



**COUNTY of FREDERICK, VIRGINIA**

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**DEPARTMENT OF PUBLIC SAFETY COMMUNICATIONS**

1080 Coverstone Dr. Winchester, VA 22602

540-665-6356

LeeAnna Pyles  
Director

**FREDERICK COUNTY**  
**PUBLIC SAFETY COMMITTEE**  
**AGENDA**

**August 15, 2019**

**8:30 A.M.**

**Training Room – first floor, lobby side**

**Public Safety Building**

**1080 Coverstone Dr., Winchester, Virginia**

**Call to Order: Thursday August 15, 2019 at 8:30 a.m.**

**Agenda Items:**

- 1. Re-evaluated proposed expansion to the Fire Prevention Code fee schedule – Deputy Chief/Fire Marshal Mark Showers (see attached).**
- 2. Burn building replacement project – Chief Linaburg (see attached).**

**New Business:**

**Next Meeting Date: Thursday October 17, 2019**



OFFICE OF THE FIRE MARSHAL

**S. Mark Showers**  
Deputy Chief/Fire Marshal  
Life Safety Division

**M E M O R A N D U M**

1080 Coverstone Drive  
Winchester, VA 22602

**TO:** Chairman Robert Wells, Public Safety Committee

**FROM:** S. Mark Showers, Deputy Chief/Fire Marshal, Life Safety Division

**SUBJECT:** Proposed Expansion to the Frederick County Fire Prevention Code Fee Schedule

**DATE:** August 9, 2019

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The Fire Marshal's Office is seeking approval to expand the current fee schedule to offset the cost of conducting inspections and permitting. In accordance with Section 27-97 of the Code of Virginia.

Per the Frederick County Fire Prevention Code **Section 107.10 Local fees** ...*fees may be levied by the local governing body in order to defray the cost of enforcement and appeals under the FCFPC.*

On March 14, 2019 the Public Safety Committee voted 3 – 2 to forward on to the Public Works Committee for review and comment. March 26, 2019 the Public Works Committee voted and passed unanimously recommending the establishment of a fire safety inspection fee schedule, but asked fire and rescue staff to go back and re-evaluate the fees. We have re-evaluated the fee schedule and made the appropriate changes.

Please reference the attached document for a detailed informational breakdown of the proposed process and associated fees.

# Procedure & Fees

Presented by the Frederick County Fire Marshal's Office



# Introduction

- In 2012 the Frederick County Board of Supervisors adopted the Virginia Statewide Fire Prevention Code and all future amendments in its entirety and renamed it the Frederick County Fire Prevention Code (per VA State Statute 27-97).
- With the adoption it allowed the Frederick County Fire Marshal's Office to conduct annual life safety inspections (106.3 Inspections) and issue operational permits (section 107 Permits And Fees).
- Also that adoption allows Frederick County to levy fees for those inspections (107.10 Local fees).

# Introduction (Cont.)

- The code allows Frederick County to establish a fee schedule and how we are to base those fees. The Fire Marshal has chosen to use square footage which will mirror what the Building Official's Office is currently doing (107.13 Fee Schedule).
- We have consulted with the County Attorney to address any concerns or questions that may come up as a result of implementing these fees.

# The Process

- 1. Notify the commercial businesses via radio, newspaper, social media, email and mass mailing.
- 2. A Life Safety application will be sent out and shall be returned within 30 days of receipt.
- 3. Upon return of the Life Safety application, information will be entered to generate an invoice to be sent out. Payment will be required within 30 days

# The Process (Cont.)

- 4. A Life Safety inspection will then be scheduled and conducted on that business.
- 5. If violations are noted, then a re-inspection(s) will be scheduled based on the severity of the violation.
- 6. After a second re-inspection, if the business still fails or refuses to make repairs then a summons will be issued to start criminal proceedings as warranted.

# Life Safety Inspection Fees (107.13 fee schedule)

- \$50 - Businesses up to 5,000 sq. ft
- \$100 - Businesses 5,001 sq. ft – 20,000 sq. ft
- \$200 - Businesses 20,001 sq. ft - 100,000 sq. ft
- \$300 - Businesses 100,001 sq. ft - 250,000 sq. ft
- \$400 - Businesses 250,001 sq. ft and above



# Life Safety Inspection Fees (107.13 fee schedule)

- Re-inspections fees shall be the same as original assessed cost.
- Inspections being conducted on County owned buildings shall be exempt from fees.
- Residential Group R-5 (Single Family Dwelling) will be exempt from annual inspections. Except when the occupant is obtaining a state accreditation or license to operate a business that is required to have a Fire Marshal inspection.
- Place of religious worship and Nonprofit will be \$50 no matter the square footage.

