WEST VIRGINIA STATE FIRE COMMISSION ADMINISTRATIVE POLICY

SERIES:_____

REQUIREMENTS FOR FIRE DEPARTMENTS

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West Virginia State Fire Commission
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_____Chairman, State Fire Commission

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INDEX

STATEMENT OF PURPOSE 1

SECTION ONE - CLASSIFICATION OF WEST VIRGINIA FIRE DEPARTMENTS 2
- 1.01. Career Fire Departments 2
- 1.02. Career-Call Fire Departments 2
- 1.03. Combination Fire Departments 2
- 1.04. Contractual Fire Departments 3
- 1.05. Volunteer Fire Departments 3

SECTION TWO - FIRE DEPARTMENT ORGANIZATION 3
- 2.01. Organizational Documents 3
- 2.02. Financial Records 4
- 2.03. Membership Records 4

SECTION THREE - ADMINISTRATIVE PROCEDURES 4
- 3.01. General Fire Department Information 4

SECTION FOUR - MEMBERSHIP 5
- 4.01. Benefits 5
- 4.02. Classification of Members 5
  - A. Active Firefighting Members 5
  - B. Junior Members 5
  - C. Inactive Members 5
  - D. Honorary Members 5
  - E. Support Members 6
- 4.03. Fire Officers 6

SECTION FIVE - CERTIFICATION AND TRAINING 6
- 5.01. Structural 6
  - A. Firefighter 6
  - B. Fire Officer 6
  - C. Driver / Operator 6
- 5.02. Aircraft/Crash/Rescue 7
  - A. Firefighter 7

B. Fire Line Officers 7

5.03. Staff Officers.....7
A. Fire Inspector 7
B. Fire Investigator 7
C. Fire Prevention Education Officer 7
D. Fire Instructor 7
5.04. Self Contained Breathing Apparatus (SCBA) Repair Personnel.....8
5.05. Hazardous Materials 8

SECTION SIX - OPERATIONAL REQUIREMENTS 9
6.01. In-House Documents 9
6.02. West Virginia Fire Incident Reporting System 9
6.03. Communications.....9
6.04. First Response Designation.....9
6.05. Emergency Response 9
6.06. Water Flow 9
6.07. Rating for Fire Insurance Purposes 9

SECTION SEVEN - APPARATUS AND EQUIPMENT 10
7.01. Vehicle Maintenance 10
7.02. Housing 10
7.03. National Apparatus Standards.....10
7.04. Testing.....10
7.05. Acquisition and Replacement of Apparatus 10

SECTION EIGHT - MUTUAL AID 10

SECTION NINE - MISCELLANEOUS 11

SECTION TEN- COMPLIANCE.....12

STATEMENT OF PURPOSE

These requirements are intended to insure adequate provision of fire protection services to the citizens of West Virginia; to meet the needs and goals set out in W.Va. Code 29-3-2; and to provide clear direction to Fire Departments in West Virginia.

This document provides the minimum requirements fire departments shall meet for the purpose of organizing their respective operations, personnel, equipment and services.

This document reflects what shall be considered minimal requirements for basic fire protection services. Fire departments should not only strive to meet these requirements, but also endeavor to surpass them.

SECTION ONE - CLASSIFICATION OF WEST VIRGINIA FIRE DEPARTMENTS

All Fire Departments will be classified. In the event a fire department appears to meet the definition of more than one (1) classification, the State Fire Commission may investigate and determine the appropriate classification for the Fire Department.

1.01. Career Fire Departments (paid)

A "Career" Fire Department is an organization that provides fire protection services to a specific geographic area, and is under the direction of the authority having jurisdiction. "Authority Having Jurisdiction" may be a municipal, county, state or federal level of government.

Department personnel are employed on a full-time basis and receive regular compensation. The employees of this organization may be covered under a Civil Service System. Career fire departments are defined in West Virginia State Code, Chapter 8, Article 15, Section 9 as "Paid Fire Departments".

1.03. Combination Fire Departments (part-paid)

A "Combination" Fire Department is an organization that provides fire protection services to a specific geographical area under the direction of the authority having jurisdiction. "Authority Having Jurisdiction" may be a municipal, county, state or federal level of government.

