term “false alarm” also means a faulty or nuisance alarm.

§ 8.1-13. Authority to adopt, set and modify fees by County Board resolution.

The County Manager, in consultation with the Fire Chief, shall recommend and the County Board shall adopt a schedule of fees to be paid for each application, permit, inspection/reinspection, testing and other specified acts required by this Ordinance. Any fee authorized or referenced herein, other than fees for false alarm response, shall be established in this manner.

§ 8.1-14. Unlawful or prohibited acts include causing, permitting, concealing.

Whenever in this Ordinance any act or omission is made unlawful or prohibited, it shall include causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission.

§ 8.1-15. Damage or injury to fire department vehicles, equipment or personnel.

It shall be unlawful for any person to damage, deface, attempt, or conspire to damage or deface any fire department vehicle or equipment at anytime, or to injure, or attempt or conspire to injure any fire department personnel while such personnel are in performance of their departmental duties.

§ 8.1-16. Unlawful boarding or tampering with fire department vehicles.

It shall be unlawful for any person, without proper authorization from the officer in charge of the vehicle, to attempt or to cling to, attach oneself 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, remove or destroy any lever, valve, switch, starting device, brake, pump or any equipment, protective clothing, tool or any part of such fire department vehicle and/or property.

§ 8.1-17. Impersonation and solicitation by use of the Arlington County Fire Department's name.

It shall be unlawful for any unauthorized person to use a badge, uniform, or any other credentials so as to gain access to any building, marine vessel, vehicle, or premises or to otherwise falsely identify himself as the fire marshal, code official, fire official or fire code official or his/her designated representative. The use of the name of the Arlington County Fire Department for any purpose of solicitation or to imply that any solicited funds will be used for the Arlington County Fire Department is prohibited and shall be subject to the penalties of this code.

§ 8.1-18. Unlawful to cross fire line.

It shall be unlawful for any person to cross or to remain within designated fire lines or barricades, which have been established to prevent public access to the scene of fire/s, wreck/s, explosion/s, crime/s and/or emergency situations where life, limb or property may be endangered.

§ 8.1-19. Reserved.

ARTICLE 2 - FIRE PREVENTION CODE

§ 8.1-20. Inspection by others.

The Fire Chief may designate such other persons, as he/she deems necessary, to make fire safety inspections. Such persons shall use this code and the Virginia Statewide Fire Prevention Code as the basis for such inspections.

§ 8.1-21. Enforcement of the Virginia Statewide Fire Protection Code and the Arlington County Fire Prevention Code.

This code shall be enforced by the Arlington County Fire Prevention Office, also herein referred to as the Fire Marshal's Office, the Fire Marshal, members of the Fire Marshal's staff, the Fire Prevention Division, code official or the fire official. The term "code official" as used herein means only those designated employees of the Arlington County Fire Department such as the Fire Marshal.

§ 8.1-22. Incorporation amendments, additions and deletions to the Virginia Statewide Fire Prevention Code.

(a) The Virginia Statewide Fire Prevention Code, referred to herein as such or as "SFPC" is hereby incorporated herein as if set forth herein in full text. The SFPC is amended, revised and changed as noted hereinafter pursuant to Section 27-97 of the Code of Virginia (1950, as amended). Nothing in these provisions is meant to reduce the powers or authority conferred upon

the fire official, enforcing agency or the County by the statutes and regulations of the Commonwealth of Virginia.

(b) The 2006 edition of the SFPC is hereby amended and changed in the following respects. The model code numbering system is utilized.

103.1.2. Appendices. The following revisions are made to this section. IFC Appendices A shall be deleted and replaced with Appendix A, Fire Watch. The following appendices are hereby incorporated herein as fully enforceable provisions of this code and relabeled as follows:

- Appendix A – Requirements For a Fire Watch
- Appendix B – Flow Requirements for Buildings (IFC Appendix B)
- Appendix C – Fire Hydrant Locations and Distribution (IFC Appendix C)
- Appendix D – Fire Apparatus Access Roads (IFC Appendix D)
- Appendix E – Hazard Categories (IFC Appendix E)
- Appendix F – Hazard Ranking (IFC Appendix F)
- Appendix G - Cryogenic Fluids (IFC Appendix G)

106.1. General. Add the following 106.1.1.

106.1.1. Impersonation. See §8.1-17. It shall be unlawful for any unauthorized person to use a badge, uniform, or any other credentials so as to gain access to any building, marine vessel, vehicle, or premises or to otherwise falsely identify himself as the fire official or his/her designated representative.

106.3. Inspection by others. Add the following 106.3.2.

106.3.2. Inspection by others. See §8.1-19. The Fire Chief may designate such other persons as he/she deems 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.

106.5. Modifications. Delete and substitute 106.5 as follows. Subsections 106.5.1, 106.5.2 are retained and incorporated in full without revision.

106.5. Modifications. The fire official shall have the power and authority to modify any provision or requirement of this Code, upon written application by the owner, lessee, occupant, or their legal representative. However, in all cases of modification, the spirit and intent of this code shall be met to ensure that the health, safety and welfare of persons are protected.

106. Duties and powers of the fire official. After 106.7, add the following 106.8, 106.9, 106.9.1, 106.9.2, 106.9.3.

106.8. Cost recovery. Fees will be charged and collected from the proper individual(s) or entities by the Arlington County Fire Department in order to defray the cost of code enforcement and appeals under the SFPC. The fees will be assessed for permits in Sections 107.2 and 108. In addition, fees shall be assessed for witnessing fire protection systems test, monitoring the removal of hazardous materials and storage containers, for responding to and/or inspecting false, faulty, or nuisance alarms, and other fire prevention services that provide safety against conditions hazardous to life or property as well as cost recovery from the owner or person in control for impound, towing, recovery and/or disposal as appropriate. All fire department service fees established by the Fire Prevention Office shall be first submitted to the County Board for

approval. An amendment to this Ordinance is not required to change any fee, cost recovery ,or permit.

106.9. Notification. The County Fire Prevention Office shall be notified of all incidents involving fire, explosion/s, misfires, and/or spills, leaks, discharge, or other releases of materials as described in SFPC Chapter 27.

106.9.1. Responsibility. It shall be the responsibility of the Arlington County Fire Department officer-in-charge, or his/her designee, to file with the Fire Chief, in such form as he/she shall prescribe, a report of every fire, explosion, or incident to which fire department apparatus or equipment responds. Such reports shall be filed at such time and location prescribed by the Fire Chief.

106.9.2. Summoning or dispatching the Fire Marshal. The Arlington County Fire Department officer-in-charge of any fire, explosion, or incident scene shall immediately summons or cause to be dispatched the Fire Marshal to such scene to investigate the circumstances involved where such circumstances require investigation.

106.9.3. Notification of fire department. In any building, structure, or premises subject to inspection under any provision of this code, when a fire or evidence of there having been a fire is discovered, even though it has apparently been extinguished, it shall be immediately reported to the Arlington County Emergency Communications Center. This shall be the duty of the owner, manager, or person in control (as defined herein) of such building, structure, or premises at the time of discovery. This requirement shall not be construed to forbid or otherwise restrict the owner, manager, or person in control of said building, structure, or premises from using all diligence necessary to extinguish such fire prior to the arrival of the Arlington County Fire Department.

107.2. Permits and fees. Add the following 107.2.1.

107.2.1. Permit classes. Permits classes required by this code or by the SFPC shall be set forth in Table 107.2 . No permit required by this code shall be valid until the prescribed fee, as approved from time to time by the County Board of Arlington County, Virginia, has been paid to the Treasurer, of Arlington County, Virginia.

Table 107.2. Fire Prevention Code Permit Requirement. Insert the Table as follows. Fees for each of the categories listed therein shall be established pursuant to §8.1-13 herein.

Table 107.2 Fire Prevention Code Permit Requirements

<i>Code Reference</i>		Table 107.2 FIRE PREVENTION CODE PERMIT REQUIREMENTS
Section 1 – Detailed Operational Permit Requirements		
<u>1</u>	108.1.1	Aerosol Products, Level 2 or 3: <u>Manufacture, store or handle an aggregate quantity in excess of 500 pounds net weight</u>
<u>2</u>	108.1.1	<u>Special</u> Amusement Buildings
<u>3</u>	108.1.1	Aviation Facilities (Groups H <u>or</u> S occupancies): Aircraft Servicing / <u>or</u> Repair and Aircraft Fuel Servicing Vehicles
<u>4</u>	108.1.1	Carnivals, Fairs, <u>Festivals</u> , and Outdoor Public Assemblages (30 Day Permit)

<u>Code Reference</u>		Table 107.2 FIRE PREVENTION CODE PERMIT REQUIREMENTS
<u>5</u>	108.1.1	Battery Systems: Stationary Lead Acid <u>to install a system with a liquid capacity of more than 50 gallons</u>
<u>6</u>	108.1.1	Cellulose Nitrate (pyroxylin plastic): Assembly or Manufacturing of Articles Involving Any Amount
<u>7</u>	108.1.1	Cellulose Nitrate (pyroxylin plastic): Storage & Handling <u>more than 25 Pounds</u>
<u>8</u>	108.1.1	Cellulose Nitrate Film: Store, Handle or Use in a Group A occupancy
<u>9</u>	108.1.1	Combustible Dust-Producing Operations
<u>10</u>	108.1.1	Combustible Fibers: Storage & Handling <u>of greater than 100 cubic feet</u> Exception: <u>agricultural storage</u>
<u>11</u>	108.1.1	Compressed Gas: - <u>Corrosive</u> : Storage, Use or Handling, <u>excess of 200 cubic feet at normal temperature and pressure</u> Exception: <u>Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle</u>
<u>12</u>	108.1.1	Compressed Gas: - <u>Flammable</u> : Storage, Use or Handling, <u>in excess of 200 cubic feet at normal temperature and pressure</u> Exceptions: <u>1. Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle. 2. Cryogenic fluids and liquefied petroleum gases</u>
<u>13</u>	108.1.1	Compressed Gas: - <u>Toxic or Highly Toxic</u> : Storage, Use or Handling, Any <u>amount</u>
<u>14</u>	108.1.1	Compressed Gas: - <u>Inert or simple asphyxiant</u> : Storage, Use & or Handling <u>in excess of 6000 cubic feet at normal temperature and pressure</u> Exception: <u>Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle</u>
<u>15</u>	108.1.1	Compressed Gas: - <u>Oxidizing (including oxygen)</u> : Storage, Use or Handling <u>in excess of 504 cubic feet at normal temperature and pressure</u> Exception: <u>Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle</u>
<u>16</u>	108.1.1	Compressed Gas – <u>Pyrophoric</u> : Storage, use and handling of any amount
<u>17</u>	108.1.1	Cryogenic Fluids: - <u>Flammable</u> : Produce, Store, transport on site, Use, <u>handle</u> or Dispense, <u>more than 1 gallon inside a building or more than 60 gallons outside a building</u> Exception: <u>Operational permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading</u>
<u>18</u>	108.1.1	Cryogenic Fluids <u>Inert</u> : Produce, store, transport on site, use, handle or dispense <u>more than 60 gallons inside a building or more than 500 gallons outside a building</u> Exception: <u>Operational permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading</u>
<u>19</u>	108.1.1	Cryogenic Fluids- <u>Oxidizing (includes oxygen)</u> : Produce, store, transport on site, use, handle or dispense <u>more than 10 gallons inside a building or more than 50 gallons outside a building</u> Exception: <u>Operational permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading</u>
<u>20</u>	108.1.1	Cryogenic Fluids-Physical or health hazard not otherwise specified: Produce, store, transport on site, use, <u>handle</u> or dispense <u>any amount inside a building or any amount outside a building</u> Exception: <u>Operational permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading</u>
<u>21</u>	108.1.1	Commercial Kitchen Operation <u>requiring a type I hood</u>
<u>22</u>	108.1.1	Dry Cleaning – Any Type Plant using Any Class of Solvent or a change to a more hazardous cleaning solvent <u>used in existing equipment</u>
<u>23</u>	108.1.1	Explosives: <u>Explosives use</u> , Each Site or Location (6 Month Permit)
<u>24</u>	108.1.1	Explosives: Transportation, Each Vehicle (6 Month Permit)

<i>Code Reference</i>		Table 107.2 FIRE PREVENTION CODE PERMIT REQUIREMENTS
<u>25</u>	108.1.1	Explosives: Firm or Company License
<u>26</u>	108.1.1	Explosives: Storage & Display of Black Powder or Smokeless Propellant Indoors
<u>27</u>	108.1.1	Explosives: Approved Overnight Storage, Any Quantity (1 Day Permit)
<u>28</u>	108.1.1	Explosives: Laboratory Use, (6 Month Permit)
<u>29</u>	108.1.1	Flammable Liquids <u>Class I: Store, handle or use in excess of 5 gallons in a building or in excess of 10 gallons outside a building</u> Exceptions: 1. Storage or use in the fuel tank of a motor vehicle, aircraft, motorboat, or mobile power plant, or mobile heating plant, unless such storage, in the opinion of the fire official, would cause an unsafe condition. 2. 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
<u>30</u>	108.1.1	Combustible Liquids <u>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</u> Exception: Fuel oil used in connection with oil-burning equipment
<u>31</u>	108.1.1	Flammable/Combustible Liquid Tank - Underground Storage Only
<u>32</u>	108.1.1	Flammable/Combustible Liquid Tank - Underground Storage Utilizing Dispensing Equipment
<u>33</u>	108.1.1	Flammable/Combustible Liquid Tank - Above-ground Storage Only
<u>34</u>	108.1.1	Flammable/Combustible Liquid Tank - Above-ground Storage Utilizing Dispensing Equipment
<u>35</u>	108.1.1	Flammable/Combustible Liquids: Bulk Storage Facility – <u>in excess of 100,000+ Gallons</u>
<u>36</u>	108.1.1	Flammable/Combustible Liquid Tank - Installation, Above- or Below-ground Tank (90 Day Permit)
<u>37</u>	108.1.1	Flammable/Combustible Liquid Tank - Alter or Relocate an Existing Tank (90 Day Permit)
<u>38</u>	108.1.1	Flammable/Combustible Liquid Tank - Placed Temporarily Out of Service
<u>39</u>	108.1.1	Flammable/Combustible Liquid Tank - Underground Abandonment (90 Day Permit)
<u>40</u>	108.1.1	Flammable/Combustible Liquid Tank - Underground Removal (Commercial - 90 Day Permit)
<u>41</u>	108.1.1	Flammable/Combustible Liquid Tank - Underground Removal (Residential -90 Day Permit)
<u>42</u>	108.1.1	Flammable/Combustible Liquid Tank - Above-ground Removal (Commercial - 90 Day Permit)
<u>43</u>	108.1.1	Flammable/Combustible Liquid Tank - Install Product Lines/Dispensing Equipment (90 Day Permit)
<u>44</u>	108.1.1	Flammable/Combustible Liquids: <u>Manufacture, process, blend or refine</u>
<u>45</u>	108.1.1	<u>Flammable/Combustible Liquid Tank: Change the contents stored to a greater hazard</u>
<u>46</u>	108.1.1	Floor <u>Finishing or surfacing exceeding 350 square feet using Class I or Class II liquids</u> (30 Day Permit)
<u>47</u>	108.1.1	Fruit- & Crop-Ripening Facility <u>or process</u> Using Ethylene Gas
<u>48</u>	108.1.1	Fumigation & <u>or Thermal Insecticidal Fogging or maintaining a room, vault or chamber in which a toxic or flammable fumigant is used</u> (15 Day Permit)
<u>49</u>	108.1.1	Corrosive Liquids: Store, <u>transport on site, dispense, Use or Handle in excess of 55+ Gallons</u>
<u>50</u>	108.1.1	Corrosive Solids: Store, <u>transport on site, dispense, Use or Handle in excess of 1000+ Pounds</u>
<u>51</u>	108.1.1	Flammable Solids: Store, <u>transport on site, dispense, Use or Handle in excess of 100 44+ Pounds</u>
<u>52</u>	108.1.1	Highly Toxic Liquids: Store, <u>transport on site, dispense, Use or Handle Any</u>
<u>53</u>	108.1.1	Highly Toxic Solids: Store, <u>transport on site, dispense, Use or Handle Any Amount</u>
<u>54</u>	108.1.1	Oxidizing Liquids, Class 4: Store, <u>transport on site, dispense, Use or Handle Any Amount</u>
<u>55</u>	108.1.1	Oxidizing Liquids, Class 3: Store, <u>transport on site, dispense, Use or Handle in excess of 1+ Gallons</u>
<u>56</u>	108.1.1	Oxidizing Liquids, Class 2: Store, <u>transport on site, dispense, Use or Handle in excess of 10+ Gallons</u>
<u>57</u>	108.1.1	Oxidizing Liquids, Class 1: Store, <u>transport on site, dispense, Use or Handle in excess of 55+ Gallons</u>