# Operational Permits and Fees

(section 108 operational permits)

- The Fire Marshal's Office currently issues Operational Permits.
- Proposed fee changes:
  - Commercial Burning - \$100 per site
  - Commercial Blasting - \$200 per site
  - Explosive Storage - \$200 first magazine, plus \$100 per each additional magazine on same site. (12-month permit)
  - Fireworks Outdoor Sales - \$200
  - Fireworks Retail Sales - \$200
  - Fireworks Aerial Displays - \$200
  - (new) Mobile Food Preparation Vehicles (Food Trucks) - \$50 (12-month permit)
  - (new) Tent(s) over 900 Sq. Ft. - \$50 per tent

# Cost Recovery

- Based on operational permits, approximately 1400 businesses and projected re-inspections, the estimated recovery will be a minimum of \$175,000 after first year.

# After Approval

- Our goal for full implementation would be the middle of 2020.
- After a full 12-months of implementation the Fire Marshal's Office will analyze all data to ensure that we are effectively recouping our costs and possibly adjust the fees.


Questions???



Dennis D. Linaburg  
Fire Chief

**MEMORANDUM**

**TO:** Public Safety Committee

**FROM:** Dennis D. Linaburg, Chief  
Fire & Rescue 

**SUBJECT:** Regional Training Center Burn Building Replacement Project

**DATE:** July 31, 2019

The Winchester City Fire and Rescue Department was awarded a Virginia Department of Fire Programs Live Fire Training Structure Grant to replace the current burn building at the Regional Winchester/Frederick Training Facility off Woodstock Lane. Due to unforeseen issues at the early stages of the project, funding shortages have occurred.

I met with representatives from Winchester City Fire and Rescue on July 29, 2019, to discuss the continued partnership between Winchester and Frederick County regarding the Regional Winchester/Frederick Training Facility and reviewed a draft Memorandum of Understanding to support our partnership.

I have included several documents for your review outlining the funding request and shortage, draft Memorandum of Understanding and a breakdown of potential cost savings associated with having a local burn building for the Department to utilize.

At this time, I am requesting your endorsement regarding the funding request of \$257,018.69 to assist the Winchester City Fire and Rescue in completing the Burn Building Replacement Project. With your endorsement, a supplemental appropriation request will be submitted to the Finance Committee for funding consideration.

If you have any questions regarding this request or need additional information, please do not hesitate to contact me.

DDL/kbu

Attachments (7)

## Regional Live Fire Training Facility

### Funding

Item	Total	Remarks
VDFP Burn Building	\$450,000.00	\$112,500
VDFP A/E Expenses	\$30,000.00	
City of Winchester	\$270,000.00	
Other	\$0.00	
<b>TOTAL Funding</b>	<b>\$750,000.00</b>	
Expenses		
Item	Total	Remarks
Previous Contract	\$75,207.00	
Current Contract	\$282,211.69	
<b>TOTAL Expenses</b>	<b>\$357,418.69</b>	

<b>Overall Budget Remaining</b>	<b>\$392,581.31</b>
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### Original Bids

Bids	Base	Options	Total
Callas Construction	\$640,000.00	\$37,000.00	\$677,000.00
Lantz Construction	\$629,600.00	\$34,600.00	\$664,200.00
<b>Difference</b>	<b>\$10,400.00</b>	<b>\$2,400.00</b>	<b>\$12,800.00</b>

Electrical Upgrades		\$3,100	\$667,300.00
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Revisit Lantz Contract	\$ (17,700.00)
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<b>Funding Shortage</b>	<b>-\$257,018.69</b>
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Record as of July 12, 2019
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### Prior Expenditures

<b>Date</b>	<b>Vendor</b>	<b>Amount</b>	<b>Purpose</b>	<b>Invoice #</b>
2/5/2016	Painter Lewis	\$15,248.75	Engineering	500127
2/18/2016	WECl	\$535.00	Asbestos Inspection	RRW-018-16
4/26/2016	Painter Lewis	\$18,795.00	Engineering	105036
6/10/2016	Painter Lewis	\$9,804.60	Engineering	105081
8/23/2016	Piccadilly Printing	\$240.00	Drawing Reproduction	89822
8/30/2016	Painter Lewis	\$11,385.00	Engineering	105144
8/16/2016	Frederick County	\$327.19	Permits	0001571-2016
1/25/2017	Painter Lewis	\$2,147.00	Engineering	500257
7/19/2017	Painter Lewis	\$175.00	Engineering	105511
10/6/2017	L.N. Curtis	\$15,000.00	Cancelation Fee	132353
8/31/2016	Winchester Star	\$171.60	Add	
	UPS Store Postage	\$82.95	Plans to VDFP	
10/12/2017	Painter Lewis	\$1,295.00	Engineering	500385
<b>Total</b>		<b>\$75,207.09</b>		



