



### TOWN COUNCIL WORK SESSION

Monday, March 14, 2022 @ 7:00pm in Town Hall Conference Room

View online LIVE at <https://www.frontroyalva.com/673/Town-Hall-Live>

1. Poe's River Edge LLC Special Use Permit Campground Facility – *Lauren Kopishke*
2. Deed of Partial Vacation of Easement Vacating the 20 ft. Sewer Easement Located on 195 Toray Drive – *Kathy Leidich*
3. FY22-23 Proposed Annual Budget (Additional Discussion) - *BJ Wilson*
4. Ordinance Amendment to Town Code Chapter 134 Pertaining to Sewer Rates - *BJ Wilson*
5. Discover Front Royal FY23 Budget and Draft Joint Tourism Memorandum of Agreement (MOA) 501(c)6 – *Steven Hicks*
6. Draft Resolution for Water and Sewer Services in the Route 340/522 Corridor for Commercial and Industrial Uses – *Steven Hicks*
7. Items Proposed for Consent Agenda Items on March 28<sup>th</sup> Agenda – *Steven Hicks*
  - a. Award Contract for Curb and Gutter Installation
  - b. Duck Street Culvert Repair
  - c. FY22 Budget Amendment to Accept Law Enforcement Block Grant
  - d. Proclamation for Arbor Day
  - e. Resolution for Submission of Virginia Smart Scale Pre-Application for the Happy Creek Road Phase II Project
8. Edgemont Avenue Street Name Change Banks Boulevard, Street, Avenue – *Councilwoman Thompson*
9. Proposed Comprehensive Plan – New Urbanism Presentation – *Councilman Lloyd*
10. CLOSED MEETING
11. Adjourn

### SPECIAL MEETING

immediately following the Work Session in Town Hall Conference Room

1. Roll Call
2. Draft Memorandum of Agreement (MOA) of the Board of Supervisors and Town Council to Promote and Support Development in Front Royal, Virginia Regarding Building Code Enforcement – *Mayor Holloway*
3. Adjourn



## Work Session Agenda Statement

Item # 01

Meeting Date: March 14, 2022

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**Agenda Item:** Poe's River Edge LLC Special Use Permit Campground Facility

**Summary:**

A Special Use Permit Application was submitted by Poe's River Edge LLC for a new 200 site campground classified as a commercial recreation facility in the I-2 district per Code Chapter 175-65.B.

**Budget/Funding:** N/A

**Staff Recommendation:** At the Public Hearing scheduled for the March 28<sup>th</sup> Regular Council Meeting, staff recommends conditional approval of the Campground facility provided that:

- 1.) Town Code requirements for water line access to the site are followed
- 2.) The Applicant provides a letter from the Virginia Department of Health stating septic facilities are adequate.
- 3.) The Applicant provides hours of operation information to staff.
- 4.) All comments and requests from the Fire Marshall are adhered to.

**TOWN OF FRONT ROYAL  
DEPARTMENT OF PLANNING & ZONING**



**STAFF REPORT FOR SPECIAL USE APPLICATION #FRSPU-3016-2021**

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**APPLICATION #:**

FRSPU-3016-2021

**APPLICANT:**

Poe's River Edge, LLC

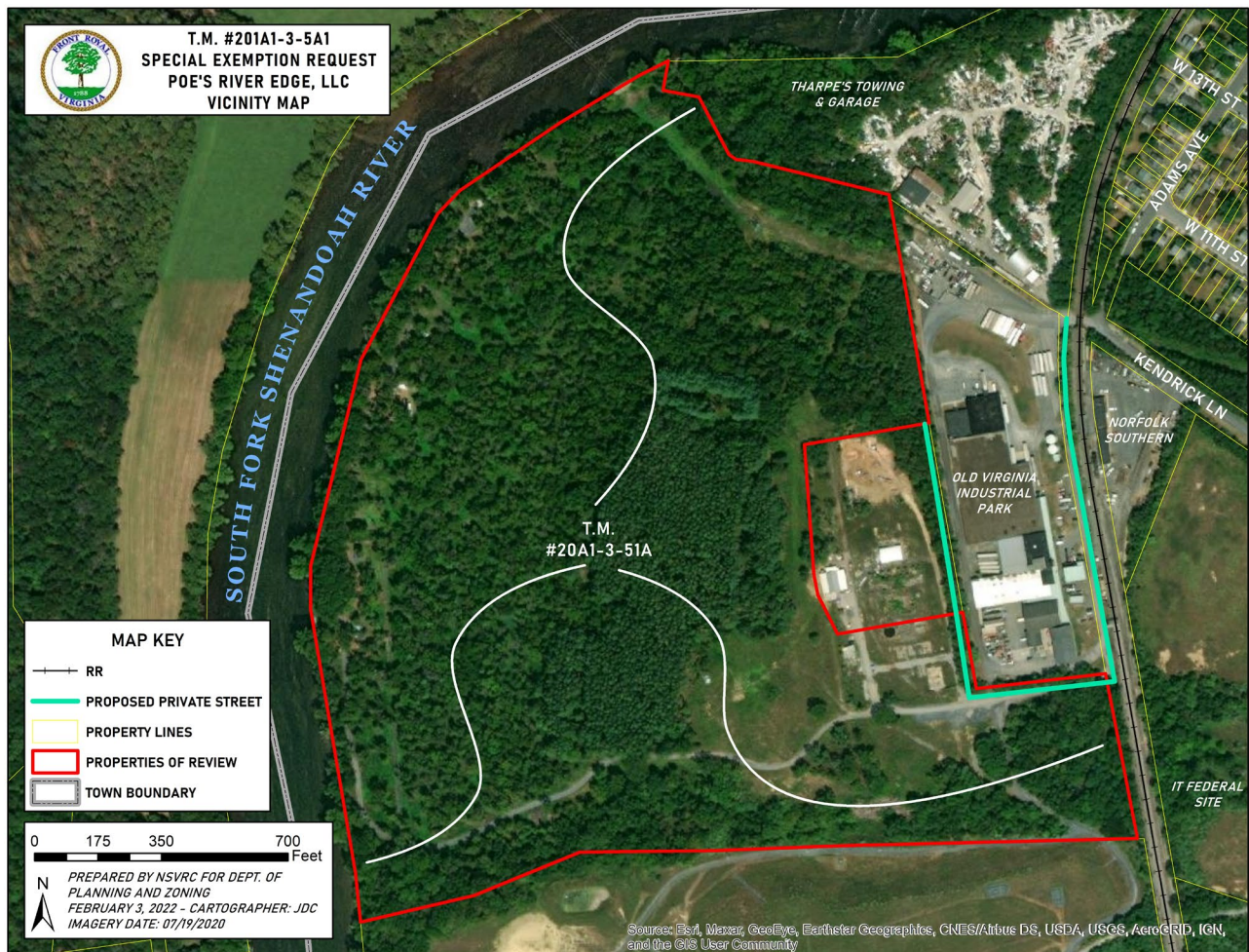
**SUMMARY OF REQUEST:**

A Special Use Permit Application was submitted by Poe's River Edge LLC for a new 200 site campground classified as a commercial recreation facility in the I-2 district per Code Chapter 175-65.B

**GENERAL INFORMATION:**

|                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Property Owner(s)</b>          | Poe's River Edge, LLC                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Existing Zoning</b>            | I-2 Industrial Employment District                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Tax Identification</b>         | T.M. #20A1-3-5A1                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Location</b>                   | The property is located at the western terminus of Kendrick Lane past the railroad trestle, between the Southfork Shenandoah River to the west and the Norfolk Southern Railroad to the east.                                                                                                                                                                                                                                                                        |
| <b>Surrounding use and Zoning</b> | The properties of review are abutted by properties classified as either I-2 Industrial Employment District or MCD Mixed-Use Campus Development District. Most of the immediately adjoining properties are industrial use-oriented businesses, except for the former Avtex site to the south which is a vacant lot.                                                                                                                                                   |
| <b>Comprehensive Plan review</b>  | The properties of review are located within the South Fork Industrial Planning Area per the 1997 Comprehensive Plan Front Royal Planning Areas map. However, the parcels of review are excluded from the South Fork Industrial Planning Area Existing Land Use map (dated January 1997) and Future Land Use map (dated September 1997) due to their proximity to the former Avtex Fibers site which is an Environmental Protection Agency designated Superfund Site. |

## VICINITY MAP



## Background, Analysis, and Staff Findings

Poe's River Edge LLC is seeking approval for a 200 site campground facility. The facility will permit camping for up to 180 consecutive days and will operate year round. The facility will be accessed by an 18' wide access road and be constructed in phases based on approval from the Health Department stating that septic facilities are adequate. The site will be served by water and the Applicant has agreed to abide by all Town Code requirements for water provisions.

The Special Use Permit Application was submitted for a new, commercial recreation facility in the I-2 district per Code Chapter 175-65.B. The Zoning administrator determined that the Applicant's request for a campground would require a Special Use Permit because a campground can be considered a commercial recreation facility. Chapter 175.10.4 of the Zoning Ordinance states

"Commercial outdoor recreation, including athletic and park facilities, amphitheaters, stadiums, botanical gardens, campgrounds and seasonal recreational facilities, subject to the standards of Section 175-10.10.D"

A Special Use Permit application cannot be approved until the Planning Commission holds a public hearing to review and provide a recommendation to Town Council per 175-136.

Although this outdoor recreational facilities is located in the I-2, staff believes the requirements outlined 175-10.10.D are still applicable.

**Review and comment of proposed private street per Section 175-10.10.D requirements:**

1. A minimum of 50% of the lot area shall be designated as open space.

**Staff Comment:** Per the submitted plan, this requirement is met.

2. Buildings and structures used in association with outdoor recreation, hospital, school and churches shall be setback from adjoining property lines by a distance of 200 feet, except that the setback specified under Section 175-10.6 shall apply along property lines abutting a public road or the Shenandoah River.

**Staff Comment:** The submitted plan shows the location of proposed buildings and/ or other structures at sufficient distances from the property lines.

3. Amphitheaters, stadiums and other similar activities that involve the outdoor gathering of large groups of people shall submit a traffic impact study for evaluation by the Town during the special use permit application process if the total number of attendees is anticipated to exceed 2,500 persons. Gatherings of people above 2,500 may only be permitted by the Town on a temporary basis.

**Staff Comment:** Not applicable to this application, the number of campers will not exceed 2500 people.

4. All outdoor lighting shall be reviewed and approved during the special use permit process. If outdoor lighting is authorized by special use permit, such lighting shall be designed so that light fixtures and the light that they emit minimize light glare to adjoining properties and the night-sky.

**Staff Comment:** Staff will include a condition stating that lighting will adhere to Town Code requirements.

5. Campgrounds, and similar facilities, shall comply with all requirements of the Virginia Department of Health, except that in no circumstance shall a campground not be provided with public bathroom facilities with either public utilities or an approved independent well and sanitary sewer system.

**Staff Comment:** Staff will include a condition stating that Virginia Department of Health requirements will be adhered to.

6. The hours of operation for outdoor activities shall be defined on any special use permit that may be approved by the Town.

**Staff Comment:** The Applicant will provide hours of operation prior to the issuance of Building permits.

**Staff Recommendation:**

Staff recommends conditional approval of the private street provided that:

- 1.) Town Code requirements for water line access to the site are followed
- 2.) The Applicant provides a letter from the Virginia Department of Health stating septic facilities are adequate.
- 3.) The Applicant provides hours of operations information to staff.
- 4.) All comments and requests from the Fire Marshall are adhered to.