		Table 107.2 FIRE PREVENTION CODE PERMIT REQUIREMENTS
<u>Code Reference</u>		
<u>58</u>	108.1.1	Oxidizing Solids, Class 4: Store, <u>transport on site, dispense, Use or Handle Any Amount</u>
<u>59</u>	108.1.1	Oxidizing Solids, Class 3: Store, <u>transport on site, dispense, Use or Handle in excess of 10+ Pounds</u>
<u>60</u>	108.1.1	Oxidizing Solids, Class 2: Store, <u>transport on site, dispense, Use or Handle in excess of 100+ Pounds</u>
<u>61</u>	108.1.1	Oxidizing Solids, Class 1: Store, <u>transport on site, dispense, Use or Handle in excess of 500+ Pounds</u>
<u>62</u>	108.1.1	Organic Peroxides, Liquid, Class I: Store, <u>transport on site, dispense, Use or Handle Any Amount</u>
<u>63</u>	108.1.1	Organic Peroxides, Liquid, Class II: Store, <u>transport on site, dispense, Use or Handle Any Amount</u>
<u>64</u>	108.1.1	Organic Peroxides, Liquid, Class III: Store, <u>transport on site, dispense, Use or Handle in excess of 1+ Gallons</u>
<u>65</u>	108.1.1	Organic Peroxides, Liquid, Class IV: Store, <u>transport on site, dispense, Use or Handle in excess of 2+ Gallons</u>
<u>66</u>	108.1.1	Organic Peroxides, Solid, Class I: Store, <u>transport on site, dispense, Use or Handle Any Amount</u>
<u>67</u>	108.1.1	Organic Peroxides, Solid, Class II: Store, <u>transport on site, dispense, Use or Handle Any Amount</u>
<u>68</u>	108.1.1	Organic Peroxides, Solid, Class III: Store, <u>transport on site, dispense, Use or Handle in excess of 10+ Pounds</u>
<u>69</u>	108.1.1	Organic Peroxides, Solid, Class IV: Store, <u>transport on site, dispense, Use or Handle in excess of 20+ Pounds</u>
<u>70</u>	108.1.1	Pyrophoric Material, Liquid: Store, <u>transport on site, dispense, Use or Handle Any Amount</u>
<u>71</u>	108.1.1	Pyrophoric Material, Solid: Store, <u>transport on site, dispense, Use or Handle Any Amount</u>
<u>72</u>	108.1.1	Hazardous Production Facilities (HPM): <u>Store, handle or use hazardous production materials</u>
<u>73</u>	108.1.1	High Piled Storage: <u>Use a building or portion thereof as a high-piled storage area exceeding 500 square feet.</u>
<u>74</u>	108.1.1	Hot Work & Welding: Public Exhibitions & Demonstrations (Each Exhibitor/Demo. - 10 Day Permit)
<u>75</u>	108.1.1	Hot Work & Welding: Small Scale Hot Work
<u>76</u>	108.1.1	Hot Work & Welding: Fixed-Site Hot Work Equipment (<u>example: Welding Booth</u>)
<u>77</u>	108.1.1	Hot Work & Welding: Cutting & Welding, All Locations
<u>78</u>	108.1.1	Hot Work & Welding: <u>Open Flame Device Roofing Operation (Each Site/Location - 90 Day Permit)</u>
<u>79</u>	108.1.1	Hot Work & Welding: <u>Paint Removal With a Torch or Open-Flame (Each Site/Location - 30 Day permit)</u>
<u>80</u>	108.1.1	Industrial Ovens
<u>81</u>	108.1.1	Lumber Yards & Woodworking Plants: Storage or Processing of Lumber <u>exceeding 100,000 board feet</u>
<u>82</u>	108.1.1	Liquid- or Gas-Fueled Vehicles: Display Inside Any Building (<u>Each Event – 6 month permit</u>)
<u>83</u>	108.1.1	LP-Gas: <u>Storage and use Inside Any Structure</u> Exception: <u>Individual containers with a 500-gallon water capacity or less serving R-3 occupancies</u>
<u>84</u>	108.1.1	LP-Gas: <u>Storage and use Outside, Portable installation, per event - Any Amount (Other Than Cylinder Exchange/Refill)</u>
<u>85</u>	108.1.1	LP-Gas: <u>Storage and use Outside, Stationary installation, per year - Any Amount (Other Than Cylinder Exchange/Refill)</u>
<u>86</u>	108.1.1	LP-Gas: Dispensing & Cylinder Refill Location
<u>87</u>	108.1.1	LP-Gas: Retail Cylinder Exchange Location
<u>88</u>	108.1.1	Combustible Storage: Storage Inside <u>any building</u> or Upon Any Premises - <u>in excess of 2500 Cubic Feet</u>
<u>89</u>	108.1.1	Open Burning: Bonfire (10 Day Permit)
<u>90</u>	108.1.1	Open Burning: Silvicultural / Controlled Burning (90 Day Permit)
<u>91</u>	108.1.1	Open Flame & Candles: Public Meetings/Gatherings in <u>A & E use Groups (Each Event)</u>
<u>92</u>	108.1.1	Open Flame & Candles: Restaurants & Drinking Establishments, Assembly & Dining Areas
<u>93</u>	108.1.1	Organic Coatings: Manufacturing Operation Producing <u>more than 1+ Gallons in 1 Day</u>
<u>94</u>	108.1.1	Place of Assembly/Education - Occupant Load 50 or greater
<u>95</u>	108.1.1	Pyrotechnics & Fireworks: Retail Sales of Permissible Fireworks - Any Amount (45 Day Permit)
<u>96</u>	108.1.1	Pyrotechnics & Fireworks: Wholesale of Permissible Fireworks - Any Amount (45 Day Permit)
<u>97</u>	108.1.1	Pyrotechnics & Fireworks: Outdoor Fireworks Display (Aerial/Proximate Audience) (1 Day Permit)

<i>Code Reference</i>		Table 107.2 FIRE PREVENTION CODE PERMIT REQUIREMENTS
<u>98</u>	<u>108.1.1</u>	Refrigeration Equipment <u>and systems having a refrigerant circuit containing more than 220 pounds of Group A1 or 30 pounds of any other group refrigerant</u>
<u>99</u>	<u>180.1.1</u>	Pesticides storage of 300 lbs or greater
<u>100</u>	<u>108.1.1</u>	Repair Garages & Service Stations: Automotive Repair Garage Only
<u>101</u>	<u>108.1.1</u>	Repair Garages & Service Stations: Automotive Service Station Only
<u>102</u>	<u>108.1.1</u>	Repair Garages & Service Stations: Automotive Repair Garage & Service Station
<u>103</u>	<u>108.1.1</u>	Repair Garages & Service Stations: LP-Gas Motor-Vehicle Fuel-Dispensing
<u>104</u>	<u>108.1.1</u>	Repair Garages & Service Stations: Compressed Natural Gas Motor-Vehicle Fuel-Dispensing
<u>105</u>	<u>108.1.1</u>	Repair Garages & Service Stations: Hydrogen Motor Fuel Dispensing & Generation Station
<u>106</u>	<u>108.1.1</u>	Repair Garages & Service Stations: Marine & Watercraft Service Station
<u>107</u>	<u>108.1.1</u>	Repair Garages & Service Stations: Unattended Vehicle Service Station
<u>108</u>	<u>108.1.1</u>	Rooftop Heliports
<u>109</u>	<u>108.1.1</u>	<u>Spraying or Dipping Operations: Flammable/Combustible Spray Finishing Operation</u>
<u>110</u>	<u>108.1.1</u>	<u>Spraying or Dipping Operations: Flammable/Combustible Dip-Tank Operation</u>
<u>111</u>	<u>108.1.1</u>	<u>Spraying or Dipping Operations: Application of Combustible Powders/Spray/Fluidized</u>
<u>112</u>	<u>108.1.1</u>	<u>Spraying or Dipping Operations: Dual-Component Coatings With Organic Peroxides</u>
<u>113</u>	<u>108.1.1</u>	Swimming Pool Chemical Dispensing Operation
		Temporary Membrane structures and Tents (6 month permit)
		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 50 or less persons
<u>114</u>	<u>108.1.1</u>	
<u>115</u>	<u>108.1.1</u>	Tire Rebuilding Plants
<u>116</u>	<u>108.1.1</u>	Tire Storage: Establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2500 cubic feet of total volume of scrap tires and for indoor storage of tires and tire byproducts
<u>117</u>	<u>108.1.1</u>	Toxic Materials Liquids - Store, transport on site, dispense, Use or Handle in excess of 10 gallons
<u>118</u>	<u>108.1.1</u>	Toxic Materials Solids - Store, transport on site, dispense, Use or Handle in excess of 100 pounds
<u>119</u>	<u>108.1.1</u>	Unstable (reactive) Materials: Liquids, Class 1 – Store, transport on site, dispense in excess of 10 gallons
<u>120</u>	<u>108.1.1</u>	Unstable (reactive) Materials: Liquids, Class 2 – Store, transport on site, dispense, use or handle in excess of 5 gallons
<u>121</u>	<u>108.1.1</u>	Unstable (reactive) Materials: Liquids, Class 3 – Store, transport on site, dispense, use or handle any amount
<u>122</u>	<u>108.1.1</u>	Unstable (reactive) Materials: Liquids, Class 4 – Store, transport on site, dispense, use or handle any amount
<u>123</u>	<u>108.1.1</u>	Unstable (reactive) Materials: Solids, Class 1 – Store, transport on site, dispense, use or handle in excess of 100 pounds
<u>124</u>	<u>108.1.1</u>	Unstable (reactive) Materials: Solids, Class 2 – Store, transport on site, dispense, use or handle in excess of 50 pounds
<u>125</u>	<u>108.1.1</u>	Unstable (reactive) Materials: Solids, Class 3 – Store, transport on site, dispense, use or handle any amount
<u>126</u>	<u>108.1.1</u>	Unstable (reactive) Materials: Solids, Class 4 – Store, transport on site, dispense, use or handle any amount
<u>127</u>	<u>108.1.1</u>	Water-reactive Materials: Liquids, Class 1 – Store, transport on site, dispense, use or handle in excess of 55 gallons
<u>128</u>	<u>108.1.1</u>	Water-reactive Materials: Liquids, Class 2 – Store, transport on site, dispense, use or handle in excess of 5 gallons
<u>129</u>	<u>108.1.1</u>	Water-reactive Materials: Liquids, Class 3 – Store, transport on site, dispense, use or handle any amount
<u>130</u>	<u>108.1.1</u>	Water-reactive Materials: Solids, Class 1 – Store, transport on site, dispense, use or handle in excess of 500 pounds
<u>131</u>	<u>108.1.1</u>	Water-reactive Materials: Solids, Class 2 – Store, transport on site, dispense, use or handle in excess of 50 pounds
<u>132</u>	<u>108.1.1</u>	Water-reactive Materials: Solids, Class 3 – Store, transport on site, dispense, use or handle any amount

<u>Code Reference</u>		Table 107.2 FIRE PREVENTION CODE PERMIT REQUIREMENTS
<u>133</u>	108.1.1	Waste Handling: Wrecking Yard or Junk Yard
<u>134</u>	108.1.1	Waste Handling: Waste Material Handling Facility
<u>135</u>	108.1.1	Wood Products: Storage of Chips, hogged Material, Lumber or Plywood - <u>in excess of 200 Cubic Feet</u>
<u>136</u>	2207.1	Calcium Carbide, Use or Handle any amount
<u>137</u>	2208.1	Use of Acetylene Generators
<u>138</u>	2601.2	Acetylene Cylinder Storage
<u>139</u>	3601.2	LPG any quantity for exhibits, demonstrations, bulk installation, construction site use
		Section 2 - Plan Review Fees
<u>140</u>	404. 3.1	Fire Safety & Evacuation Plans <u>review</u>
<u>141</u>	2301.4	Fire Safety & Evacuation Plans <u>review</u> : High-Piled Combustible Storage Areas <u>in excess of 500 square feet-</u>
<u>142</u>	2701.5.1	Hazard Communication: Hazardous Material Management Plan <u>review</u>
<u>143</u>	2701.6.3	Hazardous Material Facility Closure Plan <u>review</u>
<u>144</u>	901.2	<u>Fire Protection Systems Review</u>
<u>145</u>	408.1.1	Occupant Load: Plan Review
<u>146</u>	403. 2	Special Events Public Safety Plan <u>review</u> , Indoor or Outdoor Assemblages
<u>147</u>	3801.3	Site and Installation Plan <u>review</u> : LP-gas Cylinder Exchange Program
		Section 3 - Inspection And Testing Fees
<u>148</u>	107.12	Assembly & Educational Occupancies Inspections
<u>149</u>	107.12	Child daycare facilities Inspection
<u>150</u>	<u>109.1</u>	Inspections Resulting From Non-Compliance
<u>151</u>	107.12	Technical Inspection <u>Not otherwise specified</u>
<u>152</u>	901.6.3.1	Testing and re-inspection of Existing Fire Protection Systems (Each Inspector)
<u>153</u>		Cancelation of scheduled test
<u>154</u>		Flammable and combustible liquids, storage tanks and equipment
<u>155</u>		Special Events Indoor or Outdoor Assemblages

107.4. Issuance of permits. Add the following 107.4.1.

107.4.1. Duration of permit. Permits shall remain in effect for twelve (12) months from the date issued unless otherwise specified in Table 107.2, specified on the permit or unless suspended or revoked in accordance with this code.

107.5. Conditions of permit. This section is incorporated in full with the following revision. After the words, "Permits are not transferable" insert "*from one person, business, location, or address to another.*" Insert at the end of the section, "All persons or entities issued a permit shall comply with the provisions of the permit and this code." The revised section follows.

107.5. Conditions of permit. A permit shall constitute permission to store or handle materials or to conduct processes in accordance with the SFPC, and shall not be construed as authority to omit or amend any of the provisions of this code. Permits shall remain in effect until revoked or

for such period as specified on the permit. Permits are not transferable from one person, business, location, or address to another. All persons or entities issued a permit shall comply with the provisions of the permit and this code.

108.5. Required construction permits. Add the following 108.5.13.

108.5.13. Special locking arrangements. A construction permit is required for installation or modification of delayed egress locks, access-controlled egress locks, interior means of egress stairway door locks, and special locking arrangements in occupancies with areas in which the clinical needs of patients require restraint of movement. Maintenance performed to ensure compliant operation of approved special locking arrangements is not a modification and does not require a permit.

