

**PITTSYLVANIA COUNTY CODE**

**CHAPTER 31**

**FIRE PREVENTION / EMERGENCY AMBULANCE SERVICE**

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## **CHAPTER 31**

### **Fire Prevention/Emergency Ambulance Service**

#### **SEC. 31-1. FIRE PREVENTION CODE**

PURSUANT TO CHAPTER 9 OF TITLE 27, CODE OF VIRGINIA, 1950, AN ORDINANCE AUTHORIZING THE FIRE MARSHAL DEPARTMENT TO ENFORCE THE PROVISIONS OF "THE STATEWIDE FIRE PREVENTION CODE"

This ordinance may be known and referred to as the Pittsylvania County Fire Prevention Code.

#### **SEC. 31-1.1 OFFICIAL ACTION.**

NOW THEREFORE BE IT ORDAINED, by the Board of Supervisors of Pittsylvania County, the Fire Marshal Department is hereby designated to act as the enforcing agency for the enforcement of "The Statewide Fire Prevention Code" duly adopted by the Virginia Board of Housing and Community Development under authority of 27-97, Code of Virginia, 1950, as amended.

#### **SEC. 31-1.2 ENFORCEMENT.**

The enforcement procedures of "The Statewide Fire Prevention Code" shall be instituted by the fire official and administered in accordance with the provisions set forth in the "Statewide Fire Prevention Code" and Section Four.

#### **SEC. 31-1.3 APPEALS.**

The Pittsylvania County Building Board of Appeals is hereby designated as the appeals board to hear appeals arising from the application of the provisions of "The Statewide Fire Prevention Code."

#### **SEC. 31-1.4 ADMINISTRATIVE PRACTICES.**

The fire official shall establish such procedures or requirements as may be necessary for administration and enforcement of this ordinance. The procedures are to be approved by the Board of Supervisors.

#### **SEC. 31-1.5 EFFECTIVE DATE**

This ordinance shall become effective at 12:01 A. M., following the date of its adoption.

**Adopted: January 17, 1989**

#### **SEC. 31-1.6 FIRE INSPECTION FEES.**

The fire official, or his/her designee, shall have the ability to charge and collect fire inspection fees. A schedule of said fire inspection fees shall be established annually by the Board of Supervisors, or its designee. (B.S.M. 6-19-12)

**SEC. 31-2. OFFICIALLY RECOGNIZED VOLUNTEER FIRE DEPARTMENTS IN THE COUNTY.**

- A. Be it hereby ordained by the Board of Supervisors of Pittsylvania County that the Pittsylvania County Code of 1975 be amended to include a Subsection 31.2, entitled **“OFFICIALLY RECOGNIZED VOLUNTEER FIRE DEPARTMENTS IN THE COUNTY.”**
- B. Pursuant to the authority of Section 27.14 of the Code of Virginia, 1950, as amended, the Board of Supervisors of Pittsylvania County recognizes the following Volunteer Fire Departments as Official Volunteer Fire Departments servicing the County:
1. Bachelors Hall Volunteer Fire Department.
  2. Blairs Volunteer Fire Department.
  3. Brosville Community Volunteer Fire Department.
  4. Callands Volunteer Fire Department.
  5. Chatham Volunteer Fire Department.
  6. Climax Volunteer Fire Department.
  7. Cool Branch Volunteer Fire Company, Incorporated.
  8. Gretna Volunteer Fire Department.
  9. Hurt Volunteer Fire Department.
  10. Laurel Grove Volunteer Fire Department.
  11. Mt. Cross Volunteer Fire Department.
  12. Mt. Hermon Volunteer Fire Department.
  13. Renan Volunteer Fire Department.
  14. Riceville-Java Volunteer Fire Department.
  15. Ringgold Volunteer Fire Department and Rescue Squad.
  16. Smith Mountain Lake Marina Volunteer Fire Department.
  17. Tunstall Volunteer Fire Department.

