

RESOLUTION

COMMENDING FIRE MARSHAL DRISCOLL AND

ASSISTANT FIRE MARSHALS COLON, MITCHELL, TOUTAINT, LAMM AND THOMPSON.

CONFIRMATION AND REAUTHORIZATION OF POLICE POWERS AND

FIRE PREVENTION POWERS

WHEREAS, the James City County Board of Supervisors (the "Board of Supervisors") appointed Mr. Kendall L. Driscoll as Fire Marshal on May 12, 2015; Ms. Antoinette Colon as Assistant Fire Marshal on August 9, 2016; Mr. Niclas Mitchell as Assistant Fire Marshal on August 9, 2016; Ms. Michelle L. Toutaint as Assistant Fire Marshal on May 22, 2007; Mr. Arthur K. Lamm as Assistant Fire Marshal on November 28, 2006 and Mr. Gregory M. Thompson as Assistant Fire Marshal on September 10, 2002; and

WHEREAS, the Board of Supervisors recognizes the exceptional service provided to James City County (the "County") by Fire Marshal Kendall L. Driscoll and Assistant Fire Marshals Antoinette Colon, Niclas Mitchell, Michelle L. Toutaint, Arthur K. Lamm and Gregory M. Thompson; and

WHEREAS, Section 27-34.2 of the Code of Virginia, 1950, as amended provides that the County may authorize the fire marshal and his assistants to have the authority to arrest, to procure and serve Warrants of Arrest and to issue summons in the manner authorized by general law for violation of fire prevention and fire safety laws and related ordinances; and

WHEREAS, Section 27-34.2:1 of the Code of Virginia, 1950, as amended provides that the County may authorize the local fire marshal and his assistants to have the same police powers as a sheriff, police officer or law-enforcement officer; and

WHEREAS, Section 27-34.3 of the Code of Virginia, 1950, as amended provides that the County may authorize the local fire marshal to exercise the powers authorized by the Fire Prevention Code; and

WHEREAS, Section 27-34.6 of the Code of Virginia, 1950, as amended provides that the County may appoint one or more assistants, who, in the absence of the fire marshal, shall have the powers and perform the duties of the fire marshal; and

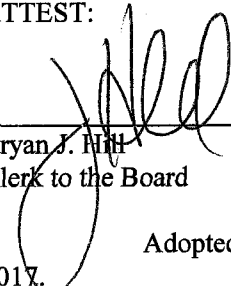
WHEREAS, Fire Marshal Kendall L. Driscoll and Assistant Fire Marshals Antoinette Colon, Niclas Mitchell, Michelle L. Toutaint, Arthur K. Lamm and Gregory M. Thompson have completed all minimum training and certification requirements of the Department of Criminal Justice Services and the Department of Fire Programs.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby commends the exceptional service of Fire Marshal Kendall L. Driscoll and Assistant Fire Marshals Antoinette Colon, Niclas Mitchell, Michelle L. Toutaint, Arthur K. Lamm and Gregory M. Thompson; confirms and reauthorizes that Fire Marshal Kendall L. Driscoll has all police powers and fire prevention powers provided in Virginia Code Sections 27-30, et seq., and, without limitation, those contained in 27-34.2, 27-34.2:1 and 27-34.3; and confirms and reauthorizes that Assistant Fire Marshal Antoinette Colon, Assistant Fire Marshal Niclas Mitchell, Assistant Fire Marshal Michelle L. Toutaint, Assistant Fire Marshal Arthur K. Lamm and Assistant Fire Marshal Gregory M. Thompson have all police and fire prevention powers provided in Virginia Code Sections 27-30, et seq., and, without limitation, those contained in 27-34.2, 27-34.2:1 and 27-34.3.



Kevin D. Onizuk
Chairman, Board of Supervisors

ATTEST:


Bryan J. Hill
Clerk to the Board

VOTES

| | <u>AYE</u> | <u>NAY</u> | <u>ABSTAIN</u> |
|----------|------------|------------|----------------|
| MCLENNON | ✓ | — | — |
| SADLER | ✓ | — | — |
| HIPPLE | ✓ | — | — |
| LARSON | ✓ | — | — |
| ONIZUK | ✓ | — | — |

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of July, 2017.

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