



TOWN COUNCIL WORK SESSION
Monday, May 10, 2021 @ 7:00pm
Town Hall Conference Room
Masks are recommended

1. Closed Meeting – Personnel, Consultation with Legal Counsel, Disposition of Publicly Held Property
2. Proposed Amendment to Town Code Chapter 158-6 Adoption by Reference of the State Motor Vehicle Laws – *Town Attorney Doug Napier*
3. Update on Proposed Special Events Policy and Procedures –*Special Event Permit Committee Chairman Alisa Scott*
4. Blighted Building Process and Blighted Properties on Non-Conforming lots
– *Deputy Zoning Administrator/Code Enforcement Officer Chris Brock*
5. Open Discussion



Work Session Agenda Statement

Item # 1

Meeting Date: May 10, 2021

CLOSED MEETING

Motion to Go Into Closed Meeting

I move Town Council go into Closed Meeting pursuant to Section 2.2-3711, of the Code of Virginia for the following purposes:

- (A) The discussion, consideration, or interviews of prospective candidates for appointment to various Boards, under subsection A. 1.
- (B) The purpose of assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of a public body, under subsection A. 1
- (C) for the purpose of consultation with legal counsel employed or retained by Town Council regarding specific legal matters requiring the provision of legal advice by such counsel, specifically, the legalities and potential legal liability exposures of the Town regarding its Town-owned Town Commons under Subsection A. 8.
- (D/E) The disposition of publicly held real property, specifically, the use and the sale or vacation of a Town right of way, being an alley (Carter Street and N. Royal Avenue) where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of Town Council under subsection A.3.
- (F) consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, under subsection. A. 8.;
- (G) Regarding claimed or potential financial obligations, whether legal or moral, consultation with legal counsel employed or retained by Town Council and briefings by staff members or consultants regarding specific legal matters, including actual and probable litigation, requiring the provision of legal advice, under subsections A. 7 and 8.
- (H) With respect to an MOA, consultation with legal counsel employed or retained by Town Council regarding specific legal matters requiring the provision of legal advice by such counsel, under subsection A. 8.

Motion to Certify Closed Meeting at its Conclusion *[At the conclusion of the Closed Meeting, immediately reconvene in open meeting and take a roll call vote on the following:]*

I move that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.



Work Session Agenda Statement

Item #2

Meeting Date: May 10, 2021

Agenda Item: ORDINANCE AMENDMENT TO SECTION 158-6 OF FRONT ROYAL TOWN CODE PERTAINING TO ADOPTION BY REFERENCE OF STATE MOTOR VEHICLE LAWS.

Summary: Va. Code § 46.2-1313 states that “[o]rdinances enacted by local authorities pursuant to this chapter may incorporate appropriate provisions of... [the State Code pertaining to motor vehicle laws].

...Nothing contained in this title shall require the readoption of ordinances heretofore validly adopted. Local authorities may adopt ordinances incorporating by reference the appropriate provisions of state law before the effective date of such state law; provided that such local ordinances do not become effective before the effective date of the state law. The provisions of this section are declaratory of existing law.”

This has several benefits to localities: it allows localities to write traffic tickets on local summons, and retain the fines generated therefrom, thus helping pay for local law enforcement, keeping localities safer; it helps localities not have to constantly amend its local code of ordinances pertaining to traffic laws to keep conformity with minor tweaks in the State Code pertaining to traffic laws; and it helps keep local codes of ordinances shorter.

An Opinion of the Attorney General, 81-82 Va. AG, 272 held “local governing bodies may adopt statutes by reference and may also adopt statutory amendments by reference, provided the amendments to them are adopted subsequent to the statutory amendments.” This means that annually, the Town must readopt Section 158-6 of the Town Code, which legally allows the Town to incorporate all the changes to the State Code traffic laws that have been made during the year.

Budget/Funding: By incorporating State motor vehicle code into the Town Code, traffic violations can be written as Town summonses, and resultant fines can be paid to the Town, thereby helping offset the cost of motor vehicle safety.

Staff Recommendation: Staff recommends approval of the ordinance as presented and a public hearing be advertised.