- 18. River Bend Volunteer Fire Department.
- 19. Dry Fork Volunteer Fire Department **(B.S.M. 11/21/95)**
- 20. Cascade Volunteer Fire Department **(B.S.M. 4-18-00)**
- 21. Keeling Volunteer Fire Department **(B.S.M. 9-5-00)**
- 22. Kentuck Volunteer Fire Department **(B.S.M. 9-5-00)**

- C. These departments will be eligible for expenditure reimbursements based on the policies and guidelines as may from time to time be established, amended or rescinded by the Board of Supervisors, and included in the annual budget.
- D. These departments will be recognized individually and the County will contribute a local match in operating funds to each recognized department dollar for dollar not to exceed fifteen hundred (\$1,500) for each department, subject to actual, annual or more frequent appropriations as may be approved by the Board of Supervisors. Nothing herein contained shall be deemed a continuing obligation or commitment nor does the Board of Supervisors have or maintain any involvement with the operation, ownership or management of any such fire department on said list or hereafter recognized. Provided further that if any such fire department shall fail to maintain its corporate status or otherwise fail to comply with any regulations, guidelines or policies of the Board of Supervisors or for other good cause the Board shall deem sufficient, the name may be stricken from the approved list by a majority vote of the Board of Supervisors.  
**(B.S.M. 9-7-82)**

**SEC. 31-2a. OFFICIALLY RECOGNIZED VOLUNTEER RESCUE SQUADS OPERATING WITHIN THE COUNTY.**

- A. Be it ordained by the Board of Supervisors of Pittsylvania County that the Pittsylvania County Code of 1975 be amended to include a subsection 31.2 (a) entitled “Officially Recognized Volunteer Rescue Squads Operating within the County.”
- B. There shall be hereby authorized the following rescue squads operating within the jurisdictional boundaries of Pittsylvania County serving the areas approved in their State Charter.
- C. The Board of Supervisors may fund, annually, or from time to time, contributions to assist these rescue squads to provide emergency medical service to the County.
  - 1. Danville Life Saving and First Aid Crew.
  - 2. Chatham Rescue Squad, Incorporated.
  - 3. Gretna Rescue Squad, Incorporated.

4. Route 640 Rescue Squad.
5. Altavista Life Saving Crew, Incorporated.
6. 50% Service Area, Hurt Rescue Squad.
7. Cool Branch Volunteer Rescue Squad.
8. Laurel Grove Fire & Rescue Service (**B.S.M. 2-3-92**)
9. Blairs Volunteer Fire & Rescue Squad (**B.S.M. 1-18-05**)
10. Brosville Volunteer Fire & Rescue Squad (**B.S.M. 1-18-05**)
11. Callands Volunteer Fire & Rescue Squad (**B.S.M. 1-18-05**)
12. Mt. Cross Volunteer Fire & Rescue Squad (**B.S.M. 1-18-05**)
13. Mt. Hermon Volunteer Fire & Rescue Squad (**B.S.M. 1-18-05**)
14. Ringgold Volunteer Fire & Rescue Squad (**B.S.M. 1-18-05**)
15. Tunstall Volunteer Fire & Rescue Squad (**B.S.M. 1-18-05**)
16. Cascade Volunteer Fire & Rescue (**B.S.M. 5-20-08**)
17. North Halifax Fire Department (**B.S.M. 11-15-11**)
18. Bachelors Hall Volunteer Fire Department (**B.S.M. 11-19-13**)

**This ordinance shall become effective immediately upon its passage.**

**SEC. 31-3. JUNIOR FIRE FIGHTER PROGRAM.**

Be it ordained by the Board of Supervisors of Pittsylvania County that the Pittsylvania County Code of 1975, be amended to include a subsection 31.3 entitled "Junior Fire Fighter Program."

- A. Pursuant to the authority granted by Section 40.1-79.1, Code of Virginia, 1950, as amended, as the same may be from time to time amended hereafter, the County of Pittsylvania, Virginia does hereby authorize any minor child, sixteen (16) years of age or older, with parental or legal guardian approval, to work with or participate fully in all activities of a Volunteer Fire Company or Department, officially recognized by this chapter, provided such minor has obtained certification under National Fire Protection Association 1001, Level 1, firefighter standards, as administered by the Virginia Department of Fire Programs.

