

ACTIONS
Board of Supervisors Meeting of September 3, 2014

September 4, 2014

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>	<u>PODCAST</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> Meeting was called to order at 1:00 p.m., by the Chair, Ms. Dittmar. All BOS members were present. Also present were Tom Foley, Larry Davis, Ella Jordan and Travis Morris. 		Listen
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> ADOPTED, by a vote of 5:0:1 (Sheffield absent), the final agenda. 		
<p>5. Brief Announcements by Board Members.</p> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Provided update on Mayor and Chairs meeting held on August 22 which included discussion on equalizing taxing ability between cities and counties and roundtable on broadband. In August, she attended VACo Summit in Richmond which included a number of seminars on topics such as transportation, medicare, federal issues, economic development, etc. She will share her notes with Board members. Provided update on the Courts Committee. <p><u>Jane Dittmar:</u></p> <ul style="list-style-type: none"> Recently met with descendant of the last chief of Winneba Ghana. Winneba is interested in expanding its partnership from the City of Charlottesville to include Albemarle County. They are a net importer of wines from Europe and are interested in wines from Albemarle County. She and Mr. Sheffield attended meeting with southern representative of Amtrak who reported they were pleased with growth in train travel from Lynchburg and particularly Charlottesville. Recently had a very educational meeting with the County Assessor and assessors assigned to the Scottsville District. Planning to schedule a educational meeting in September with David Benish and Joel DeNunzio regarding transportation issues, i.e., how the six year plan is developed, long range transportation plans, etc. She will provide Board members with the date and they are invited to attend. Added that the ACSA and RWSA quarterly reports are on the consent agenda this month. Suggested that the Board have annual presentations from its partners with quarterly updates in writing. This is an attempt to free up more time for work sessions on the agenda. Spoke with Lee Catlin about two website ideas 		

<p>– Solutions29, and an addition that would allow people to put in their address and find out the name of their Supervisors.</p> <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> • Provided update on meeting of Solid Waste Committee. <p><u>Ken Boyd</u></p> <ul style="list-style-type: none"> • He and Mr. Sheffield will hold a joint discussion at Baker-Butler Elementary School on September 15, 2014, 6:30 p.m., to talk about the Solutions29 package, the widening of Route 29 and the impacts to that part of the County, and the extension of Ashwood Boulevard to Berkmar Drive Extended. 		
<p>6. Recognitions:</p> <p>a. Introduction of Courthouse Service Dog.</p> <ul style="list-style-type: none"> • HELD. 		Listen
<p>7. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • <u>Charles Battig</u>, White Hall District, spoke about the new environmental sciences academy, global warming and carbon dioxide. • <u>Neil Williamson</u>, Free Enterprise Forum, presented a white paper on cash proffers. 		Listen
<p>8.2 FY 2014 Budget Amendment and Appropriations.</p> <ul style="list-style-type: none"> • APPROVED appropriations #2014101, #2014116, and #2014117 for General Government and School Division programs and projects. 	<p><u>Clerk:</u> Forward copy of signed appropriations to OMB, Finance and appropriate individuals.</p>	
<p>8.3 Request to Sell County Property in Keene (TMP 121-82A1).</p> <ul style="list-style-type: none"> • APPROVED the Property Committee's recommendation to retain the parcel in the land-banked properties and not dispose of the property at this time. 	<p><u>County Attorney's office:</u> Proceed as approved.</p>	
<p>8.4 Dam Safety Grant Resolution.</p> <ul style="list-style-type: none"> • Ms. Palmer asked the locations of the dams mentioned in the resolution. • ADOPTED Resolution Requesting Grant Assistance from the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund. 	<p><u>Clerk:</u> Forward copy of adopted resolution to General Services and County Attorney's office. (Attachment 1)</p>	Listen
<p>8.5 WPO-2013-00030. Westel Waste Area -Request to extend the deadlines for installing permanent vegetation.</p> <ul style="list-style-type: none"> • APPROVED subject to the following condition: <ul style="list-style-type: none"> 1. Permanent stabilization shall be installed by December 31, 2014. 	<p><u>Community Development:</u> Proceed as approved.</p>	
<p>8.6 Crozet Avenue North Sidewalk Improvements.</p> <ul style="list-style-type: none"> • APPROVED the purchase of the right-of-way and easements on property identified as Parcels 56A1-1-74, 56A1-1-74C and 56A1-1-74D at the agreed price of \$41,817, and AUTHORIZED the County Executive to sign, in a form approved by the County Attorney, all documents necessary for the purchase of the 	<p><u>County Attorney's office:</u> Provide Clerk with copy of fully executed documents. (Attachment 2)</p>	