109. Inspection. Add the following 109.4, 109.5.

109.4. Approvals. Approvals made as the result of an inspection shall not be construed to be an approval or ratification of a violation of the provisions of this code or of any other County or state ordinances, laws, or regulations. Inspections or permits by any other entity or department presuming to give authority to violate, modify or cancel provisions of this code shall not be valid and are void. Any modification to this code must be by written variance or modification issued by the Fire Marshal.

109.5. Follow-up inspection/s resulting from noncompliance. Where one (1) or more follow-up inspections are required as a result of noncompliance with this code, fees for each reinspection/s shall be assessed and paid in full.

110.1. General. Add item number 11 as follows.

[Item number] **11.** Excavations and/or demolitions that are in violation of the Virginia State Corporation Commission's Chapter 10.3, *Underground Utility Damage Prevention Act*, and involve hazardous materials pipeline, including natural gas transmission and distribution lines, and petroleum pipelines.

110.2. Maintenance. Add the following 110.2.1.

110.2.1. Compliance with this code. A person, firm, owner, person in control (as defined herein) or corporation in charge of or responsible for any building, structure, premises, vehicle, device, other property, substance, material, gas, liquid, chemical, or condition, place, material, or substance regulated either by this code or by an ordinance under the Fire Marshal's jurisdiction shall be responsible for compliance with all such code and ordinance provisions and regulations relating thereto.

110.5. Evacuation. Add the following 105.1.

110.5.1. Imminent threat to human health or safety or to property. If the fire official determines, in his/her professional judgment, that a violation/s creates an imminent threat to human health or safety or to property, the fire official may cause to restrain, correct, or abate such violation and institute appropriate legal proceeding to collect the full cost of such response from the owner, the tenant, or other person in control (as defined herein) of the premises.

112.1. Local Board of Fire Prevention Code Appeals (BFPCA). Delete, rename, and substitute as follows.

112.1. Local Board of Appeals. The Arlington County Local Board of Appeals (also referred to as BFPCA) is hereby established. Any person or entity cited for violation, when aggrieved by a decision or interpretation by the Fire Marshal made under the provisions of either the Arlington County Fire Prevention Code or the Virginia Statewide Fire Prevention Code, may appeal to the local board of appeals upon the grounds and in the manner set forth in the SFPC. An appeal case decided by the BFPCA shall be final unless appealed to the State Building Code Technical Review Board (TRB).

112.2. Membership. Delete, rename, and substitute as follows. Subsections 112.2.1 and 112.2.2 are retained and incorporated in full without revision.

112.2. Members of the local board of appeals. In accordance with the SFPC, the BFPCA (Local Board of Appeals) shall consist of at least five (5) members who are qualified by experience and training to rule on matters pertaining to the SFPC, building construction and fire prevention. All appointments to the local board of appeals shall be made by the Arlington County Board. The members of the local board of appeals shall be appointed to serve four (4) year terms. The local board of appeals shall elect its own officers, including a chair, secretary, and vice chair. Alternate members may be appointed to serve in the absence of any regular members and as such, shall have the full power and authority of regular members. Regular and alternate members may be reappointed at the discretion of the County Board. Written records of current membership, including a record of the current chair and secretary shall be maintained in the County Board Office. In order to provide continuity, the terms of the members may be different lengths so that less than half will expire in any one-year period. * * *

202. Definitions. Add or amend the following words, terms, and meanings.

ATTACHED SINGLE-FAMILY DWELLING – Any building containing exactly two (2) dwelling units. Most commonly refers to the units which are side by side, with a common wall and roof or an apartment on two (2) floors or levels, including duplex or semidetached dwelling.

BUILDING - the term "building" also includes the term "structure" and "premises" and any portion thereof.

BUSINESS DAY – Such day and time when the government offices of Arlington County, Virginia are open for business.

CODE OFFICIAL – Add the following sentence to the existing definition: and shall have the same meaning and authority as Fire Marshal and fire code official. "Code official" does not include any building or zoning official and only means those persons employed by or designated by the Arlington County Fire Department as having life and safety fire prevention duties.

DESIGNEE – Add the following sentence to the existing definition: and, for purposes of accepting notice and causing to dispatch the Fire Marshal or designee, shall also include the Arlington County Emergency Communications Center (ECC) at (703) 558-2222.

DWELLING – A structure, building or portion thereof designed for residential occupancy,

DWELLING UNIT - A room or group of rooms within a dwelling, forming a single habitable unit.

THE FIRE CHIEF OR CHIEF OF THE FIRE DEPARTMENT - The head of the Arlington County Fire Department, Arlington County Virginia, also referred to as the "Fire Chief" or "Chief of the Fire Department", "County Fire Chief" or "County Chief of the Fire Department."

FIRE CODE OFFICIAL – Add the following sentence to the existing definition: and shall have the same meaning and authority as the Fire Marshal and as defined in Article I herein.

FIRE PREVENTION 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 Office" or the "fire official."

FIRE OFFICIAL – Add the following sentence to the existing definition: and shall have the same meaning and authority as the Fire Marshal. See Section 8.1-7 herein.

FLOOR REFINISHING OPERATIONS – Add the following sentence to the existing definition: and are those in which a finish is to be applied using a flammable or combustible liquid.

IMMEDIATELY- The term "immediately" means without delay.

METAL REFINISHING OPERATIONS - Those operations performed in or around occupied structures involving the stripping of an old finish and applying a new finish using a flammable or combustible liquid.

OCCUPANCY - The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANCY CLASSIFICATION - Amend this definition to include the following instruction: Occupancy groups as listed in the SFPC and herein may be referred to by their group letter or designation only but shall include all classifications unless otherwise noted e.g., "Group A" includes Assembly Group A, A-1, A-2, A-3, A-4, and A-5.

OCCUPANT - A person who occupies or is physically located in or on a place, structure or a position; an owner or tenant of a property; a person located in or on a car or other vehicle.

OPERATIONS PROCEDURE MANUAL - A manual, as approved by the fire code official, that describes the various components and procedures for operating all fire protection equipment and/or systems in a building, structure, or premises.

PERSON IN CONTROL - Any entity, firm, corporation, or person, even a person of low rank or authority, who is solely or jointly in control of all or any portion of the premises, facility, structure, vehicle, device, other property, substance, material, gas, liquid, chemical, or condition regulated by this code. A "person in control" includes an owner, lessee, operator, permit holder, tenant, occupant, manager, employee, agent, contractor, attendant, or other person.

STACKED UNIT - Any type of R-3 or R-5 structure (one and two family dwelling units) containing two (2) or more dwelling units where each dwelling unit has an independent means of egress and the dwelling units are arranged one above the other, either partially or totally.

SUBSURFACE STRUCTURE – Add the following sentence to the existing definition: and shall include, but is not limited to, structures such as subway stations, railroad tunnels including rapid rail transit tunnels, and highway tunnels.

TOWNHOUSE/S – One (1) of a series of three (3) or more attached similar dwelling units or structures, generally having two (2) or more floors, separated by common party walls without openings extending from basement to roof.

302. Definitions. Add or amend the following words, terms, and meanings.

OUTDOOR WARMING FIRES – An outdoor fire, burning materials other than rubbish, where the fuel being burned is contained in a container such as a chimineas, outdoor fire place, barbeque grill, fire pit, fire bowl or fire house or other similar portable devices designed for outdoor fuel burning. Only seasoned dry firewood or similar clean burning materials shall be used as fuel for warming fires.

301.2. Permits. Delete and substitute as follows.

301.2. Permits. Permits shall be required as set forth in Section 107.2 for the activities or uses regulated by Sections 306, 307, 308.3, 308.4, 308.5, and 315.

304.2. Storage. Add the following 304.2.1, 304.2.1.1.

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 fail or neglect at the close of each day to cause all such material which is not compactly baled and stacked in an orderly manner to be removed from the building or stored in suitable vaults or in metal, metal-lined or other approved noncombustible and covered, receptacles, or bins.

304.2.1.1. Baling equipment. Baling equipment deemed suitable by the fire official, in his/her professional judgment, shall be installed and used in stores, apartment buildings, factories, and other buildings where accumulations of paper and waste materials are not removed from the building or structure at least once every day.

304.3.3. Containers. Add the following 304.3.4.

304.3.3.4. Identification and contact information. All containers exceeding one point five (1.5) cubic yards used for the disposal of waste or trash shall be marked with the name of the owner and a twenty-four (24) hour contact number in the event that emergency removal is required.

307. Open burning and recreational fires. Delete and rename as follows.

307. Open burning, recreational fires, and outdoor warming fires.

307.1. General. Add the following 307.1.2.

307.1.2. Burning of leaves and yard waste. The open burning of leaves and yard waste is prohibited.

307.2. Permit required. This section and 307.2.1 are incorporated in full with the following revision. Insert the following before the first sentence: "*A permit is required for bonfires or other controlled burning approved by the code official. This permit requirement does not apply to outdoor warming fires or recreational fires used solely for the cooking of food for human consumption.*" The revised section follows.

307.2. Permit required. A permit is required for bonfires or other controlled burning approved by the code official. This permit requirement does not apply to recreational fires used solely for the cooking of food for human consumption. A permit shall be obtained from the fire code official in accordance with Section 107.2 prior to kindling a fire for recognized silvicultural, range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be made by, and permits issued to, the owner of the land upon which the fire is to be kindled.

307.4 Location. Add the following 307.4.3.

307.4.3. Outdoor warming fires. Outdoor warming fire containers such as chimineas, outdoor fire places, barbecue grills, fire pits, fire bowls or fire houses, and other similar portable devices designed for outdoor use fueled by seasoned dry firewood or similar clean burning materials, combustible or flammable gases, liquids, or solids shall not be operated or stored on a rooftop patio, balcony, or deck of any structure or within fifteen (15) feet of combustible construction or a residential occupancy.

Exceptions:

1. Detached one- and two-family dwellings, attached single-family dwellings and townhouse/s.
2. Where buildings, balconies and decks are protected by an automatic sprinkler system.

307.4.2. Recreational fires. Add the following 307.4.2.1.

307.4.2.1. Allowable fuels. Only seasoned dry firewood or similar clean burning materials shall be permitted as fuel for outdoor warming fires, and recreational fires. Land clearing waste, leaves, yard waste, rubbish, or refuse shall not be used as fuel.

307.5. Attendance. Add the following 307.5.1.

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

307. Open burning, recreational fires and outdoor warming fires. After 307.5, add the following 307.6.

307.6. Prohibited conduct. Any person who carelessly or negligently sets fire to, burns, or causes to be burned any property, either real or personal, whether the property of himself or of another, shall be subject to the penalties of this code.

308.3.1. Open-flame cooking devices. Delete and substitute as follows.

308.3.1. Open-flame cooking devices. No charcoal burners and other open-flame cooking devices fueled by combustible or flammable gases, liquids, or solids shall be used, operated or stored on any balcony, rooftop, or deck of any building or within fifteen (15) feet of combustible construction or residential occupancy.

Exceptions:

1. Detached one- and two-family dwellings, attached single-family dwellings and townhouse/s.
2. Where buildings, balconies and decks are protected by an automatic sprinkler system.
3. Cooking devices using electricity as the heating source and listed by a recognized testing authority.
4. Cooking devices using natural gas as the heating source and which are listed by a nationally recognized testing authority may be operated on non-combustible rooftop, patios, terraces, balconies, and/or decks.

308.3.1. Open-flame cooking devices. Add the following 308.3.1.1.

308.3.1.1. Notification of tenants. The person in control or management agent of multi-family residential occupancies which have balconies, patios, balconies, terraces, and/ or decks shall notify their tenants in writing of the prohibitions outlined in Section 308.3.1 of this code when the tenant or occupant initially occupies the building, renews a lease, and periodically thereafter as may be necessary to ensure compliance.

308.4. Torches for the removing of paint. Delete, rename, and amend to include "*removal of paint or for sweating pipe joints*" and "*a reliable water supply.*"

308.4. Torches for the removal of paint or for sweating pipe joints. Persons utilizing a torch or other flame-producing device for the removal of paint from any building or structure or for sweating pipe joints in any building or structure shall provide a minimum of one (1) portable fire extinguisher complying with Section 906 and with a minimum 4-A rating, two (2) portable fire extinguishers, each with a minimum of 2-A rating, or a water hose connected to a reliable water supply on the premises where such burning or sweating pipe joints is done. The person doing the burning shall remain on the premises one (1) hour after the torch or flame-producing device is utilized.

308.4.1. Permit. Delete and substitute as follows.

308.4.1. Permit. A permit in accordance with Section 107.2 shall be secured from the fire official prior to the utilization of a torch or flame-producing device for the removal of paint from a building or structure or for sweating pipe joints in any building or structure.

308.4. Torches for the removal of paint or for sweating pipe joints. Add the following 308.4.2

308.4.2. Sweating pipe joints. Any person using a torch or other flame producing device for sweating pipe joints in any building or structure shall have available in the immediate vicinity where the sweating is done an approved fire extinguisher or water hose connected to a reliable water supply. Combustible material in close proximity to the work shall be protected against ignition by shielding, wetting or other approved means. In all cases, a fire watch shall remain in the vicinity of the sweating operation for one (1) hour after the torch or flame-producing device has been used.

308. Open flames. After 308.6, add the following 308.7, 308.7.1, 308.7.2, 308.8, 308.8.1.

308.7.1. Attendance and monitoring. Outdoor solid fuel burning devices such as patio heaters shall adhere to the requirements set forth at 307.5.

308.7.2. Objectionable smoke, odor or hazard. Burning in these devices that produce offensive or objectionable smoke or odor emissions, or when atmospheric or local circumstances make such fires hazardous, shall be prohibited.

308.8. Torches or other flame or heat-producing devices used in roofing applications. Any person using a torch or other flame or heat-producing device in roofing applications on any buildings or structures shall have available, in the immediate vicinity where the roofing application is done, one (1) approved fire extinguisher or water hose connected to a reliable water supply. Combustible material in the close proximity of the work shall be protected against ignition by shielding, wetting or other approved means. In all cases, a fire watch shall remain in the vicinity of the roofing operation for one (1) hour after the torch or flame or heat-producing device had been used.

308.8.1. Permit Required. A permit shall be secured from the code official prior to utilization of any torch or other flame or heat-producing device used in roofing applications.

310.2. Smoking. Add the following 310.2.1.

310.2.1. Restricted smoking area. No smoking shall be allowed in below grade parking garages

310.3. "No Smoking" signs. Add the following 310.3.1.

310.3.1. "No Smoking" signs. "No Smoking" signs required by this, or any other code or ordinance, shall not include references to the fire chief, code official, fire code official, fire marshal, fire official, fire department or similar wording.

401. General. After 401.5, add the following 401.6, 401.6.1, 401.6.2, 401.6.3, 401.6.4

401.6. Promulgation of fire safety instructions. The owner, lessee, or management agent of buildings shall 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.

401.6.1. 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."

Exception: The requirements of this section shall apply to all buildings.
Elevators installed in use group R-5 shall be exempt from this subsection.

401.6.2. Minimum signage requirements. At a minimum, signs shall be visibly posted near all stairwells, elevator cars, elevator lobbies, and means of egress. Such signs shall graphically depict the location of the nearest approved escape route.

401.6.3. Maintenance. All signs shall comply with the maintenance requirements of Section 503.3.

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

402. Definition. Add the following words, terms, and meanings.

HIGH-RISE – Buildings with one (1) or more occupied floor/s located seventy-five (75) feet or more above the lowest level of fire department access.

SPECIAL EVENT – An event in the community that is focused on a specific purpose such as a street fair, celebration, grand opening, or other significant occasion

403.1. Fire watch personnel. This section is incorporated in full with the following revisions. Insert the following at the beginning of the Section: "*A permit shall be required for all events, both indoor and outdoor that, in the professional judgment of the fire code official, requires an inspection by the fire marshal to ensure all fire and life safety concerns are addressed.*" 403.1.1 is incorporated herein in full without revision. The revised section follows.