- B. Any trainer or instructor of such minor or any member of a paid or Volunteer Fire Company or Department recognized in this chapter who supervises such minor shall be exempt from the provisions of Section 40.1-103, Code of Virginia, 1950, as amended, as the same may from time to time be amended hereafter, provided the Volunteer Fire Company or Department or the governing body of Pittsylvania County, Virginia has purchased insurance which provides coverage for injuries to or the death of such minor in the performance of activities under this section.
- C. It is hereby further ordained that the registered Volunteer Fire Department with whom such minor shall participate in firefighter activities shall abide by all Virginia Department of Fire Programs policies for all junior firefighters including:
1. The junior firefighter shall reside in Pittsylvania County, Virginia, and evidence of such residency shall be provided by the junior firefighter and reviewed by a representative of the recognized volunteer fire department.
  2. The junior firefighter shall present an original letter signed by his/her parent or legal guardian evidencing the parent or legal guardian's consent that the junior firefighter participate in activities under this section.
  3. The junior firefighter shall have a copy of the current liability insurance policy for junior firefighters.
- D. Compliance with this Subsection C shall not be required for the trainer, instructor or member of a recognized fire department to be exempt from the provisions of Section 40.1-103 of the Code of Virginia, 1950, as provided for in Subsection B of this ordinance. **(B.S.M. 4-4-05)**

### **SEC. 31-3.1 SERVICE FEE FOR EMERGENCY AMBULANCE TRANSPORT.**

1. Service Fee for Emergency Ambulance Transport Program
  - a. Pursuant to VA Code 32.1-111.14, as amended, it is hereby determined and declared that the exercise of the powers and duties set forth herein are necessary to assure the provision of adequate and continuing emergency services and to preserve, protect and promote the public health, safety and general welfare.
  - b. Definitions:
    1. Permitted Agencies: Those emergency medical service Transport agencies authorized to provide emergency medical services, basic life support and/or advanced life support who are officially recognized in Section 16-2(a), Code of Pittsylvania County.

2. Participating Agencies: Those emergency medical service transport agencies who provide basic life support and/or advanced life support recognized as Permitted Agencies in Section 16-2(a), Code of Pittsylvania County and who have entered into a Memorandum of Understanding and have been approved to participate in the Service Fee for Emergency Ambulance Transport Program pursuant to this ordinance.
3. Emergency Medical Transport System: All components of Emergency Medical Transportation available within Pittsylvania County.
4. Basic Life Support (BLS): Services shall be medical treatment or procedures provided to a patient as defined by the National Emergency Medical Services (EMS) Educational and Practices Blueprint for the Emergency Medical Technician (EMT)-Basic.
5. Advanced Life Support Level 1 (ALS-1): Services shall be medical treatment or procedures provided to a patient beyond the scope of an EMT-Basic as defined by the National EMS Education and Practice Blueprint.
6. Advanced Life Support Level 2 (ALS-2): Services shall be defined as advanced Life support (ALS) services provided to a patient including any of the following medical procedures: (i) manual defibrillation/cardioversion, (ii) endotracheal intubation, (iii) intra-venous line, (iv) cardiac pacing, (v) chest decompression, (vi) surgical airway or (vii) intraosseous line, and the administration of three (3) or more medications.
7. Ground transport mileage (GTM): Shall be statute mile from the Location of the incident, scene, or center point of a rescue demand zone where an incident scene or address is located, to a hospital or other facility where a patient is transported.

