

COUNTY ORDINANCE NO. 09-18

A BILL ENTITLED

AN ACT CONCERNING the Department of Emergency Services;

FOR THE PURPOSE of establishing the Office of the Fire Marshal in Queen Anne's County as a part of the Department of Emergency Services; providing that the said Department shall be responsible for the function of the Office of the Fire Marshal; providing authority for the Office of Fire Marshal to investigate the origin, cause and circumstances of fire, explosions and hazardous materials emergencies in Queen Anne's County; expanding the membership of the Emergency Services Advisory Council; and generally revising the provisions of Article IV of Chapter 21 of the Code of Public Local Laws of Queen Anne's County.

BY AMENDING Sections 21-11 and 21-12 B.2. and 3. of the Code of Public Local Laws of Queen Anne's County and enacting a new Section 21-16 of the Code of Public Local Laws.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that Section 12-11 and 21-12 B.2. and 3. of the Code of Public Local Laws be amended to read as follows:

21-11 Department authorized

The Department of Emergency Services shall consist of persons appointed by the County Commissioners as may be necessary. The appointments of such persons will be made solely on the basis of their qualifications. The Department shall be responsible for the administration, coordination, and functioning of emergency related services, emergency medical services, emergency management, communication, the Office of the Fire Marshal and other emergency services that may be assigned or be required by law, and the coordination of fire prevention and suppression and rescue services.

21-12 Emergency Services Advisory Council Authorized

. . .

B. Membership

. . .

2. The County will appoint fourteen (14) voting members to the Council. Voting membership will include representatives as follows: [Amended 1-3-2006 by Ord. No. 05-29]

- (a) Fire and EMS Commission (two),
- (b) Volunteer EMS provider (one),
- (c) Volunteer Ambulance Committee (one),
- (d) Volunteer Firefighter (one),
- (e) Queen Anne's County Department of Health (one),
- (f) Queen Anne's County Sheriff's Department (one),
- (g) Maryland State Police (one),
- (h) Centreville Police Department (one),
- (i) EMS System Operating Medical Director (one),
- (j) Consumer (four).

3. Non Voting membership shall include a member of each of the following:

- (a) Queen Anne's County Department of Emergency Services - EMS Division,
- (b) Queen Anne's County Department of Emergency Services - Communications Division,
- (c) Queen Anne's County Department of Emergency Services - Emergency Management Division, and
- (d) Queen Anne's County Department of Emergency Services - Office of the Fire Marshal

## SECTION II

BE IT FURTHER ENACTED that a new Section 21-16 of the Code of Public Local Laws be adopted to read as follows:

### 21-16 Fire Marshal

The Department is responsible for the functions of the Office of the Fire Marshal as prescribe Code of Maryland Regulations (COMAR) Title 6; and in accordance with the Memorandum of Understanding between the Office of the State Fire Marshal and Queen Anne's County Department of Emergency Services - Office of the Fire Marshal Regarding the Roles and Responsibilities of Each Agency in Carrying Out their Missions in Queen Anne's County.

The Queen Anne's County Office of the Fire Marshal, has the authority to investigate the origin, cause, and circumstances of every fire, explosion, or hazardous materials emergency in Queen Anne's County. When the fire investigator has reason to believe

that a fire, explosion, or hazardous materials incident may be the result of a violation of any law, the investigator may immediately take custody of and safeguard all physical evidence in connection with the incident.

SECTION II

BE IT FURTHER ENACTED that this Ordinance shall take effect on the forty-sixth (46<sup>th</sup>) day following its enactment.

INTRODUCED BY: Commissioner Fordonski

DATE: August 25, 2009

PUBLIC HEARING HELD: September 22, 2009 @ 7:40 p.m.

VOTE: 3 Yea 2 Nay Commissioner Ransom & Gunther opposed

DATE OF ADOPTION: September 22, 2009

EFFECTIVE DATE: November 7, 2009