	property and the recordation of the Deed.		
8.7	<p>SUB-2014-00120. Briarwood Commercial Lots Final Subdivision Plat and SDP-2014-47. Briarwood Gas Station Final Site Plan – Special Exceptions for two (2) waivers and one (1) variation.</p> <ul style="list-style-type: none"> • APPROVED the special exceptions for the buffer zone waiver and variation to the application plan subject to recommended conditions by staff. • APPROVED waiver of Section 5.1.20(b) of the Zoning Ordinance; setbacks for storage tanks and loading facilities for this site to meet the requirements of Section 5.1.20(a), which allows the gas station’s underground storage tanks and loading facilities closer than 100 feet from any property line. 	<u>Clerk</u> : Set out conditions of approval. (Attachment 3)	
8.8	<p>Proposed Deferred Compensation Ordinance Amendment.</p> <ul style="list-style-type: none"> • AUTHORIZED advertisement of proposed ordinance amendment for a public hearing. 	<u>Clerk</u> : Advertise for public hearing on November 5, 2014.	
8.9	<p>FY 13/14 ACE Easement Appraisals and Purchases.</p> <ul style="list-style-type: none"> • APPROVED the Henley Forest, Inc. and Campbell appraisals from the FY 2013-14 applicant pool; and • AUTHORIZED staff to invite Henley Forest, Inc. and Campbell to make written offers to sell conservation easements to the County for the amounts approved by the ARC. 	<u>Community Development</u> : Proceed as approved.	
8.14	<p>Albemarle County Service Authority (ACSA) Quarterly Update.</p> <ul style="list-style-type: none"> • Pulled for discussion. 		
8.15	<p>Rivanna Water and Sewer Authority (RWSA) Quarterly Update.</p> <ul style="list-style-type: none"> • Pulled for discussion. 		
9.	<p>FY 16 Operating and Capital Budget Calendar.</p> <ul style="list-style-type: none"> • CONSENSUS to schedule budget review of the Community Development and Parks and Recreation Departments in the Board’s schedule for the fall. • Asked staff to provide review of ABRT and cultural agency review process. • By a vote of 6:0, ADOPTED the preliminary FY16 Operating and Capital Budget calendar. 	<p><u>Clerk</u>: Coordinate date on Board’s schedule for budget of two departments.</p> <p><u>OMB</u>: Proceed as requested.</p> <p><u>Clerk</u>: Distribute calendar to appropriate individuals and update Board member’s calendars. (Attachment 4)</p>	Listen
10.	<p>Charge to Fiscal Impact Advisory Committee regarding Cash Proffer Policy.</p> <ul style="list-style-type: none"> • By a vote of 6:0, APPROVED memorandum and DIRECTED staff to forward to Fiscal Impact Committee. 	<u>Community Development</u> : Forward to FIAC. (Attachment 5)	
11.	<p>Fire Prevention Code Fee Schedule.</p> <ul style="list-style-type: none"> • HELD discussion. 		Listen
12.	<p>Route 29 Project Delivery Advisory Panel Update.</p> <ul style="list-style-type: none"> • HELD discussion. 		Listen
13.	Board of Supervisors Draft Policy for Board		

	Proclamations and Resolutions. <ul style="list-style-type: none"> • HELD discussion. 		Listen
8.14	Albemarle County Service Authority (ACSA) Quarterly Update.	<u>Clerk:</u> Coordinate with Chair.	
8.14	Rivanna Water and Sewer (RWSA) Quarterly Update. <ul style="list-style-type: none"> • CONSENSUS to continue presentations from these individuals on the Board's agenda. 		
14.	Closed Meeting. <ul style="list-style-type: none"> • At 4:00 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia under subsection (1) to consider appointments to boards, committees, and commissions in which there are pending vacancies or requests for reappointments; under subsection (1) to discuss the annual performance reviews of specific County employees appointed by the Board; under subsection (7) to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice relating to the negotiation of easements on the County Office Building property; and under subsection (7) to consult with and be briefed by legal counsel and staff regarding probable litigation concerning a violation of a subdivision agreement because a public discussion would adversely affect the litigating posture of the County. 		Listen
15.	Certified Closed Meeting. <ul style="list-style-type: none"> • At 5:22 p.m., the Board reconvened into open meeting and certified the closed meeting. 		
16.	Boards and Commissions: Appointments. <ul style="list-style-type: none"> • APPOINTED Mr. Charlie Armstrong, Ms. Johanna McLoughlin and Mr. James Savage to the Fiscal Impact Advisory Committee with said terms to expire July 8, 2016. • REAPPOINTED Mr. Juandiego Wade to the JAUNT Board with said term to expire September 30, 2017. • APPOINTED Mr. Charles Wade to the Water Resources Funding Advisory Committee with said term to expire October 30, 2015. 	<u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.	
17.	Work Session: Albemarle County Broadband Task Force. <ul style="list-style-type: none"> • Discussed. 		Listen
18.	Work Session: ZTA-2014-00001 Agricultural operations and farm breweries. <ul style="list-style-type: none"> • Discussed. 	<u>Clerk:</u> Advertise for public hearing on November 12.	Listen
	Recess.		
19.	From the Public: Matters Not Listed for Public Hearing on the Agenda. <ul style="list-style-type: none"> • <u>Charles Battig</u> continued his presentation entitled "Science Education vs. Indoctrination", from the morning session. • <u>Jeff Werner</u> spoke on agri-tourism legislation. 		Listen
20.	Public Hearing: County Code Chapter 15,	<u>Clerk:</u> Forward copy of signed	

	<p>Taxation, Article VII, Real Estate Tax Exemption for Certain Elderly and Disabled Persons, sections 15-701, Administration, 15-702, Definitions, 15-703, Exemption, 15-704, Persons eligible for exemption, and 15-706, Procedure for claiming exemption.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED ordinance. 	<p>ordinance to Finance and County Attorney's office. (Attachment 6)</p>	<p>Listen</p>
21.	<p>Public Hearing: County Code Chapter 8, Licenses, Article VI, Schedule of Taxes, Section 8-600, Alcoholic Beverages.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED ordinance. 	<p>Clerk: Forward copy of signed ordinance to Finance and County Attorney's office. (Attachment 7)</p>	<p>Listen</p>
22.	<p>Public Hearing: FY 2015 Budget Amendment.</p> <ul style="list-style-type: none"> • By a vote of 6:0, APPROVED the FY 2015 Budget Amendment in the amount of \$4,119,639.69 and APPROVED appropriation #2015030, #2015031, #2015032, and #2015034 for local government and school division programs and projects. 	<p>Clerk: Forward copy of signed appropriations to OMB, Finance and appropriate individuals.</p>	<p>Listen</p>
23.	<p>From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Ken Boyd:</u></p> <ul style="list-style-type: none"> • Asked if Board members were interested in seeing where the County stood on the amount of qualified persons for elderly tax deferrals. • Mentioned that the Pantops Community Advisory Committee is working on a petition for a walkway to cross Route 250. <p><u>Brad Sheffield:</u></p> <ul style="list-style-type: none"> • Mentioned that at the recent Places 29 Community Advisory Council meeting they asked members to look at the Development Area section of the Comp Plan and provide recommendations of changes and asked Mark Graham to look at the Places 29 document to see if there is anything that should be included in the RFP for the US 29 Solutions package. <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> • Mentioned a potential problem with the Sugar Hollow area and the trails up the North Fork and South Fork of the Moorman's Creek. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> • Announced that she is enjoying her new liaison role to the Historic Preservation Committee and that they are working on improving the Committee's website. • Mentioned that there has been confusion with residents meeting the new requirements of the Burn Ordinance. <p><u>Jane Dittmar:</u></p> <ul style="list-style-type: none"> • Announced that she has been working with OMB to development a user friendly matrix to understand where the County's revenue comes from and what the formulas are. 		<p>Listen</p>
24.	<p>From the County Executive: Report on Matters Not Listed on the Agenda. <u>Tom Foley:</u></p> <ul style="list-style-type: none"> • Updated Board members on the various 		<p>Listen</p>