403.1. Fire watch personnel for special events. A permit shall be required for all events, both indoor and outdoor that, in the professional judgment of the fire code official, requires an inspection by the fire marshal to ensure all fire and life safety concerns are addressed. When, in the professional judgment of the fire code official, it is essential for public safety in a place of assembly or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest, or activity, the owner, agent or lessee shall provide one (1) or more fire watch personnel, as required and approved by the fire code official, to remain on duty during the times such places are open to the public or while such activity is being conducted. * * *

403. Public assemblages and events. Add the following 403.3, 403.4.

403.3. Notification. Prior to the holding of a public assemblage or event, including holiday or inaugural event/s and indoor or outdoor event/s, the owner, lessee or management agent shall notify the Fire Marshal of the event and request an inspection of the premises.

403.4. Permit required. A permit shall be required for all events, both indoor and outdoor, that in the professional judgment of the code official requires inspection by the Fire Marshal to ensure that all fire and life safety concerns are met.

404.2. Where Required. Add the following 404.2.1, 404.2.1.1, 404.6.

404.2.1. Emergency plan for use group R-1 hotels and motels. In all occupancies of Use Group R-1 (hotels/motels) there shall be in effect and provided to all on-site supervisory personnel written copies of an approved plan for the protection of all persons in the event of a fire or other life safety emergency. All employees shall be periodically instructed and drilled with respect to their duties under the plan. The plan shall be coordinated with, and reviewed by, the code official and readily available at all times within the facility.

404.2.1.1. Standby power, light and emergency systems backup. Included in the plan shall be approved procedures to be followed in the event that the standby power, light, and/or emergency systems fail to function. These procedures shall include means to provide portable lighting and sufficient staffing to assist the occupants of each floor.

404.6. Fire safety instructions. The code official may require the owner, lessee or management agent of buildings to post such signs which the code official, in his/her professional judgment, deems to be effective in helping to minimize the danger to persons and property or to aid the fire department in case of fire or other emergency.

405.2.1. High-rise buildings. Delete, rename, and substitute as follows. Table 405.2 retained and incorporated in full with the noted revisions.

405.2.1. Emergency evacuation drills in high-rise buildings. Emergency evacuation drills, in accordance with the fire safety plan, shall be conducted by the owner or building staff at least twice (2) annually in all high-rise office or commercial buildings and at least once (1) annually in all high-rise residential buildings. Emergency evacuation drills shall include the transmission of a fire alarm signal and simulation of emergency fire conditions to familiarize occupants of the building with signals and emergency actions required under varied conditions. * * *

405.2.1. Emergency evacuation drills in high-rise buildings. Add the following 405.2.1.1, 405.2.1.2.

405.2.1.1. Evacuation. All emergency evacuation drills in high-rise office or commercial buildings shall include complete evacuation of all persons from the building.

Exceptions:

1. In buildings requiring partial evacuation, all persons in the alarmed area must evacuate.
2. Such exemptions as approved by the code official.

405.2.1.2. Evacuations due to false, faulty or nuisance alarms. Evacuations due to false, faulty, or nuisance alarms shall not be considered an emergency evacuation drill under this Chapter.

Table 405.2. Amend the Table to add the following row:

[Group] High-rise buildings, office or commercial	[Frequency] Two (2) annually	[Participation] Employees
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405.5. Records. This section is incorporated in full with the following revisions. Insert the following before the first numbered item: *“A record of all emergency evacuation drills for the current and previous year shall be kept on the premises and the person in control of such buildings shall file written reports with the code official after each required emergency evacuation drill.”* The revised section follows.

405.5. Records. Written records shall be maintained of required emergency evacuation drills and include the following information. A record of all emergency evacuation for the current and previous year shall be kept on the premises and the person in control of such buildings shall file written reports with the code official after each required emergency evacuation drill.

1. Identity of the person conducting the drill.
2. Date and time of the drill.
3. Notification method used.
4. Staff members on duty and participating.
5. Number of occupants evacuated.

6. Special conditions simulated.
7. Problems encountered.
8. Weather conditions when occupants were evacuated.
9. Time required to accomplish complete evacuation.

501.2. Permits. Delete and substitute as follows.

501.2. Permits. A permit shall be required as set forth in Sections 107.2 and 108.

502.1. Definitions. Add the following words, terms, and meanings.

FIRE COMMAND CENTER - also means fire control room.

FIRE LANES - An area designated by clearly visible signs in which parking shall be prohibited, whether on public or private property, to ensure ready access for and to fire fighting and rescue apparatus, equipment, and facilities.

503.1.1. Buildings and facilities. Delete, rename, and substitute as follows.

503.1.1. Fire lanes. The fire official shall designate fire lanes 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 fire fighting and rescue apparatus. Fire lanes shall have a minimum width of twenty (20) feet (5486mm).

503.3. Marking. Add the following 503.3.1.

503.3.1. Existing signs. It shall be unlawful for any person to deface, injure, tamper with, remove, destroy or impair the usefulness of any posted fire lane sign installed under the provisions of this code without the permission of the code official.

503.4. Obstruction of fire apparatus access roads. Add the following 503.4.1, 503.4.2.

503.4.1. Obstructions and unlawful activities.

1. It shall be unlawful for any person to park, stop, stand or otherwise obstruct an area designated and marked as a fire lane.
2. In any prosecution under this section, proof that the vehicle described in the complaint, summons or warrant was parked in violation of this code, together with proof that the defendant was at the time of such parking the registered owner of the vehicle, shall constitute a prima facie evidentiary presumption that such registered owner of the vehicle was the person who parked the vehicle at the place, in the manner and at the time such violation occurred.
3. In addition, any vehicle parked in violation of this section may be towed or impounded by the Arlington County Police Department and held until the penalty

provided and the towing and storage charges incurred are paid in full to the Treasurer, Arlington County.

4. In addition, the vehicle parked in violation of this section may be removed in accordance with the provisions of County Code §14-3 and applicable provisions of the Code of Virginia (1950, as amended).
5. This section shall be enforced by the Fire Prevention Office and the Arlington County Police Department.
6. Any violation of this section shall be punishable as a traffic infraction.

503.4.2. Temporary stopping. Fire lanes within residential, educational, industrial and commercial areas may be used for temporary stopping to pick up or discharge passengers or supplies provided that such vehicles be stopped parallel and immediately adjacent to the curb. The licensed operator of such a vehicle shall occupy and be in control of the vehicle while it is so stopped.

503.5.2. Emergency operation for gates and barricades. Add the following 503.5.2.1.

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

503.7.1. Fire lanes for existing buildings. Add the following 503.7.1.1, 503.7.1.2, 503.7.1.3.

503.7.1.1. Signs and Markings. The property owner or designee shall supply and install signs and other required markings to delineate fire lanes as directed by the code official. These signs and markings shall be installed and maintained by the owner in a manner approved by the code official.

503.7.1.2. Specifications. Fire lanes shall conform to the following specifications:

1. Approved fire lane signs must meet the following specifications:
 - (a) Metal construction, dimensions twelve (12) inches wide by fifteen (18) inches high.
 - (b) Red letters on a reflective white background with three-eighths (3/8) inch red trim strip around the entire outer edge of the sign.
 - (c) Wording and lettering size as follows, spacing between words to be uniform:

NO PARKING	[two (2) inches, capitalized]
OR	[one (1) inch, capitalized]
STANDING	[two and a half (2 1/2) inches, capitalized]
← →	[arrows as appropriate in one (1) inch thick solid graphic depiction]

- (d) Other signs or markings as approved by the fire official.
- 2. Signs shall be posted at intervals and at a height above the finished grade as directed by the fire official.
- 3. Curbing shall be painted solid yellow within the limits of the fire lane.
- 4. Signs and markings shall be maintained in accordance with Section 503.3.

503.7.1.3. Location. Signs or markings shall be placed as follows.

- 1. Where fire lanes run through parking areas where there is no adjacent curbing and posting of an approved metal sign is not practical, "NO PARKING FIRE LANE" may be required to be painted on the pavement in letters at least two (2) feet high.
- 2. Signs shall be posted at intervals of seventy-five (75) feet with the bottom of the sign no less than seven (7) feet from the ground unless otherwise directed by the code official. The signs shall be installed so that the front of the sign is at an angle of thirty (30) to forty-five (45) degrees to the curb, facing toward the direction from which traffic would normally be approaching.
- 3. Curbing shall be required to be painted solid yellow within the limits of the fire lane.
- 4. When curbing is not provided, a yellow line may be required to be painted on the pavement along the perimeter and within the limits of the fire lane.

503. Fire apparatus access roads. After 503.7, add the following 503.8.

503.8. Carnival, fair, festival, and circus access. It shall be the responsibility of the owner, operator or other person in control of the establishment, erection or operation of any carnival, fair, festival, or circus to establish, erect and operate such carnival, fair, festival, or circus so that there is provided and maintained an access lane, not less than twenty (20) feet in width and capable of supporting fire and rescue apparatus in all weather conditions and so arranged as to afford access to within fifty (50) feet of all booths, tents, rides, and other equipment, buildings, and structures used as part of, or in conjunction, with the carnival, fair, festival, or circus.

504.2. Maintenance of exterior doors and openings. Add the following 504.2.1.

504.2.1. Showcases or temporary displays. Showcases or temporary displays placed, piled, or installed so as to obstruct any exterior door shall be prohibited unless approved, in advance, by the fire official.

505.1. Address numbers. Delete and substitute as follows.

505.1. Address numbers. Every owner of a dwelling unit or building shall display the County assigned street address identification on each front entrance to the dwelling unit or building.

These numbers shall be in Arabic numerals or Roman alphabet letters. Numbers or letters shall be a minimum of four (4) inches (102 mm) high with a minimum stroke width of 0.5 inches (12.7

mm). The assigned street address identification shall be displayed in a manner so as to be visible and distinguishable from the curb line or pavement edge of the opposite side of the street on which the dwelling unit or building is located. If a dwelling unit or building is located on a parcel of land whose street frontage is at the end of a street such that there is no opposite side of the street, the street address identification number shall be clearly visible and distinguishable from a distance of thirty (30) feet into the street from the curb line or pavement edge of the street adjacent to the property line on which the dwelling unit or building is situated. In the event the location of the dwelling unit or building or other factors preclude compliance with the above requirements, an additional address identification number shall be displayed on, or in the vicinity of, the dwelling unit or building in such a manner as to be visible and distinguishable as provided above. Street address identification shall be maintained in a clean and plainly legible condition at all times and replaced or repaired when necessary to ensure clear visibility. Vegetation or ornamentation shall not obscure the street address identification.

506.1. Where required. Delete and substitute as follows.

506.1. Where required. For the purpose of fire department entry, all buildings shall provide a key box to be installed on the exterior of the building in an approved location by a fire official.

Exception: Buildings on properties located in County designated R-5 zoning districts.

506.1. Where required. Add the following 506.1.1.1.

506.1.1.1. Emergency operations for gates and barricades. Gates and barriers shall be installed in accordance with Section 503.6.1.

506.2. Key box maintenance. Add the following 506.2.1, 506.2.2, 506.2.3.

506.2.1. Maintenance. The owner, or designee, of the building shall be responsible to ensure that all locks and keyways are lubricated and maintained in proper working order at all times.

506.2.2. Key box number and labeling of required keys. In buildings with fire command centers, the person in control shall provide fifteen (15) sets of common keys, which shall be located in a key box in the fire control room. The keys are required 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 without fire command centers, the person in control shall provide seven (7) sets of common keys to be located in a key box. The seven sets of common keys, which shall be placed in an interior location of the building as approved by the fire official. 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.

506.2.3. Non-required (voluntary) fire department access boxes. Voluntarily provided fire department key access boxes shall contain one (1) key to access the premises served, and other keys as determined necessary by the owner or occupant. All keys shall be clearly labeled as to function and individually tagged.

507. Hazard to fire fighters and other fire department personnel. Add the following 507.4, 507.4.1.

507.4. Obstacles. No accumulation or concentration of materials or objects shall be placed and/or located inside a structure, dwelling or unit in such a manner or circumstance that, in the

professional opinion of the fire official, an obstacle or hindrance to fire and emergency personnel or to fire fighting and/or EMS operations is created.

507.4.1. Biohazards. No biohazards shall be accumulated or stored in a structure, dwelling or unit such that, in the professional judgment of the fire official, such storage or accumulation may create a risk to the health or safety of fire and/or emergency personnel.

508.5.5. Clear space around hydrants. Delete, rename, and substitute as follows.

508.5.5. Clear space around hydrants and fire department connections. Clear space shall be maintained around the circumference of any fire hydrant or fire department connection. No person shall plant anything or erect any obstruction within four (4) feet of any fire hydrant or ten (10) feet of any fire department connection and shall not be obstructed by trees, shrubs, plants, structures or any other object.

509. Fire command center. After 509.1, add the following 509.2.

509.2. Fire command center. All buildings equipped with a fire command center shall contain an Operations Procedure Manual. The contents of the manual shall be approved by the fire official. The manual shall be placed in the fire command center in a manner and location approved by the fire official. The owner or person in control shall maintain the manual and update it whenever necessary.

601.2. Permits. Delete and substitute as follows.

601.2. Permits. Permits shall be obtained for refrigeration systems, battery systems, and kitchen hood as set forth in Section 107.2.

806. Decorative vegetation in new and existing buildings. After 806.5, add the following 806.6

806.6. Decorations. Flammable materials such as decorative vegetation, paper, cotton batting, straw, cut or dry vines, leaves, trees, artificial flowers, or shrubbery, and foam plastic materials, where allowed by this section, shall not be used for decorative purposes in show windows, building lobbies, means of egress, exits or exit access, other parts of buildings, or any area of public use in such a quantity as to constitute, in the professional judgment of the code official, a fire hazard.

806.6. Restricted occupancies. Add the following 806.6.1.

806.6.1. Restricted occupancies. These items shall be prohibited in Group A, E, I-1, I-2, I-3, I-4, M, R-1, R-2, and R-4 occupancies.

Exception: These items located in areas protected by an approved automatic sprinkler system installed in accordance with Sections 903.1.1 or 903.1.2 shall not be prohibited in Groups A, E, M, R-1, and R-2.

807.4.3. Group E. Add the following 807.4.3.3.

807.4.3.3. 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 may be permitted in exit corridors when secured in place and not located in any portion of the required

seventy-two (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. Delete and substitute as follows.

901.3. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

901.6. Inspection, testing and maintenance. This section is incorporated in full with the following revision. Following the first sentence, after the word “constructed,” add “*or voluntarily installed.*” Subsections 901.6.1, 901.6.2, 901.6.2.1 are retained and incorporated in full without revision. The revised section follows.

901.6. Inspection, testing and maintenance. To the extent that equipment, systems devices, and safeguards, such as fire detection, alarm, and extinguishing systems, which were provided and approved by the building code official when constructed and/or which were voluntarily installed, shall be maintained in an operative condition at all times. Moreover, were such equipment, systems, devices, and safeguards are found not to be in operative condition, the fire official shall order such equipment to be rendered safe in accordance with the USBS. * * *

901.6.2. Records. This section is incorporated in full with the following revision. Add the following sentence at the beginning of the section: “*A complete written record of each required test of any fire protection system shall be forwarded to the code official within thirty (30) calendar days of completion of said test.*” Subsection 901.6.2.1 is retained and incorporated in full without revision. The revised section follows.