STATE STANDARDS

(Adopted 5-14-84)

158-6 ADOPTION BY REFERENCE OF STATE MOTOR VEHICULAR LAWS

Pursuant to the authority of Section 46.2-1313, Code of Virginia, 1950, as amended, all of the provisions and requirements of the laws of the State as of July 1, ~~2020~~ 2021, contained in Title 46.2, Code of Virginia, 1950, as amended, and Article 2 of Chapter 7 of Title 18.2, Code of Virginia, 1950, as amended, except those provisions and requirements the violation of which constitutes a felony and except those provisions and requirements which, by their very nature, can have no application to or within the Town, are adopted and incorporated by reference and made applicable within the Town. References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to the highways and other public ways within the Town. Such provisions and requirements are hereby adopted, mutatis mutandis, and made part of this chapter as fully as those set forth at length herein; and it shall be unlawful for any person within the Town to violate or fail, neglect or refuse to comply with any provision of Title 46.2, Code of Virginia, and Article 2 of Chapter 7 of Title 18.2, Code of Virginia, which is adopted by this section, provided that in no event shall the penalty imposed for the violation of any provision or requirement adopted exceed the penalty imposed for a similar offense under Title 46.2, Code of Virginia, and Article 2 of Chapter 7 of Title 18.2, Code of Virginia.



Work Session Agenda Statement

Item # 3

Meeting Date: April 12, 2021

Agenda Item: Update on Proposed Special Events Policy and Procedures

Summary: Staff will give an update on the proposed Special Events Policy and Procedures for use of the Town Commons Area, also known as the Gazebo Area, in Downtown Front Royal. Town Code Chapter 72 is proposed to be amended to reflect what the policy and procedures is trying to accomplish.

Budget/Funding: None

Staff Recommendation: Staff recommendation is to continue to move forward with the proposed policy and procedures and to amend the Town Code as necessary. The completed policy and procedures will be approved by Town Council at a regular meeting and the Town Code amendment will be advertised for a public hearing due to the Town Code requiring an amendment.

Chapter 72SPECIAL EVENTS HELD ON TOWN STREETS AND PUBLIC PLACES

- 72-1 PURPOSE OF CHAPTER**
- 72-2 PUBLIC AREAS OF REGULATION**
- 72-3 APPLICATION, POLICY AND PROCEDURES AND PERMIT**
- 72-4 PERMIT EXCEPTIONS**
- 72-5 PERMIT REVOCATIONS/SUSPENSION**
- 72-6 PROVISIONS OF THIS CHAPTER**
- 72-7 PENALTIES**
- 72-8 APPEALS**

72-1 PURPOSE OF CHAPTER

The purpose of this chapter is to accommodate competing demands for the public use of streets, and public property to be used for special events for tourists and community alike. Regulating these areas of demand is necessary to maintain public peace, safety, acceptable conditions of traffic flow and prevention of any illegal or unlawful activity.

72-2 PUBLIC AREAS OF REGULATION

There are two areas of regulation that will require an application from the Town.

1. Downtown Area that includes Main Street, Chester Street, Crescent Street, Peyton Street, Laura Virginia Hale, High Street, Kidd Lane, Water Street, Jackson Street and portions of Church Street and Blue Ridge Avenue. This area also includes the Town Commons Area that includes the Gazebo, Pavilion, Parking Lot and Visitor Center.

2. All Other Areas that are not included in the Downtown Area mentioned in 72.1 but are Town Streets or a public place.

72-3 APPLICATION, POLICY AND PROCEDURES AND PERMIT

No person(s) or entity shall conduct any event on Town streets or public property without authorization from the Town. Applications and the Policy and Procedures for these events shall be found in the Town Manager's Office.

72-4 PERMIT EXCEPTIONS

This Chapter shall not apply to:

1. Gatherings or events on private property;
2. Gatherings or events on Warren County owned property located within the Town's corporate limits;

3. Gatherings or events on public or privately owned school property;
3. Activities the Town Manager or his designee deem acceptable as an exception.

72-5 PERMIT REVOCATIONS/SUSPENSION

The Town Manager or the Manager's designee shall be authorized to revoke or suspend any permit previously granted:

1. For violation of any provisions of this Chapter or of any condition of the permit;
2. For any material misrepresentation, intentional or otherwise, made in connection with the application;
3. When weather conditions render the subject activity unsafe;
4. When otherwise required in the interest of public health, safety and welfare or environmental considerations.

72-6 PROVISIONS OF THIS CHAPTER

The Town Manager may designate one or more officers and/or employees of the Town to administer the provisions of this Chapter and be the final authority for all events held on Town streets and public property.