**Attachments:**

- A. Application Forms
- B. Campground Plan
- C. Comments from the Fire Marshall



# COUNTY OF WARREN

## Department of Fire & Rescue Services

200 Skyline Vista Drive, Suite 200

Front Royal, Virginia 22630

Phone: (540) 636-3830

Fax: (540) 636-9986

Email: [jbonzano@warrencountyfire.com](mailto:jbonzano@warrencountyfire.com)

**James G. Bonzano, II**  
Fire Chief

### Memorandum

#### BOARD OF SUPERVISORS

\*\*\*\*\*

**CHAIRMAN**  
Cheryl L. Cullers  
South River  
District

**VICE CHAIR**  
Archie A. Fox  
Fork  
District

**Tony F. Carter**  
Happy Creek  
District

**Delores R. Oates**  
North River  
District

**Walter J. Mabe**  
Shenandoah  
District

\*\*\*\*\*

**Dr. Edwin Daley**  
County Administrator

**TO:** Lauren Kopishke, Director of Planning

**FROM:** Gerry R. Maiatico, Fire Marshal

**DATE:** February 10, 2022

**SUBJECT:** TFR SUP – Kendrick Lane Campground

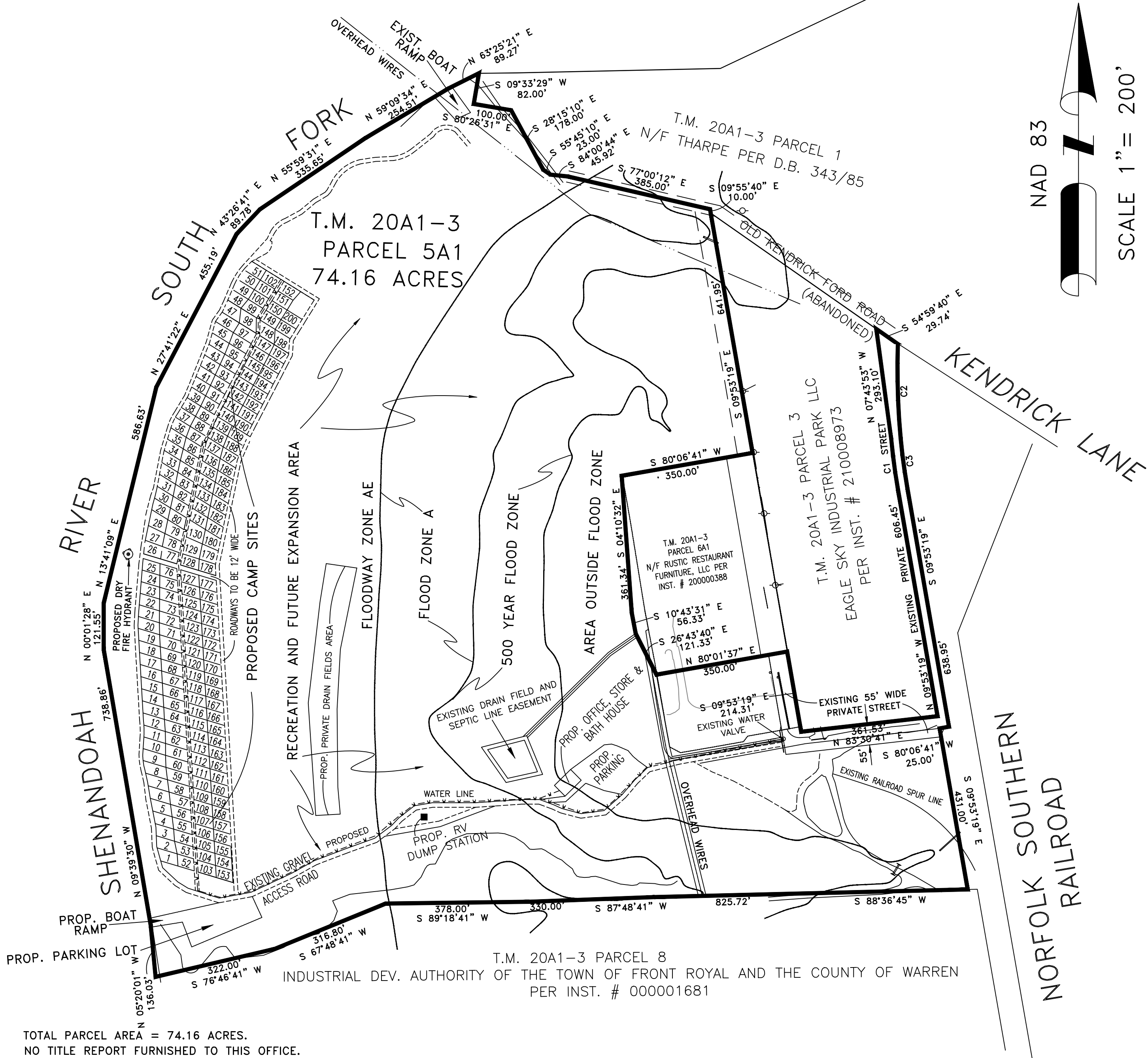
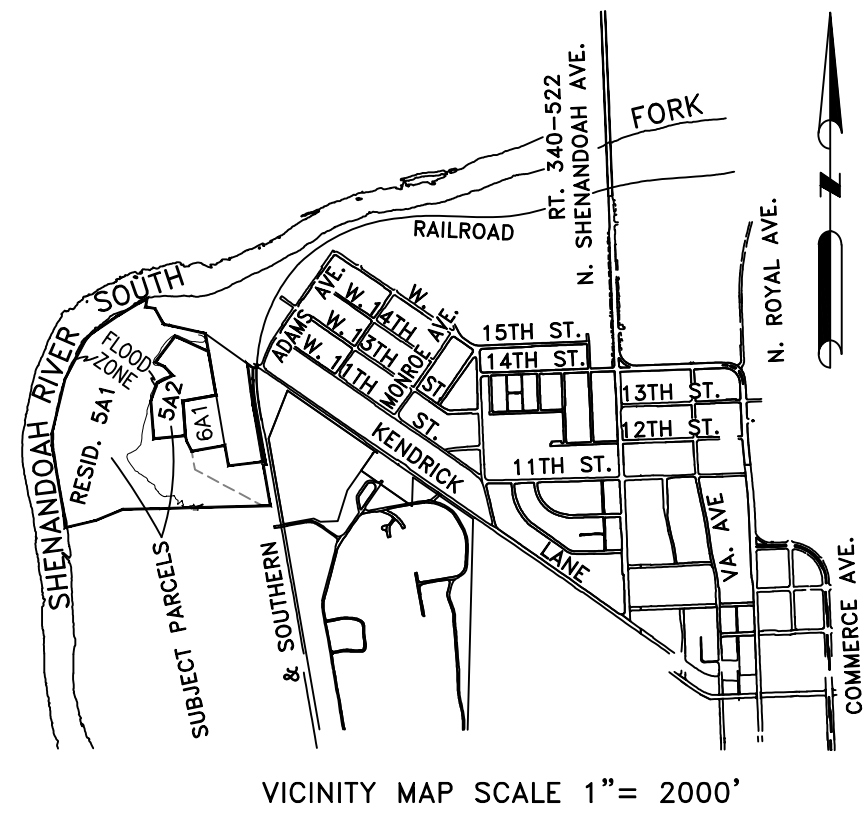
After review and discussion of the proposed campground on Kendrick Lane identified by Tax Map No. 20A1-3-5-A1 the following comments are offered by the Department of Fire and Rescue Services:

1. Access roads shall meet width standards to ensure fire apparatus access. The applicant has offered 18-foot-wide primary access roads with 12 foot wide one way roads between campsite. Additionally, a cut through road should be provided at minimum in the middle of the site. All roads shall provide all weather access.
2. A means for fire suppression water should be provided for the campsites. This can be achieved through provided a dry fire hydrant that meet fire and rescue standards or by providing municipal fire hydrants on the TFR System.
3. The evacuation plan for flood events should be submitted to the Warren County Office of Emergency Management for review and comment to ensure river monitoring and notifications meet standards consistent with local standards.

Should you require any additional information, please feel free to contact me.

CAMPGROUND TO BE ACCESSED FROM KENDRICK LANE ALONG AN EXISTING PRIVATE STREET.  
A PROPOSED 1 STORY AND BASEMENT OFFICE/STORE/BATHHOUSE TO BE CONSTRUCTED AS SHOWN.  
A PROPOSED RV DUMPSTATION CONNECTED TO PRIVATE DRAIN FIELD WILL BE PROVIDED AS SHOWN.

TOTAL NUMBER OF PROPOSED CAMP SITES SHOWN = 200.  
MINIMUM PROPOSED CAMP SITE SIZE = 30' X 45'.  
ACCESS ROADS BETWEEN CAMP SITES TO BE 12' WIDE.  
MAIN ACCESS ROADS TO CAMP SITES TO BE 18' WIDE.  
CAMP SITES WILL BE FOR RV, TRAILER AND TENT CAMPING.  
CAMP SITES WILL BE SERVED BY:  
TOWN WATER IN ACCORDANCE WITH TOWN METERING AND SUPPLY REGULATIONS.  
ESTIMATED DAILY WATER USE FOR AN RV SITE IS 30 GALLONS PER DAY.  
SEWER FROM PRIVATE DRAIN FIELD SITES TO BE ENGINEERED TO ACCOMODATE CAMP SITES,  
BATHHOUSE, RV DUMPSTATION, STORE AND APPROVED BY WARREN COUNTY HEALTH DEPT.  
ELECTRIC FROM TOWN OF FRONT ROYAL ELECTRIC SERVICE.  
EACH CAMP SITE UTILITY HOOKUP TO BE IN CONFORMANCE WITH FLOOD PROOFING REQUIREMENTS.

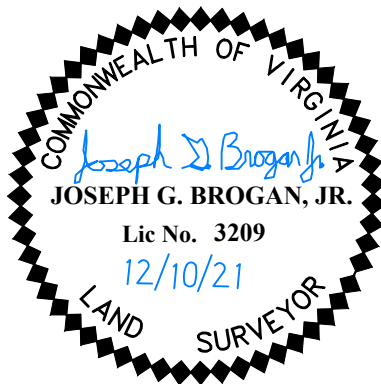
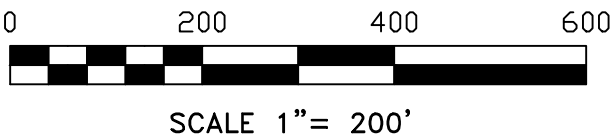


TOTAL PARCEL AREA = 74.16 ACRES.  
NO TITLE REPORT FURNISHED TO THIS OFFICE.  
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.  
DERIVATION OF TITLE TO: POE'S RIVER EDGE LLC  
PER INSTRUMENT # 180004663.  
PROPERTY ZONED I-2.  
FEMA FLOOD ZONES PER FIRM MAP NO. 51187C0112C  
EFFECTIVE DATE JUNE 3, 2008.

PLAT SHOWING PROPOSED CAMP GROUND  
ON TAX MAP 20A1-3 PARCEL 5A1  
FORK MAGISTERIAL DISTRICT  
**TOWN OF FRONT ROYAL**  
**WARREN COUNTY, VA.**