901.6.2. Records. A complete written record of each required test of any fire protection system shall be forwarded to the code official within thirty (30) calendar days of completion of said test. Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three (3) years and shall be copied to the fire code official upon request. * * *

901.6. Inspection, testing, maintenance. Add the following 901.6.3, 901.6.3.1, 901.6.4, and Table 906.3.1.

901.6.3. Periodic retests. Periodic inspections and tests of all fire protection systems shall be tested in accordance with the respective NFPA standards and other codes as required under this Chapter. The test 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.

901.6.3.1. Testing and inspection/reinspection fees. Fees for witnessing the testing and for inspection/reinspection of existing fire protection equipment and systems shall be assessed. Fees shall be based on the hours reserved by the Fire Prevention Office to perform the inspection/reinspection or witnessing. The following matrix is to serve as a guideline in determining when such a fee is required. The Fire Prevention Office must be notified of a cancellation of a scheduled inspection/reinspection or site visit. To avoid the imposition of a fee due to a cancellation, a minimum notice of ten (10) full business days is required. Notice received in less than ten (10) full business days, or if no notice is provided to the Fire Prevention Office, the full fee shall be assessed and paid. Fees are established pursuant to §8.1-13 herein.

901.6.4. Notification. The code official or his/her designee shall be notified before any routine test, repair, alteration or change to any fire protection system is started, regardless of whether such system is required by the building code, this code or other law or ordinance.

Table 901.6.3.1 TESTING AND REINSPECTION

Inspection Activity	Condition	Inspected?	Reinspection fee assessed?
Cancelled off site > ten (10) full business days prior to appointment.	N/A	No	No
Cancelled off site < ten (10) full business days prior to appointment.	N/A	No	Yes
Inspectors arrive, All required parties not on site.	Cannot test	No	Yes
Cancelled while inspectors on site, test not started.	No test performed	No	Yes
Regular inspection, test started, but not completed.	Substantial deficiencies	Yes	Yes
Regular inspection, test completed.	No punch list or substantially ready but minor deficiencies	Yes	Yes

901.7. Systems out of service. Delete and substitute as follows. Subsections 901.7.1 through 901.7.6 are retained and incorporated in full without revision.

901.7. Systems out of service. Where a fire protection system is out of service, the Arlington County Fire Department and the fire official shall be notified immediately and, where required by the fire official, the building shall either be evacuated or an approved fire watch shall be provided for all premises left unprotected by the shut down until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with at least one (1) approved means for notification of the Arlington County Fire Department. The only duty of fire watch personnel shall be to perform constant patrols of the protected premises and keep watch for fires. Fire watches shall be established and operate in accordance with Appendix A -- Requirements for a Fire Watch. * * *

901.7. Systems out of service. Add the following 901.7.7, 901.7.7.1.

901.7.7 Contact information. All premises or buildings without on-site property management shall have property emergency contact information posted in an area as approved by the fire official.

901.7.7.1 Response. Within ninety (90) minutes of notifying the ECC that a system/s is out of service, the owner or the designated agent of the owner of such a premises shall be on-site to meet or assist fire officials.

901.8. Removal of or tampering with equipment. Delete and substitute as follows. 901.8.1 is retained and incorporated in full without revision.

901.8. Removal of or tampering with equipment. It shall be unlawful for any person to silence, reset, remove, tamper with, damage, destroy, use without just cause or authorization, or

otherwise disturb any fire detection and alarm system, fire suppression system, or other fire appliance required by this code or installed in any building or structure within the County except for the purpose of extinguishing fire, training purposes, recharging, making necessary repairs, or when approved by the fire official. * * *

901.8. Removal of or tampering with equipment. Add the following 901.8.2.

901.8.2. Fire hydrants, fire department connections and water mains. It shall be unlawful for any person to open, use, tamper with, damage or destroy any fire hydrant, valve, fire department connection or water main within the County limits, except that fire departments may use such hydrants for fire fighting or training purposes. Such hydrants may be used by a person who has obtained a permit for such use from the public authority or utility having jurisdiction over the fire hydrant or water line/s.

901. General. Following 901.10, add the following 901.11.

901.11. Obstruction of fire hydrants and fire department connections. Fire hydrants and fire department connections shall have a minimum of four (4) feet of clear space maintained in all directions and shall not be obstructed by trees, shrubs, plants, structures or any other objects.

901.1. Scope. Add the following 901.11, 901.12.

901.11. Operations procedure manual. All structures with a fire control room or other structures as required by the code official shall have an Operations Procedure Manual. The contents and location of the manual shall be approved by the code official. The owner shall maintain the manual and update it whenever necessary. The operation of fire control rooms shall comply with Section 509.2.

901.1.2. Fire department access. All structures as listed below, except detached one (1) family dwellings, shall provide the fire department with access as approved by the code official.

1. All structures more than three (3) stories in height.
2. All structures having a monitored fire protection system.
3. Structures containing both residential and commercial occupancies sharing a common fire protection system.
4. Other structures as deemed necessary in the professional judgment of the code official.

905. Standpipe Systems. After 905.11, add the following 905.12.

905.12. Testing. All standpipe systems in buildings and structures shall be tested in accordance with NFPA 25. Buildings with wet and dry pipe systems shall meet the flow demands required at the time of installation or as required by Section 905.2. At the time of the test, all control valves, including those inside hose cabinets, shall be operated and then reset in their proper positions to insure the workability of those valves. Buildings with wet and dry systems unable to meet the flow requirements established at the time of installation, or as required by this Chapter, shall be required to install automatic fire pumps or tanks if deemed necessary by the fire official.

907.2.10. Single- and multiple- station smoke alarms. Add the following 907.2.10.1.4, 907.2.10.1.4.1

907.2.10.1.4. Residential smoke alarms in existing structures. In accordance with the authority specified in Section 15.2-922 of the Code of Virginia (1950, as amended), smoke alarms shall be installed in the following structures as required by Chapter 45 of the Uniform Statewide Building Code.

1. All residential buildings containing one (1) or more dwelling units.
2. Hotels or motels regularly used, offered for, or intended to be used to provide overnight sleeping accommodations for one (1) or more persons.
3. Rooming houses regularly used, offered for, or intended to be used to provide overnight sleeping accommodations.

907.2.10.1.4.1. Responsibilities of owner, agent or tenants for smoke alarms.

1. The owner or management agent of a dwelling unit which is rented or leased in a residential building containing one (1) or more dwelling units, shall furnish the tenant at the beginning of each tenancy, at each renewal or extension of a tenancy or at least annually, with written certification that all smoke alarms required are present, have been inspected and are operational and in good working order.
2. The owner or agent of the owner shall submit an annual report to the Fire Marshal by October 15th each year that shall include an inventory of all smoke alarms in the building and shall indicate the location and working status and provide written certification that all smoke alarms are in good working order.
3. The person in control shall be responsible for interim testing, maintenance and reasonable care of the smoke detector, including installation of batteries if required.
4. In accordance with Section 55-248.16 of the Code of Virginia (1950, as amended), the owner or management agent shall repair any inoperative or malfunctioning smoke detector. Such service, repair or replacement and/or restoration of the detector to normal operative condition shall occur within five (5) days of receipt of written notice from a tenant or others that a smoke detector is in need of repair, inoperative or otherwise not properly functioning.

907.15. Monitoring. Add the following 907.15.1.

907.15.1. Posting of central station monitoring company information. 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. If the fire alarm system is not monitored, that fact shall be posted and maintained inside the fire alarm control panel.

907.20. Inspection, testing and maintenance. Add the following 907.20.6.

907.20.6. False, faulty or nuisance alarms. Whenever false, faulty, or nuisance fire alarm activations occur in any occupancy and exceed three (3) in a twelve (12) month period, the fire official may require the owner or occupant to conduct a witnessed test of the fire protection system causing the false, faulty, or nuisance alarm. Witnessed testing shall be in accordance

with 901.6.3 and 901.6.3.1.

1. For the purpose of this section, a faulty 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 on the next normal workday following the false, faulty, or nuisance alarm determination, the responding officer in charge shall cause the Fire Prevention Office 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 a test of the fire protection alarm or suppression systems. The fire official shall notify the owner or occupant in writing and prescribe a certified test consistent with standard procedures to be witnessed by the fire official or his/her designee.
4. Any faulty equipment or systems identified during the test which will reduce the effectiveness of the protection as specified herein shall be recorded and notice of violation prepared and served in accordance with the provisions of SFPC Section F-110.0. The notice of violation will require the repair, abatement, or correction of any noted defects, the restoration of the system to normal operative condition and compliance with any law, ordinance or order affecting such alarm system.
5. The notice of violation shall be enforced pursuant to the provisions of SFPC Section 111.0.

1002. Definitions. Add or amend the following words, terms, and meanings.

METAL REFINISHING OPERATIONS - Metal refinishing operations are those operations that are performed in or around occupied buildings involving the stripping of an old finish and applying a new finish using a flammable or combustible liquid, including resurfacing elevator hoist way doors.

OVERCROWDING - A condition in which the number of occupants exceeds the approved total number of persons permitted to occupy a structure at any one time.

1004.1. Design occupant load. Add the following 1004.1.2, 1004.1.3.

1004.1.2. Accountability. A person responsible for controlling the occupancy capacity shall develop a system to manage the occupancy capacity and avoid overcrowding as approved by the code official. This system shall be implemented outside the main entrance and consist of a mechanism to count persons as they enter the structure. Counting and/or ingress shall not restrict occupant egress. There shall be no overcrowding.

1004.1.3. Disclosure of number of occupants. The number of occupants, supported by the counting mechanism described above, shall be disclosed to the fire official at any time upon request.

1027. Means of egress for existing buildings. Add the following 1027.22, 1027.23.

1027.22. Exterior access. Exterior doors that are blocked by storage or other use inside shall have a sign on the exterior of such door with the words "NO ACCESS". The sign shall be constructed of durable materials, permanently installed and readily visible. Letters and numbers shall contrast with the sign background and have the appropriate width-to-height ratio to permit the sign to be read easily. This subsection shall not be construed to permit the blocking of any exit or egress door.

1027.23. Egress door security devices. Security devices on egress doors other than those approved by the Uniform Statewide Building Code listed in Chapter 45, shall be approved by the code official. The use or storage of chains and padlocks on panic hardware shall be prohibited whenever a building or structure is occupied.

1028.3. Obstructions. This section is incorporated in full with the following revision. Add the following sentence at the end of the existing section. "*No person shall sit, stand or otherwise obstruct any means of egress or element of the egress system.*" The revised section follows.

1028.3. Obstructions. A means of egress shall be free from obstructions that would prevent its use, including the accumulation of snow and ice. No person shall sit, stand or otherwise obstruct any means of egress or element of the egress system.

1028.3. Obstructions. Add the following 1028.3.1.

1028.3.1. Hindrance. No accumulation or concentration of combustible materials shall be placed and/or located in such a manner or circumstance that, in the professional opinion of the fire official, a hindrance or impediment is created to occupant(s) or fire or emergency personnel ingress, egress and/or emergency escape from any window or door in the structure, dwelling or unit.

1028. Maintenance of the means of egress. Add the following 1028.8.

1028.8. Exterior door marking and access for mid level and high-rise buildings. All new and existing buildings over four (4) stories shall install signage on the outside of their exterior doors stating the stairway location, and all doors shall have door handles and keyed entry locks. The keys to these doors shall be kept on the existing key rings in the rapid entry key box, near the fire panel or fire control room as applicable.

1101.3. Permits. Delete and substitute as follows.

1101.3. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

1106.11.5. Notification of the fire department. Delete and substitute as follows.

1106.11.5. Notification. The Fire Marshal and the Arlington County Emergency Communication Center shall be notified of all fuel spills which is considered a hazard to people or property or which meets one or more of the following criteria:

1. Any dimensions of the spill is greater than ten (ten) feet.
2. The spill is greater than twenty-five (25) square feet
3. The fuel flow is continuous in nature.

1201.2. Permits required. Delete, rename, and substitute as follows.

1201.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

1301.2. Permits. Delete and substitute as follows.

1301.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

1501.2. Permits. Delete and substitute as follows.

1501.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

1503.2. Sources of ignition. Add the following 1503.2.9.

1503.2.9. Metal refinishing operations. Metal refinishing operations shall be conducted only after a permit has been obtained from the code official by the person doing the work.

1510. Floor Surfacing and finishing operations. After 1510.5, add the following 1510.6.

1510.6. Permit required. A permit shall be secured from the code official before applying a flammable or combustible liquid in floor refinishing operations.

1512.2. Permit required. Delete and substitute as follows.

1512.2. Permit required. A permit shall be secured from the code official before applying inside occupied structures a flammable or combustible liquid in metal refinishing operations.

1601.2. Permits. Delete and substitute as follows.

1601.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

1701.2. Permits. Delete and substitute as follows.

1701.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

1801.5. Permits. Delete and substitute as follows.

1801.5. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

1901.2. Permits. Delete and substitute as follows.

1901.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

2001.2. Permits. Delete and substitute as follows.

2001.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

2101.2. Permits. Delete and substitute as follows.

2101.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

2201.2. Permits. Delete and substitute as follows.

2201.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

2204.1. Supervision of dispensing. This section is incorporated in full with the following revision. Delete the words “~~or shall be in accordance with Section 2204.3.~~” The revised section follows.

2204.1. Supervision of dispensing. At all times, the dispensing of fuel at motor fuel-dispensing facilities shall be conducted by a qualified attendant or shall be conducted under the supervision of a qualified attendant.

2301.2. Permits. Delete and substitute as follows.

2301.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

2403.4. Permits. Delete and substitute as follows.

2403.4. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

2404.15.5. Cooking tents. Add the following 2404.15.5.1.

2404.15.5.1. Flame propagation performance treatment. All tents and membrane structures where cooking is performed shall be composed of material meeting the flame propagation performance criteria of NFPA 701 or shall be treated with a flame retardant in an approved manner and meet the flame propagation performance criteria of NFPA 701. Such flame propagation performance criteria shall be effective for the entire period specified by the permit.

2501.2. Permit required. Delete, rename, and substitute as follows.

2501.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

2601.2. Permits. Delete and substitute as follows.

2601.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

2701.1. Scope. This section is incorporated in full with the following revision. In the second line of the first paragraph in this section, after the word “use” insert “*transportation.*” The revised beginning of this section follows.

2701.1. Scope. Prevention, control, and mitigation of dangerous conditions related to storage, use, transportation, and handling of hazardous materials shall be in accordance with this Chapter. * * *

2701.1.1. Waiver. Renumber 2701.1.1 as follows.

2701.1.2. Waiver.

2701.1. General. Add the following 2701.1.1.

2701.1.1. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

2701.5. Permits. This section is incorporated in full with the following revision. Add the following sentence at the beginning of the existing section, “*Permits shall be required as set forth in Sections 107.2 and 108.*” The revised section follows.

2701.5. Permits. Permits shall be required as set forth in Sections 107.2 and 108. When required by the fire code official, permittees shall apply for approval to permanently close a storage, use or handling facility. Such application shall be submitted at least thirty (30) days prior to the termination of the storage, use or handling of hazardous materials. The fire code official is authorized to require that the application be accompanied by an approved facility closure plan in accordance with Section 2701.6.3.

2701.5.1. Hazardous material management plan. This subsection is incorporated in full with the following revision. Insert the following at the end of the first sentence: “*that includes: a site plan; floor plan; information on hazardous material handling and chemical compatibility; monitoring methods; security precautions; hazard identification; inspection procedures;*”

spill/release prevention measures, spill/release control and emergency response procedures; employee training; and available emergency equipment.” The revised section follows.