<p>working groups that came out of the Joint City/County meeting and Joint School Board meeting.</p> <ul style="list-style-type: none"> Announced that on September 10 the Board would need a 5:00 p.m., closed meeting prior to the regular night meeting. 		
<p>25.. Adjourn.</p> <ul style="list-style-type: none"> The meeting was adjourned at 8:04 p.m. 		

ewj/tom

Attachment 1 – Dam Safety Grant Resolution

Attachment 2 – Deed of Dedication – Crozet Avenue North Sidewalk Improvements

Attachment 3 – Conditions of Approval - SUB-2014-00120. Briarwood Commercial Lots Final Subdivision Plat and SDP-2014-47. Briarwood Gas Station Final Site Plan

Attachment 4 – FY 16 Operating and Capital Budget Calendar

Attachment 5 – Charge to Fiscal Impact Advisory Committee regarding Cash Proffer Policy

Attachment 6 – Ordinance No. 14-15(3)

Attachment 7 – Ordinance No. 14-8(1)

**RESOLUTION REQUESTING GRANT ASSISTANCE
FROM THE VIRGINIA DAM SAFETY, FLOOD PREVENTION
AND PROTECTION ASSISTANCE FUND**

WHEREAS, the County of Albemarle, Virginia, through its Department of General Services and Department of Parks and Recreation, owns and operates six earthen dams in the County of Albemarle for the purposes of recreation, stormwater management, and water supply; and

WHEREAS, dam safety regulations have changed to require certain analyses and, in some case, improvements to be made to these six earthen dams to help prevent possible damage or dam failure; and

WHEREAS, the Virginia Department of Conservation and Recreation and the Virginia Resources Authority administer the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund, which provides grants to defray engineering and design costs for analyses and improvements needed to meet current dam safety regulations; and

WHEREAS, the County has been awarded three grants from this Fund in the total amount of \$33,600.00 to defray the estimated engineering and design costs of \$72,000.00 for three of the six dams; and

WHEREAS, the Grant Manual for the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund ("Grant Manual") requires the Board of Supervisors to adopt a resolution requesting assistance before any grant monies can be awarded and released; and

WHEREAS, the balance of the costs have been appropriated in the FY 2014 – 2015 Capital Improvements Fund.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Albemarle, Virginia hereby requests a grant to assist in defraying the cost of meeting current dam safety regulations in accordance with the Grant Manual and authorizes the County Executive to execute grant agreements with the Virginia Resources Authority and/or the Virginia Department of Conservation and Recreation and to take such additional actions as may be required to secure said grant funds.

This document was prepared by:
Albemarle County Attorney
County of Albemarle
401 McIntire Road, Suite 325
Charlottesville, Virginia 22902

Parcel ID Numbers 056A1-01-07400, 056A1-01-074C0 and 056A1-01-074D0

This deed is exempt from taxation under *Virginia Code* § 58.1-811(A)(3) and from the Circuit Court Clerk’s fees under *Virginia Code* § 17.1-266.

DEED OF DEDICATION

THIS DEED OF DEDICATION is made this _____ day of _____, 2014 by and between **JOHN H. HILKER, JR.,** and **JENNIFER B. HILKER,** husband and wife, (hereinafter “Grantors”), and the **COUNTY OF ALBEMARLE, VIRGINIA,** a political subdivision of the Commonwealth of Virginia, Grantee.

WITNESSETH:

WHEREAS, the Grantors are the owners in fee simple of the real property located in Albemarle County that is described below and hereinafter referred to as the “Property;”

WHEREAS, the Grantors offer to grant, convey and dedicate the Property to the County in fee simple for public use, namely, a public right-of-way and other public purposes; and

WHEREAS, the Grantee is willing to accept the Grantors’ offer of dedication.

NOW, THEREFORE, in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, receipt of all of which is hereby acknowledged, the Grantors do hereby GRANT and CONVEY with GENERAL WARRANTY of TITLE to the Grantee, its successors and assigns, the following real property, to wit:

PARCELS X AND Y: All that certain lot or parcel of land situated in the County of Albemarle, Virginia, located on Crozet Avenue, containing 0.179 acres, more or less, shown as Parcel “X” and all that certain lot or parcel of land situated in the County of Albemarle, Virginia, located on Crozet Avenue, containing 0.123 acres, more or less, shown as Parcel “Y” on a plat by Lincoln Surveying, dated June 13, 2012 and last revised March 26, 2014, titled “Subdivision Plat Showing Parcels ‘X’ and ‘Y’ Being Portions of Tax Map 56A(1) Parcels 1-74 and 1-74C Hereby Dedicated to Public Use, Located on Crozet Avenue, White Hall District, Albemarle County, Virginia,” a copy of which is attached hereto and to be recorded with this deed (the “Parcels X and Y Plat”). Reference is made to said plat for a more particular description of the location of the described lands.

Parcel “X” is a portion of Albemarle County Parcel ID 056A1-01-00-07400, containing 1.363 acres, more or less, conveyed to the Grantors herein by deed dated May 9, 1994, recorded in the Clerk’s Office of the Circuit Court of the County of Albemarle, Virginia, in Deed Book 1402, page 561.

Parcel “Y” is a portion of Albemarle County Parcel ID 056A1-01-00-074C0, containing 1.014 acres, more or less, conveyed to the Grantors herein by deed dated May 9, 1994, recorded in the Clerk’s Office of the Circuit Court of the County of Albemarle, Virginia, in Deed Book 1402, page 561.