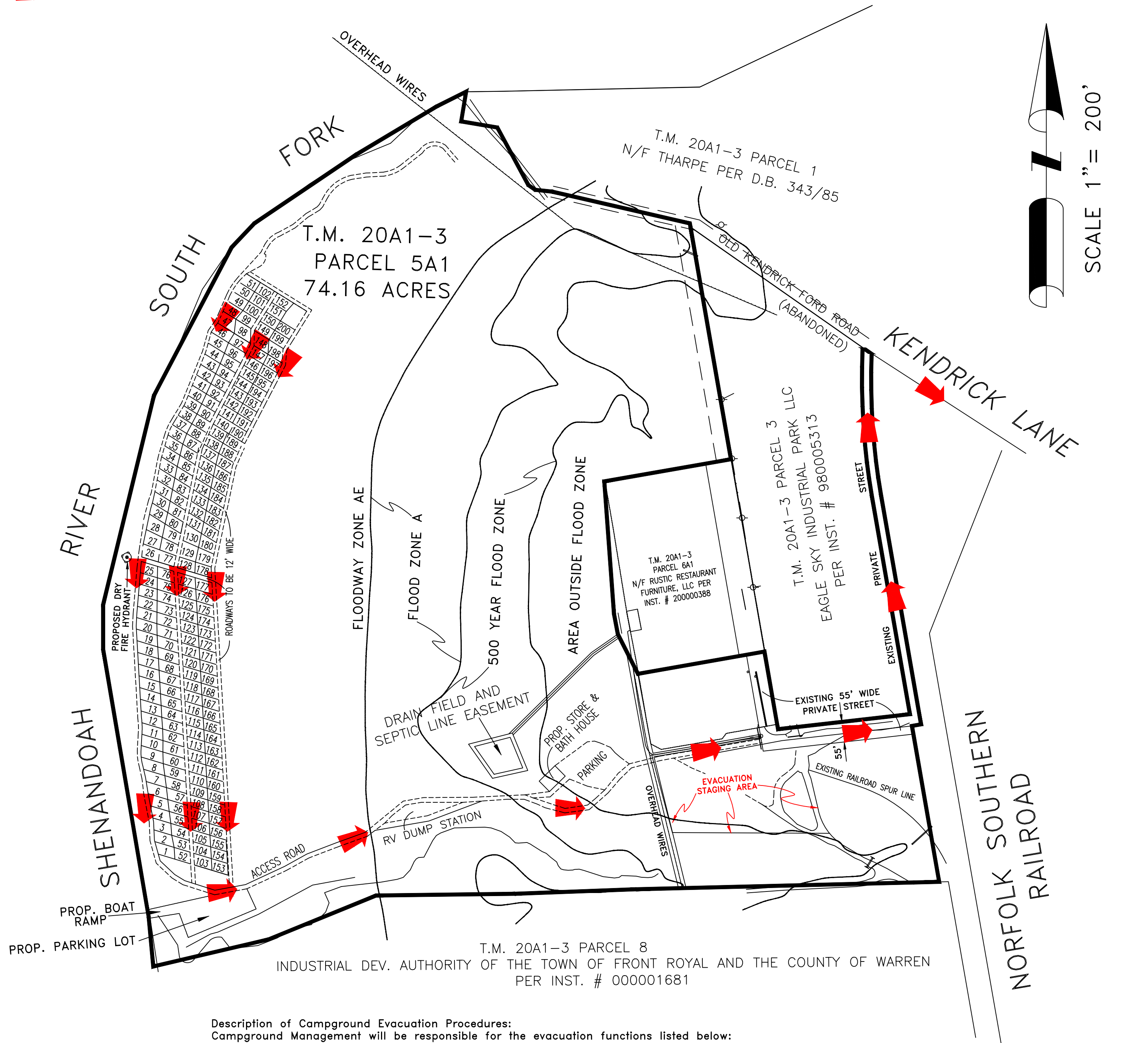
PREPARED BY  
BROGAN LAND SURVEYING, PLC  
P.O. BOX 1578, FRONT ROYAL, VA. 22630  
tel&fax (540) 635-5657  
DECEMBER 10, 2021

| CURVE | RADIUS   | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|----------|------------|--------------|---------------|-------------|
| C1    | 1695.30' | 134.14'    | 134.10'      | N 07°37'19" W | 4°32'00"    |
| C2    | 1943.08' | 248.47'    | 248.30'      | N 01°41'31" W | 7°19'36"    |
| C3    | 1670.30' | 132.16'    | 132.12'      | S 07°37'19" E | 4°32'00"    |



↑ DENOTES EVACUATION DIRECTION ARROW.

# EVACUATION PLAN



## Description of Campground Evacuation Procedures:

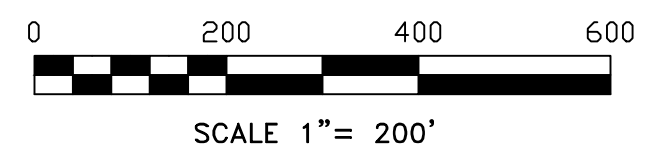
Campground Management will be responsible for the evacuation functions listed below:

1. Inform each guest of the impending disaster, if any is known. Notice shall be verbal if possible or else by public address using megaphone.
2. If Campground Management is aware of any special needs for fragile, handicapped, elderly or disabled individuals within the facility, staff will try to assist these individuals to the best of their abilities in the particular situation. However, it will be each persons responsibility to care for themselves in all cases.
3. Prior to any advance warning for evacuation, guests will be advised that all propane devices be isolated and shut-off, all electrical and water hookups be disconnected, all doors, windows and all property located outside their RV unit be secured, and leave immediately to the predetermined location.
4. Transportation of campground guests and RVs will NOT the responsibility of Campground Management. The most current contact information for local taxi and towing services will be posted at the office for guests to make contact and arrange transport as needed. In the event of possible harm to persons in an emergency, Campground Management will use best judgment to assist in the transport of persons only, (no personal property), off site to a safer location if available.
5. Campground Management will monitor potential Flood Forecasts via the National Weather Service, State and Local Emergency Service announcements. Online flood gauges will be monitored and local emergency services will be consulted to determine any threat of Flooding. The River Banks on Subject Property are between 8 and 12 feet higher than the river level so the risk of flash flooding from a fast moving storm is minimal.

## Evacuation Route Procedures will be as follows:

The Campground is accessed via a 2 lane roadway from Kendrick Lane which will be kept open to traffic, any gates will remain open to allow traffic flow in the event of an emergency.

Camp sites on the Southern end will evacuate first and a staging area situated outside the Fema Flood Zone will be available to avoid any bottle neck situations while exiting the campground.



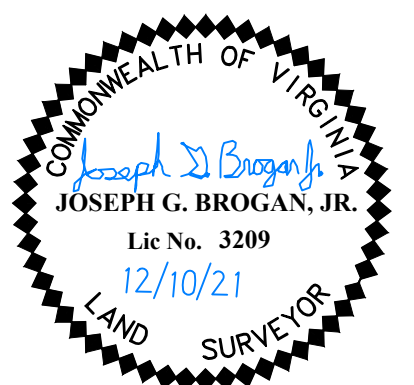
PLAT SHOWING PROPOSED CAMP GROUND  
ON TAX MAP 20A1-3 PARCEL 5A1

FORK MAGISTERIAL DISTRICT

TOWN OF FRONT ROYAL  
WARREN COUNTY, VA.

SHEET 2 OF 2

PREPARED BY  
BROGAN LAND SURVEYING, PLC  
P.O. BOX 1578, FRONT ROYAL, VA. 22630  
tel&fax (540) 635-5657  
DECEMBER 10, 2021





## Work Session Agenda Statement

Item # 02

Meeting Date: March 14, 2022

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**Agenda Item:** Deed of Partial Vacation of Easement Vacating the 20 ft. Sewer Easement Located on 195 Toray Drive.

**Summary:** Town staff has been working with representatives from the InterChange Group, Inc. to finalize the water/sewer easements and supporting documents for the properties located at 190 and 195 Toray Drive. The vacation of an existing 20 ft. wide sewer easement at 195 Toray Drive is proposed and requires a public hearing to complete.

Attachments:

- Site Drawings-Showing proposed vacation and relocation of sewer easement
- Deed of Easement and Vacation of Easement-Lispen, LLC.

**Budget/Financing:** N/A

**Staff Recommendation:** Staff recommends that Town Council consider vacating the 20 ft. sewer easement located on 195 Toray Drive during its Public Hearing on March 28, 2022.

THIS DOCUMENT WAS PREPARED BY:  
LISA ANNE HAWKINS (VSB# 44738)  
HAWKINS LAW PLC  
P.O. BOX 4  
BRIDGEWATER, VIRGINIA 22812

Tax Map Numbers: 12-G-1-2-1A1

This deed is exempt from taxation under Virginia Code § 58.1-81 1(A)(3).

This **DEED OF PARTIAL VACATION OF EASEMENT**, made this \_\_\_ day of \_\_\_\_\_, 2022 (this “Agreement”), is by and between the **TOWN OF FRONT ROYAL, VIRGINIA**, a body politic, Grantor (the “Town”) and **LISPEN, LLC**, a Virginia limited liability company, Grantee (“Property Owner”).

W I T N E S S E T H:

WHEREAS, Property Owner dedicated to public use certain easements for water and sewer (the “Existing Easements”) as shown and depicted on the plat dated June 28, 2017, prepared by Hal T. Benner, L.S., entitled “Lot Line Adjustment & Vacation Between Tax Map 12-83A, 12-84, 12-G-1-2-1A, & 12-G-1-2-3A,” attached to and recorded with the Owner’s Consent and Dedication thereof in the Office of the Clerk of the Circuit Court of Warren County, Virginia, as Instrument 180000929, (the “2017 Plat”);

WHEREAS, Property Owner has requested, and the Town has agreed to vacate a portion of the public sanitary sewer easement dedicated on the 2017 Plat, all on the terms set forth in this instrument; and

WHEREAS, the proposed partial vacation of easement crosses a portion of the property acquired by Property Owner by deed recorded in the Office of the Clerk of the Circuit Court of Warren County, Virginia as Instrument No. 160005240 (the “Property”), and Property Owner is the fee simple owner of the Property as of the date hereof.

NOW, THEREFORE, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged:

**PARTIAL VACATION OF SANITARY SEWER EASEMENT**

The Town, pursuant to resolution of Town Council passed on \_\_\_\_\_, 20\_\_\_\_, following a duly advertised public hearing, does hereby vacate and release, and quitclaims to Property Owner, that portion of the Existing Easements shown as “20’ Sanitary Sewer Easement Inst. # 180000929 Hereby Vacated” on the attached plat dated February 21, 2022, prepared by Hal T. Benner, L.S., entitled “Vacation of a 20’ Sanitary Sewer Easement on Tax Parcel 12-G-1-2-1A1” (the “Vacation Plat”), and all sanitary sewer facilities located therein. No other portion of the Existing Easements is vacated by this instrument.

SIGNATURE PAGE FOLLOWS.

**IN WITNESS WHEREOF**, the undersigned has caused this instrument to be executed and delivered on due authority.

**APPROVED AS TO FORM:**

\_\_\_\_\_  
James E. Cornwell, Jr., Interim Town Attorney

Date: \_\_\_\_\_

**TOWN:**

TOWN OF FRONT ROYAL, VIRGINIA

By: \_\_\_\_\_ (SEAL)  
Chris W. Holloway, Mayor

**ATTEST:**

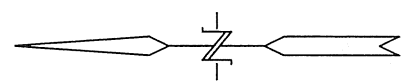
\_\_\_\_\_  
Tina Presley, Clerk of Council

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF \_\_\_\_\_, to-wit:

I, \_\_\_\_\_, a Notary Public in and for the State and County aforesaid, do hereby certify that Chris W. Holloway, Mayor, and Tina Presley, Clerk, whose names are signed on behalf of the Town of Front Royal, Virginia, to the foregoing Deed of Easement bearing the date of February \_\_, 2022, have each this day personally appeared and acknowledged the same before me in my State and County aforesaid.

[SEAL]

\_\_\_\_\_  
Notary Public  
Notary Public Registration No.: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



SCALE: 1"=100'  
● = SET IRON PIN  
○ = FOUND IRON PIN  
⊙ = FOUND AXEL  
Δ = POINT

VA. GRID NORTH

| CURVE | RADIUS    | ARC     | CHORD   | BRG           | DELTA ANGLE | TANGENT |
|-------|-----------|---------|---------|---------------|-------------|---------|
| C1    | 800.00'   | 194.20' | 193.72' | N 74°55'59" W | 13°54'30"   | 97.58'  |
| C2    | 500.00'   | 147.13' | 146.60' | N 73°27'27" W | 16°51'36"   | 74.10'  |
| C3    | 32.00'    | 50.26'  | 45.25'  | N 20°01'40" W | 89°59'16"   | 31.99'  |
| C4    | 11410.16' | 150.06' | 150.06' | N 25°15'26" E | 0°45'13"    | 75.03'  |
| C5    | 11410.16' | 121.29' | 121.29' | N 25°56'38" E | 0°36'33"    | 60.65'  |
| C6    | 500.00'   | 38.14'  | 38.13'  | S 79°42'07" E | 4°22'15"    | 19.08'  |
| C7    | 500.00'   | 108.99' | 108.77' | N 71°16'20" W | 12°29'20"   | 54.71'  |

**SYSCO MDSE & SUPPLY CHAIN**  
TM 12-85

S 65°56'27" E  
36.31'

20' WATER EASEMENT  
INSTRUMENT # 970000764

**LISPEN, L. L.C.**  
TM 12-84  
INSTRUMENT # 160005240

20' SANITARY SEWER EASEMENT  
INST. # 180000929  
HEREBY VACATED

**LISPEN, L.L.C.**  
TM 12G-1-2-1A1  
INSTRUMENT # 160005240

**LISPEN, L.L.C.**  
TM 12-83A  
INSTRUMENT # 160005240

30' WATER LINE & SANITARY SEWER EASEMENT  
INST. # 180000929

20' SANITARY SEWER EASEMENT  
INST. # 180000929

VDOT GRADING & DRAINAGE EASEMENT  
HEREBY DEDICATED TO THE COUNTY OF WARREN  
INST. # 180000929

20' WATER LINE EASEMENT  
INST. # 180000929

**VACATION OF A 20' SANITARY SEWER EASEMENT  
ON TAX PARCEL 12G-1-2-1A1**

**BENNER & ASSOC., INC.**  
8 PLEASANT HILL ROAD  
HARRISONBURG, VA 22801  
540 434-0267  
REF# 020515  
DRAWING: 020515 VACATION & EASEMENT PLAT.dwg  
CRD: 020515

NORTH RIVER MAGISTERIAL DISTRICT, WARREN COUNTY, VIRGINIA  
FEBRUARY 21, 2022



22°01'16" W 555.40'  
S 65°59'39" E 709.56'  
N 67°58'44" W 540.67'  
S PLEASANT VALLEY ESTATES  
LOT 5A  
TM 12-G-1-2-5A  
DB 551/117



## Work Session Agenda Statement

Item #03

Meeting Date: March 14, 2022

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**Agenda Item:** FY22-23 Proposed Budget Additional Discussion

**Summary:** Council is scheduled to approve the FY2022-2023 Personal Property and Real Estate Tax Rates during the March 28, 2022, regular meeting. Council is requested to discuss any additional questions related to the FY22-23 Proposed budget prior to approval of the tax rates.