### Current Expenditures

<b>Date</b>	<b>Vendor</b>	<b>Amount</b>	<b>Purpose</b>	<b>Invoice #</b>
3/29/2019	Osburn Associates	\$1,236.00	Signage	264016
2/11/2019	Piccadilly Printing	\$96.00	Drawing Reproduction	99250
2/12/2019	Harbor Freight	\$168.47	Tarp	N/A
2/15/2019	Winchester Equipment	\$475.19	Equipment Rental	WINCH046
2/28/2019	Fire Facilities	\$271,745.00	Building Package	199710
3/20/2019	Piccadilly Printing	\$27.00	Drawing Reproduction	99652
3/28/2019	Osburn Associates	\$185.85	Sign Material	263908
4/16/2019	Osburn Associates	\$172.00	Sign Material	264539
5/7/2019	Piccadilly Printing	\$32.40	Drawing Reproduction	100161
5/22/2019	Painter Lewis	\$2,540.00	Engineering	106212
5/29/2019	Painter Lewis	\$2,076.80	Electrical Engineering	203152
2/27/2019	Amazon	\$21.98	Tape for Signs	6439426
4/4/2019	Painter Lewis	\$3,435.00	Engineering	106157
<b>Total</b>		<b>\$282,211.69</b>		



The Creamery Building  
21 South Kent Street, Suite 301  
Winchester, Virginia 22601

Telephone: (540) 662-2298  
FAX: (540) 542-1318  
Website: [www.winchesterva.gov](http://www.winchesterva.gov)

July 30, 2019

Denny Linaburg, Chief  
Frederick County Fire and Rescue  
1080 Coverstone Drive  
Winchester, Virginia 22602

Dear Denny:

As you are aware we are in the process of performing a facility replacement for the Regional Training Center Burn Building located on Woodstock Lane. Funding for this project thus far has been a combination of City of Winchester Capital Improvement Funds and funding received from a Department of Fire Programs Grant.

We have taken delivery of the prefab burn building materials and we have also received a contract from Lantz Construction for construction. The construction contract requires signatures on or before July 5, 2019.

#### Burn Building Expenses

Actual bid for construction including electrical upgrade to bathroom	\$667,300.00
Budget Remaining from City Investment and VDFP Grant	\$392,581.31
Renegotiation of Lantz Construction Contract	<u>(\$17,700.00)</u>
Funding Shortage	\$257,018.69

We are requesting funding assistance from Frederick County in the amount of \$257,018.69 to complete this project. In conjunction with the financial support a Memorandum of Understanding will be signed by both the City of Winchester and Frederick County about the use of the facility upon completion.

Thank you in advance for your prompt attention regarding this, if I may be of further assistance please feel free to contact my office.

Sincerely,


  
William Garrett  
Fire Chief



Dennis D. Linaburg  
Fire Chief

## MEMORANDUM

TO: Rod Williams  
County Attorney

FROM: Dennis Linaburg  
Fire Chief 

SUBJECT: Review – Memorandum of Understanding – Burn Building

DATE: July 27, 2018

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The Winchester City Fire and Rescue Department was awarded a Virginia Department of Fire Programs Live Fire Training Structure Grant to replace the current burn building at the Regional Winchester/Frederick Training Facility off Woodstock Lane. Due to unforeseen issues at the early stages of the project, funding shortages have occurred.

I met with representatives from Winchester City Fire and Rescue on July 29, 2019, to discuss the continued partnership between Winchester and Frederick County, their funding request for the Regional Winchester/Frederick Training Facility and reviewed a draft Memorandum of Understanding to support our partnership.

At this time, we are requesting your office review the attached draft and recommend any necessary changes. If you have any questions regarding the Memorandum of Understanding, please do not hesitate to contact me to discuss it further.

