



Loudoun County, Virginia

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Office of the County Administrator

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At a business meeting of the Board of Supervisors of Loudoun County, Virginia, held in the County Government Center, Board of Supervisors Meeting Room, 1 Harrison Street, S.E., Leesburg, Virginia, on March 5, 2019 at 5:00 p.m.

IN RE: DOAM-2018-0002: Resolution of Intent to Amend Chapters 4 and 8 of the Loudoun County Facilities Standards Manual and Notice of Intention to Propose for Passage Amendments to Chapter 424 of the Codified Ordinances of Loudoun County (Countywide)

Supervisor Buffington moved that the Board of Supervisors adopt the Resolution of Intent to Amend the Loudoun County Facilities Standards Manual provided as Attachment 1 to the March 5, 2019, Board of Supervisors Business Meeting Action Item.

Supervisor Buffington further moved that the Board of Supervisors direct staff to provide notice of its intention to propose for passage the amendments to Chapter 424, Authority of Fire Departments, of the Codified Ordinances of Loudoun County, provided as Attachment 2 to the March 5, 2019, Board of Supervisors Business Meeting Action Item, and bring such amendments forward to a future Board of Supervisors Public hearing for Board consideration and action.

Seconded by Supervisor Volpe.

Voting on the Motion: Supervisors Buffington, Buona, Letourneau, Meyer, Saines, Umstatted, and Volpe – Yes; None – No; Supervisors Higgins and Randall – Absent for the Vote.

A COPY TESTE:


DEPUTY CLERK TO THE LOUDOUN COUNTY
BOARD OF SUPERVISORS

March 5, 2019

BOARD OF SUPERVISORS OF LOUDOUN COUNTY

RESOLUTION OF INTENT TO AMEND CHAPTERS 4 AND 8 OF THE LOUDOUN COUNTY FACILITIES STANDARDS MANUAL IN REGARD TO EMERGENCY VEHICLE PREEMPTION, FIRE APPARATUS ACCESS ROADS, STANDARD CURB AND GUTTER INDIVIDUAL DRIVEWAY ENTRANCES, AND LATENT DEFECT INDEMNIFICATION AGREEMENTS AND BONDS

WHEREAS, the Board of Supervisors wishes to initiate amendments to the Loudoun County Facilities Standards Manual ("FSM") to further achieve the purposes listed in §15.2-2200 of the Code of Virginia and to assure the orderly subdivision of land and its development; and

WHEREAS, the Board of Supervisors intends to enter an Agreement for Traffic Signal Preemption for Emergency Purposes (Signal Preemption Agreement), and is considering proposed amendments to Chapter 424, Authority of Fire Departments, of the Codified Ordinances of Loudoun County (the "Codified Ordinances") necessary to implement said Signal Preemption Agreement, in regard to the installation of preemption devices and systems on traffic signals in order to improve emergency vehicle response times and reduce the risk of accidents at intersections; and

WHEREAS, certain inconsistencies have been identified between the existing standards provided by the FSM and the existing requirements provided by the Loudoun County Fire Prevention Code, Chapter 1602 of the Codified Ordinances, in regard to Fire Apparatus Access Roads; and

WHEREAS, amendments to the FSM are necessary in order to establish new standards in regard to the preemption of traffic signals in accordance with the Signal Preemption Agreement and the proposed amendments to Chapter 424 of the Codified Ordinances, to revise and clarify existing standards in regard to Fire Apparatus Access Roads so that such standards are consistent with Chapter 1602 of the Codified Ordinances, and to implement separate revisions to the Curb and Gutter Individual Driveway Entrance Figure and Latent Defect Indemnification Agreement and bond requirements that were developed in coordination with the FSM Public Review Committee ("PRC").

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors states its intention to amend the Loudoun County Facilities Standards Manual as follows:

1. Amend Chapter 4 in order to establish new requirements in regard to the preemption of traffic signals.
2. Amend Chapters 4 and 8 in order to establish new, and revise, clarify, and/or delete existing, standards in regard to Fire Apparatus Access Roads.
3. Amend Chapter 4 in order to revise and clarify the existing Curb and Gutter Individual Driveway Entrance Figure.
4. Amend Chapter 8 in order to revise and clarify existing requirements in regard to Latent Defect Indemnification Agreements and bonds.

Attachment 1

5. Amend such other Chapters, Sections, Subsections, and provisions of the Codified Ordinances and FSM as necessary to fully implement and maintain consistency with the foregoing amendments, or as otherwise necessary to correct typographical errors, section and subsection numbering, and formatting within, update cross-references to, and further clarify the requirements of, the above-mentioned Chapters, Sections, Subsections and provisions of the FSM.

BE IT FUTHER RESOLVED that (1) these amendments are in furtherance of the orderly subdivision of land and its development, and the public necessity, convenience, and general welfare, including emergency vehicle response (2) Staff is directed to prepare draft amendments for consideration; and (3) the proposed amendments on these matters are to be brought forward for notice, hearing, Planning Commission recommendation, and Board of Supervisors' action.

Chapter 424 Codified Ordinance Amendment:

424.01 TRAFFIC CONTROL.

(a) While any fire department or fire company in the County, under the provisions of Chapter 2 of Title 27 of the Code of Virginia of 1950, as amended, is in the process of answering an alarm of fire or extinguishing a fire and returning to a station, the chief or other officer in charge of such fire department or company at that time shall have the authority to: maintain order at the fire or its vicinity; direct the actions of the firemen at the fire; keep bystanders or other persons at a safe distance from the fire and fire equipment; facilitate the speedy movement and operation of fire-fighting equipment and firemen until the arrival of a law enforcement officer; direct and control traffic in person or by deputy; and facilitate the movement of traffic. The fire chief or other officer in charge shall display his fireman's badge or other proper means of identification. Notwithstanding any other provision of law, this authority shall extend to the activation of traffic control signals designed to facilitate the safe egress and ingress of fire-fighting equipment at a fire station.

(b) No person shall refuse to obey the orders of the fire chief or any of his deputies or any other law enforcement officer in charge at that time.

(c) Pursuant to the agreement entered into with VDOT dated xxx, to facilitate emergency response of Fire and Rescue personnel under appropriate emergency conditions in accordance with Sections 27-15.1 and 46.2-920 of the Code of Virginia, as amended, all new or modified signals shall include preemption control devices on signal plans submitted to VDOT for new traffic signals and modifications to existing signalized intersections, and shall install said preemption control devices.

424.99 PENALTY.

(EDITOR'S NOTE: See Section 428.99 for general Traffic Code penalty if no specific penalty is provided.)