Public hearings on the FY22-23 Budget Appropriation Ordinance are intended to be held during Town Council's regular meeting scheduled for April 25, 2022. Advertisements for the public hearings will be placed in local news media prior to April 25, 2022.

**Budget/Funding:** N/A

**Staff Recommendation:** Staff recommends discussing any questions related to the FY22-23 Proposed Budget prior to approval of tax rates, sewer rate increase, and appropriation ordinance.



## Work Session Agenda Statement

Item # 04

Meeting Date: March 14, 2022

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**Agenda Item:** Ordinance Amendment to Town Code Chapter 134 Pertaining to Sewer Rates

**Summary:** Council is requested to hold a public hearing and approve an ordinance amendment to Town Code Chapter 134 pertaining to the increase of sewer rates effective July 1, 2022.

The increase of approximately 2.25% was recommended based upon the Town consultant's updated water/sewer rate analysis and using funds from the American Rescue Plan Act for major water/sewer capital projects.

Typically, residential accounts use approximately 5,500 gallons of sewer monthly. Currently the monthly charge for 5,500 gallons of sewer usage is \$54.58; the recommended rate increase would equate to a monthly charge of \$55.82; an increase of \$1.24 monthly.

**Budget/Funding:** Sewer rate increase has been incorporated into the FY23 Proposed Budget

**Staff Recommendation:** Staff recommends approving the sewer rate increase as presented. No increase is proposed for electric, water, or solid waste is recommended, nor has been incorporated into the FY23 proposed budget at this time. Public Hearing has been advertised for March 28, 2022.

**AN ORDINANCE TO AMEND AND RE-ENACT FRONT ROYAL TOWN CODE  
CHAPTER 134-22.1 AND 134-22.4 PERTAINING TO SANITARY SEWER SERVICE RATES**

**134-22.1 SANITARY SEWER SERVICE RATES**

The monthly base rates for sanitary sewer service usage shall be as follows:

A. Base rate, up to three thousand (3,000) gallons per month: ~~seventeen dollars and thirty-three cents (\$17.33)~~ **seventeen dollars and seventy-two cents (\$17.72).**

B. All sanitary sewer service usage exceeding three thousand (3,000) gallons per month: ~~fourteen dollars and ninety cents (\$14.90)~~ **fifteen dollars and twenty-four cents (\$15.24)** per month, for each one thousand (1,000) gallons thereafter.

**134-22.4 SEWER SERVICE RATES-COMMERCIAL AND INDUSTRIAL LAUNDRIES**

A. In-Town Laundries: The monthly rates for sewer service usage by licensed commercial or industrial laundries located within the corporate limits of the Town of Front Royal shall be as follows:

1. All sanitary sewer service usage for the first one hundred thousand (100,000) gallons: ~~fifteen dollars and ninety-eight cents (\$15.98)~~ **sixteen dollars and thirty-four cents (\$16.34)** per one thousand (1,000) gallons.

2. All sanitary sewer usage from one hundred thousand one (100,001) gallons to five hundred thousand (500,000) gallons: ~~fourteen dollars and fifty-two cents (\$14.52)~~ **fourteen dollars and eighty-five cents (\$14.85)** per one thousand (1,000) gallons.

3. All sanitary sewer service usage above five hundred thousand (500,000) gallons: ~~thirteen dollars and eighty cents (\$13.80)~~ **fourteen dollars and eleven cents (\$14.11)** per thousand (1,000) gallons.

APPROVED:

\_\_\_\_\_  
Chris W. Holloway Mayor

ATTEST:

\_\_\_\_\_  
Tina L. Presley, Clerk of Council

THIS ORDINANCE was approved at the Regular Meeting of the Town of Front Royal, Virginia conducted \_\_\_\_\_ 2022, upon the following recorded vote:

Lori A. Cockrell      \_\_ Yes \_\_ No

Amber F. Morris      \_\_ Yes \_\_ No

Gary L. Gillispie      \_\_ Yes \_\_ No

Letasha T. Thompson      \_\_ Yes \_\_ No

E. Scott Lloyd      \_\_ Yes \_\_ No

Joseph E. McFadden      \_\_ Yes \_\_ No

A public hearing on the above was held on \_\_\_\_\_ having been advertised in the Northern Virginia Daily on \_\_\_\_\_.

Approved as to form and legality:

\_\_\_\_\_  
George Sonnett, Assistant Town Attorney

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_



## Work Session Agenda Statement

Item # 05

Meeting Date: March 14, 2022

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**Agenda Item:** Discover Front Royal FY23 Budget and Draft Joint Tourism MOA 501(c)6

**Summary:** Since June 21, 1993, the Town had been responsible for funding the Visitor's Center and tourism for the community as most hotels, motels, and restaurants that benefitted from tourism were located inside the limits of the Town. However, there was significant growth of the lodging industry in the County and outside of the Town's limits. As a result, the County adopted an ordinance that increased the transient occupancy tax from two percent (2%) to five percent (5%). This increase became effective on July 1, 2017.

The County and the Town entered into a Memorandum of Agreement (MOA) that established the Front Royal-Warren County Joint Tourism Advisory Committee, hereinafter the "Committee". The Town and County appointed the Advisory Committee to advise, assist, support, and advocate for tourism policies, program, and activities to market and promote Front Royal-Warren County and its environs, and to serve as the "local tourism industry organization" referred to in Section 58.1-3819 of the Code of Virginia, as amended.

In January 2021, the Town and County entered into an updated Memorandum of Agreement, tasking the Committee to direct, promote, and manage tourism development in the Front Royal and Warren County.

**Budget/Funding:** Fund Discover Front Royal at minimum of 50% not to exceed 70% of 5-year rolling average of actual revenue received from transient occupancy by the Town and shall not exceed amount funded by County.

FY23 Budget proposed match of \$200,000.00

**Proposed Motion:** Staff recommends Council approve the Draft MOA as presented.

# Memorandum of Agreement

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*Of the Board of Supervisors of Warren County  
And the **Town Council** of Front Royal*

## FRONT ROYAL–WARREN COUNTY JOINT TOURISM

This **MEMORANDUM OF AGREEMENT** made this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by and between the **Town of Front Royal, Virginia**, hereinafter referred to as the “Town”, and the **County of Warren, Virginia**, hereinafter referred to as the “County”, collectively hereinafter referred to as the “Parties”, stipulates that the Parties agree to the following:

### I. PURPOSE

Since June 21, 1993, the Town had been responsible for funding the Visitor’s Center and tourism for the community as most hotels, motels, and restaurants that benefitted from tourism were located inside the limits of the Town. However, there was significant growth of the lodging industry in the County and outside of the Town’s limits. As a result, the County adopted an ordinance that increased the transient occupancy tax from two percent (2%) to five percent (5%). This increase became effective on July 1, 2017.

Upon the County adopting ordinance, the Parties entered into a Memorandum of Agreement that established the Front Royal-Warren County “Joint Tourism Advisory Committee”, hereinafter the “Committee”. The Parties wished to put additional resources into branding and marketing the community as a destination and to provide additional support and to enhance the restaurants, lodging establishments, and the many amenities to the community. The Parties appointed the Advisory Committee to advise, assist, support, and advocate for tourism policies, program, and activities to market and promote Front Royal-Warren County and its environs, and to serve as the “local tourism industry organization” referred to in Section 58.1-3819 of the Code of Virginia, as amended.

In January 2021, the Parties entered into an updated Memorandum of Agreement, tasking the Committee to direct, promote, and manage tourism development in the Front Royal and Warren County community after the Parties mutually selected a tourism marketing firm to set up a “Destination Marketing Organization”, hereinafter referred to as “DMO”. The procurement method was competitive negotiation, pursuant to the Virginia Public Procurement Act, where the Town solicited and subsequently publicly contracted with the tourism marketing firm. While the County was assigned fiscal responsibility, both Parties equally appropriated and contributed to payment upon Committee approval.

Presently, all appropriations, roles, and responsibilities of the Committee and Parties shall remain until a 501c6 non-profit organization titled Discover Front Royal is established by the Committee. Discover Front Royal shall become the DMO of Front Royal and Warren County and shall serve as the sole tourism authority for the Parties. Any tourism expenditures outside the obligations shall coordinate with Discover Front Royal. In partnership with the Town of Front Royal's Special Event Policies and Procedures, special events categorized as a "Community Gathering" or "Community", may be hosted by the Parties.

## II. DEFINITIONS

**Local Lodging Partner** – Referred to in Va. Code § 58.1-3819 of the Code of Virginia as amended includes hotels, motels, boarding houses, travel campgrounds, and other facilities offering guest rooms rented out for continuous occupancy for fewer than 30 consecutive days.

**Tourism** - In accordance with Code of Virginia § 58.1-3819 and the Town of Front Royal Special Event Permit Policies and Procedures, as amended, attracts travelers to the locality, increases occupancy at lodging properties, and generates tourism revenues in the locality.

**Community Gathering/Event** – Referred to in the Town of Front Royal's Special Event Permit Policies and Procedures, as amended, draw attendance less than 1,000 people, and are intended, in general to benefit the residents of Front Royal and Warren County.

## III. OBLIGATIONS

The Committee shall:

1. Create a 501c6 organization named Discover Front Royal. Once the non-profit is created, the Committee shall dissolve.

Discover Front Royal shall:

1. Become the Virginia Tourism Corporation's (VTC) "Destination Marketing Organization" of record.
2. Accept transfer of all assets, social media, and any other content previously created for and associated with "Discover Front Royal".
3. Manage the Plan of Work and Visitors Center by directing and promoting tourism in the Front Royal-Warren County community to increase overall tourism revenue.
4. Submit and present upcoming fiscal budget by January 1<sup>st</sup> each year to the Parties that includes the budget, funding plan, and all grants, donations, and gifts.
5. Be funded by the: County at a minimum by the transient occupancy tax dedicated to tourism by the County. Town at a minimum of 50%, not to exceed 70%, of the 5-year rolling average of actual revenue received from transient occupancy collected by the Town; and shall not exceed amount funded by County.
6. Select and appoint non-profit Board Members.
7. Encourage individuals, businesses and both Parties to achieve "Goals of Parties" outlined in section IV.

The Town of Front Royal shall:

1. Designate one member of Council and one member of Town staff to the Discover Front Royal Board as non-voting members to achieve “Goals of Parties” outlined in section IV.
2. Fund Discover Front Royal at minimum of 50% not to exceed 70% of 5-year rolling average of actual revenue received from transient occupancy by the Town; and shall not exceed amount funded by County.
3. Transfer the VTC “Destination Marketing Organization” recording to Discover Front Royal.
4. Transfer of all assets, social media, and any other content previously created for and associated with “Discover Front Royal” to the Discover Front Royal non-profit organization.

The County of Warren, Virginia shall:

1. Designate one member of the Board of Supervisors and one member of County staff to the Discover Front Royal Board as non-voting members to achieve “Goals of Parties” outlined in section IV.
2. Annually budget and equally appropriate to Discover Front Royal, at a minimum, the amount of its transient occupancy tax designated for tourism and travel marketing based upon Section 58.1-3819 of the Virginia Code, as amended.
3. Fund at a minimum the transient occupancy tax dedicated to tourism, and matched equal by the Town.

