

# VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

## CHAPTER 139

*An Act to amend and reenact § 7.05 of Chapter 542 of the Acts of Assembly of 1990, which provided a charter for the City of Bristol, and to repeal §§ 2.11 and 5.10 of Chapter 542 of the Acts of Assembly of 1990, relating to enforcement of ordinances and environs control officer.*

[S 777]

Approved March 17, 1999

**Be it enacted by the General Assembly of Virginia:**

**1. That § 7.05 of Chapter 542 of the Acts of Assembly of 1990 is amended and reenacted as follows:**

§ 7.05. Fire department.

A. Generally. - The fire department shall consist of the fire chief and such other officers and employees of such ranks and grades as may be established by council. The fire department shall be responsible for the protection from fire, of life and property within the city.

The fire department shall also operate and be responsible for the operation of the hazardous material response team which shall implement the hazardous materials response plan developed by the city in accordance with general laws of the Commonwealth and local laws and regulations.

B. Powers and duties of the fire chief. - The head of the fire department shall be the fire chief. Under the supervision of the city manager, he shall be in direct command of the fire department. He shall assign all members of the department to their respective posts, shifts, details and duties. He shall, with the approval of the city manager, make rules and regulations in conformity with this charter and the ordinances of the city concerning the operation of the department, the conduct of officers and employees thereof, their uniforms, equipment and training and the penalties to be imposed for infractions of such rules and regulations. The fire chief shall be responsible for the efficiency, discipline and good conduct of the department. Orders of the city manager relating to the fire department shall be transmitted in all cases to the fire chief or in his absence from the city or incapacity, through an officer of the department designated as acting chief by the city manager. Disobedience of the lawful commands of the fire chief or violation of the rules and regulations made by him with the approval of the director of the Personnel Department shall be grounds for removal or other disciplinary action as provided in such rules and regulations.

C. Fire prevention. - Fire prevention shall be the duty of the fire chief to secure the enforcement of all laws and ordinances relating to fire prevention and fire safety and to issue from time to time regulations having the force of law for the purpose of implementing such laws and ordinances. The penalty for violation of such rules and regulations shall be as provided for by ordinance. The fire chief may assign this duty to a fire inspector.

D. Environs control officer. - *The council, by ordinance, may provide for a position of environs control officer whose duties shall be to enforce state law and local ordinances pertaining to garbage, trash, weeds, junk and litter and the Statewide Uniform Building Maintenance Code within the City of Bristol, Virginia. The environs control officer shall be supervised by the chief of the fire department.*

**2. That §§ 2.11 and 5.10 of Chapter 542 of the Acts of Assembly of 1990 are repealed.**