2701.5.1. Hazardous material management plan. Where required by the fire code official, each application for a permit shall include a Hazardous Material Management Plan (HMMP) that includes: a site plan; floor plan; information on hazardous material handling and chemical compatibility; monitoring methods; security precautions; hazard identification; inspection procedures; spill/release/discharge/leak prevention measures, spill/release/discharge/leak control and emergency response procedures; employee training; and available emergency equipment. The HMMP shall be maintained on-site for use by emergency responders and shall be updated not less than annually. The HMMP shall also include a facility site plan designating the following: *(remainder incorporated in full)* * * *

2701. General. After 2701.6.3, add the following 2701.7, 2701.8, 2701.9.

2701.7. Spills, leaks discharges, and releases of hazardous materials. Spills, leaks, discharges, and releases of hazardous materials shall be reported immediately to the Emergency Communications Center (ECC) and to the code official.

2701.8. Environmental assessment and remedial sites. A copy of all environmental assessments that are the result of a spill, leak, discharge, or release of hazardous materials shall be promptly forwarded to the code official. The following shall also apply to remedial sites:

1. Persons in control of any remedial site/s within Arlington County that are so categorized as the result of a spill, leak discharge, or release of hazardous materials shall be required to submit a copy of the quarterly monitoring report to the code official. Sites that are deemed by the code official to constitute an imminent threat to human life, property, or the environment and shall be required to submit monitoring reports at a frequency to be determined by the code official, in his/her professional judgment.
2. Persons in control of any remedial site/s that remove and store on-site hazardous materials shall comply with the requirements for barrels, tanks, drums, container or other vessel storage as set forth by the Virginia Statewide Fire Prevention Code and the Code of the County of Arlington Virginia, 1957 as amended. No drum, container or other vessel that has been filled shall be stored longer than ninety (90) days within the County unless approved by the code official.
3. A written report shall be made by the owner to the code official giving the precise location, number of, and contents of all barrels, tanks, drums, containers, or other vessels.
4. All release or remedial sites within federal reservations adjacent to, or within Arlington County, that discharge treated water to storm or sanitary sewer, or stream systems that run through or into Arlington County facilities, or where the potential path of product migration may enter the County, shall be required to comply with all County regulations applying to remedial sites.
5. The persons in control of any remedial systems in Arlington County that discharge treated water to the storm or sanitary sewer systems shall be required to install

systems that will prevent the accidental discharge of Free Phase Hydrocarbons or other hazardous materials in the event of equipment failure.

6. All remedial site installations shall display posted signs clearly identifying their purpose and emergency contact information.
7. Emergency power cutoffs located inside remedial site installations shall be clearly identified.
8. All signs shall be maintained in accordance with Section 503.3.

2701.9. Use of chemical dyes to detect leaks. Prior to the use of any type of chemical dyes for the purpose of detecting or locating leaks in underground piping systems, barrels, tanks, drums, containers or other vessels, Material Safety Data Sheets (MSDS) shall be provided to the code official.

2703. General requirements. Add the following 2701.13.

2703.13. Portable fire extinguisher. Any vehicle required to have a DOT HAZMAT placard shall be equipped with a portable fire extinguisher complying with Section 906 and having a minimum rating of 2-A:20-B:C. During the unloading of the tank vehicle, the portable fire extinguisher shall be out of the carrying device on the vehicle and shall be fifteen (15) feet or more from the unloading valves.

2703.3.1. Unauthorized discharges. Delete, rename, and substitute as follows.

2703.3.1. Notification of unauthorized discharges. Any person who witnesses, discovers, or otherwise has knowledge of a spill, leak, discharge, or release of a hazardous material or other material that may negatively impact the environment, regardless of quantity shall immediately report such spill, leak or release to the Arlington County Emergency Communications Center and the Fire Marshal. The owner and the tenant or other person in control of the premises when a spill, leak, discharge, or release occurs, or when a spill, leak, discharge, or release is discovered, shall be fully responsible for the containment and cleanup and disposal of the hazardous materials to the satisfaction of the fire official. The procedures as required in 2703.3.1.1 through 2703.3.1.4 shall also be completed.

2704. Storage. After 2704.13, add the following 2704.14.

2704.14. Storage of hazardous materials. The use of barrels, tanks, drums, containers, or other vessels to store hazardous materials, flammable or combustible liquids, or other environmentally hazardous materials, shall be prohibited unless approved by the code official. Only approved vessels with release containment and equipped with the means to control spillage during product transfer shall be permitted. All barrels, tanks, drums, containers, or other vessels located outside of structures shall be equipped to prevent the intrusion of water.

1. All facilities temporarily storing combustible cooking oils awaiting disposal shall secure the storage unit so that it may not be spilled and will prevent any unlawful tampering. Each facility shall have a container and shall not share the storage unit with another facility or business.

2. Those facilities where permission has been granted by the code official to use barrels, drums, or other approved containers for the storage of hazardous waste, flammable or combustible liquids, or other environmentally hazardous materials, shall be approved by the U. S. Department of Transportation (DOT).
3. All barrels, tanks, drums, containers, or other vessels shall be protected from the intrusion of water and be stored within areas designed to contain and prevent an unauthorized discharge, or release to the environment. All barrels, tanks, drums, containers and other vessels shall be clearly stenciled with paint, or other method as approved by the fire official, with the following information:
 - (a.) The full legal name and d.b.a. of the owner.
 - (b.) Address of the business or person in control.
 - (c.) Name or type of the product or materials contained in the vessel.
 - (d.) Date the barrel, tank, drum, container or other vessel was filled.

2705. Use, dispensing and handling. Amend the title as follows by inserting “*transportation.*” Revised title follows.

2705. Use, dispensing, transportation and handling.

2705.1. General. This section is incorporated in full with the following revision. After each use of the word “dispensing,” add “*transportation.*” All subsections are retained and incorporated in full without revision. The revised section follows.

2705.1. General. Use, dispensing, transportation and handling of hazardous materials in amounts exceeding the maximum allowable quantities per control area set forth in Section 2703.1 shall be in accordance with Sections 2701, 2703 and 2705. Use, dispensing, transportation, and handling of hazardous materials in amounts not exceeding the maximum allowable quantity per control area set forth in Section 2703.1 shall be in accordance with Sections 2701 and 2703. * * *

2705. General. Add the following 2705.5.

2705.5. Hazardous materials transportation. Hazardous materials transportation vehicles operating or housed within Arlington County shall be maintained in accordance with the federal regulations contained in 49 Code of Federal Regulations (49 CFR) and the Code of Virginia (1950, as amended). Any duly sworn law enforcement officer of Virginia, including the Fire Marshal, may halt any hazardous materials transportation vehicle that is observed to have a condition or characteristic that suggests, in the professional judgment of the officer or code official, that there exists a violation of County, state, or federal regulations governing the transportation of hazardous materials. The vehicle may be detained long enough to determine if the permits required for transporting hazardous materials have been obtained, if the cargo is secure, and if the observed condition, or characteristic, presents an immediate threat of a transportation related spill and/or a catastrophic event. The hazardous materials transportation vehicle may resume operation if it is found to be in good repair and free of leaks, in accordance with the SFPC and its referenced standards. If that finding is not made, the vehicle shall be detained until the proper repairs or adjustments are made where it is situated, or it is removed to a safe location, as determined by the code official, and repaired or adjusted, whichever is appropriate. Upon refusal of the operator or owner of the vehicle to make the repairs or adjustments required by the code official, the vehicle shall be impounded by the code official

until all necessary repairs are made and all accrued impound and towing fees are remitted by the owner to the Treasurer, Arlington County

2801.2. Permit Required. Delete, rename, and substitute as follows.

2801.2. Permit. Permits shall be required as set forth in Sections 107.2 and 108.

2901.3. Permits. Delete and substitute as follows.

2901.3. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

3001.2. Permits. Delete and substitute as follows.

3001.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

3101.2. Permits. Delete and substitute as follows.

3101.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

3201.2. Permits. Delete and substitute as follows.

3201.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

3301.1. Scope. This section and all exceptions are incorporated in full with the following revisions. Insert the word "*transportation*" to the second line after the word "manufacture." The revised section follows.

3301.1. 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. * * *

3301.1. Scope. Delete exception 8 in its entirety, "~~Exception 8. Transportation in accordance with DOTn 49 CFR Parts 100-178.~~" Renumber current exception 9 as exception "8." Renumber current exception 10 as exception "9." Renumber current exception 11 as exception "10," Renumber current exception 12 as exception "11." The remainder of the section is retained and incorporated in full without revision. * * *

3301.1. Scope. Add the following 3301.1.6.

3301.1.6. Manufacturing. The manufacture of explosives, explosive materials, small arms ammunition, and blasting agents shall be prohibited.

Exception: This shall not apply to the hand loading of small arms ammunition prepared for personal use and not offered for resale, to the assembly of two (2) component explosives for use on-site or to the mixing of blasting agents for use on-site.

3301.2.4. Financial responsibility. Delete, rename, and substitute as follows.

3301.2.4. Insurance required. Before a permit is issued for the storage, transportation, disposal, or use of explosives, explosive materials or blasting agents, the applicant shall file with the Fire Prevention Office a certificate of insurance which shows that the applicant has general liability insurance in the amount of at least five million dollars (\$5,000,000) combined single limit for bodily injury and property damage. This insurance policy shall provide coverage for any damage to person or property arising from or caused by the acts or omissions of the applicant, his/her

agents or employees in connection with the storage, transportation, disposal, or use of explosives, explosive materials, blasting agents or other permitted activities. 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 all permitted and related operations or activities are completed.

3301.2. Permit Required. Add the following 3301.2.5.

3301.2.5. Vehicle permits. Any vehicle transporting explosive materials, explosives, or blasting agents within the County shall be required to obtain a vehicle permit from the fire official. The permit shall be valid for six (6) months and shall be revoked for failure to maintain the vehicle in a safe operating condition compliant with DOTn 49 CFR. Permits required shall be as listed in Section 107.2.

3301.4. Qualifications. Add the following 3301.4.6.

3301.4.6. Certification of contractors. Permits for the storage, handling, transportation, or use of explosives, explosive materials, or fireworks shall only be issued to those entities that are licensed in Arlington County by the Fire Prevention Office.

3301.7. Seizure. Delete and substitute as follows.

3301.7. Seizure. The fire official is authorized to remove or cause to be removed or disposed of in an approved manner, at the sole expense of the owner, explosives, explosive materials, or fireworks offered or exposed for sale, stored, possessed, or otherwise used in violation of this chapter.

3302.1. Definitions. Add the following words, terms, and meanings.

APPROVED - Approved by the County Fire Prevention Office.

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 a normal blasting operation.

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

BLASTING - The process of moving, heaving, breaking, or shattering soils or 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.

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.

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

PERMISSIBLE FIREWORKS: Add to the existing definition: Permissible fireworks shall have a hard-coated or slow burning fuse at least one and one half (1.5) inches long with a burning rate of not less than four (4) seconds. Fireworks which explode or emit flames or sparks to a distance greater than twelve (12) feet or which are projectiles are prohibited. Quick match fuses are prohibited.

RETAILER - Any persons selling or offering fireworks for sale at retail.

WHOLESALE - A person, entity, firm, or corporation offering fireworks for sale or selling fireworks to a retailer. Such term also includes a manufacturer of fireworks, a representative of any such manufacturer, a distributor, a jobber, or a middleman of any description dealing in fireworks that sell or offer to sell fireworks within the County.

3303.3. Loss, theft or unauthorized removal. This section is incorporated in full with the following revision. Insert the following before the first sentence: "*The Fire Marshal shall be immediately notified by telephone of the loss, unauthorized removal or theft of any explosives, explosive materials, or fireworks. The verbal notification shall be immediately followed by a letter to the Fire Prevention Office giving complete details as to type, amounts, manufacturer and all other relevant facts.*" Delete "fire code official" from the last sentence of this section. The revised section follows.

3303.3. Loss, theft or unauthorized removal. The Fire Marshal shall be immediately notified by telephone of the loss, unauthorized removal or theft of any explosives, explosive materials, or fireworks. The verbal notification shall be immediately followed by a letter to the Fire Prevention Office giving complete details as to type, amounts, manufacturer, and all other relevant facts. The loss, unauthorized removal or theft of explosive materials from a magazine or permitted facility shall be reported to local law enforcement authorities and the U.S. Department of Treasury, Bureau of Alcohol, Tobacco and Firearms within twenty-four (24) hours.

Exception: Loss of Division 1.4G (consumer fireworks) need not be reported to the Bureau of Alcohol, Tobacco and Firearms.

3303.4. Accidents. Delete and substitute as follows.

3303.4. Accidents. Any blasting misfires, malfunctions, injuries or other unintended blasting related events or accidents involving the use of explosives, explosive materials, or fireworks shall be reported to the fire official immediately.

3303. Record keeping and reporting. After 3303.7.16, add the following 3303.8, 3303.9.

3303.8. 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 Fire Prevention Office, which will take possession thereof for the purpose of safeguarding or disposal.

3303.9. Complaints. All complaints received by a blaster, blasting company, agency, person in control or other responsible party shall be immediately reported by telephone to the fire official and the Arlington Emergency Communications Center

3304.1. General. This section is incorporated in full with the following revisions.

Insert the words "*and transportation*" to the first line after the word "storage." Add to the existing subsection: "*The storage of explosives and blasting agents and Division 1.3G fireworks*

is prohibited within Arlington County. The overnight storage of explosives or blasting agents shall be prohibited. Exceptions: 1. The temporary storage for use in connection with approved blasting operations, wholesale and retail stocks of small arms ammunition, explosive bolts, explosive rivets or cartridges for explosive activated power tools in quantities involving less than five hundred (500) pounds (227 Kg) of explosive material. Exceptions: 2. Storage of fireworks at display sites in accordance with 3308.5 and NFPA 1123 or NFPA 1126. 3. Explosive materials used for laboratory testing purposes, up to one (1) pound total in storage of which no more than one-fourth (1/4) pound is in use at any time, as approved by the fire official." The revised section follows.

3304.1. General. Storage and transportation of explosives and explosive materials, small arms ammunition, small arms primer, propellant-actuated cartridges and smokeless propellants in magazines, shall comply with the provisions of this section. The storage of explosives and blasting agents and Division 1.3G fireworks is prohibited within Arlington County. The overnight storage of explosives or blasting agents shall be prohibited.

Exceptions:

1. The temporary storage for use in connection with approved blasting operations, wholesale and retail stocks of small arms ammunition, explosive bolts, explosive rivets or cartridges for explosive activated power tools in quantities involving less than five hundred (500) pounds (227 Kg) of explosive material.
2. The storage of fireworks at display sites in accordance with Section 3308.5 and NFPA 1123 or NFPA 1126.
3. Explosive materials used for laboratory testing purposes, up to one (1) pound total in storage of which no more than one-fourth (1/4) pound is in use at any time, as approved by the fire official.

3304.1. General. Add the following 3304.1.1, 3304.1.1.1, 3304.1.2.

3304.1.1. Enforcement. The Arlington County Fire Marshal shall enforce the regulations contained herein pertaining to the intra-county transportation of explosives.

3304.1.1.1. Notification. Operators of vehicles transporting explosives within Arlington County shall immediately notify the Fire Official upon experiencing a mechanical breakdown, accident, or being otherwise unable to move the vehicle.

3304.1.2. Driver qualifications. Vehicles transporting blasting explosives shall be in the custody of drivers who are physically fit, careful, capable, reliable, and able to read and write the English language, not addicted to the use or under the influence of intoxicants, narcotics, illegal drugs, physically or mentally impairing prescription drugs or any other medications. Such drivers shall be familiar with state and County traffic regulations, and the provisions of this Chapter governing the transportation of explosives. The driver shall possess a valid Commercial Drivers License (CDL) with the proper endorsements, and other qualifications as proscribed by US DOT 49 CFR Part 383. All vehicles permitted to transport explosives or blasting agents within Arlington County shall have a person who has completed approved specialized training present in the vehicle. If a CDL is required, the CDL and CDL medical certificate shall be current.