FURTHER, in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, receipt of all of which is hereby acknowledged, the Grantors do hereby GRANT and CONVEY with SPECIAL WARRANTY of TITLE to the Grantee, its successors and assigns, the following real property, to wit:

PARCEL Z: All that certain lot or parcel of land situated in the County of Albemarle, Virginia, located on Crozet Avenue, containing 0.034 acres, more or less, shown as Parcel “Z” on a plat by Lincoln Surveying, dated June 13, 2012 and last revised March 26, 2014, titled “Subdivision Plat Showing Parcel

'Z' Being a Portion of Tax Map 56A(1) Parcel 1-74D Hereby Dedicated to Public Use, Located on Crozet Avenue, White Hall District, Albemarle County, Virginia," a copy of which is attached hereto and to be recorded with this deed (the "Parcel Z Plat"). Reference is made to said plat for a more particular description of the location of the described lands.

Parcel "Z" is a portion of Albemarle County Parcel ID 056A1-01-00-074D0, containing 0.55 acres, more or less, conveyed to the Grantors herein by deed dated December 15, 2013, recorded in the Clerk's Office of the Circuit Court of the County of Albemarle, Virginia, in Deed Book 4461, page 84.

FURTHER, in consideration of the premises and TEN DOLLARS (\$10), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantors do hereby GRANT, CONVEY, and DEDICATE to public use with SPECIAL WARRANTY and ENGLISH COVENANTS OF TITLE unto the Grantee, its successors and assigns, a perpetual exclusive easement as shown on the Parcel Z Plat and as referred to herein as the "Easement" over the following property:

DRAINAGE EASEMENT: All that certain lot or parcel of land situated in the County of Albemarle, Virginia, located on Crozet Avenue, containing 0.022 acres, more or less, shown as "New Drainage Easement" on the above-described Parcel Z Plat, a copy of which is attached hereto and to be recorded with this deed. Reference is made to said plat for a more particular description of the location of the described lands.

FURTHER, pursuant to the consideration described herein, the Grantors do hereby GRANT, CONVEY, and DEDICATE to public use all ditches, pipes and other improvements and appurtenances within the Easement established for the purpose of conveying stormwater (hereinafter collectively referred to as the "Improvements," whether referring to existing Improvements or those to be established in the future by the Grantee).

The Easement shall be subject to the following:

1. Right to construct, reconstruct, install, maintain, repair, change, alter and replace the Improvements. The Grantee shall have the right to construct, reconstruct, install, maintain, repair, change, alter, and replace present or future Improvements (hereinafter referred to as "inspecting, maintaining and operating" or derivations thereof) for the purposes of collecting and transmitting storm water, protecting property from flooding, protecting water quality, and otherwise controlling stormwater runoff.
2. Ownership of the Improvements. All Improvements within the Easement, whether they were installed by the Grantee or any predecessor in interest, shall be and remain the property of the Grantee.
3. Right of ingress and egress. The Grantee shall have the right and easement of ingress and egress over any lands of the Grantors adjacent to the Easement between any public or private roads and the Easement, to inspect, maintain and operate the Improvements.
4. Right to inspect, maintain and operate the Improvements. The Grantee may enter the Easement to inspect, maintain and operate the Improvements.
5. Right of Grantee to disturb and maintain the Easement premises. The Grantee shall have the right within the Easement to trim, cut or remove any trees, brush or shrubbery, remove fences, structures or other obstructions, and take other similar action reasonably necessary to provide adequate and fully functioning Improvements; provided, however, that the Grantee, at its own expense, shall restore as nearly as possible, the premises to their original condition. This restoration shall include the backfilling of trenches, the replacement of fences and shrubbery, the reseeding or resodding of lawns or pasture areas, and the repair or replacement of structures and other facilities located outside of the Easement that were damaged or destroyed by the Grantee. However, the Grantee shall not be required to repair or replace any structures, trees, or other facilities located within the Easement, but be required only to repair or replace groundcover within the Easement that was disturbed, damaged or removed as a result of installing or maintaining any of the Improvements. In addition, the Grantee shall remove from the Easement all trash and other debris resulting from the installation, maintenance or operation of an Improvement, and shall restore the surface thereof to its original condition as nearly as reasonably possible. Notwithstanding the foregoing, the Grantee shall not be required to repair or replace anything identified in this paragraph if to do so would be inconsistent with the proper maintenance or operation of

the Improvements. In addition, neither the Grantee nor any other public agency, including the Virginia Department of Transportation, shall be responsible for conducting routine maintenance as described in paragraph 6 except as expressly provided in this paragraph.

6. Right of Grantors to maintain the Easement premises. The Grantors shall have the right to perform routine maintenance of the Easement premises, including the removal of trash and landscaping debris, mowing and manicuring lawns and groundcovers, and making any other aesthetic improvements desired by the Grantors that are not inconsistent with the rights herein conveyed, and which do not adversely affect the proper operation of any Improvement. The right to maintain the Easement premises does not include the right to maintain the Improvements.

7. Temporary construction easements. The Grantors further convey to the Grantee the temporary construction easements shown on the Plats as "Temporary Construction Easement," in order to construct, install, maintain, repair, change, alter, or replace public Improvements. The conveyance of these temporary construction easements and rights-of-way includes the right of ingress and egress for the above-mentioned purpose. The temporary construction easements shall expire upon completion of construction, but no later than June 30, 2016. The public improvements within the property conveyed herein shall be the property of the Grantee.

8. Exclusivity; restrictions. The Easement conveyed herein is an exclusive easement. Neither the Grantors nor any person acting under the Grantors' express or implied consent shall modify, alter, reconstruct, interfere with, disturb or otherwise change in any way the land within the Easement or any Improvement located within the Easement; and further provided that such persons shall not construct or maintain any roadway, or erect any building, fence, retaining wall or other structure within the Easement.

9. Grantee's right to assign. The Grantee shall have the right to assign this Easement as its interests may require.

10. Binding effect. The Easement and the rights and obligations established herein shall run with the land in perpetuity, and shall be binding upon the Grantors, the Grantee, and their successors and assigns. All references herein to the "Grantors" and the "Grantee" include their respective successors and assigns. All references to the "Grantee," when exercising any right or obligation herein, includes the Grantee's officers, employees and agents.

