AID TO LOCALITIES PROGRAM

Grant awards to localities through the Fire Programs Fund

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and the
Virginia Fire Services Board
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1. PURPOSE and AUTHORITY

This policy document describes the practices by which the Virginia Department of Fire Programs (VDFP or the Agency) executes the administration and expenditure of allotments from the Fire Programs Fund (Fund) established in *Code of Virginia* (the Code) § 38.2-401. The Fund is derived from an annual assessment against all licensed insurance companies doing business in the Commonwealth writing a Code-defined type of insurance. The Fund is used to provide an annual population-based allocation to qualifying jurisdictions within the Commonwealth collected by the State Corporation Commission. These funds are transferred during June. As provided in the Code and described in this Policy, the allocation may only be used for fire service purposes and may not supplant or replace locally appropriated funds.

2. DEFINITION OF TERMS

"Aid to Localities (ATL)" means the annual allocation to jurisdictions in the Commonwealth authorized by *Code of Virginia* § 38.2-401.

"Annual Report" means the document that jurisdictions are required to submit to VDFP which reports on the use of the funds allocated to the jurisdiction for the previous year. Jurisdictions also provide one completed Fire Programs Fund Disbursement Agreement forms in accordance with Code *of Virginia* § 38.2-401.B.

"Eligible Jurisdiction" or **"locality"** means each independent city, county, and town incorporated within a county, as listed by the Secretary of the Commonwealth in the Annual Report.

"Eligible Use of ATL Funds" means use of ATL Funds as described in the *Code of Virginia* § 38.2-401 and clarified in this Policy.

- ATL Funds allocated to the jurisdictions shall be used solely for the purposes of;
  - Training volunteer or career firefighting personnel in each of the receiving localities.
  - Funding fire prevention and public safety education programs.
  - Constructing, improving and expanding regional or local fire service training facilities.
  - Purchasing emergency medical care and equipment for fire personnel.
  - Payment of personnel costs related to fire and medical training for fire personnel; or
  - For purchasing personal protective equipment, vehicles, equipment and supplies for use in the receiving locality specifically for fire service purposes.
  - Diesel exhaust removal systems, decontamination equipment, and commercial extractors, that are designed to reduce the incidence of cancer among firefighters.

ATL Funds allocated to the jurisdictions shall **not be** used directly or indirectly to supplant or replace any other funds appropriated by the counties, cities and towns for fire service operations.

"Fire company" means a volunteer firefighting or firefighter support organization organized pursuant to § 27-8 in any county, city, or town of the Commonwealth for the purpose of extinguishing fires.

"Fire department" means a firefighting organization established as a department of government of any county, city, or town pursuant to § 27-6.1.

"Fiscal Period" means the Commonwealth's fiscal period which begins on July 1st and runs through June 30th of the next calendar year, *e.g.*, July 1, 2022, through June 30, 2023 is FY23.

"Misappropriation of Funds" means the use of ATL funds for expenses identified as ineligible or payments to non-compliant fire department/companies.

"NERIS" means the National Emergency Response Information System

"Reporting Period" means the 12-month period that is documented in the jurisdiction's annual report.

3. PRECEDENCE OF LAW & DISCLAIMER

Nothing contained within this document shall be construed to supersede the *Code of Virginia*. In the event of a conflict, the *Code of Virginia* shall supersede the conflicting provision of this Policy document.

4. REPORTING OF EMERGENCY INCIDENTS

1. Reporting by Localities: All localities shall ensure that fire departments in their jurisdiction, which provide emergency services and receive ATL funding from the jurisdiction, report emergency incidents through the National Emergency Response Information System (NERIS) while sharing such emergency incident data with the Department of Fire Programs to remain eligible for ATL funds. On a bi-annual basis, VDFP will issue a compliance report indicating, for every locality, which of the departments under that locality are and are not reporting emergency incidents to NERIS. A department that is listed as non-compliant in the compliance report shall not be eligible to receive ATL funding from the state or a locality for the subsequent two fund distributions (see chart below). If a locality maliciously provides funding to a non-compliant department, that locality shall not be eligible for ATL for the remainder of the current fiscal year. A locality may continue to receive ATL funds if a department under the locality is non-compliant, so long as the locality does not maliciously fund a non-compliant department. A locality may resume providing funding to a non-compliant department once the department/company is no longer listed as non-complaint in the Agency's Compliance Report. All forfeited funds shall be redistributed into the Fire Programs Fund as prescribed in § 38.2-401.

   Example: If a department is listed as non-compliant in the June Compliance Report, they are not eligible for ATL funding during the September and December fund distributions.

Compliance Report Month	ATL Distribution Month Effected
June Compliance Report	September
	December
December Compliance Report	March
	June

2. Review by the Department of Fire Programs: The Department of Fire Programs shall implement a policy that outlines the roles and responsibilities of the agency in reviewing fire data and administering ATL. The agency shall annually produce an initial report of fire departments not in compliance with this policy by June 30th each fiscal year and contact localities regarding their compliance. The agency shall annually produce a second report, by December 31st, that lists all fire departments/companies in Virginia that were not compliant with the above requirements. These lists shall be provided to the Virginia Fire Services Board and published to ATL contacts and the public.

