

CAMPBELL COUNTY CODE OF 1988

CHAPTER 17

PERSONNEL

For state law as to duty of County to establish grievance procedure for employees, see VA. CODE ANN. §15.2-1506 (Repl. Vol. 2018). As to pensions and retirement systems, see VA. CODE ANN., Title 51.1 (Repl. Vol. 2013 and Cum. Supp. 2018).

As to planning commission, see §§2-5 to 2-10 of this Code. As to industrial development authority, see §§2-11 to 2-19. As to animal wardens, see §4-8. As to Building Inspection Department, see §5-2. As to Building Code Board of Appeals, see §5-5.

[§ 17-1.](#)

Participants in Line of Duty Act.

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Sec. 17-1. Participants in Line of Duty Act.

For the purposes of participating in the benefits provided in VA. CODE ANN. §§9.1-400 through 9.1-407 (Repl. Vol. 2012 and Cum. Supp. 2018), it is hereby recognized that jail officers, the sheriff and all deputy sheriffs of the County, and any such other officer named in VA. CODE ANN. §9.1-400 (Cum. Supp. 2018), and the following enumerated fire companies and emergency medical services agencies of the County are hereby declared to be an integral part of the official safety program of the County:

CAMPBELL COUNTY FIRE DEPARTMENTS

Altavista Volunteer Fire Department
Brookneal Volunteer Fire Department
Brookville-Timberlake Volunteer Fire Department
Concord Volunteer Fire Department
Evington Volunteer Fire Department
Gladys Volunteer Fire Department
Lyn-Dan Heights Volunteer Fire Department
Rustburg Volunteer Fire Department
Campbell County Department of Public Safety

CAMPBELL COUNTY RESCUE SQUADS

Altavista Life Saving Crew
Campbell County Rescue Squad
Citizens Emergency Crew
Concord Rescue Squad
Campbell County Department of Public Safety

In addition, junior members of volunteer fire departments and emergency medical services agencies as designated by their respective departments or agencies shall be included in the benefits provided in VA. CODE ANN. §§9.1-400 through 9.1-407 (Repl. Vol. 2012 and Cum. Supp. 2018).

For state law authority, see VA. CODE ANN. §15.2-955 (Repl. Vol. 2018) and VA. CODE ANN. §9.1-400 (Cum. Supp. 2018).

Cross reference: For state law requiring approval by local governing body prior to establishment within County of any volunteer emergency medical services agency or other organization providing similar type services, or volunteer fire-fighting organization, and for requirement that locality seek to ensure that emergency medical services are maintained throughout the entire locality, see VA. CODE ANN. §15.2-955 (Repl. Vol. 2018). For adoption of ordinance by Board of Supervisors of Campbell County recognizing certain law-enforcement officers, members of volunteer fire departments, and members of volunteer emergency medical services agencies as integral parts of the County safety program, see Board of Supervisors Minute Book 9, page 304 (November 20, 1972).

Editor's note: The Evington Volunteer Fire Department, doing business as the Evington Volunteer Fire and Rescue Service, Inc., was dissolved by duly adopted resolution of the Campbell County Board of Supervisors February 19, 1991, at which time the County assumed control of its fire-fighting equipment. A new organization, the Evington Volunteer Fire Department, was granted a state charter and was approved for operation beginning July 1, 1992, by duly adopted resolution of the Board of Supervisors in accordance with former VA. CODE ANN. §15.1-26.01, then in effect; substantially similar provisions, codified as VA. CODE ANN. §15.2-955, became effective on December 1, 1997.

[THE 1982 AMENDMENT corrected the names of the Rescue Squads in the County.]

[THE FEBRUARY 1991 AMENDMENT deleted "Evington Volunteer Fire Department" from the list of recognized fire departments.]

[THE SECOND 1991 AMENDMENT inserted "jail officers" in the first paragraph.]

[THE 1992 AMENDMENT inserted "Evington Volunteer Fire Department" among the list of approved fire departments.]

[THE MARCH 17, 1997 AMENDMENT changed the state code citations of the Line of Duty Act to reflect the repeal of such provisions in Title 15.1 and the reenactment of substantially similar provisions in Title 2.1.]

[THE FEBRUARY 2, 1998 AMENDMENT inserted "and any such other officer named in VA. CODE ANN. §2.1-133.6 (Cum. Supp. 1997) in the first paragraph.]

[THE JUNE 17, 2002 AMENDMENT changed the state code citations of the Line of Duty Act to reflect the repeal of such provisions in Title 2.1 and the reenactment of substantially similar provisions in Title 9.1.]