The improvements constructed within the public rights-of-way shall be the property of the Grantee.

This conveyance is made subject to all easements, reservations, restrictions and conditions, if any, contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the above-described property which have not expired by a time limitation contained therein or have otherwise not become ineffective.

The Grantee, acting by and through its County Executive, duly authorized by resolution adopted by the Board of Supervisors of the County of Albemarle, Virginia, accepts the conveyance of this property pursuant to *Virginia Code* § 15.2-1803, as evidenced by the County Executive's signature hereto and the recordation of this Deed.

Consent of trustees and beneficiaries to subordinate liens.

A. By deed of trust dated May 9, 1994, of record in said Clerk's Office in Deed Book 1402, page 565, the Grantors conveyed the subject Property to Nicholas E. Munger, Trustee, to secure an outstanding obligation owed to Polly Ashby Sheets, Beneficiary. Pursuant to the authorization of the Beneficiary, as evidenced by its signature hereto, the Trustee joins in this deed to subordinate the lien of such deed of trust to the property interests conveyed hereby.

B. By deed of trust dated September 29, 2008, of record in said Clerk's Office in Deed Book 3654, page 43, the Grantors conveyed the subject Property to Stewart Title & Escrow, Inc., Trustee, to secure an outstanding obligation owed to JP Morgan Chase Bank NA, Beneficiary. Pursuant to the authorization of the Beneficiary, as evidenced by its signature hereto, the Trustee joins in this deed to subordinate the lien of such deed of trust to the property interests conveyed hereby.

Conditions of Approval

SUB-2014-00120. Briarwood Commercial Lots Final Subdivision Plat and
SDP-2014-47. Briarwood Gas Station Final Site Plan

BUFFER ZONE DISTURBANCE WAIVER

1. Landscaping shall be installed as depicted on SDP-2013-35 Landscape Mitigation Plan (Attachment D-on file).

VARIATION FROM APPROVED PLANS, CODES, AND STANDARDS OF DEVELOPMENT – BRIARWOOD PRD APPLICATION PLAN (ZMA2005-09)

1. Landscaping shall be installed as depicted on SDP-2013-35 Landscape Mitigation Plan. (Attachment D-on file).

FY 16 BUDGET CALENDAR

October 2014

Wednesday 8 **4:00 p.m.** - Board/School Board Joint Work Session -
 • Compensation/Benefits; Goal Setting Five Yr. Plan

November 2014

Wednesday 5 **5:00 p.m.** - BOS Work Session – Five Year Financial Plan –Revenue Assumptions/ General Government **(This is regular day meeting)**

Wednesday 12 **4:00 p.m.** - BOS/School Board Work Session – Five-Year Financial Plan – School Division
 BOS/School Board Work Session – Preliminary CIP Overview

Mon.- Fri. 10-21 Public Engagement opportunities during this week on Five Year Financial Plan

December 2014

Wednesday 3 **5:00 p.m.** - BOS Work Session – Five-Year Financial Plan **(This is regular day meeting)**

Wednesday 10 **4:00 p.m.** - BOS/School Board Joint Meeting – Review of CIP Oversight Committee Recommendations
 BOS Work Session – Five-Year Financial Plan – approval

February 2015

Thursday 19 **5:00 p.m.** - County Executive’s Presentation to Board - Recommended Budget

Friday 20 **Time TBD** - Community Stakeholders Meeting on Recommended Budget

Monday 23 **6:00 p.m.** - Public Hearing on County Executive’s Recommended Budget

Tuesday 24 **3:00 p.m.** - BOS Budget Work Session #1

Thursday 26 **3:00 p.m.** - BOS Budget Work Session #2

March 2015

Tuesday 3 **3:00 p.m.** - BOS Budget Work Session #3 - Finalize Tax Rate for Advertisement

Wednesday 4 Regular Day Board Mtg.

Wednesday 11 **3:00 p.m.** - BOS Budget Work Session #4 (if needed)

April 2015

Wednesday 1 **6:00 p.m.** - Public Hearing on **Board’s Proposed Budget (This is regular day meeting)**

Mon.-Fri. 6-10 Spring Break

Wednesday 8 **6:00 p.m.** - Public Hearing on the CY 15 tax rate (BOS can set tax rate and adopt budget after public hearing)

Tuesday 14 **3:00 p.m.** - BOS sets the CY15 tax rate and adopts the FY 16 budget and FY 16-20 CIP, if they were not approved on the 8th.

Memorandum

To: Albemarle County Fiscal Impact Advisory Committee
From: Albemarle County Board of Supervisors
Date: September 3, 2014
Subject: Cash proffer Policy

The Board of Supervisors requests that the Albemarle County Fiscal Impact Advisory Committee provide advice and recommendations to the Planning Commission and the Board of Supervisors on revisions to the credit provisions and the per unit cash proffer amounts of the Cash Proffer Policy. Specifically the Board requests that the Committee:

- 1) Analyze possible credits for:
 - Development in targeted areas. Targeted areas are those areas shown as Priority Areas identified in each Master Plan Area.
 - Mixed use developments.
 - Development supportive of growth management strategies of the Comprehensive Plan.
- 2) Provide recommendations on changes to existing credits in the policy, including the credit that may be provided for by-right units, now available by policy only in limited circumstances (Policy § C(6)(c)).
- 3) Update the County's maximum per unit cash proffer amount by dwelling unit type.
- 4) Provide this advice and recommendation at the earliest possible date.

ORDINANCE NO. 14-15(3)

AN ORDINANCE TO AMEND CHAPTER 15, TAXATION, ARTICLE VII, REAL ESTATE TAX EXEMPTION FOR CERTAIN ELDERLY AND DISABLED PERSONS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 15, Taxation, Article VII, Real Estate Tax Exemption for Certain Elderly and Disabled Persons, is hereby amended and reordained as follows:

By Amending:

- Sec. 15-701 Administration.
- Sec. 15-702 Definitions.
- Sec. 15-703 Exemption.
- Sec. 15-704 Persons eligible for exemption.
- Sec. 15-706 Procedure for claiming for exemption.