A Combination Fire Department is a department where one or more of the active firefighters are volunteer, but not all active firefighters are volunteer. This organization usually has a limited number of personnel who are paid on a full or part-time basis. This may only be the Chief of the Department, and/or paid drivers for the apparatus. The majority of the personnel or firefighters are members who normally donate their time to the organization with no expectation of compensation.

1.05. Volunteer Fire Departments

A "Volunteer" Fire Department is an organization, which provides fire protection services to a specific geographical area under the Authority Having Jurisdiction. The "Authority Having Jurisdiction" may be a municipal, county, state or federal level of government.

Members donate their time with no expectation of compensation; however, members may receive nominal benefits and/or reimbursement for expenses.

SECTION TWO - FIRE DEPARTMENT ORGANIZATION

The National Fire Protection Association's National Fire Codes should be used as minimum requirements relating to the organization, management, and operation of a fire department, its apparatus, equipment, personnel and other related activities.

When a problem occurs which has not been addressed in the National Fire Protection Association's National Fire Codes, such problems shall be referred to the West Virginia State Fire Commission.

The State Fire Commission shall be considered the "Authority Having Jurisdiction" with regard to the following (29-3-9. i):

1) Fire prevention and control;
2) Uniform standards of performance, equipment, and training;
3) Certification;
4) Training and education in fire service; and
5) The creation, operation, and responsibilities of fire departments throughout the state.

2.01. Organizational Documents

Fire Departments shall develop and maintain the following documents within their files for review by the State Fire Commission or any authorized governmental entity:

A. Constitution (articles of incorporation/municipal charter)

B. By-laws (organizational structure, responsibilities, and overall operations)

C. Rules and Regulations (day-to-day operational guidelines)

2.02. Financial Records

Fire Departments shall maintain a financial accounting record of all receipts and disbursements. Such records shall be maintained for a period prescribed by regulations of the Internal Revenue Service, WV State Tax Department, County Government, Municipal Ordinance, or any other applicable law, rule, or regulation.

2.03. Membership Records

Fire departments shall maintain a comprehensive record of each member's participation in the activities of the department. Such records should consist of, but not be limited to:

A. response to emergencies;
B. participation in training and maintenance of training records;
C. attendance at business meetings;
D. records of and participation in administrative functions;
E. response and operation of any EMS-related operations of the department;
F. other activities that enhance the operational capabilities of the fire department, and
G. members' emergency medical information.

SECTION THREE - ADMINISTRATIVE PROCEDURES

3.01. General Fire Department Information

Fire Departments shall provide an annual listing of their members and their classifications in accordance with Section One of these Requirements, to the State Fire Commission by June 30th of each year.

Changes in any of the following shall be filed with the Office of the State Fire Commission within 30 days: Chief, Line Officers, Fire Department Address, and Fire Department telephone number(s) (business and emergency).

Fire Departments shall respond as directed to requests and surveys requested by the State Fire Commission or State Fire Marshal.

SECTION FOUR - MEMBERSHIP

4.01. Benefits

Each department should provide insurance coverage for all members under the provisions of Worker's Compensation Coverage (WV Code §23-2-1).

4.02. Classification of Members

For the purpose of administering these Requirements, Fire Department Membership shall be classified according to the following:

A. Active Firefighting Members: "Active" firefighting members participate in all operational functions associated with providing fire protection service. Active members shall meet the following criteria:

   (1) Participation in a minimum of twenty-five percent (25%) of the Department's fire suppression activities.

   (2) If during any 12 month period, average falls below twenty-five percent (25%), the individual shall be placed on the "Inactive"classification. Each fire department shall determine how long an individual may remain on the "Inactive" classification List.

B. Junior Members (State Law): "Junior" members are those individuals who are not less than 16 years of age but less than 18 years of age. Juniors shall not participate in any activity of the department considered to be hazardous. Fire Department Officials shall review the State Law and Attorney General's opinion of 1-17-90, regarding Junior Firefighter participation in the fire department.

   WV Code §21-6-2 requires all "Junior" firefighters to complete WVU Level I, or its equivalent, and have the written consent of parent(s) or guardian(s).