72-7 PENALTIES

Any person who shall violate any provision of this Chapter shall be guilty of a Class 3 misdemeanor.

72-8 APPEALS

Appeals of any decisions made by the Town Manager or his designee must be made to the Town Council within thirty days of the denial.

Chapter 72SPECIAL EVENTS~~72-1 PURPOSE OF CHAPTER~~~~72-2 PERMIT REQUIRED~~~~72-3 PERMIT APPLICATION~~~~72-4 PERMIT APPROVAL PROCESS~~~~72-5 PERMIT EXCEPTIONS~~~~72-6 PERMIT REVOCATION/SUSPENSION~~~~72-7 PROVISIONS OF THIS CHAPTER~~

~~Adopted by the Town Council of the Town of Front Royal 3-11-85 (formerly adopted 11-26-73. Section 72-8 added at time of adoption of Code. Entire Chapter was amended by Ord. 4-12 on 1-23-12 (formerly Entertainment Festival).; Revised/Reorganized Content and Added Subsections 4-14-19. Other amendments noted where applicable.~~

~~72-1 PURPOSE OF CHAPTER~~

~~A. The Town Council enacts this Chapter for the purpose of regulating the time, place and manner of special events and demonstrations within the Town and to accommodate competing demands for the public use of streets, sidewalks and public places. Regulation is necessary to preserve the public peace and safety, to permit free expression on issues of public concerns, to protect persons and property, to maintain acceptable conditions of traffic flow upon the streets and sidewalks and to prevent, control or eliminate any illegal, injurious or dangerous effects of this lawful activity.~~

~~B. The Town Council does not enact this Chapter or seek through its enforcement, to deny or abridge any person's rights of assembly and free speech or the opportunity for communication of thought and discussion of public questions in public places.~~

~~(Amended 3-13-06 Effective Upon Passage ; Amended 8-27-07 Effective Upon Passage)~~

~~(Amended 7-11-11 Effective Upon Passage ; Amended 1-23-12 Effective Upon Passage)~~

~~72-2 PERMIT REQUIRED~~

~~No person(s) or entity shall conduct any of the following special events or activities unless a permit has been granted by the Town:~~

- ~~1. Any gathering of individuals or groups for the purpose of listening to or participating in entertainment and/or commemorative festivals or parades with or without music and with or without the use of microphones and amplifiers conducted in open spaces not within an enclosed structure.~~

~~(Amended 1-14-10 Removed the number of persons constituting a gathering Effective Upon Passage)~~

- ~~2. Any planned gathering that results in the closing of any part of any public street or sidewalk to accommodate persons attending the gathering.~~
- ~~3. Parades, processions, marathons, bicycle races and other events utilizing the sidewalks or vehicular travel portion of Town streets.~~
- ~~4. Motion picture, video or broadcast television productions, other than news media, involving the staging of vehicles, equipment, props or personnel on public property, including buildings, streets and sidewalks, or requiring the use of Town equipment or services.~~

~~72-3 PERMIT APPLICATION~~

~~A. An application for any permit required by this Chapter shall be made to the Town Manager or the Manager's designee. The application shall be submitted not less than thirty (30) days nor more than six (6) months prior to the date of the proposed activity. An application for a major event (one involving the closure of more than three (3) blocks or which will last more than two (2) days) shall be filed not less than sixty (60) days nor more than six (6) months before the first date of the proposed activity. The application shall contain the following information, utilizing a form provided by the Town Manager.~~

~~If an application is submitted after the filing deadline set forth in Subsection A, the Town Manager or the Manager's designee may waive the filing deadline requirement of Subsection A upon a demonstration by the applicant in writing, that circumstances giving rise to the proposed event did not reasonably allow the applicant to apply for a permit within the time prescribed.~~

~~The application shall contain the following information, utilizing a form provided by the Town Manager's Office:~~

- ~~1. Description of the proposed activity;~~
- ~~2. Date, time and location/route of proposed activity and the anticipated number of participants and spectators;~~
- ~~3. Provisions for restroom facilities; security including but not limited to crowd, noise, parking, and traffic control; emergency services, fire protection, waste and refuse disposal, ADA compliance, and loud speaker placement. Plans for control shall meet all state and local requirements, ordinances and regulations.~~