5. REPORTING

Section § 38.2-401.B requires jurisdictions to satisfactorily complete and submit timely two (2) documents to VDFP annually before the jurisdiction is eligible for the ATL allocation:

A. An Annual Report in which they must report to the Agency on the prior year's ATL usage:

- Cash carry forward from previous funding years (if applicable).
- Current ATL funding for the year being reported.
- Qualifying expenditures for the current funding year being reported.
- Cash carry forward balance into future reporting years (if applicable).
- Tentative spend plan for carry forward balances (if applicable).
- Jurisdictions with multiple companies/fire departments must submit supporting documentation of reported expenses.

B. A complete Disbursement Agreement form as prescribed by the Virginia Fire Services Board is located on the VDFP website. Such disbursement form shall include certification by the locality that all fire departments who receive ATL funding complied with Section 4, Reporting of Emergency Incidents, as noted above.

Example: ABC County is notified that Fire Department's 1 and 2 are reporting, but Department 3 is not. ABC County can receive ATL and provide it to Departments 1 and 2. However, if funds are provided to Department 3, ABC County will be responsible for reimbursing the ATL funds for the misappropriated amount or forfeit current year disbursement.

If, at the end of any annual reporting period, the eligible jurisdiction has not submitted to VDFP a satisfactory Annual Report and one complete Disbursement Agreement form, any ATL funds due to that locality for the current year shall not be allocated to the locality. The allocation shall be retained in the Fund.

Beginning with the FY2015 funding year, accounting documentation (such as General Ledger reports, bank statements, or detailed spreadsheets) must be maintained by the jurisdiction for audit purposes.

6. FORFEITURE: Jurisdictions that fail to submit annual documents or fail to comply with emergency incident reporting shall forfeit the allocated amount. Such amount is retained in the Fund for distribution to localities in the next allocation cycle. Funds are made available on July

1 of the current fiscal year funding cycle and are available for collection by the locality until June 30 of the same fiscal year.

Example: For example, funds made available July 1, 2022, for the FY2023 funding cycle will be available for collection by the jurisdictions until June 30, 2023.

7. DISBURSEMENTS FROM THE FUND

1. Jurisdictions Eligible for ATL –Eligibility is restricted to jurisdictions within the Commonwealth of Virginia as provided in Code of Virginia 38.2-401.B. Fire Departments or fire service organizations are **not eligible** to directly receive ATL funds from the Agency.

2. ATL Allocation period Defined – Funds received each June 30 from SCC are used for ATL in the fiscal period beginning July 1st.

3. Minimum Allocations – Section § 38.2-401.B specifies that minimum allocations for Counties, Cities, and Towns must be based on population as provided for in Code § 4.1-116 and 4.1-117. If the calculations of a jurisdiction's population-based allocation are below the statutory minimum, then the jurisdiction's allocation is increased to the statutory minimum for the fiscal period in question.

4. Authorized Use of ATL – Pursuant to 38.2-401.B of the Code, ATL funds shall be used to construct, improve or expand fire service training facilities, fire-related training provided at such training facilities shall be by instructors certified or approved according to policies developed by the Virginia Fire Services Board.

5. Distribution Calculation –As provided in 38.2-401.B, distributions from the Fund shall be made on the basis of population; however, no eligible county or city shall receive less than $10,000, nor eligible town less than $4,000. The Virginia Fire Services Board shall be authorized to exceed allocations of $10,000 for eligible counties and cities and $4,000 for eligible towns, respectively. Any increases or decreases in such allocations shall be uniform for all localities.

6. Annual Report Categorical Descriptions - The following items expand upon the allowable uses of ATL funds by category as listed on the ATL Annual Report Document.

   Category 1 (C1) - Training of Fire Services personnel NOT reported in [C6] –
   (a) Training expenses such as registration fees and all travel costs associated with attendance and participation in support of the fire services at educational opportunities held within and outside Virginia. Examples include, but are not limited to conference registration/tuition, lodging, mileage, and meals while traveling to the fire services training. Examples also include but are not limited to support of health and safety initiatives for fire service personnel in compliance with the NFPA Standards. (b) Personnel cost to establish new training positions within the fire services training division. Example includes salary expenses for permanent, temporary, contract, part-time and full-time fire training personnel.

C2 –Public Fire Safety Education Programs – Cost of fire services personnel to provide fire prevention and public safety educational programs. Examples include, but are not limited posters, advertisements, and salary expenses for permanent, temporary, contract, part-time and full-time workers.

C3 – Local Fire Service training facilities as such principally or solely serves the locality – Cost to construct, improve or expand fire service training facilities and fire-related training props/aids and equipment storage provided at such training facilities. Examples include but are not limited to the construction of burn buildings, flammable liquid pits, mazes, props for hazardous materials and heavy technical rescue, and classroom space.

C4 – Fire Service training facilities including those that are Regional/multi-jurisdictional – Cost of constructing, improving and expanding regional or local fire service training facilities and equipment storage. Examples include but are not limited to the construction of burn buildings, flammable liquid pits, mazes, props for hazardous materials and heavy technical rescue, and classroom space.