C. Inactive Members

   "Inactive" members are those members whose active participation falls below the WVSFC or Departmental, minimum requirements for classification as an "Active"

member.

D. Honorary Members

"Honorary Membership" is a special recognition bestowed upon an individual for reasons determined by the membership of the department. This individual should not participate on a regular basis in the day-to-day operations of the department.

E. Support Members

"Support Members" are individuals who provide ancillary assistance to fire departments and may include search and rescue team members, dive team members, or any other type of special, non-firefighting-related support to the department in support of its scope of operations (such as administrative members who do not respond to fires).

4.03. Fire Officers

"Active" firefighting members only, should be considered for positions as fire ground or fire command officers.

SECTION FIVE - CERTIFICATION AND TRAINING

Fire Department personnel shall meet the following minimum NFPA, or State Fire Commission approved, equivalent certification levels:

5.01. Structural

A. Firefighter:	1001 or WVSFC	Level I	100% Active Firefighting Personnel
	1001 or WVSFC	Level II	50% Active Firefighting Personnel
B. Fire Officer:	1021 or WVSFC	Level I	All Company Level Officers
	1021 or WVSFC	Level II	All Chief Level Officers

A 50% minimum of all active firefighting personnel shall be certified at Level II within 2 years of

implementation of these requirements.

All fire officers shall be certified at Level I within 2 years of implementation of these requirements. All Chief officers shall be certified at Level II within 4 years of implementation of these requirements.

All previous firefighter and fire officer training will be recognized by the State Fire Commission to the level for which it is equivalent. The State Fire Commission will issue certificates of equivalency for purposes of compliance to these requirements only.

Instructor certification is required by NFPA for Pro-Board certification at the Fire Officer I and II levels. Instructor certification is **not** required for WVSFC Fire Officer certification.

C. Driver / Operator

Operators of fire department apparatus shall meet the requirements of the appropriate section of NFPA 1002, or WVSFC approved equivalent, for the type of apparatus operated. The purpose of 1002 is to specify the minimum job performance requirements for service as a fire department emergency vehicle driver who is also a pump operator, aerial operator, tiller operator, wildland apparatus operator, aircraft rescue and fire-fighting apparatus operator, and/or mobile water supply apparatus operator.

5.02. Aircraft/Crash/Rescue

Departments where aircraft/crash/rescue *(Aircraft Rescue and Fire Fighting)* is a primary function should meet the following minimum levels of personnel certification.

A. Firefighter	1003		All Active Firefighting Personnel
B. Fire Line Officers	1021	Levels I and II	All Company Level Officers
	1021	Level III	All Chief Level Officers
	1021	Level IV	Chief of Department

5.03. Staff Officers

Fire Departments that have personnel designated as fire inspector, fire investigator, and fire prevention education officer shall meet the following minimum certification standards.

A. Fire Inspector

NFPA 1031	Level I	Trainee (less than one (1) year experience)
NFPA 1031	Level II	All Inspectors
NFPA 1031	Level III	Chief Inspector

B. Fire Investigator

All fire department personnel who perform fire investigative duties shall meet the requirements of NFPA 1033.

C. Fire Prevention Education Officer *(Public Fire and Life Safety Educator)*

NFPA 1035	Level I	Trainee (less than one (1) year experience)
NFPA 1035	Level II	All Public Education Personnel
NFPA 1035	Level III	Public Education Section Chief

D. Fire Instructor

NFPA 1041	Level I	Members who wish to instruct Firefighter Levels I, II, and other prepared fire service lesson plans.
NFPA 1041	Level II	Members, usually Departmental Training Officers, who manage instructional resources, staff, facilities and records, and reports.
NFPA 1041	Level III	Members who manage instructional resources, staff, facilities and records and who develop recommendations for policies to support the training program, given agency policies and procedures and the training program goals, so that the training and agency goals are achieved. Members may supervise instructors and support staff to conduct a fire school or training

session. Additionally, this Level is appropriate for members who may be responsible for the administration and management of a fire service training program. (i.e., a county or state training officer)

5.04. Self Contained Breathing Apparatus (SCBA) Repair Personnel

At least one (1) member in the fire department shall be certified as a repairperson for SCBA or departments may show evidence of an agreement or contract with a qualified repairman or firm/shop to provide such services.