CHAPTER 15. TAXATION

ARTICLE VII. REAL ESTATE TAX EXEMPTION FOR CERTAIN ELDERLY AND DISABLED PERSONS

Sec. 15-700 Purpose.

The purpose of this article is to provide relief to certain elderly or disabled persons who are subject to a real estate tax burden that is extraordinary in relation to their income and financial worth.

(Ord. 98-A(1), 8-5-98)

Sec. 15-701 Administration.

This article shall be administered by the director of finance, who is hereby authorized and empowered to prescribe, adopt, promulgate and enforce such rules and regulations in conformance with the provisions of this article, including the right to require answers under oath, as may be reasonably necessary to determine eligibility for the exemption. The director of finance is authorized to require the production of certified tax returns and appraisal reports to establish eligible owners' total combined income and net combined financial worth.

(2-15-73; 11-9-77; Ord. of 12-19-90; Code 1988, § 8-24; Ord. 98-A(1), 8-5-98)

State law reference--Va. Code §§ 58.1-3210, 58.1-3213.

Sec. 15-702 Definitions.

The following definitions shall apply in the interpretation and enforcement of this article:

(1) *Dwelling.* The term "dwelling" means a building occupied as a residence.

(2) *Income.* The term "income" means the total gross income from all sources comprising the amount of money received on a regular basis which is available to meet expenses, regardless of whether a tax return is actually filed, or whether the money is taxable or deductible from an eligible owner's income tax return.

(a) Income shall include: (i) retirement payments, including the portion that represents the contribution of the retiree; (ii) nontaxable social security retirement benefits; (iii) disability payments; and (iv) rental income.

(b) Income shall not include: (i) life insurance benefits; (ii) receipts from borrowing or other debt; and (iii) social security taxes taken out of the pay of a retiree.

(c) The income of a self-employed person received from the business shall be the gross income of the business, less the expenses of the business.

(3) *Manufactured home.* The term “manufactured home” means a structure subject to federal regulation which is transportable in one or more sections; is eight (8) body feet or more in width and forty body feet or more in length in the traveling mode, or is three hundred twenty (320) or more square feet when erected on site; is built on a permanent chassis; is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the required utilities; and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure.

(4) *Net combined financial worth.* The term “net combined financial worth” means the net present value of all assets, including equitable interests, and liabilities, both as of December 31 of the immediately preceding calendar year, of the owners, and of the spouse of any owner of the dwelling. The term “net combined financial worth” shall not include: (i) the value of the subject dwelling and the land, not exceeding ten acres, upon which it is situated; (ii) the value of furniture, household appliances and other items typically used in a home; and (iii) the outstanding balance of any mortgage on the subject property, except to the extent that the subject property is counted as an asset.

(5) *Owning title or partial title.* The term “owning title or partial title” means owning the usufruct, control or occupation of the real estate, whether the interest therein is in absolute fee or is in an estate less than a fee, such as the holding of a life estate, but not the holding of a subsequent remainder interest.

(6) *Permanently and totally disabled person.* The term “permanently and totally disabled person” means a person who is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death, or can be expected to last for the duration of such person's life, as certified pursuant to section 15-706 herein.

(7) *Real estate.* The term “real estate” includes manufactured homes.

(8) *Relative.* The term “relative” means any person who is a natural or legally defined offspring, spouse, sibling, grandchild, grandparent, parent, aunt, uncle, niece, or nephew of the owner.

(9) *Taxable year.* The term “taxable year” means the calendar year for which the exemption is claimed.

(10) *Total combined income.* The term “total combined income” means the income received from all sources during the preceding calendar year, without regard to whether a tax return is actually filed, by (i) the owners of the dwelling who use it as their principal residence, (ii) the owners' relatives who live in the dwelling except for those relatives living in the dwelling and providing bona fide caregiving services to the owner whether such relatives are compensated or not, and (iii) nonrelatives of the owner who live in the dwelling except for bona fide tenants or bona fide paid caregivers of the owner, whether compensated or not. Income shall include only those sources of gross income that are subject to tax under federal income tax laws, regulations, rules, or policies. The following amounts shall be excluded from the calculation of total combined income:

(a) The first sixty-five hundred dollars (\$6,500.00) of income of each relative who is not the spouse of an owner living in the dwelling and who does not qualify for the exemption provided by subdivision 9 c hereof.

(b) The first seventy-five hundred dollars (\$7,500.00) of income for an owner who is permanently disabled.

(c) If real property otherwise qualifies for the exemption and if the eligible owner(s) can prove by clear and convincing evidence that the physical or mental health of the eligible owner(s) has deteriorated to the point that the only alternative to permanently residing in a hospital, nursing home, convalescent home or other facility for physical or mental care is to have a relative move in and provide care for the eligible owner(s), and if a relative does move in for that purpose, then none of the income of the relative or of the relative's spouse shall be counted towards the income limit, provided that the owner of the dwelling has not transferred assets in excess of five thousand dollars (\$5,000.00) without adequate considerations within a three (3) year period prior to or after the relative moves into the dwelling.

(2-15-73; 3-20-75; 11-9-77; 8-13-80; Ord. of 12-19-90; Ord. of 4-7-93; Code 1988, § 8-23; Ord. 98-A(1), 8-5-98; Ord. 03-15(2), 11-5-03; Ord. 05-15(4), 12-7-05, effective 1-1-06; Ord. 07-15(1), 10-3-07, effective 1-1-08; Ord. 11-15(1), 5-11-11)

State law reference--Va. Code §§ 36-85.3, 58.1-3210, 58.1-3212, 58.1-3217.

Sec. 15-703 Exemption.

Real property owned by, and occupied as the sole dwelling of, eligible owner(s) owning title or partial title who is/are at least sixty-five years of age or who is/are permanently and totally disabled shall be exempt from the real estate tax as provided in section 15-705, provided that the real property is eligible for the exemption as provided in section 15-704 and satisfies all other requirements of this article and state law. For purposes of this Article, real property owned and occupied as the sole dwelling of eligible owner(s) includes real property (i) held by an eligible owner alone or in conjunction with his spouse as tenant or tenants for life or joint lives; (ii) held in a revocable inter vivos trust over which an eligible owner or an eligible owner and his spouse hold the power of revocation; or (iii) held in an irrevocable trust under which an eligible owner alone or in conjunction with his spouse possesses a life estate or an estate for joint lives or enjoys a continuing right of use or support. The term "eligible owner(s)" does not include any interest held under a leasehold or term of years.