#### IV. GOALS OF PARTIES

1. *Citizen Understanding* - Increase the economic value of tourism and travel to the Town of Front Royal and County of Warren and its citizens and businesses and encourages inter-community collaboration on all matters relating to tourism development and promotion.
2. *Tourism*- Broaden awareness of the community's existing attractions, both natural and man-made, its heritage and historic sites, and services provided for travelers. This effort shall include awareness within the tourism industry and among the traveling public, with emphasis on regional initiatives whenever possible.
3. *Hospitality* - Ensure that travelers to and through Front Royal-Warren County are served hospitably and have ready access to information on tourist services and points of interest.
4. *Tourism Development* - Pursue with the two Economic Development Authorities of both Parties, an overall economic development program to include the development of additional visitor accommodations such as lodging and conference facilities, restaurants, campgrounds, public parks, and other attractions.

5. *Scenic Beauty* - Encourage programs whose purpose(s) are to preserve and enhance the scenic beauty of the Parties, particularly along its public highways.

V. AMENDMENTS

This Memorandum of Agreement may be amended or altered in whole or in part upon approval by the Front Royal Town Council and the Warren County Board of Supervisors. This Memorandum of Agreement may be terminated by either party within ninety (90) days written notice given to the other party.

Approved by the County of Warren Board of Supervisors on the \_\_\_\_ day of \_\_\_\_\_, 2022.

**FOR THE COUNTY OF WARREN, VIRGINIA**

\_\_\_\_\_  
Cheryl L. Cullers, Chair, Board of Supervisors

Attest:

\_\_\_\_\_  
Dr. Edwin C. Daley, County Administrator

Approved by the Front Royal Town Council on the \_\_\_\_ day of \_\_\_\_\_, 2022.

**FOR THE TOWN OF FRONT ROYAL, VIRGINIA**

\_\_\_\_\_  
Chris W. Holloway, Mayor, Town of Front Royal

Attest:

\_\_\_\_\_  
Tina L. Presley, Clerk of Town Council

Approved as to Form:

\_\_\_\_\_  
Caitlin W. Jordan, Senior Assistant County Attorney, County of Warren, Virginia

\_\_\_\_\_  
George Sonnet, Assistant Town Attorney, Town of Front Royal



## Work Session Agenda Statement

Item # 06

Meeting Date: March 14, 2022

---

**Agenda Item:** Draft Resolution for Water and Sewer Services in the Route 340/522 Corridor for Commercial and Industrial Uses

### Summary:

#### Property Information

- Property Size: 191+/- acres
- Zoning: Warren County Commercial/Industrial Zone of Rt. 340/522 Corridor
- Partially Located in Extension Moratorium Area, as designated by Section 134-1 D of the Town Code
- Requested Utility Connections
  - 260,120 Gallons per Day (GPD)
  - 7,800,000 Gallons per Month

#### Property Owner Responsibilities

- Must follow provisions provided in Chapter 134 of the Town Code
- Must fund completion of study to determine the impacts on Town utility infrastructure (pump stations, plant capacity, etc.)
- Must participate in funding upgrades to Town's utility system to accommodate requested capacity.
- Main Water/Sewer pipes originating from Rt. 340/522, not residential subdivision to avoid increasing residential land use capacity
- Stipulate commercial use for PILOT portion of the property and industrial use for the remaining portion
- Stipulate no increase in residential development per Town policy/practice

**Budget/Funding:** N/A

### Staff Recommendation:

Council to approve the resolution at their March 28<sup>th</sup> Regular Council Meeting with the specified conditions in order for the Town to consider the provision of water and sewer services to Warren County tax parcels 4-41, 12-6, 12-6E and 12-9 for commercial and industrial uses, as presented.

## RESOLUTION

### To Provide Water and Sewer Services to Certain Out-of-Town Lots

**WHEREAS**, the Town of Front Royal, Virginia (the “Town”) provides certain water and sewer services to some out-of-Town commercial and industrial users; and,

**WHEREAS**, the Warren County Board of Supervisors has requested the Town of Front Royal provide water and sewer services to Warren County tax parcels 4-41, 12-6, 12-6E and 12-9 for commercial and industrial uses; and,

**WHEREAS**, the Town will consider providing water and sewer services to the Warren County tax parcels 4-41, 12-6, 12-6E and 12-9 upon the following conditions 1) the developer funds an infrastructure study, 2) the developer funds and constructs the infrastructure improvements per the study, 3) developer must follow provisions provided in Chapter 134 of the Town Code, 4) main water/sewer pipe originating from Route 340/522, not residential subdivision to avoid increasing residential land use capacity, 5) stipulate commercial use for PILOT portion of the property and industrial use for the remaining portion, 6) stipulate no increase in residential development per Town policy/practice, 7) this approved/signed resolution will only apply to the proposed development on the aforesaid lots, and 8) any new development proposals will require a new resolution from the Warren County Board of Supervisors; and,

**NOW THEREFORE BE IT RESOVED**, that the Front Royal Town Council approves this resolution with the specified conditions in order for the Town to consider the provision of water and sewer services to Warren County tax parcels 4-41, 12-6, 12-6E and 12-9 for commercial and industrial uses, as presented.

APPROVED:

\_\_\_\_\_  
Chris W. Holloway Mayor

ATTEST:

\_\_\_\_\_  
Tina L. Presley, Clerk of Council

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on \_\_\_\_\_, 2022 upon the following recorded vote:

Lori A. Cockrell      ☐ Yes ☐ No  
Letasha T. Thompson      ☐ Yes ☐ No  
Joseph E. McFadden      ☐ Yes ☐ No

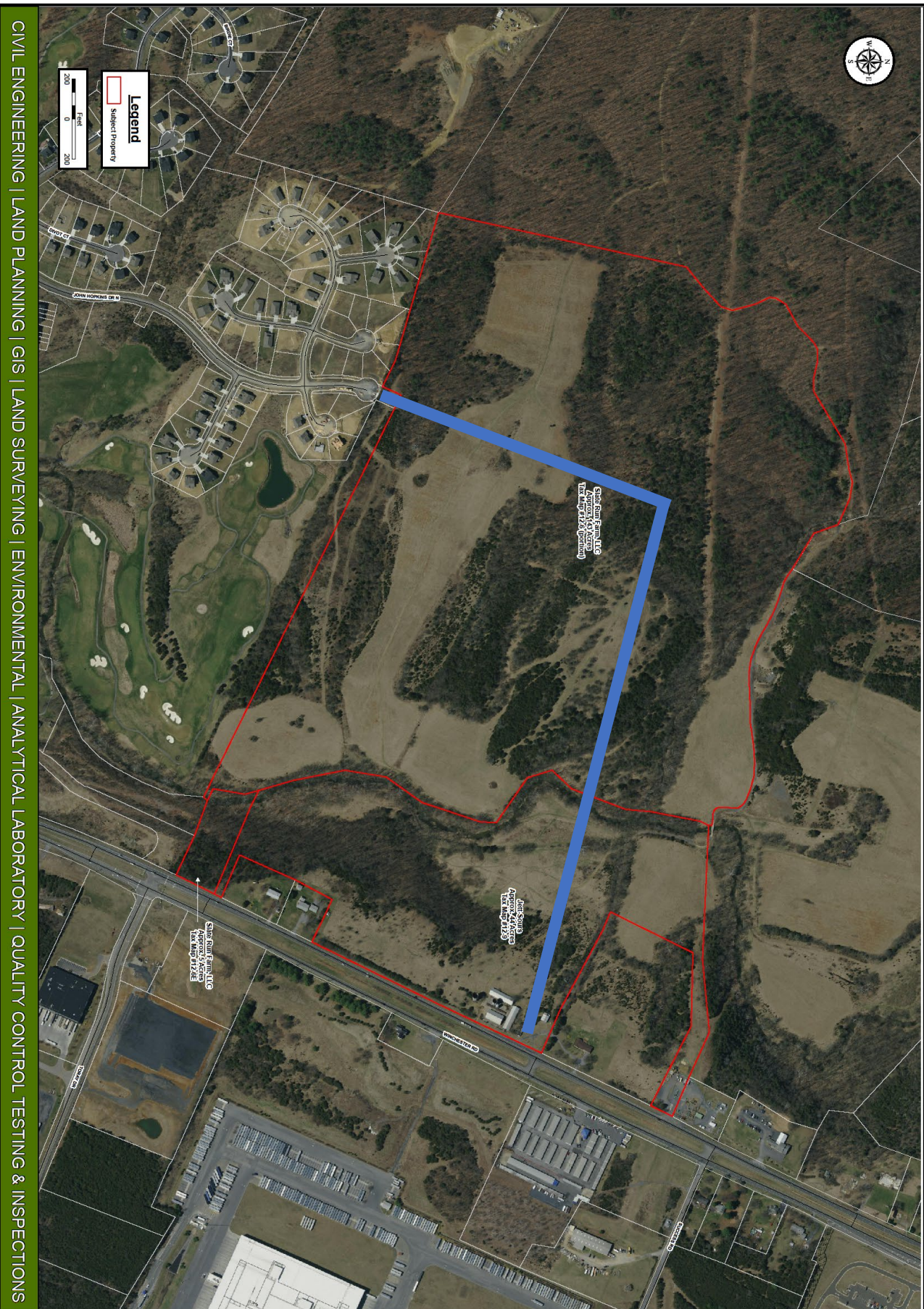
Gary L. Gillispie      ☐ Yes ☐ No  
E. Scott Lloyd      ☐ Yes ☐ No  
Amber F. Morris      ☐ Yes ☐ No

Approved as to Form and Legality:

\_\_\_\_\_  
George Sonnett, Assistant Town Attorney

Dated: \_\_\_\_\_

Map Data Source: Warren County, VA, GIS Department, 2021 Data, 2018 Aerial Image.



|                                      |                  |                  |
|--------------------------------------|------------------|------------------|
| WATER AND SEWER AVAILABILITY REQUEST |                  |                  |
| PROPERTY LOCATION EXHIBIT            |                  |                  |
| WARREN COUNTY, VIRGINIA              |                  |                  |
| DATE: 12-10-21                       | PROJECT ID: 7872 | DESIGNED BY: MEW |
| SCALE: 1 inch = 200 feet             |                  |                  |

WATER AND SEWER AVAILABILITY REQUEST  
PROPERTY LOCATION EXHIBIT



**Greenway Engineering, Inc.**  
151 Windy Hill Lane  
Winchester, VA 22602  
T: 540.662.4185  
F: 540.722.4185  
www.GreenwayEng.com

WINCHESTER, VA | STERLING, VA | MARTINSBURG, WV

# RESOLUTION



## *of the Board of Supervisors of Warren County Requesting that the Town of Front Royal, Virginia Provide Water and Sewer Services to Certain Out-of-Town Lots*

**WHEREAS**, the Town of Front Royal, Virginia (the “Town”) provides certain water and sewer services to some out-of-Town residents; and

**WHEREAS**, the County wants to request that the Town provide water and sewer services to Warren County tax parcels 4-41, 12-6, 12-6E and 12-9 for commercial and industrial uses.

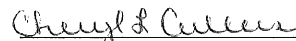
**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of the County of Warren, Virginia hereby requests that the Town of Front Royal extend and provide water and sewer services to Warren County tax parcels 4-41, 12-6, 12-6E, and 12-9 for commercial and industrial uses. This Resolution does not provide any zoning approval and use of these tax parcels for commercial and industrial purposes is subject to the County’s Zoning Ordinance and consideration by the Board of Supervisors, if necessary, of a rezoning request in the future.

### CERTIFICATE

The undersigned Edwin C. Daley, Clerk of the Board of Supervisors of Warren County, Virginia, hereby certifies the foregoing constitutes a true and correct copy of a Resolution Requesting that the Town of Front Royal, Virginia Provide Water and Sewer Services to Certain out-of-Town Lots adopted at a regular meeting duly held and called on March 1, 2022, for which proper notice was given. A record of the roll-call vote by the Board is as follows:

| Name                         | Aye | Nay | Abstain | Absent |
|------------------------------|-----|-----|---------|--------|
| Cheryl L. Cullers, Chair     | ✓   |     |         |        |
| Delores R. Oates, Vice Chair | ✓   |     |         |        |
| Jerome K. “Jay” Butler       | ✓   |     |         |        |
| Vicky L. Cook                | ✓   |     |         |        |
| Walter J. “Walt” Mabe        |     |     |         | ✓      |

Adopted: March 1, 2022

  
Cheryl L. Cullers, Chair  
Warren County Board of Supervisors

ATTEST:

  
Edwin C. Daley, Clerk  
Warren County Board of Supervisors



## Work Session Agenda Statement

Item # 07a

Meeting Date: March 14, 2022

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**Agenda Item:** Award Contract for Curb and Gutter Installation

**Summary:** On February 9<sup>th</sup>, 2022, the Town issued an invitation for bid (I.F.B.) then held a pre-bid meeting on February 24, 2022, for curb and gutter installation. The I.F.B. is scheduled to close March 9, 2022; upon closing staff will need time to evaluate responses to provide a recommendation to award.

