

ADOPTED

OCT 08 2019

Board of Supervisors
James City County, VA

ORDINANCE NO. 9A-18

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 9, FIRE PROTECTION AND EMERGENCY SERVICES, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, SMOKE DETECTORS, SECTION 9-7, DEFINITIONS; AND SECTION 9-8, OWNER'S RESPONSIBILITIES IN RESIDENTIAL BUILDINGS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 9, Fire Protection and Emergency Services, is hereby amended and reordained by amending Article II, Smoke detectors, Section 9-7, Definitions; and Section 9-8, Owner's responsibilities in residential buildings.

Chapter 9. Fire Protection and Emergency Services

Article II. Smoke ~~Detectors~~ Alarms.

Sec. 9-7. Definitions.

As used in this article, the following words and terms shall have the meanings respectively ascribed:

Dwelling unit shall mean any single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Owner shall mean the owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendor in possession, assignee of rents, receiver, executor, trustee, or other person, firm or corporation in control of a building.

Smoke ~~detectors~~alarms shall mean any mechanical device powered by batteries or alternating current, capable of sensing visible or invisible particles of combustion and capable of sounding an audible alarm.

(Ord. No. 9A-3, 11-6-89; Ord. No. 9A-9, 12-10-96)

Sec. 9-8. Owner's responsibilities in residential buildings.

(a) ~~The owner shall install~~ *Smoke detectorsalarms shall be installed* in the following structures or buildings *if smoke alarms have not been installed in accordance with the Uniform Statewide Building Code (§ 36-97 et seq.):*

- (1) Any building containing one or more dwelling units;
- (2) Any hotel or motel regularly used, offered for, or intended to be used to provide overnight sleeping accommodations for one or more persons; and
- (3) Rooming houses regularly used, offered for, or intended to be used to provide overnight sleeping accommodations.

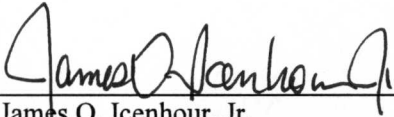
Smoke ~~detectors~~alarms installed pursuant to this section shall be installed in conformance with the provisions of the Uniform Statewide Building Code. Smoke ~~detectors~~alarms may be either battery-operated

or AC-powered units. *Such installation shall not require new or additional wiring and shall be maintained in accordance with the Statewide Fire Prevention Code and the Uniform Statewide Building Code. Nothing herein shall be construed to require the upgrading of any smoke alarms provided by the building code in effect at the time of the last renovation of such building, for which a building permit was required, or as otherwise provided in the Uniform Statewide Building Code.*

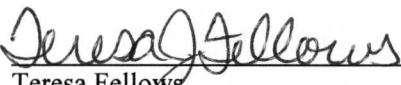
- (b) The owner of any unit which is rented or leased, ~~at the beginning of each tenancy and at least annually thereafter,~~ shall furnish the tenant with a certificate that all required smoke alarms are present, have been inspected *by the owner, his employee, or an independent contractor,* and are in good working order. A copy of ~~any~~ such certificate shall be available for inspection by the county building inspector, or his duly authorized representative.
- (c) Except for smoke ~~detectors~~ *alarms* located in ~~hallways, stairwells, and other~~ public or common areas of multifamily buildings, interim testing, repair, and maintenance of smoke ~~detectors~~ *alarms* in rented or leased units shall be the responsibility of the tenant *in accordance with Va. Code § 55.1-1227;* ~~however, the owner shall be obligated to service, repair or replace any malfunctioning smoke detectors within five days of receipt of written notice from the tenant that such smoke detector is in need of service, repair or replacement.~~
- (d) ~~Any building containing fewer than four dwelling units which was not in compliance with this section on July 1, 1984, shall be exempted from the requirements of this section until such time as that building or any dwelling unit therein is sold or rented to another person.~~

(Ord. No. 9A-3, 11-6-89; Ord. No. 9A-9, 12-10-96)

State law reference - Smoke alarms in certain buildings, Code of Va., § 15.2-922.


James O. Icenhour, Jr.
Chairman, Board of Supervisors

ATTEST:


Teresa Fellows
Deputy Clerk to the Board

VOTES	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	<input checked="" type="checkbox"/>	___	___
LARSON	<input checked="" type="checkbox"/>	___	___
SADLER	<input checked="" type="checkbox"/>	___	___
MCGLENNON	<input checked="" type="checkbox"/>	___	___
ICENHOUR	<input checked="" type="checkbox"/>	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 2019.

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