[THE DECEMBER 4, 2006 AMENDMENT added "Campbell County Department of Public Safety" at the end of the lists of County volunteer fire departments and of County volunteer rescue squads recognized as integral parts of the official safety program of the County, and updated state code citations.]

[THE DECEMBER 1, 2015 AMENDMENT substituted "emergency medical services agency/agencies" for "rescue squad(s)" throughout.]

[THE DECEMBER 5, 2017 AMENDMENT deleted Brookneal Rescue Squad and Rustburg Rescue Squad from the list after their dissolutions.]

Sec. 17-2. Certification of active members of volunteer fire departments and emergency medical services agencies; records.

(a) The secretary of each volunteer fire department and volunteer emergency medical services agency operating within Campbell County shall maintain the names of all active members

of each department or agency on a list and shall file the list with the office of the Clerk of the Circuit Court of Campbell County on January 1 of each year.

(b) It shall also be the responsibility of the secretary of such companies or the secretary's designee to keep the list of such members up to date and to file the updated list with the clerk in a timely manner. The Clerk of the Circuit Court of Campbell County shall not be responsible to obtain the list or an updated list from the secretary of each company or agency if the list is not filed with the Clerk.

For state law basis, see VA. CODE ANN. §27-42 (Repl. Vol. 2016) and VA. CODE ANN. §§9.1-400 et seq. (Repl. Vol. 2012 and Cum. Supp. 2018).

[THE 1990 ACT adopted this section.]

[THE DECEMBER 4, 2012 AMENDMENT deleted “or other duly authorized agent” from (a); substituted “maintain” for “certify” in (a); added “on a list and shall file the list with the office of” before “the Clerk” in (a); added the first sentence to (b); substituted “not be responsible to obtain the list or an updated list from the secretary of each company or squad if the list is not filed with the Clerk” for “keep a complete and accurate record of all names so certified in a book provided by the Board of Supervisors for that purpose” in (b); and deleted (c).]

[THE DECEMBER 2, 2014 AMENDMENT inserted “or the secretary’s designee” in the first sentence of (b).]

[THE DECEMBER 1, 2015 AMENDMENT substituted “emergency medical services agency/agencies” for “rescue squad(s)” throughout.]

Sec. 17-3. Participation of certain minors in volunteer fire company activities; prerequisites to participation.

(a) Pursuant to the authority of VA. CODE ANN. §40.1-79.1 (Cum. Supp. 2018), the County of Campbell hereby authorizes any person residing anywhere in the Commonwealth, aged sixteen (16) years or older, who is a member of a volunteer fire company within the County with parental or guardian approval, (i) to seek certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the State Department of Fire Programs; and (ii) to work with or participate in activities of such volunteer fire company, provided such person has attained certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the State Department of Fire Programs. Nothing in this section shall prohibit participation by such persons in nonhazardous activities of a volunteer fire company, including fire prevention efforts and training courses approved by the Virginia Fire Services Board that are designated to provide situational awareness. A minor who achieved certification under National Fire Protection Association 1001, level one, firefighter standards, as

administered by the State Department of Fire Programs, on or before January 1, 2006, between the ages of 15 and 16, shall not be required to repeat the certification after his sixteenth birthday.

(b) Any trainer or instructor of such persons mentioned in subsection (a) above and any member of a paid or volunteer fire company who supervises any such persons shall be exempt from the provisions of VA. CODE ANN. §40.1-103 (Cum. Supp. 2018) provided that the provisions of VA. CODE ANN. §40.1-100 have not been violated, when engaged in activities of a volunteer fire company, and provided that the volunteer fire company or the Board of Supervisors for the County of Campbell has purchased insurance which provides coverage for injuries to or the death of such persons in their performance of activities under this section.

For state law authority, see VA. CODE ANN. §40.1-79.1 (Cum. Supp. 2018). See also VA. CODE ANN. §27-14 (Repl. Vol. 2016).

Editor's note – A child participating in the activities of a volunteer rescue squad is exempted generally from state child labor laws by VA. CODE ANN. §40.1-79.01 A. 5. (Cum. Supp. 2018), but remains subject to the provisions of VA. CODE ANN. §§40.1-100 A (Repl. Vol. 2013), 40.1-100.1 (Repl. Vol. 2013), 40.1-100.2 (Repl. Vol. 2013), and 40.1-103 (Cum. Supp. 2018). VA. CODE ANN. §40.1-100 D.3. provides that children aged 16 years or older may participate in all activities of a volunteer fire company *but limits such participation* by providing that any such child shall not enter a burning structure or a structure which contains burning materials prior to obtaining certification under National Fire Protection Association 1001, level one, firefighter standards, pursuant to the provisions of clause (i) of subsection A of VA. CODE ANN. §40.1-79.1, except where entry into a structure that contains burning materials is during training necessary to attain such certification.