Council will be requested to award a contract for curb and gutter installation during the March 28, 2022, regular meeting to allow the selected contractor to begin work in April.

Installation of this curb and gutter is necessary before the Town can commence with paving of applicable streets.

**Budget/Funding:** 4500-R47927 Highway Maintenance Street Reconstruction  
Amount of award will be determined upon staff's evaluations of bids.

**Staff Recommendation:** Staff recommends Council to discuss any questions and award the contract under the consent agenda during the regular scheduled council meeting on March 28, 2022.



## Work Session Agenda Statement

Item # 07b

Meeting Date: March 14, 2022

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**Agenda Item:** Duck Street Culvert Repair

**Summary:** The Department of Finance and Public Works coordinated a procurement solution to repair a culvert located on Duck Street due to storm water damage. The procurement method is cooperative contracting through a clause in the Frederick County RFP 2019-10C awarded to General Excavations, Inc on January 24, 2019, and renewed on 2-9-2022.

Council is requested to review and approve the award to General Excavations in the amount of \$53,500.00 for the successful completion of the culvert repairs for Duck Street.

**Budget/Funding:** 4500-47927 Highway Maintenance Street Reconstruction \$53,500.00.

**Staff Recommendation:** Staff recommends for Council to approve and place under the consent agenda for the March 28<sup>th</sup> Regular Council Meeting.



# Town of Front Royal, Virginia

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Purchasing, Department of Finance

## MEMORANDUM

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**Date:** March 8, 2022  
**To:** Tina Presley, Senior Executive Assistant  
**From:** B.J. Wilson, Director of Finance  
**RE:** Request to add Consent item to Town Council's Regular Meeting

---

Purchasing and Public Works coordinated a procurement solution to repair a culvert located on Duck Street due to storm water damage. The procurement method is cooperative contracting through a clause in the Frederick County RFP 2019-10C awarded to General Excavations, Inc on January 24, 2019 and renewed on 2-29-2022.

The Town is authorized through the Virginia Public Procurement Act, (V.P.P.A) § 2.2-4304 joint and cooperative procurement to purchase from another public body's contract if such clause is stated in the solicitation even if they did not participate in the solicitation process.

Council is requested to review and approve the award to General Excavations in the amount of \$53,500.00 for the successful completion of the culvert repairs. Attached to this memo is a recommendation memo from Robbie Boyer, Public Works Director, General Excavation's quote, Frederick County's RFP 2019-10C, the resulting contract with proposal submittal summary sheet, and the recent contract renewal.

Funding for this contract is available in 4500-47927 Highway Maintenance Street Reconstruction-line item.

Purchasing, Department of Finance  
102 E Main Street  
Front Royal, VA 22630  
Website: [www.frontroyalva.com](http://www.frontroyalva.com)  
Phone 540-636-6889

**GENERAL EXCAVATION, INC.**  
**9757 RIDER ROAD**  
**WARRENTON, VA 20187**  
**PHONE (540) 439-2202**  
**FAX (540) 439-3795**

March 7, 2022

Town of Front Royal Department of Public Works  
800 Crosby Road  
Front Royal, VA 22630

Re: Duck Street Stormwater Improvements

Attention: Steve Scheulen

Dear Mr. Scheulen,

It is our pleasure to provide the following proposal to **FURNISH AND INSTALL** the items as listed herein generally described as **DUCK STREET STORMWATER IMPROVEMENTS.**

*Item No. Description of work*

*I. STORM SEWER:*

- A: Furnish and install storm sewer pipe and (2) DI-7 off-street grate structures at existing storm crossing located adjacent to 362 W. Duck Street
- B. Remove existing HDPE pipe
- B. Tie into existing 18" HDPE pipe north of existing storm sewer crossing
- C. Tie into existing 24" CMP pipe south of existing storm sewer crossing

*II. GRADING*

- A: Grade slope to top elevation of proposed DI-7 structures north and south of storm sewer crossing
- B: Backfill crossing to match existing elevation of roadway

*III. CONCRETE WORK:*

- A: Excavation and backfill for curb and gutter.
- B: Furnish and install 140 LF CG-6
- C. Furnish and install 14 SY Paved Flume

*IV. SEEDING:*

- A: Furnish and install EC-2 matting on disturbed slopes
- B: Hand seed all disturbed areas

The combined total cost for the preceding proposal is **\$53,500.00 LUMP SUM.**

## **SUPPLEMENTAL CONDITIONS**

The preceding proposal is based on the following supplemental conditions:

**1-. QUALIFICATIONS:**

- 1-1. Price includes purchase and installation of 30" HDPE pipe to replace existing crossing. Should the proposed pipe conflict with the existing sanitary sewer, the Town of Front Royal shall be responsible for any additional cost for necessary adjustments.
- 1-2. All work shall be performed under traffic. All traffic control is included in the lump sum price.
- 1-3. All aggregate material is excluded. Aggregate material shall be provided by the Town of Front Royal.
- 1-4. Lump sum price excludes all asphalt placement
- 1-5. All costs for disposal of excess material (including concrete) are excluded from this lump sum price.

**2-. PAYMENT CONDITIONS and TERMS:**

- 2-1. This proposal expires 30 days after the date of this offer.
- 2-2. Monthly progress payment requests will be submitted on the 25<sup>th</sup> of each month for work completed and material stored through the end of the month.
- 2-2.1. Payment is due in full by the 10<sup>th</sup> of the following month.
- 2-2.1.1. Unpaid accounts will accrue finance charges at 1.50% per month (18% annual), and will be considered just cause for work stoppage, and/or additional costs for demobilization, remobilization, etc.
- 2-2.1.2. Unpaid accounts which are referred for legal action for collection shall be subject to all costs associated with said collection, such as legal/attorney's fees, court fees, professional fees, etc.
- 2-4. Rental of our equipment or personnel shall not become part of this contract or be incorporated into a change order. Billing will be by separate invoice and is due within Ten (10) days of billing date.

**3-. CONTRACT PROVISIONS:**

- 3-1. This offer shall not be binding unless fully incorporated into a mutually agreeable contract or signed herein. Should any language contained within said contract conflict with this proposal, this proposal shall govern.
- 3-1.1. In the event any portion of work identified in this proposal is ordered prior to a contract, this offer shall serve as the contract and agreement.
- 3-2. Prior to entering into a formal or informal contract, General Excavation, Inc. reserves the right to ascertain financial information pertinent to this project to protect itself against insolvency.
- 3-3. Should, during the construction of the project, General Excavation, Inc. discover a reducing material, technique, installation, etc., it may provide a proposal to perform the work as a VALUE ENGINEERING modification. In the event a Value Engineering Proposal is accepted or incorporated into the work, General Excavation, Inc. shall be entitled to 50% of the net savings, after expenses.

## **EXCLUSIONS**

Provision, payment or installation of additional work OR the following items are excluded from this offer, but may be included for cost plus 20%:

1. Engineering, stakeout, layout, cut sheets, flagging, AS BUILT drawings.
2. Soils testing, compaction testing, soil samples, CBR testing or results.
3. Permits, fees, bonds, plan costs.
4. Temporary site facilities, such as sanitary facilities, sheds, parking lots or roads, buildings, water, electric, etc.
5. Hazardous material handling, removal, or disposal.
6. Removal, maintenance, or upgrading of erosion controls after initial installation.
7. Wash rack or water for construction entrance.
8. Undercutting below subgrade or removal of more than \_\_\_\_” of topsoil from fill areas, or backfill of same.
9. Hand excavation or backfill.
10. Footing, caissons, pile cap, grade beam, raker berm, lag board, or pit excavating, handling or disposal.
11. Test pit for, locate, relocate, remove, support, brace, protect, tap, cap, plug existing uncharted utilities, wells, septic systems, etc.
12. Interior/exterior building wall/retaining wall excavation or backfill.
13. Aeration, liming, discing, plowing, wet down, ripping, scarifying, soil manipulation of existing subsurface soil, or soil conditioning to obtain compaction or stabilization.
14. Pumping, ditching, dewatering, well points, spring capping, or stream diversion.
15. Porous, granular, or select fills/backfills (i.e. stone, gravel, surge stone, rock, bankrun, soil blending, etc.) unless specifically stated in description of work.
16. Underdrains, lime/cement stabilization, filter cloth, subgrade stabilization, compaction of cut area or soil conditioning.
17. Foundation drains or roof drains.
18. Rock drilling, blasting wedging or ripping.
19. Sheet piling, shoring, bracing, underpinning.
20. Debris, spoil or surplus from other trades.
21. Off-site borrow or disposal of surplus from our operations.
22. Furnish select topsoil, process existing topsoil for landscaping or respread topsoil.
23. Permanent or temporary seeding or sodding.
24. Landscaping, relocation of plants, trees, shrubs.
25. Selective clearing, tree trimming, tree wells, tree protection.
26. Concrete barriers, barrels, lights, signs, crash cushion barriers, maintenance of traffic.
27. Saw cut or neat line asphalt or concrete surface.
28. Excavation, backfill or installation for sanitary sewer, storm sewer, water lines, electrical, mechanical, plumbing, telephone, etc.
29. Water line filling by truck.
30. Meters, backflow devices, check valves, Siamese connections and/or post indicator valves.
31. Stone bedding for utilities exceeding minimum requirements.
32. Paved ditches, sod ditches or swales.
33. Boring or tunneling.
34. Concrete cradles, encasements, piers.
35. Permanent patch, overlay or seal capping for road crossings.
36. Cathodic protection.
37. Irrigation systems or drains.
38. Wells or septic systems.
39. Trench drains.
40. Electrical or mechanical monitoring devices.
41. Electrical hook-up for pumping stations.
42. Flushing, cleaning or muck out of existing storm sewer lines, waterways, conveyance channels, appurtenances, etc.

- 43. Street signs, traffic signs, or pavement markings, guardrail.
- 44. Signalization, light fixtures, electric.
- 45. Power pole, telephone pole, guy wires or other utility line (overhead or underground) bracing, relocating or supporting.
- 46. Soil poisoning for termites, or inhibiting plant life growth.
- 47. Removal of surface or subsurface trash, debris, tires, appliances, auto's or other such material.

We hope the preceding proposal meets with your approval and should you be in need of further information or clarification, please call us.

Respectfully Submitted,  
General Excavation, Inc.



Mark Rowles  
Project Manager

**ACCEPTANCE**

Accepted By: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_



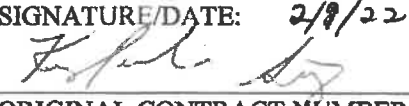
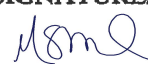
County of Frederick, Virginia  
**FINANCE DEPARTMENT**  
107 N. Kent Street, 3<sup>rd</sup> Floor  
Winchester, VA 22601  
Phone: (540) 665-5610  
[www.fcva.us/purchasing](http://www.fcva.us/purchasing)

## CONTRACT RENEWAL

|                                                   |                                     |
|---------------------------------------------------|-------------------------------------|
| COUNTY CONTRACT NAME:<br>Heavy Equipment Services | RENEWAL DATE:<br>12-22-2021         |
| COUNTY CONTRACT NUMBER:<br>2019-10C_3             | RENEWAL NUMBER:<br>#3 (1 remaining) |

The Contract is hereby modified as follows:

1. The above referenced contract is hereby extended, as outlined within the original contract documents, for a period of one (1) year(s) commencing January 24, 2022 and shall terminate January 24, 2023.
2. Pricing shall increase 7% per attached fee schedule and is based on current 2021 CPI schedule.

|                                                                                                                                             |                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| COUNTY OF FREDERICK REQUESTING DEPARTMENT:<br>Public Works                                                                                  | CONTRACTOR'S BUSINESS NAME/ADDRESS:<br>General Excavation, Inc.<br>9757 Rider Road<br>Warrenton, Virginia 20187                                   |
| DEPARTMENT AUTHORIZED SIGNATURE/DATE:<br> 2-9-2022       | CONTRACTOR'S AUTHORIZED SIGNATURE/DATE: 2/9/22<br> Karen Fink |
| CONTRACT/PURCHASING MANAGER SIGNATURE/DATE:<br> 2/9/2022 | ORIGINAL CONTRACT NUMBER and DATE:<br>RFP 2019-10C<br>January 24, 2019                                                                            |

# GENERAL EXCAVATION, INC.

9757 RIDER ROAD  
WARRENTON, VA 20187  
T 540.439.2202 | F 540.439.3795

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February 9, 2022

County of Frederick, Virginia  
107 N. Kent Street  
Winchester, VA 22601

Attn: Joe Wilder

Subject: CONTRACT 2019-10C\_3 RENEWAL #3

Mr. Wilder:

Adjusted hourly rental rates for the Heavy Equipment Services are listed below, rounded to the nearest dollar for accounting/billing purposes. Consumer Price Index data used to calculate rate increases was taken from the Bureau of Labor Statistics December 2021 News Release.