**(B.S.M. 10-18-11)**

- c. The schedule of rates for emergency ambulance transport services by Permitted Agencies shall be set in accordance with a schedule adopted by resolution by the Fire/Rescue Emergency Medical Services Advisory Committee from time to time.
  - d. The Fire/Rescue Emergency Medical Service Advisory Committee shall adopt appropriate rules and policies for the administration of the charges imposed by this section, including and not limited to payment standards for those persons who demonstrate economic hardship, as established by this ordinance.
2. Fire/Rescue Emergency Medical Service Advisory Committee (EMAC)
- a. The Board of Supervisors do hereby establish the Fire/Rescue Emergency Medical Service Advisory Board, hereafter referred to as EMAC.

- b. Participating agencies will participate in the County Emergency Medical Revenue Recovery System created by this ordinance to be administered by EMAC.
- c. EMAC will consist of Five (5) representatives selected from those Participating Agencies, One (1) representative who is an Officer of the Pittsylvania County Fire and Rescue Association, One (1) representative who is a member of local government appointed by the Board of Supervisors, and Two (2) representatives who are ex-officio members representing the local medical community and the emergency communications system, respectively. Each representative shall be entitled to an equal vote to determine matters of policy of EMAC.

The five representatives from the Participating Agencies shall be elected by the Emergency Medical Services Transport Agencies who are members of the Pittsylvania County Fire/Rescue Association. The Pittsylvania County Fire/Rescue Association shall adopt written procedures for the election of the representatives to EMAC to be approved by the Board of Supervisors by resolution.

The Pittsylvania County Fire and Rescue Association shall adopt a written procedure for the appointment of the one officer of the Pittsylvania County Fire and Rescue Association appointee to EMAC.

For the initial EMAC composition, the Pittsylvania County Fire and Rescue Association shall make recommendations to the Board of Supervisors for the appointment of the two members representing the local medical community and the emergency communication system, and upon consideration thereof the Board of Supervisors shall make these appointments to EMAC. Following the creation of EMAC, EMAC shall thereafter make the recommendations to the Board of Supervisors for the two members representing the local medical community and the emergency communication systems, respectively, and the Board of Supervisors shall make those appointments to EMAC following consideration of the recommendation.

- d. EMAC shall adopt such bi-laws and rules of procedures, as it deems appropriate to govern the conduct of its business.

### 3. Billing

- a. EMAC shall determine the appropriate fees to be charged by the Permitted Agencies for emergency medical transport services, including but not limited to BLS, ALS-1, ALS-2, and GTM. EMAC shall give reasonable notice to the public of its intention to adopt and/or modify a fee schedule, and shall cause publication of any fee schedule or modification thereof such that is reasonably available to the public. Non-participating Permitted Agencies are not required to charge for services, but if charges are made, said charges must be consistent with the fee schedule adopted by EMAC and the Ability to Pay Program.

- b. EMAC shall generate a bill for ambulance transports and service performed by all ambulances operated by any Participating Agency.
  - i. All revenues generated by Participating Agencies will be placed in a designated fund within the County Treasury. Revenues in that designated fund will be used only to support and improve the emergency medical services delivery system in Pittsylvania County.
  - ii. Revenues generated by Participating Agencies are non-supplanting. The Board of Supervisors agrees that it is morally obligated to continue to provide no less than their current level of financial support to the Participating Agencies and the overall Emergency Medical Transport System so long as the agencies continue to provide their regular emergency medical services in the County. The distribution by EMAC of any audited, un-obligated funds from the fee-for-service program to the Participating Agencies is in addition to their regular support and in recognition of their participation in the program.
  - iii. EMAC will distribute on monthly basis to the respective Participating Agencies a percentage of the internally audited, un-obligated revenues generated by the fee-for-service program. These funds will be prorated based on the number of calls for service answered by the Participating Agencies and will be used to recruit and retain qualified volunteer EMS responders. An additional percentage of revenues generated by the program will be used to support a paid, staffed, back-up system that will provide 24-hour transport/ALS coverage for unanswered calls. Any remaining revenue will be placed in Capital Improvement Fund to be used to enhance the County's overall Emergency Medical Transport System. These distributions, when combined with other regular County financial support will not exceed the respective Participating Agency's cost to provide emergency medical services in Pittsylvania County. The respective distributions shall be made by EMAC based upon its determination of the best interests of the overall Emergency Medical Transport System. **(B.S.M. 10-16-12) (B.S.M. 10-03-17)**
  - iv. Permitted Agencies may ask EMAC to charge a fee-for-service in their primary response area in adjoining localities.
- c. Payment of all charges for ambulance services, including evaluation, treatment or ambulance transport, shall be the responsibility of the patient or the parent, guardian, or other legally responsible party in the case of a minor or an individual deemed incompetent.
- d. Permitted Agencies who wish to participate in and receive revenue under the Service Fee for Emergency Ambulance Transport Program must sign a memorandum of agreement accepting the guidelines set forth in the Ordinance. Only participating agencies shall have access to revenue generated or benefits from billing by Participating Agencies and administered by EMAC.