/mhn  
Attachments



## COUNTY OF FREDERICK, VIRGINIA

FIRE AND RESCUE DEPARTMENT

1080 Coverstone Drive  
Winchester, VA 22602

Dennis D. Linaburg  
Fire Chief

July 25, 2019

William Garrett, Chief  
Winchester City Fire & Rescue  
21 S. Kent Street, Suite 301  
Winchester, VA 22601

Dear William:

Thank you for sending the requested documents regarding the replacement Regional Training Center Burn Building project. We are reviewing the supplied documents and have a few follow-up questions regarding the funding request.

Your letter dated June 24, 2019 requested funding assistance from Frederick County totaling \$274,718.69, however, a funding breakdown dated July 12, 2019 shows a \$17,700 credit from the Lantz Contract. Is the requested assistance decreasing as a result of the credit and is this credit related to the original contract? Also listed on the funding breakdown are two expenses related to "Previous Contract" and "Current Contract." It appears these contracts are in addition to the construction costs provided by Lantz Construction and we would like more information regarding what these contracts include.

As this project is being partially funded through a Virginia Department of Fire Programs Live Fire Training Structure Grant, please also provide any requirements stipulated within the grant award and the cost breakdowns for the burn building itself and the architect/engineering expenses related to this project.

We will be scheduling a meeting with the County Attorney for review of the Memorandum of Understanding and the provided documentation within the next few days. Once we have discussed the project with the County Attorney, we should be able to begin moving forward with the funding request.

If I may be of further assistance or if you have any questions regarding this request, please feel free to contact me.

Sincerely,

Dennis D. Linaburg  
Chief



**Memorandum of Understanding Between Winchester Fire and Rescue Department and Frederick County Fire and Rescue Department for Use of the Regional Training Facility**

**Purpose:**

This Agreement shall become effective upon the date hereof, and shall remain in full force and effect until canceled by mutual agreement of the parties hereto, or by written notice of one party to the other party, giving sixty (60) days notice of cancellation.

**Scope:** This MOU provides the understanding that the Winchester Fire and Rescue Department (WFRD) is the fiscal agent responsible for the training grounds located at 1716 Woodstock Lane Winchester, VA 22601. The training props will be the responsibility of the agency as listed below with the understanding through direct communication that their use will be common between WFRD and Frederick County Fire and Rescue Department (FCFRD). The WFRD will maintain the classroom and bathroom.

**Live Fire Training Structure:** Will be the responsibility of WFRD for the maintenance and inspection as set by the Virginia Department of Fire Programs Live Fire Training Structure Grant Program requirements. The use of the building will be authorized through WFRD.

**Cold Training Structure:** Will be the responsibility of WFRD for the maintenance of the structure. The use of the building will be authorized through WFRD. There will be no live fire training permitted in this building.

**Conex Maze Trailer:** This trailer will be the responsibility of WFRD for any and all maintenance. The use of the maze will be authorized through WFRD.

**Rapid Intervention Structure:** Will be the responsibility of FCFRD for the maintenance of the structure. The use of the building will be authorized through FCFRD. There will be no live fire training permitted in this building.

**Training Equipment Trailers:** The training equipment trailers located on site are the property of FCFRD. The use of any and all equipment will be authorized through FCFRD.

**Forcible Entry Prop:** This prop will be the responsibility of FCFRD. The use of the prop will be authorized through FCFRD.

**Air Cascade Trailer:** The air trailer will be the responsibility of FCFRD for any and all maintenance. The use of the trailer will be authorized through FCFRD.

**Trailer Maze:** The maze trailer will be the responsibility of FCFRD with any and all maintenance. The use of the maze will be authorized through FCFRD.

**Additional Terms:** All personnel utilizing the training center or any and all props shall be knowledgeable in proper use, operation, and maintenance. This also includes all safety operations while equipment, props, and/or buildings are being utilized for training. A pre-use inspection shall be performed prior to a training event followed by a post-use inspection after the training event. Any defects discovered prior to use shall be corrected prior to use. Any defects discovered after use shall be corrected after use. Any outside agency use of the training grounds will only be authorized through the WFRD.

Frederick County Fire and Rescue  
Department

Winchester Fire and Rescue  
Department

By: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
(name)

\_\_\_\_\_  
(name)

\_\_\_\_\_  
(title)

\_\_\_\_\_  
(title)

Date: \_\_\_\_\_

Date: \_\_\_\_\_



The Creamery Building  
 21 South Kent Street, Suite 301  
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Telephone: (540) 662-2298  
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 Website: www.winchesterva.gov

### Timeline for Regional Live Fire Training Facility

The goal of this document is to illustrate the timeline for the burn building project. The existing burn building shall only be used for cold training (no live fire). This building was taken out of service in late 2013. Prior to 2013, it was not approved as a burn building by the state because of only being one floor. Therefore, this building would not be able to certify firefighters in the region.