Sincerely,



Mark Rowles  
Project Manager  
General Excavation, Inc.

| Item # | Description                             | Adjusted Unit Rate |
|--------|-----------------------------------------|--------------------|
| 1      | Crawler loader CAT 963                  | \$118.00           |
| 2      | 330 Excavator                           | \$139.00           |
| 3      | Backhoe, Rubber tire                    | \$70.00            |
| 4      | Backhoe w/ breaker                      | \$107.00           |
| 5      | Excavator Hoe Ram                       | \$268.00           |
| 6      | Crawler Dozer D-3/JD 450                | \$75.00            |
| 7      | Crawler Dozer D-6                       | \$107.00           |
| 8      | Motorgrader 120 hp                      | \$128.00           |
| 9      | Rubber tire loader                      | \$134.00           |
| 10     | Skid Steer, 40 HP                       | \$75.00            |
| 11     | Dump truck, Tandem                      | \$80.00            |
| 12     | Single Axle Dump Truck 8 Ton            | \$54.00            |
| 13     | Dump Truck 1 Ton                        | \$54.00            |
| 14     | Vibratory roller DP 60"                 | \$70.00            |
| 15     | Vibratory roller DP 84"                 | \$86.00            |
| 16     | Pickup Truck w/ Foreman                 | \$80.00            |
| 17     | Skilled Labor                           | \$32.00            |
| 18     | Articulating Rock Truck                 | \$128.00           |
| 19     | Rollback truck                          | \$86.00            |
| 20     | Tractor-lowboy                          | \$134.00           |
| 21     | 135 JD/138 Komatsu Excavator            | \$102.00           |
| 22     | TB 290/175 Takeuchi Mini Excavator      | \$86.00            |
| 23     | 650 JD/ D39 Komatsu Dozer               | \$86.00            |
| 24     | Rubber Tire Excavator w/grading bucket  | \$128.00           |
| 25     | 330 Hitachi/305 Volvo Excavator w/thumb | \$155.00           |
| 26     | Tamper (Jumping Jack)                   | \$21.00            |
| 27     | Plate Tamper                            | \$27.00            |
| 28     | Trench Roller w/operator                | \$54.00            |
| 29     | Pipe Saw                                | \$21.00            |
| 30     | Chain Saw                               | \$13.00            |
| 31     | PCMS (message Board)                    | \$21.00            |
| 32     | 14" Walk Behind Pavement Saw            | \$54.00            |
| 33     | Trench Box                              | \$107.00           |
| 34     | Manhole Box                             | \$107.00           |
| 35     | Pipe Laser                              | \$11.00            |
| 36     | 2" Water Pump w/hoses                   | \$19.00            |
| 37     | 3" Water Pump w/hoses                   | \$21.00            |
| 38     | 4" Water Pump w/hoses                   | \$24.00            |
| 39     | 6" Water Pump w/hoses                   | \$49.00            |
| 40     | Portable Generator                      | \$11.00            |
| 41     | Survey Crew                             | \$167.00           |
| 42     | Rollup Traffic Sign and Stand           | \$11.00            |
| 43     | Markup on Parts/Materials               | 15.00%             |
| 44     | Markup on Subcontractors Work           | 10.00%             |

| Item # | Description                            | Unit Rate | CPI Increase (7%) | Adjusted Unit Rate | Revised Unit Rate |
|--------|----------------------------------------|-----------|-------------------|--------------------|-------------------|
| 1      | Crawler loader CAT 963                 | \$110.00  | \$7.70            | \$117.70           | \$118.00          |
| 2      | 330 Excavator                          | \$130.00  | \$9.10            | \$139.10           | \$139.00          |
| 3      | Backhoe, Rubber tire                   | \$65.00   | \$4.55            | \$69.55            | \$70.00           |
| 4      | Backhoe w/ breaker                     | \$100.00  | \$7.00            | \$107.00           | \$107.00          |
| 5      | Excavator Hoe Ram                      | \$250.00  | \$17.50           | \$267.50           | \$268.00          |
| 6      | Crawler Dozer D-3/JD 450               | \$70.00   | \$4.90            | \$74.90            | \$75.00           |
| 7      | Crawler Dozer D-6                      | \$100.00  | \$7.00            | \$107.00           | \$107.00          |
| 8      | Motorgrader 120 hp                     | \$120.00  | \$8.40            | \$128.40           | \$128.00          |
| 9      | Rubber tire loader                     | \$125.00  | \$8.75            | \$133.75           | \$134.00          |
| 10     | Skid Steer, 40 HP                      | \$70.00   | \$4.90            | \$74.90            | \$75.00           |
| 11     | Dump truck, Tandem                     | \$75.00   | \$5.25            | \$80.25            | \$80.00           |
| 12     | Single Axle Dump Truck 8 Ton           | \$50.00   | \$3.50            | \$53.50            | \$54.00           |
| 13     | Dump Truck 1 Ton                       | \$50.00   | \$3.50            | \$53.50            | \$54.00           |
| 14     | Vibratory roller DP 60"                | \$65.00   | \$4.55            | \$69.55            | \$70.00           |
| 15     | Vibratory roller DP 84"                | \$80.00   | \$5.60            | \$85.60            | \$86.00           |
| 16     | Pickup Truck w/ Foreman                | \$75.00   | \$5.25            | \$80.25            | \$80.00           |
| 17     | Skilled Labor                          | \$30.00   | \$2.10            | \$32.10            | \$32.00           |
| 18     | Articulating Rock Truck                | \$120.00  | \$8.40            | \$128.40           | \$128.00          |
| 19     | Rollback truck                         | \$80.00   | \$5.60            | \$85.60            | \$86.00           |
| 20     | Tractor-lowboy                         | \$125.00  | \$8.75            | \$133.75           | \$134.00          |
| 21     | 135 JD/138 Komatsu Excavator           | \$95.00   | \$6.65            | \$101.65           | \$102.00          |
| 22     | TB 290/175 Takeuchi Mini Excavator     | \$80.00   | \$5.60            | \$85.60            | \$86.00           |
| 23     | 650 JD/ D39 Komatsu Dozer              | \$80.00   | \$5.60            | \$85.60            | \$86.00           |
| 24     | Rubber Tire Excavator w/grading bucket | \$120.00  | \$8.40            | \$128.40           | \$128.00          |
| 25     | 330 Hitachi/305 Volvo Excavator w/thur | \$145.00  | \$10.15           | \$155.15           | \$155.00          |
| 26     | Tamper (Jumping Jack)                  | \$20.00   | \$1.40            | \$21.40            | \$21.00           |
| 27     | Plate Tamper                           | \$25.00   | \$1.75            | \$26.75            | \$27.00           |
| 28     | Trench Roller w/operator               | \$50.00   | \$3.50            | \$53.50            | \$54.00           |
| 29     | Pipe Saw                               | \$20.00   | \$1.40            | \$21.40            | \$21.00           |
| 30     | Chain Saw                              | \$12.00   | \$0.84            | \$12.84            | \$13.00           |
| 31     | PCMS (message Board)                   | \$20.00   | \$1.40            | \$21.40            | \$21.00           |
| 32     | 14" Walk Behind Pavement Saw           | \$50.00   | \$3.50            | \$53.50            | \$54.00           |
| 33     | Trench Box                             | \$100.00  | \$7.00            | \$107.00           | \$107.00          |
| 34     | Manhole Box                            | \$100.00  | \$7.00            | \$107.00           | \$107.00          |
| 35     | Pipe Laser                             | \$10.00   | \$0.70            | \$10.70            | \$11.00           |
| 36     | 2" Water Pump w/hoses                  | \$18.00   | \$1.26            | \$19.26            | \$19.00           |
| 37     | 3" Water Pump w/hoses                  | \$20.00   | \$1.40            | \$21.40            | \$21.00           |
| 38     | 4" Water Pump w/hoses                  | \$22.00   | \$1.54            | \$23.54            | \$24.00           |
| 39     | 6" Water Pump w/hoses                  | \$46.00   | \$3.22            | \$49.22            | \$49.00           |
| 40     | Portable Generator                     | \$10.00   | \$0.70            | \$10.70            | \$11.00           |
| 41     | Survey Crew                            | \$156.00  | \$10.92           | \$166.92           | \$167.00          |
| 42     | Rollup Traffic Sign and Stand          | \$10.00   | \$0.70            | \$10.70            | \$11.00           |
| 43     | Markup on Parts/Materials              | 15.00%    | N/A               | 15.00%             | 15.00%            |
| 44     | Markup on Subcontractors Work          | 10.00%    | N/A               | 10.00%             | 10.00%            |

# NEWS RELEASE

## BUREAU OF LABOR STATISTICS

U. S. D E P A R T M E N T O F L A B O R



**Transmission of material in this release is embargoed until  
8:30 a.m. (ET) January 12, 2022**

USDL-22-0018

Technical information: (202) 691-7000 • [cpi\\_info@bls.gov](mailto:cpi_info@bls.gov) • [www.bls.gov/cpi](http://www.bls.gov/cpi)  
Media Contact: (202) 691-5902 • [PressOffice@bls.gov](mailto:PressOffice@bls.gov)

### CONSUMER PRICE INDEX – DECEMBER 2021

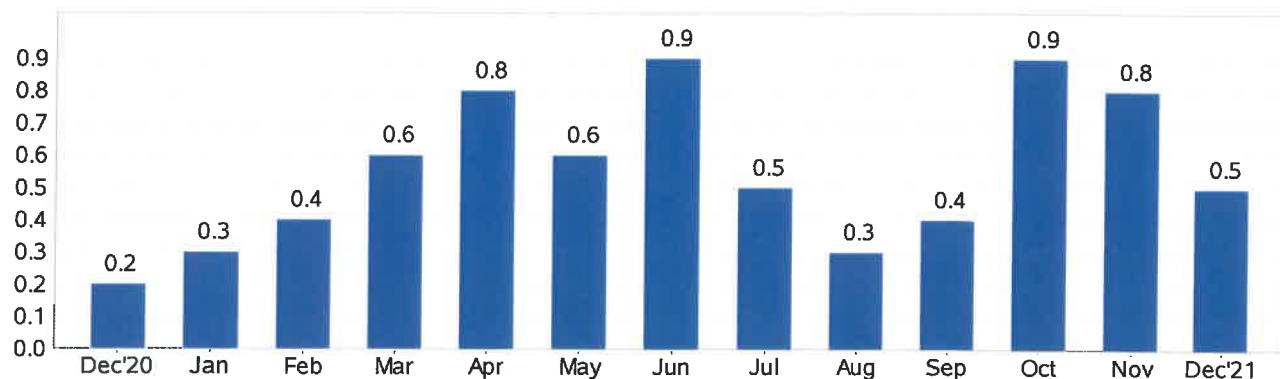
The Consumer Price Index for All Urban Consumers (CPI-U) increased 0.5 percent in December on a seasonally adjusted basis after rising 0.8 percent in November, the U.S. Bureau of Labor Statistics reported today. Over the last 12 months, the all items index increased 7.0 percent before seasonal adjustment.

