



Albemarle County

Legislation Text

File #: 19-171, **Version:** 1

AGENDA DATE: 3/6/2019

TITLE:

Appointment of Replacement Assistant Fire Marshal

SUBJECT/PROPOSAL/REQUEST: Appointment of Assistant Fire Marshals with Police Powers

ITEM TYPE: Consent Action Item

STAFF CONTACT(S): Richardson, Walker, Kamptner, Farley, Eggleston, Oprandy, Lagomarsino

PRESENTER (S): Lagomarsino

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: Albemarle County Code § 6-111 establishes the Office of the Fire Marshal pursuant to Virginia Code § 27-30 and allows for the appointment of Assistant Fire Marshals pursuant to Virginia Code § 27-36. Albemarle County Code § 6-111 further provides that the Fire Marshal and/or Assistant Fire Marshals shall be authorized to exercise all of the powers authorized by Title 27 of the Virginia Code and the Virginia Statewide Fire Code, which includes the authority to be appointed with police powers as authorized by Virginia Code § 27-34.2:1.

STRATEGIC PLAN: *Quality Government Operations:* Ensure the County's capacity to achieve high quality service that achieves Community priorities

DISCUSSION: The Fire Rescue Department's budget allocates five FTE positions in the Office of the Fire Marshal. Senior Firefighter Titus Castens was transferred into the Office of the Fire Marshal to fill a position that was vacated by the resignation of Captain Robert Gilmer. Captain Gilmer resigned to accept the position of Battalion Chief in charge of the Fire Marshal's Office in the City of Manassas Park, Virginia. Senior Firefighter Titus Castens has successfully completed all the mandated training to fulfill the role of Assistant Fire Marshal with police powers.

The appointment of Senior Firefighter Titus Castens as an Assistant Fire Marshal with police powers is necessary for the efficient operation of the Albemarle County Fire Rescue, Office of the Fire Marshal. Adoption of the attached resolution (Attachments A) to appoint Senior Firefighter Titus Castens as an Assistant Fire Marshal with police powers authorizes him to fulfill all the necessary duties of the Office of the Fire Marshal and to exercise the same powers as a sheriff, police officer or other law enforcement officer as provided for in Title 27 of the Virginia Code and the Virginia Statewide Fire Code.

BUDGET IMPACT: There is no additional budgetary impact.

RECOMMENDATION:

Staff recommends that the Board adopt the attached resolution (Attachments A) appointing Senior Firefighter

Titus Castens as an Assistant Fire Marshal with police powers.

ATTACHMENTS:

A - Resolution to appoint Titus Castens