

# AFFIDAVIT FOR FIRE INSPECTION WARRANT

VA. CODE § 27-98.2

The undersigned Applicant states under oath that:

1. To determine compliance with the Statewide Fire Prevention Code or regulations and standards adopted in pursuance thereof, an inspection warrant is requested for an inspection or reinspection of buildings, structures, property or premises subject to inspections pursuant to the Statewide Fire Inspection Code, as described below:

.....  
(  CONTINUED ON ATTACHED SHEET )

2. The purpose(s) for which the inspection, examination, testing or collection of samples for testing are to be made are described as follows:
  - a.  to gather evidence of a particular suspected violation of the Statewide Fire Prevention Code or regulations and standards adopted in pursuant thereof (see 3.a. of this Affidavit)
  - b.  to conduct a routine on-site inspection, examination, testing and collection of samples for testing in accordance with written standards and a written inspection procedure and site selection mechanism (see 3.b. of this Affidavit).
3. The material facts constituting probable cause that the search should be made that:
  - a.  the inspection, examination, testing or collection of samples for testing are necessary to insure compliance with the Statewide Fire Prevention Code for the protection of life and property from the hazards of fire or explosion because of the following evidence of a violation of such Code:

.....  
(  CONTINUED ON ATTACHED SHEET )

- b.  the inspection request is based on  legislative or  administrative standards for selecting buildings, structures, property or premises for inspections, the inspection program is based on reasonable standards, and the standards are being applied to a particular place in a neutral and fair manner, all as described below to perform a routine inspection.

.....

CASE NO.

## AFFIDAVIT FOR FIRE INSPECTION WARRANT

APPLICANT:

.....  
NAME

.....  
TITLE (IF ANY)

.....  
ADDRESS

Certified to Clerk of

..... Circuit Court  
CITY OR COUNTY

on .....  
DATE

.....  
TITLE

.....  
SIGNATURE

Original Delivered  in person  by certified mail  
 by electronically transmitted facsimile  
 by use of filing/security procedures defined  
in the Uniform Electronic Transactions Act

to Clerk of ..... Circuit Court  
CITY OR COUNTY WHERE EXECUTED

on .....  
DATE

.....  
TITLE

.....  
SIGNATURE

4. In addition to the above, one of the following situations exists:

Consent to inspect, examine, test or collect samples for testing has been sought and refused by .....

who is ....., on ..... ; or

Facts or circumstances exist which reasonably justify the failure to seek such consent in order to enforce effectively the fire safety laws, regulations or standards of the Commonwealth which authorize such inspections, examinations, testing or collection of samples for testing, namely

.....  
(  CONTINUED ON ATTACHED SHEET)

5.  I have personal knowledge of the facts set forth in this affidavit AND/OR

I was advised of the facts set forth in this affidavit, in whole or in part, by one or more other person(s). The credibility of the person(s) providing this information to me and/or the reliability of the information provided may be determined from the following facts:

6. I request the following authority in the execution of the requested inspection warrant:

Execution in the absence of the owner, operator or agent in charge of the particular building, structure, property or premises is necessary to effect the purposes of ..... because

STATUTE OR REGULATION

Forcible entry should be authorized because, based on the facts stated below:

there is a reasonable suspicion of an immediate threat to

an occupant of the place to be inspected

the general safety and welfare of the public

adjacent buildings, structures, properties or premises

reasonable attempts to serve a previous warrant have been unsuccessful

The facts supporting forcible entry are:

7. I request the issuance of a fire inspection

warrant to be effective for ..... days

(not to exceed 7 days) because:

The statements above are true and accurate to the best of my knowledge and belief.

.....  
TITLE OF APPLICANT (IF ANY)

.....  
APPLICANT

Subscribed and sworn to before me this day.

.....  
DATE AND TIME

.....  
 MAGISTRATE  JUDGE