3304.2. Magazine required. Add the following 3304.2.1.

3304.2.1. Control in wholesale and retail stores. The storage or display of explosives and blasting agents in wholesale and retail facilities is prohibited unless in a magazine.

3304.3. Magazines. This section is incorporated in full with the following revisions. Add the following at the end of the subsection: "*A Type I magazine: shall be used for the overnight storage of explosives regardless of quantity.*" The revised section follows.

3304.3. Magazines. The storage of explosives and explosive materials in magazines shall comply with Table 3304.3. A Type I magazine shall be used for the overnight storage of explosives regardless of quantity.

Table 3304.2. STORAGE AMOUNTS AND MAGAZINE REQUIRMENTS FOR EXPLOSIVES, EXPLOSIVE MATERIALS, AND FIREWORKS, 1.3G MAXIMUM ALLOWABLE QUANTITY PER CONTROL AREA is incorporated in full with the following revision. Amend Table 3304.3 to include "*Type I magazine shall be used for the overnight storage of explosives regardless of quantity.*"

3305.1. General. This section is incorporated in full with the following revisions. Delete the word "~~fireworks~~" from the first sentence; add, "*(as amended)*" after code citations and add to the end of the first paragraph the following sentence: "*The manufacture of fireworks within Arlington County is prohibited. Anyone who displays, sells, or discharges fireworks shall comply with the requirements of this section and with all other laws.*" The revised section follows.

3305.1. General. The manufacture, assembly and testing of explosives, ammunition and blasting agents shall comply with the requirements of this section, Title 59.1 of the Code of Virginia (as amended) and NFPA 495 or NFPA 1125 (as amended). The manufacture of fireworks within Arlington County is prohibited. Anyone who displays, sells, or discharges fireworks shall comply with the requirements of this section and with all other laws. * * *

Exceptions:

1. The hand loading of small arms ammunition prepared for personal use and not offered for resale.
2. The mixing and loading of blasting agents at blasting sites in accordance with NFPA 495.
3. The use of binary explosives or phosphoric materials in blasting or pyrotechnic special effects applications in accordance with NFPA 495 or NFPA 1126.

3307.3. Blasting in congested areas. Add the following 3307.3.1, 3307.3.2.

3307.3.1. Pre-blast surveys. A pre-blast survey shall be performed on each structure located within a minimum of one hundred and fifty (150) feet and any well located within a minimum of two hundred and fifty (250) feet of the blast site. Written confirmation that the pre-blast survey has been done shall be maintained by the blasting contractor. Documentation consisting of a written acknowledgement that the survey has been performed (or declined by any adjacent property owner) and a map depicting the above referenced one hundred and fifty (150) and two hundred and fifty (250) feet radius, shall be provided to the Fire Marshal at the time of the Explosive Use Site Permit Inspection meeting. 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 aforesaid ranges. If permitted by the owner(s), said surveys shall be conducted to determine the pre-blast conditions of these structures. A minimum of fourteen (14) days notice shall be provided for the scheduling of the pre-blast survey.

3307.3.2. Pre-blast notification. All structures located within a minimum of three hundred (300) feet of the blast site shall be notified of the upcoming blasting ten (10) days prior to blasting and no blasting shall occur until such notice has been given. Such notification shall be made by certified mail to the last known address of the owner(s) of any structures located within the aforesaid range.

3307. Blasting. After 3307.16, add the following 3307.17.

3307.17. Blasting in asbestos or other rocks and soils. 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 Marshal and the blaster-in-charge must obtain and maintain all necessary health, safety, and environmental permits or approvals.

3308. Fireworks Display. Amend title as follows.

3308. Fireworks and Model Rockets.

3308.1. General. This section is incorporated in full with the following revision. Add the following at the end of the first sentence, "*The manufacture of fireworks is prohibited in Arlington County. The display, sale, or discharge of fireworks shall comply with the requirements of this Chapter. This Chapter shall also govern the design, construction, and use of model rockets.*" The revised section follows.

3308.1. General. The display of fireworks, including proximate audience displays and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions, shall comply with this chapter and NFPA 1123 or NFPA 1126. This Chapter shall also govern the design, construction, and use of model rockets.

3308.1. General. Add the following 3308.1.1, 3308.1.2.

3308.1.1. Prohibited 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. Fireworks which explode or emit flames or sparks to a distance greater than twelve (12) feet or which are projectiles are prohibited. Quick match fuses are prohibited.

3308.1.2. Permissible fireworks. Permissible fireworks shall have a hard-coated or slow burning fuse at least one and one half (1.5) inches long with a burning rate of not less than four (4) seconds and which only explode or emit flame or sparks to a distance of less than twelve (12) feet. The provisions of Section 3308.1.1 shall not apply to fireworks that have been approved by the Fire Prevention Office. The sale or storage of any fireworks shall be prohibited on the property of another without the express written permission of the owner. The use of permissible fireworks on private property shall only be with the express approval of the property owner.

3308.2. Permit application. Add the following 3308.2.1.1, 3308.2.3.

3308.2.1.1. Permit and insurance required for display of aerial fireworks. The Fire Prevention Office may issue permits, upon written application, 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 1124, as listed in Chapter 45 of this code. After such permit has been issued, the association, organization, group or individual to whom 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 Prevention Office a certificate of insurance which shows that the applicant has general liability insurance in the amount of at least five million dollars (\$5,000,000) combined single limit for bodily injury and property damage. This insurance policy shall provide coverage for any damage to person or property arising from or caused by the acts or omissions of the applicant, his/her agents or employees in connection with the display of aerial fireworks or other permitted activities. The applicant shall ensure that this insurance policy is in effect at the time of the commencement of the activities authorized by the permit and remains continuously in effect until all permitted and related operations or activities are completed. A certificate of insurance shall be filed with the code official's office forty-eight (48) hours prior to aerial display or use of such named fireworks.

3308.2.3. Permit and insurance 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 Prevention Office. This permit shall be valid for the period June 1 to July 15 of each year. 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 five million dollars (\$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, his/her 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.

3308. Fireworks and Model Rockets. After 3308.10, add the following 3308.11, 3308.11.1, 3308.11.2, 3308.11.3, 3308.12, 3308.13, 3308.13.1.

3308.11. Retail display and sale. In addition to the restrictions set forth in Section 3301.2.2, retail sales of permissible fireworks shall be only be conducted from approved fixed locations. Such locations shall comply with all Arlington 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.

3308.11.1. Precautions. Fireworks displayed for retail sale shall not be made readily accessible to the public. A minimum of one (1) pressurized water fire extinguisher complying with Section 906 shall be located not more than fifteen (15) feet and not less than ten (10) feet from the hazard. "No Smoking" signs complying with Section 310 shall be conspicuously posted in areas where fireworks are stored or displayed for retail sale.

3308.11.2. Sales to minors prohibited. The sale of permissible fireworks to persons under the age of eighteen (18) shall be prohibited unless the person is accompanied by a parent or legal guardian.

3308.11.3. Records to be kept by wholesaler and retailer. In addition to the requirements set forth at Section 3303, wholesalers and retailers shall maintain full and complete records of all purchases and sales of fireworks sold or distributed in the County. The Fire Marshal or designated agent is authorized to examine the books and records of any wholesaler or retailer as they relate to the purchases and sales of fireworks within the County.

3308.12. Approval of permissible fireworks. Persons and entities engaged in selling, distributing, or offering to sell fireworks at wholesale shall submit to the County Fire Marshal a list of fireworks for approval. Such persons or entities may also be required to submit to the County Fire Prevention Office at least five (5) samples of each listed firework , together with

complete specifications including the manufacturer and trade name of such fireworks and a chemical analysis of each such fireworks so submitted. Said samples, specifications, and chemical analysis shall be submitted to the County Fire Prevention Office no later than one hundred and twenty (120) days prior to the proposed sale, offering or delivery date in the County. No wholesaler or retailer shall sell, offer to sell, display, or deliver in the County any fireworks other than those so approved by the Arlington County Fire Marshal. Approval for sale in another jurisdiction is not a substitute for approval by the Arlington County Fire Marshal.

3308.13. Seizure and destruction of certain fireworks. Any Fire Marshal or law enforcement officer encountering fireworks in violation of this code shall seize such fireworks and shall hold such until final disposition of any criminal procedures related to the violation. If any person is judgment of conviction be entered against such person for violation/s of this code, then the court shall order destruction of such articles upon expiration of the time allowed for appeal for such conviction.

3308.13.1. Destruction of other seized fireworks. Where no criminal proceedings can be instituted due to lack of knowledge as to who owns or is responsible for the fireworks, the fireworks in question shall be destroyed after thirty (30) days.

3401.4. Permits. Delete and substitute as follows.

3401.4. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

3402.1. Definitions. Add the following words, terms, and meanings.

SUBSURFACE STRUCTURE - A subsurface structure shall include, but not be limited to, structures such as subway stations, railroad tunnels including rail rapid transit tunnels, and highway tunnels.

3404.1. General. Add the following 3401.1.1, 3404.1.2.

3404.1.1. Tank design, installation, maintenance and testing. The design, installation, maintenance, testing and operation of all flammable and combustible liquid storage tanks shall comply with the current requirements of State Water Control Board, 9 VAC 25-91, 9 VAC 25-580, SFPC, and the Uniform Statewide Building Code prior to any testing of underground storage tanks as required by the above referenced codes, standards, and regulations, a permit shall be obtained from the code official.

3404.1.2. Containers, tanks, equipment and apparatus. All storage facilities comprised of any number of tanks above or below ground with a total capacity of six hundred sixty (660) gallons or more shall maintain on-site a Spill Prevention Control and Hazardous Materials Management Plan (HMMP) as required in Section 2701.5.1. Preparation of the HMMP shall be the responsibility of the operator of the facility and the HMMP shall be certified by a licensed professional engineer and approved by the code official.

3404.2.7.10. Leak Reporting. Delete, rename, and substitute as follows. Subsection 3404.2.7.10.1 is retained and incorporated in full without revision.

3404.2.7.10. Spills, leaks, discharges and other releases. Any person who witnesses, discovers, or otherwise has knowledge of a spill, leak, discharge or other release of flammable or combustible liquid/s shall immediately report such spill, leak or release to the code official and the Arlington County Emergency Communications Center. When a spill, leak, discharge, or other release occurs, or when a spill, leak, discharge, or other release is discovered, the owner and the

tenant or other person in control of the premises shall be fully responsible for the containment and cleanup of the flammable or combustible liquid/s, the containment of the vapors released there from, and for the disposal of waste. The cost of such containment, cleanup and waste disposal and any other related activities shall be at the sole expense of the owner or his/her authorized agent. The cleanup, containment and disposal shall be to the satisfaction of the fire code official. * * *

3404.2.7.10. Spills and leaks. Add the following 3404.2.7.10.2, 3404.2.7.10.3.

3404.2.7.10.2. Attendant. Each motor fuel-dispensing facility open to the public shall have an attendant on duty who is familiar with the location of pump controls and operation of safety equipment.

3404.2.7.10.3. Reporting. Any person who witnesses, discovers, or otherwise has knowledge of a spill, leak, discharge, or other release of flammable or combustible liquid/s shall immediately report by telephone such spill, leak, discharge, or release to the code official and the Emergency Communications Center (ECC).

3404.2.9. Above-ground tanks. This section is incorporated in full with the following revision. After the first sentence add the following "*All temporary and permanent above-ground storage tank installations shall have a means of release containment as specified in 9 VAC 25 NFPA 30 and 31, and the Virginia Statewide Fire Prevention Code. All temporary and permanent above ground storage tank installations used for the dispensing of product into vehicles, other equipment fuel tanks, or portable containers shall be equipped with anti-siphoning dispensing equipment.*" The revised section follows.

3404.2.9. Above-ground tanks. Above-ground storage of flammable or combustible liquids in tanks shall comply with Section 3404.2 and Sections 3404.2.9.1 through 3404.2.9.6.10 All temporary and permanent above-ground storage tank installations shall have a means of release containment as specified in 9 VAC 25 NFPA 30 and 31, the SFPC. All temporary and permanent above-ground storage tank installations used for the dispensing of product into vehicles, other equipment fuel tanks, or portable containers shall be equipped with anti-siphoning dispensing equipment.

Exception: Residential homes located on properties in County designated R-6, R-8, R-10 one-family residential zoning districts shall be exempt from tightness testing except upon installation or repair to the tank. This does not exempt such residential tanks when, in the professional judgment of the code official, there is reason to believe that the tank may have leaked or is in danger of leaking.

3404.2.11. Underground tanks. This section is incorporated in full with the following revision. Delete the reference to "3404.2.11.5.2" and change the end of the sentence as follows: "and Sections 3404.2.11.1 through 3404.2.11.5.4." The revised section follows.

3404.2.11. Underground tanks. Underground storage of flammable and combustible liquids in tanks shall comply with Section 3404.2 and Sections 3404.2.11.1 through 3404.2.11.5.4.

3404.2.11.2. Location. Add the following 3404.2.11.2.1.

3404.2.11.2.1. Motor fuel-dispensing facilities in proximity of subsurface structures. Motor fuel-dispensing facilities dispensing Class I flammable liquids or Class II or III combustible liquids that are located within the distance of twenty-five (25) to one hundred (100) feet

(measured horizontally from the outside wall of a subsurface structure) shall comply with the following:

1. Dispensing pumps for Class I flammable liquids, Class II or III combustible liquids shall not be located less than twenty-five (25) feet from the nearest subsurface structure opening (measured from the pump to the nearest point of any subsurface structure opening).
2. The finished grade around pump islands and the surrounding surface shall be graded in a manner to divert possible spills away from any opening to any subsurface structure.
3. Appropriate continuous drains across driveways, ramps, and/or curbs of at least six (6) inches in height shall separate the motor fuel-dispensing facility property from adjacent subsurface structure properties.
4. There shall be no connection (such as venting or drainage) between any storage tank or related piping for Class I flammable liquids or Class II or III combustible liquids and any subsurface structure.

3404.2.11.5. Leak prevention. Add the following 3404.2.11.5.3, 3404.2.11.5.4, 3404.2.11.5.5.

3404.2.11.5.3. Storage and handling of flammable or combustible liquids in proximity of subsurface structures. Underground storage tanks for Class I flammable liquids or Class II or III combustible liquids and related piping shall not be permitted directly over a subsurface structure as defined in Section 3402 or within twenty-five (25) feet measured horizontally from the outside wall of such subsurface structure. Underground storage tanks and other related containers for Class I flammable liquids or Class II or III combustible liquids located in the area between twenty-five (25) and one hundred (100) feet (measured horizontally from the outside wall of the subsurface structure) and where tops of tanks and piping are not two (2) feet or more below the lowest point of excavation shall be installed in accordance with the following:

1. Constructed in a cast-in-place, liquid tight, reinforced concrete vault.
2. The walls, top and bottom of the vault shall be a minimum of six (6) inches thick and large enough to hold and retain the entire contents of the tank.
3. Access shall be provided in the vault top for inspection, monitoring, and servicing of the vault and tank.

3404.2.11.5.4. Motor fuel-dispensing facilities. Motor fuel-dispensing facilities dispensing Class I flammable liquids or Class II or III combustible liquids that are located within the distance of twenty-five (25) to one hundred (100) feet (measured horizontally from the outside wall of a subsurface structure) shall comply with the following:

1. Dispensing pumps for flammable liquids, or combustible liquids shall not be located less than twenty-five (25) feet from the nearest subsurface structure

opening (measured from the pump to the nearest point of any subsurface structure opening).