(2-15-73; 11-9-77; Ord. of 12-19-90; Code 1988, § 8-25; Ord. 98-A(1), 8-5-98)

State law reference--Va. Code § 58.1-3210.

Sec. 15-704 Real property eligible for exemption.

Real property that satisfies all of the following requirements is eligible for the exemption established in section 15-703:

- A. The eligible owner(s) shall have either:
 - 1. Reached the age of sixty-five (65) years prior to the taxable year for which the exemption is claimed; and/or
 - 2. Become permanently and totally disabled prior to the taxable year for which the exemption is claimed.
- B. The eligible owner(s) shall own title or partial title in the dwelling.
 - 1. The eligible owner(s) shall own title or partial title to the real estate for which the exemption is claimed on January 1 of the taxable year.
 - 2. A dwelling jointly owned by a husband and wife may qualify if either spouse is sixty-five (65) years of age or older or is permanently and totally disabled.
 - 3. Except as provided in paragraph (B.2), the exemption shall not apply to a dwelling jointly owned by a person who is sixty-five (65) years of age or older or who is permanently and totally disabled (an "exempt person"), and a person who is not an exempt person.
- C. The eligible owner(s) shall occupy the dwelling as that owner's sole dwelling.

1. The dwelling shall not be used for commercial purposes.

2. The fact that real property that otherwise qualifies for exemption established by this article is owned by eligible owner(s) who reside(s) in a hospital, nursing home, convalescent home or other facility for physical or mental care for extended periods of time shall not be construed to mean that the real estate for which the exemption is sought does not continue to be the sole dwelling of the eligible owner(s) during such extended periods of other residence so long as such real estate is not used by or leased to others for consideration.

D. A manufactured home is real estate eligible for the exemption established by this article if the eligible owner(s) demonstrate(s) to the satisfaction of the director of finance that the manufactured home is permanently affixed. Either of the following shall be evidence that the manufactured home is permanently affixed:

1. The eligible owner(s) own(s) title or partial title to the manufactured home and the land on which the manufactured home is located, and the manufactured home is connected to permanent water and sewage lines or facilities; or

2. Whether or not the manufactured home is located on land on which the eligible owner(s) own(s) title or partial title, the manufactured home rests on a permanent foundation and consists of two (2) or more units which are connected in such a manner that they cannot be towed together on a highway, or consists of a unit and other connected rooms or additions which must be removed before the manufactured home can be towed on a highway.

E. The total combined income shall not exceed sixty-nine thousand four hundred fifty-two dollars (\$69,452.00) for the calendar year immediately preceding the taxable year.

F. The net combined financial worth shall not exceed two hundred thousand dollars (\$200,000.00) as of December thirty-first of the calendar year immediately preceding the taxable year.

(2-15-73; 3-20-75; 11-9-77; 8-13-80; 6-12-85; 5-13-87; Ord of 12-19-90; Ord. of 4-7-93; Ord. 96-8(2), 12-11-96; Code 1988, § 8-26; 9-9-81; Ord. 12-19-90; Code 1988, § 8-26.1; Ord. 98-A(1), 8-5-98; Ord. 00-15(2), 9-20-00; Ord. 03-15(2), 11-5-03; Ord. 04-15(2), 12-1-04, effective 1-1-05; Ord. 06-15(3), 11-1-06, effective 1-1-07; Ord. 07-15(1), 10-3-07, effective 1-1-08)

State law reference--Va. Code §§ 58.1-3210, 58.1-3211, 58.1-3212, 58.1-3214, 58.1-3215.

Sec. 15-705 Amount of exemption.

The exemption established by this article shall apply only to the real property taxes for the qualifying dwelling and the land, not exceeding ten acres, upon which it is situated. The amount of the exemption for any taxable year shall be as follows:

Percentage of Real Estate Tax Exempted

		Net Combined Financial Worth		
		\$0 to \$100,000	Over \$100,000 to \$150,000	Over \$150,000 to \$200,000
Total Combined Income	\$0 to \$30,000	100.0%	90.0%	80.0%
	Over \$30,000 to \$50,000	70.0%	60.0%	50.0%
	Over \$50,000 to \$69,452	40.0%	30.0%	20.0%

(2-15-73; 11-9-77; 8-13-80; Ord. of 12-19-90; Ord. of 4-7-93; Code 1988, § 8-27; Ord. 98-A(1), 8-5-98; Ord. 00-15(2), 9-20-00; Ord. 04-15(2), 12-1-04; Ord. 06-15(3), 11-1-06, effective 1-1-07; Ord. 07-15(1), 10-3-07, effective 1-1-08; Ord. 11-15(1), 5-11-11)

State law reference--Va. Code § 58.1-3212.

Sec. 15-706 Procedure for claiming for exemption.

Owner(s) claiming the exemption from the real estate tax established by this article shall apply for the exemption as provided herein:

A. *Annual filing of affidavit; time to file.* Except as provided in paragraphs (A.1) and (A.2), the eligible owner(s) shall file the affidavit required by this section with the director of finance between January first and April first of each taxable year for which the exemption is claimed.

1. *First-time claimant.* Owners claiming the exemption for the first time may file the affidavit required by this section after April first, but before November first, of the taxable year.

2. *Hardship claimant.* Owners claiming the exemption as hardship claimants may file the affidavit required by this section after April first, but before November first, of the taxable year. The term "hardship claimant" means only those cases in which the owner(s) claiming the exemption was/were hospitalized or in a nursing home between January first and April first of the taxable year, or a similar situation which, in the judgment of the director of finance, constitutes a hardship case justifying the extension of the filing period set forth in paragraph A beyond April first of the taxable year.