~~(Amended 1-14-19 Effective Upon Passage)~~

- ~~4. Food and beverages to be sold or distributed. Plans for sale or distribution shall meet all state and local requirements, ordinances and regulations;~~
- ~~5. The designation of an individual or individuals who shall be responsible for ensuring compliance with the provisions of this Chapter and the conditions of the permit;~~

~~6. Proposed equipment, including but not limited to, vehicles, staging, bleachers, shelters, lighting and electricity requirements;~~

~~7. If revenue is anticipated to be generated by the activity, the individuals or entity that will benefit therefrom, and a list of anticipated vendors. Vendors associated with special events permitted through this Chapter shall not be subject to Town business license requirements, however, the approved permit does not eliminate any requirement for any business license, permit(s) which may be prescribed by any other federal, state or local statutes, ordinances, rules or regulations or compliances with any other federal, state or local statutes, ordinances or rules or regulations;~~

~~8. If animals such as horses are to be included in the event, provision of waste collection shall be provided by the Event Coordinator.~~

~~9. If pets are to be excluded from the event and how this shall be communicated to attendees;~~

~~10. Such additional information or assurances as the Town Manager may require.~~

~~(Amended 1-4-19 — Removed reference to “temporary signage” Effective Upon Passage)~~

~~B. A completed application shall be processed and either granted or denied within a reasonable time of receipt, but not more than thirty (30) days from the receipt of any application requiring sixty (60) days’ advance filing or fifteen (15) days from the receipt of any application requiring thirty (30) days’ advance filing. Such decision shall be in writing, setting forth the conditions of the permit, if granted, or the reasons for denial. The decision shall be provided to the applicant at the address stated in the application.~~

~~Prior to the final denial of any application, the applicant shall be apprised of the reason therefore and shall be able to appeal to the Town Council.~~

~~72-4 — PERMIT APPROVAL PROCESS~~

~~A. The Town Manager or the Manager’s designee may impose, as conditions to granting a permit, such further requirements and restrictions as will reasonably protect the public health, safety, welfare, peace and order. Such conditions may include, but are not limited to the following:~~

~~1. Any proposed use of public property, right of way, or facilities will have a public benefit and not unreasonably interfere with the normal use of property, right of way or facility by the Town or the general public;~~

~~2. The proposed activity does not present a safety or health risk to participants, spectators or the public, or an environmental hazard;~~

~~3. The proposed activity is compatible with the surrounding area or neighborhood, in consideration of anticipated noise, traffic, crowd capacity and other identifiable factors;~~

~~4. Should the proposed activity include music or entertainment, provision of such entertainment shall not exceed twelve (12) hours in any twenty four (24) hour period from the first gathering of participants;~~

~~5. Race events shall be responsible to provide traffic cones along affected routes to keep participants within coned boundaries, place race marshals at the start/finish and at every intersection along the coned route;~~

~~6. The applicant has provided proof of liability insurance underwritten by insurers acceptable to the Town, indemnifying the Town against any perils, suits, claims and losses which may arise in connection with the proposed activity. Such coverage shall be in amounts consistent with a standard schedule approved by the Town Manager, based upon risks associated with each type of event, in consideration of anticipated attendance. The Certificate of Liability Insurance to cover the event shall name the Town as an "Additional Insurer";~~

~~7. Should the proposed activity take place within the Historic Downtown area the following restrictions shall be met;~~

~~a. Full and/or partial closure of Main Street, shall be permitted two (2) times a month with a maximum of twelve (12) closures a calendar year; and,~~

~~b. Full closure of the Gazebo Parking Lot shall be permitted only when the full or partial closure of Main Street has been requested/permitted.~~

~~c. Partial closure of the Gazebo Parking Lot shall be permitted, but the East Main Street entrance to the Parking Lot will remain open to accommodate parking for the Visitor's Center and local businesses. Bollards will be placed in the parking lot, by the Town, to allow such parking.~~

~~(Amended "a" and Added "b-c" 1-14-19 Effective Upon Passage)~~

~~d. Town or County sponsored events shall have priority in use of any downtown public property or right of way. For events not sponsored by the Town or County, applicants who have held a quality event in the previous year and remain in good standing with the Town shall have priority for the same time and location the following year. All other applications are processed in order of receipt.~~

~~8. The payment of a reasonable fee for the use of Town utilities in connection with the proposed activity shall be as follows:~~

<u>Service</u>	<u>Fee</u>
<u>Electric Service</u>	<u>\$25.00 per day</u>
<u>Water Service</u>	<u>Current metered rate</u>