5.05. Hazardous Materials

Fire department members and officers shall be trained in NFPA Standard No. 472, Professional Competence of Responders to Hazardous Materials Incidents. Departments who respond to hazardous materials incidents must minimally meet U.S. Environmental Protection Agency and U.S. Occupational Safety and Health Administration requirements for response at the operations level.

Additional training should be at the discretion of the fire chief based on possible involvement with hazardous materials incidents, unless otherwise directed by federal or state statutes, rules and/or regulations.

SECTION SIX - OPERATIONAL REQUIREMENTS

6.01. In-House Documents

Fire Departments shall operate in accordance with their Constitution, Bylaws, Rules and/or Regulations.

6.02. West Virginia Fire Incident Reporting System

State Law (WV Code §8-15-3a) and the State Fire Code requires every fire department to

report fire losses to the State Fire Marshal's Office. Fire Departments shall report to the State Fire Marshal monthly, all fire and non-fire incidents through the West Virginia Fire Incident Reporting System.

6.03. Communications

Each fire department shall make provisions for the receipt of alarms and the notification of members of all emergency calls received.

6.04. First Response Designation

In cooperation with bordering department(s), each fire department or county fire association shall prepare a map outlining their "first response" area and submit one (1) copy to the State Fire Commission.

6.05. Emergency Response

Response to emergencies should meet the following criteria:

A. Response of fire department equipment from the station within seven (7) minutes of the receipt of the alarm.

B. Fire equipment should arrive on scene in first due area within a reasonable time.

6.06. Water Flow

The Fire Department shall be capable of delivering a minimum water flow of two hundred fifty (250) gallons per minute within three (3) minutes of arrival on scene and maintain that flow for a period of five (5) continuous minutes. For additional information on water supply, each department should review NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting.

6.07. Rating for Fire Insurance Purposes

Fire Departments, within their first response areas, shall achieve at least the minimal classification for a municipality or a rural fire protection district as determined by the Insurance Service

Office.

SECTION SEVEN - APPARATUS AND EQUIPMENT

7.01. Vehicle Maintenance

Each department shall maintain documentation of routine inspections and maintenance for all apparatus and equipment, including emergency repairs. These records shall be maintained by the department and made available, if requested, to an appropriate governmental entity.

7.02. Housing

Housing for apparatus and equipment shall be of adequate size, heated, and lighted adequately. Each housing facility shall meet the minimum requirements of the State Fire Code.

7.03. National Apparatus Standards

Apparatus and equipment shall meet the National Fire Protection Association (NFPA), National Institute of Occupational Safety and Health (NIOSH), and the Occupational Safety and Health Administration (OSHA) standards, as appropriate.

7.04. Testing

All fire pumps and hose shall be tested annually for compliance with nationally recognized standards. Records shall be maintained of such tests.

7.05. Acquisition and Replacement of Apparatus

Each department should prepare a long-range program for the purchase and replacement of apparatus and equipment.

SECTION EIGHT - MUTUAL AID

Fire Departments shall develop mutual aid agreements with neighboring fire departments. Each fire department shall forward one (1) copy of such agreement and any subsequent changes to the State Fire Commission as soon as agreements are finalized.

If a countywide agreement exists, one (1) plan shall be submitted by the County Organization.

SECTION NINE - MISCELLANEOUS

Each fire department should:

- subscribe to and make available to its members at least one (1) nationally recognized professional/technical fire trade publication.

- be an active member in their respective county fire service organization.

- be an active member in at least one of the state fire service organizations.

- be a member of one of the national fire service organizations.

SECTION 10- COMPLIANCE

10.01 These requirements are enforced by the West Virginia State Fire Commission, through the West Virginia State Fire Marshal.

10.02 Compliance with these requirements will be determined by a comprehensive evaluation of a fire department's overall performance using a scoring system. The scoring system will give partial credit for different levels of performance. The final scoring of a fire department will determine the level of compliance. Less than acceptable performance will result in corrective action being taken by the Fire Commission.