

1 **Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by**
2 **Amending Chapter 14, Fire Prevention and Protection, Article I Entitled, “In**
3 **General,” Sec. 14-2 and Sec. 14-3, and Repealing Sec. 14-27 of Article II Entitled**
4 **“Fire Prevention Code,” to conform to current state code powers and authorities**
5 **for fire marshals and their designees, and to remove provisions no longer**
6 **applicable to city practices.**

7
8 **Chapter 14 – FIRE PREVENTION AND PROTECTION**

9
10 **ARTICLE 1. – IN GENERAL**

11
12 . . .

13
14 **Sec. 14-2. - General authority of fire marshal and assistants to *order compliance,***
15 **arrest, procure and serve warrants and issue summons.**

16
17 (a) The fire marshal, and such of his *their* assistants as *they designate* are
18 *designated by the city manager, shall have the authority to order immediate*
19 *compliance with the law, or to prohibit the use of any building or equipment, as*
20 *provided in Code of Virginia, § 27-34.3, to arrest, to procure and serve warrants*
21 *of arrest and to issue summons, in the manner authorized by general law, for*
22 *violation of local fire prevention and fire safety and related ordinances.*

23
24 . . .

25
26 **State Law reference—** Similar provisions, Code of Virginia, §§ 27-34.2 *to 27-34.3.*

27 **Sec. 14-3. - Police powers of fire marshal and assistants as to investigations and**
28 **prosecutions involving certain offenses.**

29
30 (a) The fire marshal, and such of his *their* assistants as are designated by the city
31 manager, shall have the same police powers as a sheriff or police officer. *The*
32 *investigation and prosecution of all alleged offenses pursuant to Title 27 of the*
33 *Code of Virginia, as amended, shall be the responsibility of the fire marshal or*
34 *their designee. The fire marshal or their designee may investigate and*
35 *prosecute all other criminal or civil offenses under local, state or federal law*
36 *arising out of or during the investigation of offenses pursuant to Title 27 of the*
37 *Code of Virginia, and out of or during such other investigations, and*
38 *prosecutions as may be approved by the city manager. in the investigation*
39 *and prosecution of all offenses involving fires, fire bombings, bombings,*
40 *attempts or threats to commit such offenses, false alarms relating to such*

41 offenses and possession and manufacture of explosive devices, substances
42 and fire bombs.

43 . . .

44

45 **State Law reference**— Similar provisions, Code of Virginia, § 27-34.2:1.

46

47 . . .

48

49 **ARTICLE II. – FIRE PREVENTION CODE**

50

51 . . .

52

53 **Sec. 14-27. - *Reserved*. Availability of copies.**

54 ~~Copies of the fire prevention code adopted by this article, are obtainable, during~~
55 ~~regular business hours, at the office of the clerk of council.~~

56

57 . . .