~~(Amended 1-14-19—Removed all reference to other service fees Effective Upon Passage)~~

~~9. By acceptance of the issuance of the permit, the applicant provides the Town Manager, the Manager's designee, and/or duly constituted law enforcement officers full access to the event for the purpose of determining compliance with the provisions of this Chapter.~~

~~10. Event Coordinators shall make every effort to promote the following and communicate to all organizers, vendors, entertainers or participants other than attendees the following suggested actions:~~

~~a. Event organizer, vendor, entertainer and participant parking should be in locations other than the Peyton Street Parking Lot. The Event Coordinators shall seek permission from off-site property owners for participant parking;~~

~~b. Participants in events associated with road closures shall confine exhibits, equipment and supplies to road area only. Blocking of sidewalks is prohibited;~~

~~i. Event Coordinators shall provide first right of refusal for one space adjacent to each merchants' business up to six (6) weeks in advance of the event. Event Coordinators are encouraged to provide reduced rates for this space;~~

~~ii. Event Coordinators shall place vendor booths on alternating sides of the road or shall alternate side of the road each year for successive events; and,~~

~~iii. Pedestrian access paths shall be provided to the sidewalk at a rate of one ten (10) foot space every forty (40) feet of vendor booths. All sidewalk access points shall be free from vendor booths.~~

~~11. Any permit granted under the provisions of this Chapter shall remain in effect for the duration of the proposed activity.~~

~~(Amended 1-14-19 — Removed reference to “conforming to Zoning Ordinance” Effective Upon Passage)~~

~~72-5 — PERMIT EXCEPTIONS~~

~~This Chapter shall not apply to:~~

~~1. Gatherings on residentially-zoned property for the celebration of birthdays, anniversaries or family reunions;~~

~~2. Sporting events on any publicly owned property;~~

~~3. Gatherings or events on Warren County or school-owned property with the permission of the County or School Board; or,~~

~~4. Gatherings or events on Randolph Macon Academy or school-owned property.~~

~~72-6 PERMIT REVOCATIONS/SUSPENSION~~

~~The Town Manager or the Manager's designee shall be authorized to revoke or suspend any permit previously granted:~~

- ~~1. For violation of any provisions of this Chapter or of any condition of the permit;~~
- ~~2. For any material misrepresentation, intentional or otherwise, made in connection with the application;~~
- ~~3. When weather conditions render the subject activity unsafe; and,~~
- ~~4. When otherwise required in the interest of public health, safety and welfare or environmental considerations.~~

~~In the event a permit is revoked or suspended, the permittee shall immediately discontinue, or cause to be discontinued, the activity for which the permit was granted, but shall thereafter, be entitled to a hearing concerning the revocation or suspension decision as provided by Subsection 72-3.B.~~

~~72-7 PROVISIONS OF THIS CHAPTER~~

~~A. The Town Manger may designate one (1) or more officers or employees of the Town to administer the provisions of this Chapter.~~

~~B. Any person who shall violate any provision of this Chapter shall be guilty of a Class 3 misdemeanor.~~

~~(Amended 3-13-06 Effective Upon Passage; Amended 8-27-07 Effective Upon Passage)~~

~~(Amended 1-23-12 Effective Upon Passage)~~

~~(Amended 1-14-19 Removed Subsection "PERMIT PROCESSING FEE" Effective Upon Passage)~~



Work Session Agenda Statement

Item # 4

Meeting Date: May 10, 2021

Agenda Item: Blighted Building Process and Blighted Properties on Non-Conforming lots

Summary: Review the proposed process from staff, on the procedures of implementing and enforcing Ch 9-303 Spot Blight Abatement Program. Text amendment Ch 175-131, to allow for restoration or reconstruction of structures that have been Blighted by Town Council that are on Non-conforming lots of record.

Budget/Funding: N/A

Staff Recommendation: Staff recommends moving forward with Town Code amendments.

Spot Blight and Blighted Buildings

Purpose:

- Policies and procedures describe the Town of Front Royal process for handling Complaints of blighted Structures.
- Blighted structures which are unsafe and present a threat to the health, safety, and welfare of the public.
- The program affords greater options to mitigate the impact of a blighted structures on the community.