[THE JULY 7, 2003 ACT adopted this section.]

[THE JUNE 5, 2006 AMENDMENT, in (a), inserted “any person residing anywhere in the Commonwealth, aged” preceding “sixteen,” deleted “of age” preceding “or older,” inserted “who is a member of a volunteer fire company within the County,” inserted clause (i) and its provisions, inserted the clause (ii) designation, and substituted “such” for “a”; and in (b), inserted “provided that the provisions of VA. CODE ANN. §40.1-100 have not been violated,” inserted “and” preceding “provided that the volunteer fire company or Board,” and substituted “persons” for “person” preceding “in their performance.”]

[THE DECEMBER 4, 2006 AMENDMENT added the last sentence in subsection (a).]

[THE DECEMBER 4, 2018 AMENDMENT substituted “participate in activities” for “participate fully in all activities” in (a)(ii) and added the second sentence in (a).

Sec. 17-4 to Sec.17-9. Reserved.

Sec. 17-10. State and national criminal history records check of certain applicants for employment, new employees, and volunteers with the County of Campbell.

(a) This ordinance is enacted pursuant to VA. CODE ANN. §15.2-1503.1 (Repl. Vol. 2018) and in accordance with VA. CODE ANN. §19.2-389 (Cum. Supp. 2018) to regulate the employment of persons seeking to engage or newly engaged in employment with the County of Campbell, Virginia and to require certain applicants, new employees, and volunteers to submit to fingerprinting for the purpose of obtaining the person's state and national criminal history record.

(b) On and after the effective date of this ordinance, an applicant or new employee seeking to engage in any type of employment with the County of Campbell, or a volunteer seeking to engage in certain volunteer activities involving the public safety, shall submit, if required, two (2) sets of his/her fingerprints taken by the Campbell County Sheriff's Office, along with personal descriptive information, to the Sheriff of Campbell County, along with appropriate fees. Such applicant, new employee, or volunteer may be required to pay the cost of the fingerprinting or a criminal records check or both.

(c) Upon receipt of the fingerprints and the appropriate fees, the Sheriff of Campbell County will transmit both sets of fingerprints, along with the subject's personal descriptive information, and appropriate fees (unless a satisfactory billing arrangement has been entered into between the County of Campbell and the Virginia Department of State Police/ Central Criminal Records Exchange) via the Virginia Department of State Police to the Central Criminal Records Exchange for the purpose of obtaining criminal history record information regarding such applicant, new employee, or volunteer. The Central Criminal Records Exchange will compare the subject's fingerprints against its criminal file and, (1) if no disqualifying conduct is found therein, or (2) if necessary, will submit the fingerprints to the Federal Bureau of Investigation for a comparison with nationwide records. The results of the Federal Bureau of Investigation check will be returned to the Central Criminal Records Exchange, which will disseminate the state and national results to the Sheriff of Campbell County.

(d) The Sheriff of Campbell County shall disseminate the results of the criminal background check to the County Administrator of the County of Campbell or his designee for a fitness determination.

(e) In rendering a fitness determination, the County of Campbell will decide whether the record subject has been convicted of, or is under pending indictment for, (1) a crime which bears upon his/her ability or fitness to serve in the desired capacity; (2) any felony or a misdemeanor which involved force or threat of force, controlled substances, or was a sex-related offense; or (3) other disqualifying conduct or pattern of behavior that would render him/her unable or unlikely to serve effectively in the desired position.

(f) If an applicant or new employee is denied employment because of the information appearing in his/her criminal history record, the County of Campbell shall notify the applicant or new employee that information obtained from the Central Criminal Records Exchange contributed to such denial.

(g) The information obtained under the ordinance shall not be disseminated except as provided for in VA. CODE ANN. §15.2-1503.1 (Repl. Vol. 2018).

(h) A record subject may request and receive a copy of his/her criminal history record information from the Campbell County Sheriff's Office. Should the record subject seek to amend or correct his/her record, he/she must contact the Virginia Department of State Police/Central Criminal Records Exchange for a Virginia state record or the Federal Bureau of Investigation for records from other jurisdictions maintained in its file.

For state law authority, see VA. CODE ANN. §15.2-1503.1 (Repl. Vol. 2018) and VA. CODE ANN. §19.2-389 (Cum. Supp. 2018).

[THE DECEMBER 1, 2003 ACT adopted this section.]