- e. Permitted Agencies who may wish to participate pursuant to this Ordinance at some future time shall be allowed to do so only after submitting a written request to EMAC. The request will be submitted during the yearly enrollment period from July 1<sup>st</sup> to December 31<sup>st</sup>. Agencies requesting to participate will receive no retroactive funding but will receive a distribution based on number of calls answered between the date of enrollment and the close of the fiscal year.
- f. Participating Agencies who wish to end their participation under the Service Fee for Emergency Ambulance Transport may do so no less than two years from their initial enrollment and will be required to notify EMAC ninety (90) days prior to termination. Agencies that cease to provide transport service or cease to be licensed as an EMS transporting agency by the State of Virginia Office of Emergency Medical Services will be removed from the list of Participating Agencies. Any equipment purchased with funds generated from the revenue recovery program, for agencies terminating their participation in the fee-for-service program, will remain with the agency.
- g. Equipment purchased with funds generated by funds generated pursuant to the billing procedures authorized by this ordinance shall be titled in the name of the agency for which they are purchased.  
**(B.S.M. 10-18-11)**

#### 4. Billing Process

- a. Patients will fall into one of the following categories for billing purposes:
  - i. Insured through third-party health insurance company, Medicare, Medicaid. The appropriate health insurance carrier will be billed. Any applicable co-payments, co-insurance, deductibles, or other similar payments, will be billed to the patient, except as provided for herein.
  - ii. No third party source of payment. If there is no third party source of payment, a bill is to be sent to the patient transported. If the individual has the financial ability to pay, then payment of the outstanding charges are required, except as otherwise provided for herein. If the patient can demonstrate a financial hardship and qualifies for reduced payments pursuant to section 6 then the patient shall be eligible for a reduction or waiver of the amount of the charges due.

#### 5. Billing Contractor

- a. EMAC may contract with a third-party for billing and related services.

#### 6. Ability to Pay Program

- a. When any patient is billed for a transport or copayment pursuant to this Ordinance and because of limited financial resources or assets, a procedure shall be

established by EMAC for such patient to apply for a reduction or waiver in the charge due.

- b. EMAC shall establish an ability to pay scale and eligibility criteria for individuals who can demonstrate financial hardship. EMAC shall give reasonable notice to the public of its intention to adopt and/or modify an Ability to Pay Program or criteria for reduced fees or waiver of fees and shall cause publication of any reduced or waived fee criteria such that it is reasonably available to the public.
- c. The Ability to Pay Program shall establish an equitable fee policy for those situations where the patient is unable to meet the ambulance transport charge because of demonstrated financial hardship.
- d. A patient representing that there exists a financial hardship will submit information sufficient to determine such hardship. If it is determined that payment of the emergency ambulance transport charges creates a financial hardship, charges due may be reduced or waived according to the scale.

7. Collections

- a. Billing and collection policies and services will be established by EMAC. No participating agency will accept or receive payment for services rendered to a patient.

**Adopted by the Board of Supervisors on January 19, 2010.**

**Amended by the Board of Supervisors on October 18, 2011.**

**Amended by the Board of Supervisors on November 15, 2011.**

**Amended by the Board of Supervisors on June 19, 2012.**

**Amended by the Board of Supervisors on October 3, 2017.**