Authority:

Town Council is authorized under Code of Virginia §§ 36-49.1:1.G and 15.2-900, as amended, to declare any blighted property to constitute a nuisance, which declaration shall be made by ordinance adopted by Town Council specific to such blighted property, and thereupon abate, raze, or remove such blighted property. Town Code CH § 9-303





Criteria for Determining Blight:

Any of the following criteria must be met for a blighted structure to be considered a nuisance:

- The structure/property must be the subject of complaints from the public or identified by the Town Code enforcement officer.
- The structure must be vacant or unfit for human occupancy in accordance with the State Building Code (SBC).
- The structure must be lacking in normal upkeep and maintenance.
- The property owner must be failing to pursue normal maintenance of the structure or failing to actively remedy the current situation which prohibits occupancy of the structure.
- The structure is open, cannot be secured against entry, and is unsafe or unfit for human occupancy.
- The unsafe structure is secured against public entry, but it presents a threat to a neighboring property or public right-of-way (such as a road or sidewalk) because of a potential collapse or other threat. The structure is determined to harbor rodents or other nuisances which may negatively impact a neighboring property.
- The unsafe structure is secured against entry and does not threaten a neighboring property or public way, but its present state of disrepair threatens the general welfare of the public by reducing the real or perceived value of an adjacent property; presenting a visual blight due to collapse, fire damage, or other unrepaired damage; lying in a state of incomplete construction, resulting in a negative view of the surrounding properties; or other similar conditions.





Procedure:

Complaint:

The Deputy Zoning Administrator (Code Enforcement Officer) will act as the primary contact with both the public (complainants and property owners) and Town staff. When receiving complaints from the public, the following information will be requested:

- A description of the property, including address, and structure considered a blight;
- The length of time the property under discussion has been in such a state;
- Any additional information that might be helpful to Town staff regarding the property; and
- The complainant's name, telephone number, and address.





Investigation:

Upon receipt of a complaint, Zoning Administration shall:

- Enter the complaint into zoning permit tracking system.
- Forward the complaint to Code Enforcement Officer for inspections or a status report of previous action(s) taken on the property.
- If necessary, forward the complaint to the Health Department, Public Works, or Fire Marshall for specific issues identified by Zoning staff; and
- Evaluate the status of the property compared to the criteria set forth in slide 3.



Evaluation:

- Town Zoning staff will prepare an initial report on the status of the complaint
- Zoning staff shall make the initial determination of whether the structure meets the necessary criteria to be considered a nuisance.
- If the criteria have not been met, Zoning staff will notify the complainant and property owner of the results of the investigation.
- Staff can take into consideration additional information or details as they become available or if circumstances change, and staff may revise its recommendations accordingly.
- If Zoning staff determines that the structure does not meet the criteria set forth in these procedures and that the complaint warrants further action, Zoning staff shall contact the property owner to inform him or her of the findings of the investigation and require an action plan to bring the property into compliance within 30 days after initial notice of Spot Blight.
- Staff shall work in concert with the property owner and/or responsible agent to describe the steps necessary to remedy the blighted situation.
- Should the property owner not positively respond to the recommendations, Zoning staff shall recommend to complete the recommendation to Town Council. The cost may be collected by the town as taxes and levies are collected. Every cost authorized by this section which is assessed against the owners of the premises shall constitute a lien against the property until actual payment in full has been made to the town.



Action:

If Staff determines that the structure is blighted and constitutes a nuisance, it shall recommend either:

- Repair of the structure, to ensure it is safe and fit for human occupancy, or
- Removal of the structure.

Upon completing such a report, Zoning staff shall issue the report to the property owner and again request compliance with the recommendations of Town staff. Staff will further inform the property owner of the authority granted to the Town Council to abate or remove the nuisance at its discretion. Should the property owner fail to respond appropriately, staff will prepare an item, in coordination with the Town Attorney, for a Public Hearing of the Town Council.

At the Public Hearing, staff will present its findings and make recommendations to the Town Council on how best to remedy the nuisance. If the Town Council authorizes staff to abate or remove the nuisance at the Town's expense, staff shall take the following steps, as outlined in Code of Virginia § 15.2- 906, to ensure reasonable notice is given to the property owner:

- A letter shall be sent via certified or registered mail, return receipt requested, to the last known address of the property owner, including the report of the staff's investigation and information describing the Town Councils' action.
- An ad shall be placed for two consecutive weeks in a newspaper having general circulation in the Town/County describing the action authorized by the Town Council to abate or remove the nuisance.

