

**ORDINANCE ENACTING SECTION 5-2-41  
OF THE HARRISONBURG CITY CODE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HARRISONBURG,  
VIRGINIA:**

**That Section 5-2-41 be enacted as follows:**

Sec. 5-2-41. – Powers and duties of fire marshal; assistants.

(a) In addition to any other duties prescribed by law, the fire marshal and his assistants shall 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, in accordance with the provisions of § 27-34.2 of the Code of Virginia, as amended.

(b) The fire marshal and his assistants shall have the same police powers as a sheriff, police officer or law enforcement officer, and shall have responsibility for the investigation and prosecution of offenses involving hazardous materials, fires, fire bombings, bombings, attempts or threats to commit such offenses, false alarms relating to such offenses, possession and manufacture of explosive devices, substances and fire bombs, in accordance with the provisions of § 27-34.2:1 of the Code of Virginia, as amended.

(c) The fire marshal shall have the right to enter upon any property from which a release of any hazardous material, hazardous waste or regulated substance, as defined in § 10.1-1400 or § 62.1-44.34:8 of the Code of Virginia, as amended, has occurred or is reasonably suspected to have occurred, and which has entered into the ground water, surface water or soils of the city, accordance with the provisions of § 27-37.1 of the Code of Virginia, as amended.

This ordinance shall be effective the \_\_\_\_\_ day of \_\_\_\_\_, 2017. Adopted and approved this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
MAYOR

ATTESTE:

\_\_\_\_\_  
DEPUTY CITY CLERK