<b>Concrete Building</b>	
14-Aug	Started discussion about the feasibility of pursuing grant with VDFP.
15-May	Grant application submitted
15-Aug	VDFP grant orientation meeting
15-Oct	Meeting with city, contracted engineers and city engineers to discuss plans for new building
15-Nov	Presented concrete building to be built
15-Nov	Met with stakeholder to update on where we were at with the grant and overall facility development
16-Sep	Invitation to Bid for concrete building released
16-Oct	Bids for concrete building over budget
<b>Metal Building</b>	
16-Nov	Request sent to VDFP for alternate building acceptance due to over budget for concrete building
17-Feb	VDFP accepts change request
17-Apr	Moved forward with purchase of metal building through GSA contract
17-Sep	Presented burn building Frederick County volunteer association
17-Oct	Building cancelled due to allegations of unfair procurement practice
<b>Time delay due to allegations of unfair purchasing. This affected three jurisdictions including Winchester.</b>	
18-Mar	Invitation to Bid for pre-manufactured building
18-Jun	Bid opening - Fire Facilities was low bidder and later awarded contract
19-May	Invitation to Bid for construction of burn building - Lantz was low bidder and awarded contract
19-May	Building permit obtained from Frederick County, all required information sent to VDFP for cursory review
19-Jul	VDFP engineer comments received, teleconference held with VDFP to discuss comments
20-May	Burn building must be completed to meet grant performance requirements

**Frederick County Fire and Rescue Department**  
**Reasons for Support of the Burn Building Project**

1. Gives the department a greatly improved educational platform:
  - a. Before we could not practice moving hose lines up and down stairs or attacking fires on a above grade and below grade level.
  - b. Brings a burn building back to our base of operation
  - c. This will allow us to train for situations that we could not do before due to not having a multilevel building.
  - d. Expands our capabilities to perform multiple drills at the training center at the same time.
  - e. Will allow us to practice standpipe operations for high rise buildings that we have not been able to do here at all.
  - f. It will give us a building that we can flow water in and teach hose line movement much better.
  - g. It will have a rappelling tower on the building. Before we would have to secure an outside private building to do this in. This brought up liability concerns for the owners of the building.
  - h. Able to teach drafting more efficiently at the Training Center
  - i. Will give us a roof prop to use off an aerial or ground ladder.
  - j. It will give us a permanent sprinkler prop to use at the Training Center.
  
2. Time Savings
  - a. Our staff spends countless hours preparing to go to other burn buildings by getting pallets, hay and other support equipment days ahead of the burn.
  - b. On the day of the training the time lost in travel can be from two to three hours for the day. This time could be used for training instead of being spent on the road.
  - c. Once the training is completed the staff then spends extra time on returning equipment back from the site as well.



### 3. Logistical Benefit

- a. All our training supplies is located at the training center.
- b. Currently our staff must set up portable lights for training at night, with this project it will give us better lighting.
- c. Currently for pump training to do drafting we have to set up a portable tank and is hard to do more than one apparatus at a time. With the drafting pits it will give us great flexibility in training for pumping as well.
- d. This reduce the movement of equipment to multiple locations.
- e. Current burn buildings around the area are busy due to multiple hiring processes or classes going in so it causes many scheduling problems and sometimes the buildings are not available, and we must travel farther to another building.

### 4. Financial Benefit

- a. The extra time our staff spends on transporting equipment to and from the other burn buildings either takes away from other duties or costs us overtime.
- b. The travel time to and from training results in cost in overtime.
- c. Decreases the amount of fuel used due to not having to travel all the time.
- d. Decreases the wear and tear on vehicles and maintenance cost.
- e. Decreases the chances for accidents while traveling

### 5. Overall Advantages

- a. Decreases preparation time for class and allow the staff to focus on the class.
- b. Gives us a much flexibility in our training programs
- c. FCFRD on the average year would use the building for structural burns 14 times. This does not include the numerous times the department would use the building. For example, we would use the building a minimum of 27 times in our current recruit school for other drills besides live fire training.

- d. In the past three years the FCFRD has not conducted shift burns due to having to travel and the limited time that it affords us. We have substituted other training in its place.
- e. It would add a huge component to the training center that allows for multiple operations or classes to happen at the same time.
- f. Decreases overtime cost that we have from travel time and preparation time.