C5 - Emergency medical care and equipment for Fire Personnel – Equipment and care used solely for fire personnel who are first responders in the direct commission of firefighting or fire suppression and are in need of emergency medical care. Examples include but are not limited AED machines and first aid kits to be used solely for the emergency care of fire personnel.

C6 - Payment of personnel costs related to fire and medical training for fire personnel **NOT reported in [C1] –** Payroll expenses to cover the direct fire service operations while the fire services personnel are attending the fire or medical training for fire personnel. An example includes backfilling the usual fire services personnel shift with a second shift of direct firefighting personnel to work while the usual shift attends the training as described in C1.

C7 - Personal Protective Equipment for Fire Service Personnel – Personal protective equipment, breathing apparatus, equipment, and tools used to support operational needs. Examples include but are not limited to the purchase of or emergency/critical repair of items such as boots, SCBA, fire protective clothing including turnout gear, personal fire shelters used in wild land fire suppression.

C8 - Fire Services Vehicles - Vehicles used for fire services purposes. Examples include but are not limited to the purchase of fire engines, pumpers, ladder trucks, and fire boats where there is an established marine firefighting program.

Emergency/Critical Repairs: Emergency/critical repairs are eligible only when agency approval is obtained prior to expenditure. *Emergency/Critical Repairs are those repairs that allow inoperable equipment/vehicles to meet its intended use. Routine maintenance and repairs are not included.*

C9 - Fire Services Equipment and Supplies - Equipment and supplies used to support and expand the support of fire services operations as well as to support the health and safety initiatives for fire service personnel in compliance with the NFPA Standards. Examples include but are not limited to the purchase or emergency/critical repairs for items such as hoses, ladders, and handheld and power tools used in the performance of fire

services operations along with diesel exhaust removal systems, decontamination equipment, and commercial extractors designed to reduce the incidence of cancer among firefighters. *Emergency/Critical Repairs are those repairs that allow inoperable equipment/vehicles to meet its intended use. Routine maintenance and repairs are not included.*

7. Non-Authorized Use - The following items are **not permitted as** an allowable use of ATL funds.
    1. Sales Tax.
    2. Routine maintenance expenses.
    3. Medical equipment, supplies, and vehicles used for emergency or ambulatory medical treatment for non-firefighting personnel.
    4. Compensation for lost wages due to class attendance or participation.
    5. Replacement of or to supplant locally appropriated funds.

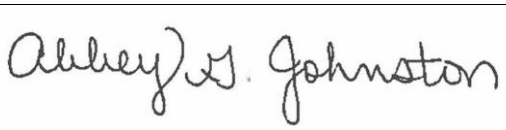
8. Review Process - Inquiries regarding the use of ATL funds are to be sent to VDFP Grants Manager for review and consideration. VDFP will make an evaluation of the inquiry considering §38.2-401 of the Code of Virginia and the most current ATL Policy. VDFP will provide a provisional decision to localities via certified e-mail. Review of ATL Denial Notice will be added as a standing item for the Administration, Policy and Finance Committee to enable localities denied use of funding to present their request for reconsideration.
    - Localities shall provide a notice of review to VDFP's Grants Manager within 30 calendar days from receipt of the e-mail correspondence. Failure to submit a notice of review will render VDFP's provisional decision final. Upon receipt of a notice of review, VDFP will notify the locality of the next scheduled Administration, Policy and Finance Committee and/or VFSB meeting, encouraging the locality to be present to discuss its review request. If the next VFSB meeting occurs in less than seven (7) business days, the review will be scheduled for the following VFSB meeting.

    Tracking Database: The Agency maintains tracking database to capture all denials by fiscal year. The denials tracking database will be provided to the Virginia Fire Services Board at the conclusion of each fiscal year.

9. "Carry-forward" of ATL by Jurisdictions – Jurisdictions may 'carry-forward' ATL funds. Any such balances carried-forward shall be accounted for by the jurisdiction in its mandated Annual Report.

CERTIFICATION:

We the undersigned as Chairman of the VIRGINIA FIRE SERVICES BOARD and Executive Director of the VIRGINIA DEPARTMENT OF FIRE PROGRAMS jointly adopt the foregoing Policy which supersedes all prior Policies/Policy Statements effective as of 25 September 2026.

	
Abbey Johnston Chair Virginia Fire Services Board	Jamey Brads Acting Excecutive Director Virginia Department of Fire Programs

History of Applicable ATL Minimums

Exhibit [A]

Effective	Cities & Counties	Towns	Initial Fiscal Period…
Origin	$8,000	$3,000	FY-1984
July 1997 – VGA Action	$10,000	$4,000	FY-1997
April 2001 -- BOARD Action	$12,000	$6,000	FY-2001
June 2006 - BOARD Action	$16,000	$8,000	FY-2007
February 2013 - BOARD Action	$20,000	$10,000	FY-2014
April 2020 – Board Action	$30,000	$15,000	FY-2021 only
June 2021 – Board Action	$30,000	$15,000	FY-2022 only
June 2022 – Board Action	$30,000	$15,000	FY-2023