2. The finished grade around pump islands and surrounding surface shall be graded in a manner to divert possible spills away from any opening to any subsurface structure.
3. Appropriate continuous drains across driveway ramps and/or curbs of at least six (6) inches in height shall separate the motor fuel-dispensing facility property from adjacent subsurface structure properties.
4. There shall be no connection, such as venting or drainage, between any storage tank or related piping for flammable liquids or combustible liquids and any subsurface structure.

3404.2.11.5.5. Driver responsibility. The driver, operator, or attendant of any tank vehicle shall not cause an overflow of any tank. The driver, operator, or attendant of any tank vehicle shall take all necessary and/or prudent precautions before discharging liquid from such vehicle in order to prevent the overflow of any tank into which it is discharging flammable or combustible liquids. Any discharge or overflow of more than a negligible amount, should one occur, shall be immediately reported by the driver, operator, or attendant to the Arlington County Emergency Communications Center.

3402.12. Testing. Add the following 3404.2.12.3, 3404.2.12.3.1.

3404.2.12.3. Leak detection. tightness test and other tests for storage tanks.

1. The owner or authorized operator of all buried tanks installed after the effective date of this code shall have the ability or mechanism to take direct measurement readings of the content level by the stick method. At least once during each day of operation, the liquid level of storage tank/s shall be measured by the owner or operator and compared with pump meter reading/s taken upon receipt of the product. Loss of product above normal evaporation, determined as a loss exceeding one (1) percent of flow through plus one hundred and thirty (130) gallons, shall be reported immediately to the code official. High liquid level gauges or alarm systems as well as pump cut-off devices shall be installed by the owner or the authorized operator in all petroleum storage tanks whenever, in the professional judgment of the code official, there is a possibility that product may be lost by overflowing. These emergency devices shall be considered only as auxiliary and supplementary to the use of personnel engaged in a transfer or fill operation.
2. When the owner or authorized operator's log book and inventory records indicate a loss of product exceeding one percent (1 %) of flow through plus one hundred and thirty (130) gallons, a test for tightness on the underground tank shall be performed in accordance with the standards set forth in NFPA 329. The code official shall order a test for tightness when, in the professional judgment of the code official, there is reason or evidence to suspect a loss of product.

3. A test for tightness shall be conducted on all storage systems prior to change in ownership.
4. When leakage is indicated from a storage system during any test for tightness, the operator and/or person in control and the person conducting the test shall immediately report the test results to the code official.
5. Non-corrosive storage systems approved by Underwriters Laboratories, Inc., and the Steel Tank Institute P-3 systems shall be tested for tightness at the end of their warranty period to standards set forth in NFPA 329. The test shall be repeated at intervals no greater than once every three (3) years. When a test for tightness is performed, the following information shall be kept on file at the facility until such time as another test is performed. The following information shall be made available for inspection by the code official:
 - (a) Commercial name of the test equipment.
 - (b) The name of the testing company.
 - (c) The name of the test operator.
 - (d) The data accumulated by the test.
 - (e) The results of the tightness test.
6. All storage systems, including heating oil and generator fuel storage systems, that do not have an automatic means of leak detection as defined in 9 VAC 25-580 shall be required to conduct a tightness test at intervals no greater than once every three (3) years. Storage systems that have an automatic means of leak detection as defined in 9 VAC 25-580 shall be required to test the leak detection system annually. This requirement shall apply to all structures with underground heating oil tanks and generator fuel tanks, including multi-family residential structures. Copies of leak detection system testing and tightness testing reports shall be forwarded to the code official upon completion.

Exception: One-family residential homes located on properties in County designated R-5, R-6, R-8, R-10 zoning districts shall be exempt from tightness testing except upon installation or repairs to the tank. This does not exempt a one-family residential tank when, in the professional judgment of the code official, there is reason to believe that the tank may have leaked.
7. Before each filling of existing petroleum storage tanks that have provisions for measurement of contents and all petroleum storage tanks installed after the effective date of this code, the liquid level shall be gauged and the measurement shall be recorded as noted in Section 3304.2.12.3.1.

3304.2.12.3.1. Recordkeeping. These records, testing, and test results (collectively “records”) shall be kept, in writing, in a logbook and in inventory records. All records shall be made available for inspection by the code official at anytime upon reasonable request. All records shall be retained for two (2) years. This period may be extended upon order of the code official.

3404.2.13.1.2. Out of service for 90 days. This section is incorporated in full with the following revision. Add item number 4 as follows.

[Item number] **4.** Underground storage tanks for flammable liquids or combustible liquids and related piping shall not be permitted directly over a subsurface structure, or within twenty-five (25) feet of a subsurface structure, as measured horizontally from the outside wall of such subsurface structure. Underground storage tanks and/or related piping for flammable liquids or combustible liquids located in the area between twenty-five (25) and one hundred (100) feet (measured horizontally from the outside wall of the subsurface structure), and where the tops of such tanks and/or piping are not two (2) feet or more below the lowest point of excavation shall be installed in a cast-in-place, liquid tight, reinforced concrete vault; the walls, top and bottom of shall be a minimum of six (6) inches thick and large enough to hold and retain the entire contents of the tank. Access shall be provided in the vault top for inspection, monitoring and servicing of the vault and tank.

3404.2.13.1.4. Tanks abandoned in place. This section is incorporated in full with the following revision. Delete the exception to item #3. ~~Residential heating oil tanks of 1,100 gallons (4164L) or less, provided the fill line is permanently removed to a point below grade to prevent refilling of tank. The revised section follows.~~ Renumber the items. Revise current item #5 as follows *“A record of tank size, location, and date of abandonment shall be promptly filed by the property owner with the Fire Prevention Office, and shall be retained by both parties for the duration of the abandonment or, in the case of the owner, for the duration of his/her ownership interest in the property.”* The revised section follows.

3404.2.13.1.4. Tanks abandoned in place. Tanks abandoned in place shall comply with the following: 1. Flammable and combustible liquids shall be removed from the tank and connecting piping. 2. The suction, inlet, gauge, vapor return, and vapor lines shall be disconnected. 3. The tank shall be filled completely with an approved inert solid material. 4. Remaining underground piping shall be capped or plugged. 5. A record of tank size, location, and date of abandonment shall be promptly filed by the property owner with the Fire Prevention Office, and shall be retained by both parties for the duration of the abandonment or, in the case of the owner, for the duration of his/her ownership interest in the property. 6. All exterior above-grade fill piping shall be permanently removed when tanks are abandoned or removed.

3406.4.6. Overfill protection of Class I and II liquids. Add the following 3406.4.5.1.

3406.4.6.1. Safety attendant.

1. Each bulk plant and terminal, as defined in NFPA 30, shall have a designated trained and competent safety attendant present on-site and on-duty at all times when flammable or combustible liquids are received, transferred, dispensed, or loaded from a pipeline, tank, container, vehicle, or other vessel. Individuals receiving, transferring, dispensing, or loading such liquids to or from tank vehicles shall not be designated as safety attendants.
2. The safety attendant shall observe and monitor the receipt, transfer, dispensing, and loading of such liquids. The safety attendant shall assure compliance with all federal, state and local laws, ordinances, and safety requirements including, but not limited to, the approved emergency plan of the plant or terminal. The safety attendant shall be knowledgeable about such laws, ordinances, requirements, and plan, including such requirements concerning fire safety, emergency response, and spill, leak, discharge, or release notification.

3. The safety attendant shall be familiar with the location and operation of all pump controls, emergency shutoff devices, and other safety equipment, and shall be responsible for using such equipment to detect, prevent, and abate or cause to be abated, any emergency situation.
4. At all times while on duty, the safety attendant shall be mentally and physically capable of immediately:
 - (a) Taking all necessary, appropriate, and required action to detect and prevent a fire, explosion, spill, leak, discharge, or release;
 - (b) Taking all necessary, appropriate, and required action in the event of a fire, explosion, spill, or leak; and
 - (c) Performing the functions and assuming the responsibilities required by this section.

3406.6.1.5. Overfill protection. This subsection is incorporated in full with the following revision. Insert the following at the beginning of the paragraph "*The driver, operator, or attendant of any tank vehicle shall take all necessary precautions to prevent the overflow of any tank into which it is discharging flammable or combustible liquids, before he discharges any liquid from such tank vehicle.*" The revised section follows.

3406.6.1.5. Overfill protection. The driver, operator, or attendant of any tank vehicle shall take all necessary precautions to prevent the overflow of any tank into which it is discharging flammable or combustible liquids, before he/she discharges any liquid from such tank vehicle. The driver, operator, or attendant of a tank vehicle shall, before making delivery to a tank, determine the unfilled capacity of such tank by a suitable gauging device. To prevent overfilling, the driver, operator, or attendant shall not deliver in excess of that capacity.

3406.6.1.9. Smoking. This subsection is incorporated in full with the following revisions. Rename the section "No smoking." Add the following at the end of the subsection, "*It shall be unlawful for any driver, operator, attendant, or passenger to smoke in, on or around any tank vehicle. It shall be unlawful to load or unload a tank vehicle wherever there is smoking, lighting of matches, the use of other flame or spark-producing devices, or the carrying of any flame or lighted cigar, pipe, or cigarette.*" The revised subsection follows.

3406.6.1.9. No smoking. Smoking by tank vehicle drivers, helpers or other personnel is prohibited while they are driving, making deliveries, filling, or making repairs to tank vehicles. It shall be unlawful for any driver, operator, attendant, or passenger to smoke in, on or around any tank vehicle. It shall be unlawful to load or unload a tank vehicle wherever there is smoking, lighting of matches, the use of other flame or spark-producing devices, or the carrying of any flame or lighted cigar, pipe, or cigarette

3501.2. Permits. Delete and substitute as follows.

3501.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

3601.2. Permits. Delete and substitute as follows.

3601.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

3701 General. After 3701.2, add the following 3701.3, 3701.4

3701.3. Spills, leaks, discharges, and other releases. Any person who witnesses, discovers, or otherwise has knowledge of a spill, leak, discharge or other release of highly toxic or toxic material/s shall immediately report such spill, leak or release to the code official and the Emergency Communications Center (ECC). When a spill, leak, discharge, or other release occurs, or when a spill, leak, discharge, or other release is discovered, the owner and the tenant or other person in control of the premises shall be fully responsible for the containment and cleanup of the highly toxic or toxic materials, the containment of the vapors released there from, and for the disposal of waste. The cost of such containment, cleanup and waste disposal and any other related activities shall be at the sole expense of the owner or his/her authorized agent. The cleanup, containment and disposal shall be to the satisfaction of the fire code official. **3701.4 Reporting.** Any person who witnesses, discovers, or otherwise has knowledge of a spill, leak, discharge, or other release of highly toxic or toxic material/s shall immediately report by telephone such spill, leak, discharge, or release to the code official and the Emergency Communications Center (ECC).

3701.2. Permits. Delete and substitute as follows.

3701.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

3801.2. Permits. Delete and substitute as follows.

3801.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

3806. Dispensing and overfilling. Add the following 3806.5.

3806.5. Remote control shutoff. When a tank vehicle is equipped with a remote control shutdown device, the driver shall have the remote control with him/her at all times.

3811.2. Unattended parking. This section is incorporated in full with the following revision. Delete the exception "~~The unattended outdoor parking of LP gas tank vehicles may also be in accordance with Section 9.7.2 of NFPA 58.~~" The revised section follows.

3811.2. Unattended parking. The unattended parking of L-P gas tank vehicle shall be in accordance with Sections 3811.2.1 and 3811.2.2.

3901.2. Permits. Delete and substitute as follows.

3901.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

4001.2. Permits. Delete and substitute as follows.

4001.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

4101.2. Permits. Delete and substitute as follows.

4101.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

4201.2. Permits. Delete and substitute as follows.

4201.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

4301.2. Permits. Delete and substitute as follows.

4301.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

4401.2. Permits. Delete and substitute as follows.

4401.2. Permits. Permits shall be required as set forth in Sections 107.2 and 108.

Chapter 45. Referenced Standards. This Chapter is incorporated in full with the following revisions. Add the following standards.

DOTn, 49 CFR, Parts 40, 100-185, 325, 350, and 355-399. March 2008

NFPA, Recommended Practice for Handling Releases of Flammable and Combustible Liquids and Gases, 329, 2005 Edition

NFPA, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, 96, 2004 Edition

APPENDIX A

REQUIREMENTS FOR A FIRE WATCH

A101.1. Scope.

A fire watch is a temporary measure intended to ensure continuous and systematic surveillance of a building, structure or portion thereof by one (1) or more qualified individuals for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and immediately notifying the fire department and the Arlington County Emergency Communications Center.

A102.1. Initiation.

In the event that a fire protection system, sprinkler system, alarm, detection, or other suppression system is impaired or out of service, a fire watch shall be instituted by the person in control (as defined in Chapter 8.1 of the Arlington County Code, 1957 as amended).

A102.2. Procedures.

When the establishment of a fire watch is initiated by the person in control, or ordered by the fire department or fire official, the owner or the owner's representative shall implement the following procedures for the duration of the fire watch. The fire watch shall be maintained until such time the noted system(s) is returned to normal ready service and approved for use by the fire official.

1. A fire watch shall consist of the following:
 - a) A designated number of staff (minimum of two personnel) performing fire watch duties at all times and until the fire protection system has been repaired, inspected, tested, and certified to be placed back in service. During the duration

of a fire watch, the sole duty of such designated staff shall be the fire watch.

- b) Each participating staff member shall be equipped with reliable two-way system of communications.
- c) One (1) staff member shall always be stationed in an area or room equipped with a working telephone or cellular phone to report a fire, smoke or other hazardous situation by dialing 9-1-1.

NOTE: When dialing 9-1-1 from a cellular phone, some cellular phone systems may connect user with another jurisdiction's emergency communications center, therefore the caller should confirm they are speaking with the "Arlington County Emergency Communications Center."

- d) At least one (1) staff member shall conduct a walking tour of all areas of the building no less than every fifteen (15) minutes to look for fire, smoke, or hazardous situations that require fire department response; or,
- e) A complete tour of the facility within a time frame prescribed by the fire official or fire department and with the fire watch staffing level contingent upon the size of the facility and the type of occupancy.

NOTE: If the building or property is of such size that two (2) individuals cannot adequately perform the required fire watch, the fire department representative may require additional on-site personnel to participate in the fire watch. Upon request, the fire department representative may permit one (1) person to perform the fire watch if the building or property is size that one (1) person can adequately perform the required fire watch.

2. A legibly written log shall be kept on site at all times for review by any fire department employee documenting:
 - a) The reason the fire watch was implemented.
 - b) The date and time the fire department was notified the fire watch was initiated and concluded.
 - c) The start and stop time of each building or property tour.
 - d) The key locations visited in the building(s) requiring the fire watch.
 - e) Name(s) of personnel conducting the fire watch.
 - f) Name(s) of personnel recording the information.
 - g) Log entries shall be kept for a minimum of two (2) years.

3. Personnel conducting the fire watch shall be:

- a) Capable of performing patrol duties.
- b) Reliable and not under the influence of intoxicants or illegal substances.
- c) Able to clearly and accurately converse with fire department personnel in English, in the event of an emergency.
- d) Able to remain awake and alert at all times.

NOTE: In all cases, the sole duty of personnel assigned to the fire watch shall be to perform constant patrols of the protected premises, to keep watch for fires, and if necessary to summon the fire department.

4. In the event of a fire emergency:

- a) The fire watch staff shall immediately call 9-1-1 and report the location of the fire within the building.
- b) Activate the emergency alarm signal (if available).
- c) Begin the evacuation of the building starting on the fire floor, then above the fire floor, then below the fire floor.

All questions concerning the implementation of the fire watch and requests for inspections to terminate the fire watch shall be directed to the Arlington County Emergency Communications Center (ECC) at 703-558-2222.

**THE CODE OF ARLINGTON COUNTY
CHAPTER 8.1 - FIRE PREVENTION
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