B. *Form and content of affidavit.* The affidavit shall be on a form prescribed and provided by the director of finance. The affidavit shall set forth the names of the eligible owner(s) and all other relatives of the eligible owner(s) occupying the real estate for which the exemption is claimed, their total combined income and their net combined financial worth. If the eligible owner(s) is/are under sixty-five (65) years of age, the form shall have attached either:

1. A certification by the Social Security Administration, the Department of Veteran Affairs or the Railroad Retirement Board to the effect that the eligible owner(s) is/are permanently and totally disabled; or, if the eligible owner(s) is/are not eligible for certification by any of these agencies,

2. A sworn affidavit by two (2) medical doctors who are either licensed to practice medicine in the Commonwealth or are military officers on active duty who practice medicine with the United States Armed Forces, to the effect that such person is permanently and totally disabled. A certification pursuant to 42 U.S.C. 423(d) by the Social Security Administration, so long as the person remains eligible for such social security benefits, shall be deemed to establish that the person is permanently and totally disabled. The affidavit of one of the doctors may be based upon a physical examination of the person by the doctor. The affidavit of one of the doctors may be based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards for determining whether the person is permanently and totally disabled.

C. *Determination of eligibility.* If, after audit and investigation, the director of finance determines the subject real property to be eligible exemption, he shall grant the exemption and shall exonerate the amount of the exemption from the real estate tax liability of those properties entitled to the exemption.

D. *Duration of exemption.* An exemption granted shall be effective only for the current taxable year and shall not be retroactive in effect.

(2-15-73; 11-9-77; 8-13-80; 5-13-87; Ord. of 12-19-90; Ord. of 4-7-93; Ord. No. 96-8(2), 12-11-96; Code 1988, § 8-28; Ord. 98-A(1), 8-5-98)

State law reference--Va. Code § 58.1-3213.

Sec. 15-707 Change in status nullifying exemption; exception.

Any change in total combined income, net combined financial worth, ownership of property or other factors occurring during the taxable year for which the affidavit is filed, and having the effect of exceeding or violating the limitations and conditions provided herein, shall nullify any exemption for the remainder of the

current taxable year and the taxable year immediately following; except, that a change in status due to the death of a qualified spouse will result in a prorated exemption for the eligible year.

(2-15-73; 11-9-77; 8-13-80; Ord. of 12-19-90; Ord. of 4-7-93; Code 1988, § 8-29; Ord. 98-A(1), 8-5-98)

State law reference--Va. Code § 58.1-3215.

Sec. 15-708 Violation and penalty.

Any person falsely claiming an exemption hereunder shall be guilty of a misdemeanor punishable as provided in Virginia Code § 1-115.

(2-15-83; 11-9-77; Ord. of 12-19-90; Code 1988, § 8-30; Ord. 98-A(1), 8-5-98)

State law reference--Va. Code § 58.1-3210.

ORDINANCE NO. 14-8(1)

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 8, LICENSES, ARTICLE VI, SCHEDULE OF TAXES, DIVISION 1, GENERALLY, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 8, Licenses, Article VI, Schedule of Taxes, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained by amending Section 8-600, Alcoholic Beverages, as follows:

CHAPTER 8. LICENSES

ARTICLE VI. SCHEDULE OF TAXES

Sec. 8-600 Alcoholic beverages.

Each person engaged in the following alcoholic beverage businesses shall be subject to the applicable license tax, and other provisions, set forth herein:

A. The following annual tax rates shall apply:

1. For each distiller, one thousand dollars (\$1,000.00); no license shall be required for any person who manufactures not more than five thousand (5,000) gallons of alcohol or spirits or both during the license year.
2. For each winery, fifty dollars (\$50.00).
3. For each brewery, if not more than 500 barrels of beer manufactured during the year in which the license is granted, two-hundred fifty dollars (\$250), and if more than 500 barrels of beer manufactured during the year in which the license is granted, one thousand dollars (\$1,000.00).
4. For each bottler, five hundred dollars (\$500.00).
5. For each wholesale beer distributor, seventy-five dollars (\$75.00).
6. For each wholesale wine distributor, fifty dollars (\$50.00).
7. For each retail on-premises wine and beer license for a hotel, restaurant or club, and for each retail off-premises wine and beer license, thirty-seven dollars and fifty cents (\$37.50).
8. For each retail on-premises beer license for a hotel, restaurant or club, and for each retail off-premises beer license, twenty-five dollars (\$25.00).
9. For each fruit distiller, five hundred dollars (\$500.00).
10. In addition to the foregoing for each license issued to a hotel, restaurant or club for the sale of mixed alcoholic beverages, as defined in Title 4.1 of the Code of Virginia, and acts amendatory thereto, the tax shall be two hundred dollars (\$200.00) for areas seating fifty (50) to one hundred (100) persons; three hundred fifty dollars (\$350.00) for areas seating one hundred (100) to one hundred fifty persons (150); five hundred dollars (\$500.00) for areas seating more than one hundred fifty persons (150+) and three hundred fifty dollars (\$350.00) for nonprofit clubs.

B. For purposes of this section, the term "beer" includes porter, ale, stout and other malt beverages, but not vinous beverages.

C. No license shall be issued to any person under the provisions of this section unless the applicant therefore holds at the same time, or simultaneously procures, a state license from the alcoholic beverage control board.

D. All dining rooms, restaurants, lunchrooms and club rooms, wherein the beverages defined in this section are sold for consumption on the premises, shall at all times be open to inspection by the state police and the police authorities of the county. Any store, room or other building from which deliveries are made either at wholesale or retail by bottlers, wholesalers or retailers shall at all times be open to the inspection of state police and the police authorities of the county.

E. Any person paying a license tax under the provisions of this section and sections 8-617 or 8-618 may deduct the amount paid under the provisions of this section from the amount of the tax owed under section 8-617 or 8-618, but in no event shall the amount of tax due be less than the amount of tax imposed by this section.

(3-15-73, § 25; 4-21-76; Ord. 96-11(1), 11-13-96, § 11-27; Code 1988, § 11-27; Ord. 98-A(1), 8-5-98)

State law reference--Va. Code § 4.1-233.