Increases in the indexes for shelter and for used cars and trucks were the largest contributors to the seasonally adjusted all items increase. The food index also contributed, although it increased less than in recent months, rising 0.5 percent in December. The energy index declined in December, ending a long series of increases; it fell 0.4 percent as the indexes for gasoline and natural gas both decreased.

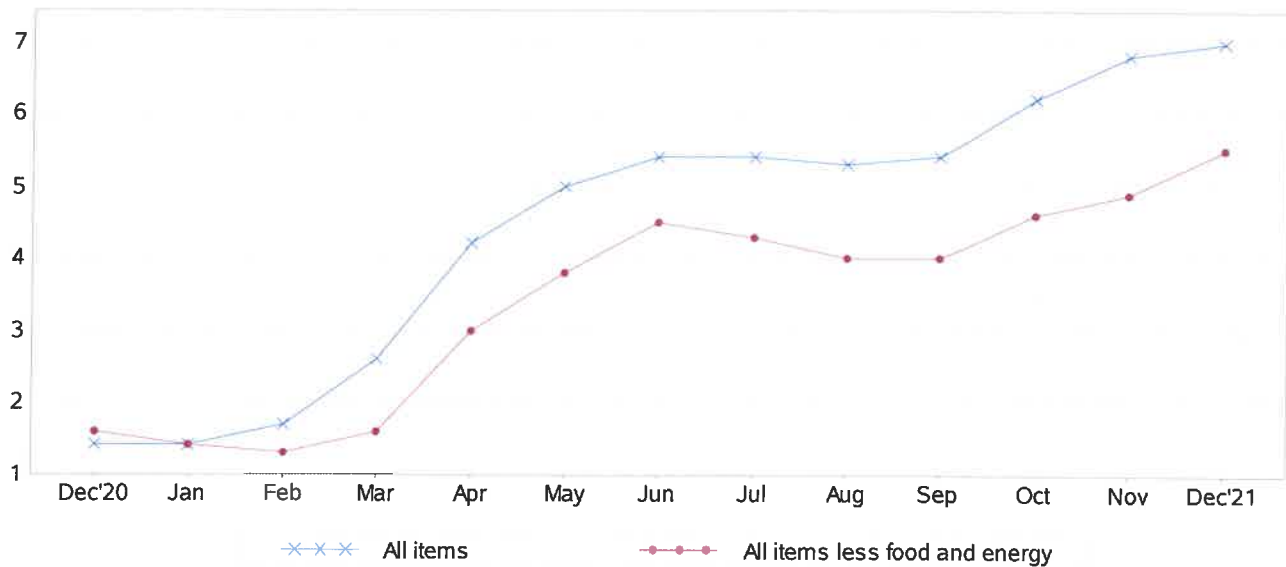
The index for all items less food and energy rose 0.6 percent in December following a 0.5-percent increase in November. This was the sixth time in the last 9 months it has increased at least 0.5 percent. Along with the indexes for shelter and for used cars and trucks, the indexes for household furnishings and operations, apparel, new vehicles, and medical care all increased in December. As in November, the indexes for motor vehicle insurance and recreation were among the few to decline over the month.

The all items index rose 7.0 percent for the 12 months ending December, the largest 12-month increase since the period ending June 1982. The all items less food and energy index rose 5.5 percent, the largest 12-month change since the period ending February 1991. The energy index rose 29.3 percent over the last year, and the food index increased 6.3 percent.

**Chart 1. One-month percent change in CPI for All Urban Consumers (CPI-U), seasonally adjusted, Dec. 2020 - Dec. 2021**  
Percent change



**Chart 2. 12-month percent change in CPI for All Urban Consumers (CPI-U), not seasonally adjusted, Dec. 2020 - Dec. 2021**  
Percent change



**Table A. Percent changes in CPI for All Urban Consumers (CPI-U): U.S. city average**

|                                             | Seasonally adjusted changes from preceding month |           |           |           |           |           |           | Un-adjusted 12-mos. ended Dec. 2021 |
|---------------------------------------------|--------------------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-------------------------------------|
|                                             | Jun. 2021                                        | Jul. 2021 | Aug. 2021 | Sep. 2021 | Oct. 2021 | Nov. 2021 | Dec. 2021 |                                     |
| All items.....                              | 0.9                                              | 0.5       | 0.3       | 0.4       | 0.9       | 0.8       | 0.5       | 7.0                                 |
| Food.....                                   | 0.8                                              | 0.7       | 0.4       | 0.9       | 0.9       | 0.7       | 0.5       | 6.3                                 |
| Food at home.....                           | 0.8                                              | 0.7       | 0.4       | 1.2       | 1.0       | 0.8       | 0.4       | 6.5                                 |
| Food away from home <sup>1</sup> .....      | 0.7                                              | 0.8       | 0.4       | 0.5       | 0.8       | 0.6       | 0.6       | 6.0                                 |
| Energy.....                                 | 1.5                                              | 1.6       | 2.0       | 1.3       | 4.8       | 3.5       | -0.4      | 29.3                                |
| Energy commodities.....                     | 2.6                                              | 2.3       | 2.7       | 1.3       | 6.2       | 5.9       | -0.6      | 48.9                                |
| Gasoline (all types).....                   | 2.5                                              | 2.4       | 2.8       | 1.2       | 6.1       | 6.1       | -0.5      | 49.6                                |
| Fuel oil <sup>1</sup> .....                 | 2.9                                              | 0.6       | -2.1      | 3.9       | 12.3      | 3.5       | -2.4      | 41.0                                |
| Energy services.....                        | 0.2                                              | 0.8       | 1.1       | 1.2       | 3.0       | 0.3       | -0.1      | 10.4                                |
| Electricity.....                            | -0.3                                             | 0.4       | 1.0       | 0.8       | 1.8       | 0.3       | 0.3       | 6.3                                 |
| Utility (piped) gas service.....            | 1.7                                              | 2.2       | 1.6       | 2.7       | 6.6       | 0.6       | -1.2      | 24.1                                |
| All items less food and energy.....         | 0.9                                              | 0.3       | 0.1       | 0.2       | 0.6       | 0.5       | 0.6       | 5.5                                 |
| Commodities less food and energy            |                                                  |           |           |           |           |           |           |                                     |
| commodities.....                            | 2.2                                              | 0.5       | 0.3       | 0.2       | 1.0       | 0.9       | 1.2       | 10.7                                |
| New vehicles.....                           | 2.0                                              | 1.7       | 1.2       | 1.3       | 1.4       | 1.1       | 1.0       | 11.8                                |
| Used cars and trucks.....                   | 10.5                                             | 0.2       | -1.5      | -0.7      | 2.5       | 2.5       | 3.5       | 37.3                                |
| Apparel.....                                | 0.7                                              | 0.0       | 0.4       | -1.1      | 0.0       | 1.3       | 1.7       | 5.8                                 |
| Medical care commodities <sup>1</sup> ..... | -0.4                                             | 0.2       | -0.2      | 0.3       | 0.6       | 0.1       | 0.0       | 0.4                                 |
| Services less energy services.....          | 0.4                                              | 0.3       | 0.0       | 0.2       | 0.4       | 0.4       | 0.3       | 3.7                                 |
| Shelter.....                                | 0.5                                              | 0.4       | 0.2       | 0.4       | 0.5       | 0.5       | 0.4       | 4.1                                 |
| Transportation services.....                | 1.5                                              | -1.1      | -2.3      | -0.5      | 0.4       | 0.7       | -0.3      | 4.2                                 |
| Medical care services.....                  | 0.0                                              | 0.3       | 0.3       | -0.1      | 0.5       | 0.3       | 0.3       | 2.5                                 |

<sup>1</sup> Not seasonally adjusted.



## Work Session Agenda Statement

Item #07c

Meeting Date: March 14, 2022

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**Agenda Item:** FY22 Budget Amendment to Accept Local Law Enforcement Block Grant

**Summary:** Council is requested to approve a budget amendment in the amount of \$2,757 to accept a Local Law Enforcement Block Grant from the Virginia Department of Criminal Justice Services to strengthen Crime Control.

|                        |              |                                             |         |
|------------------------|--------------|---------------------------------------------|---------|
| <b>Budget/Funding:</b> | 1000-3310010 | General Fund Grant Proceeds                 | \$2,757 |
|                        | 3108-45409   | Police Emergency Services – Police Supplies | \$2,757 |

**Staff Recommendation:** Staff recommends approval of the budget amendment under the consent agenda of the March 28<sup>th</sup> Regular Council Meeting.



## Work Session Agenda Statement

Item #07d

**Meeting Date: March 14, 2022**

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**Agenda Item:** Proclamation for Arbor Day

**Summary:** Council is requested to approve a proclamation proclaiming April 29, 2022 as Arbor Day in the Town of Front Royal, Virginia.

**Budget/Funding:** N/A

**Staff Recommendation:** Council approve the proclamation under the consent agenda for the March 28<sup>th</sup> Regular Council Meeting, as presented.



\*\*\*

## OFFICIAL PROCLAMATION

\*\*\*

**WHEREAS** in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

**WHEREAS** this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, *and*

**WHEREAS** Arbor Day is now observed throughout the nation and the world, *and*

**WHEREAS** trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, *and*

**WHEREAS** trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, *and*

**WHEREAS** trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, *and*

**WHEREAS** trees — wherever they are planted — are a source of joy and spiritual renewal.

**NOW, THEREFORE,** I, \_\_\_\_\_, Mayor of the \_\_\_\_\_ do hereby proclaim \_\_\_\_\_ as **ARBOR DAY**

In the \_\_\_\_\_, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, *and*

**FURTHER,** I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

**DATED THIS** \_\_\_\_\_ day of \_\_\_\_\_,

Mayor \_\_\_\_\_



## Work Session Agenda Statement

Item # 07e

Meeting Date: March 14, 2022

---

**Agenda Item:** Resolution for Submission of Virginia Smart Scale Pre-Application for the Happy Creek Road Phase II Project

**Summary:** The Happy Creek Road Phase II project design will include bike lanes and curb and gutter on both sides of the road with an attached sidewalk on the south side. The new design will include realignment of the s-curve west of Ewell Street and stormwater management to enhance safety for pedestrian and vehicular traffic. Phase II begins approximately 250 ft. west of the entrance to 1174 Happy Creek Rd. and extends to Shenandoah Shores Rd. (.63 miles).

The Smart Scale Pre-Application deadline for the Happy Creek Road Phase II project is April 1, 2022.

Attachments:

- Resolution-Smart Scale Pre-Application
- Happy Creek Road Phase II Information Sheet
- Happy Creek Road Phase II Site Map
- Smart Scale Information Sheet

**Budget/Funding:** N/A

**Staff Recommendation:** To pass the attached resolution supporting the Town's Smart Scale Pre-Application for the Happy Creek Road Phase II project at the March 28, 2022 Regular Business meeting under the Consent Agenda.

## RESOLUTION

### Submission of Virginia's SMART SCALE Pre-Application for the Happy Creek Road Phase II Project

**WHEREAS**, Virginia's SMART SCALE is choosing transportation projects for funding and ensuring the best use of limited tax dollars. Projects are required to "tie into" the State's Plan and meet critical transportation needs. Projects could be approved up to 100%; and,

**WHEREAS**, the process consists of a 2-year application process, a 4-year project completion for a total of 6 years. Funding runs on a 2-year cycle type of funding alternates; and,

**WHEREAS**, the design of the project must comply with all Virginia Department of Transportation (VDOT) standards and all applications are required to have the governing body submit an approved resolution with the completed application; and,

**WHEREAS**, the Happy Creek Road Phase II design will include bike lanes and curb and gutter on both sides of the road with an attached sidewalk on the south side. The new design will include realignment of the s-curve west of Ewell Street and stormwater management to enhance safety for pedestrian and vehicular traffic/ Project has been estimated to cost approximately \$9,757,882; and,

**NOW THEREFORE BE IT RESOVED**, that the Front Royal Town Council approve the submission of a pre-application for the Virginia SMART SCALE at 100% funding for the Happy Creek Road Phase II Project.

APPROVED:

\_\_\_\_\_  
Chris W. Holloway Mayor

ATTEST:

\_\_\_\_\_  
Tina L. Presley, Clerk of Council

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on \_\_\_\_\_, 2022 upon the following recorded vote:

Lori A. Cockrell      \_\_\_ Yes \_\_\_ No  
Letasha T. Thompson      \_\_\_ Yes \_\_\_ No  
Joseph E. McFadden      \_\_\_ Yes \_\_\_ No

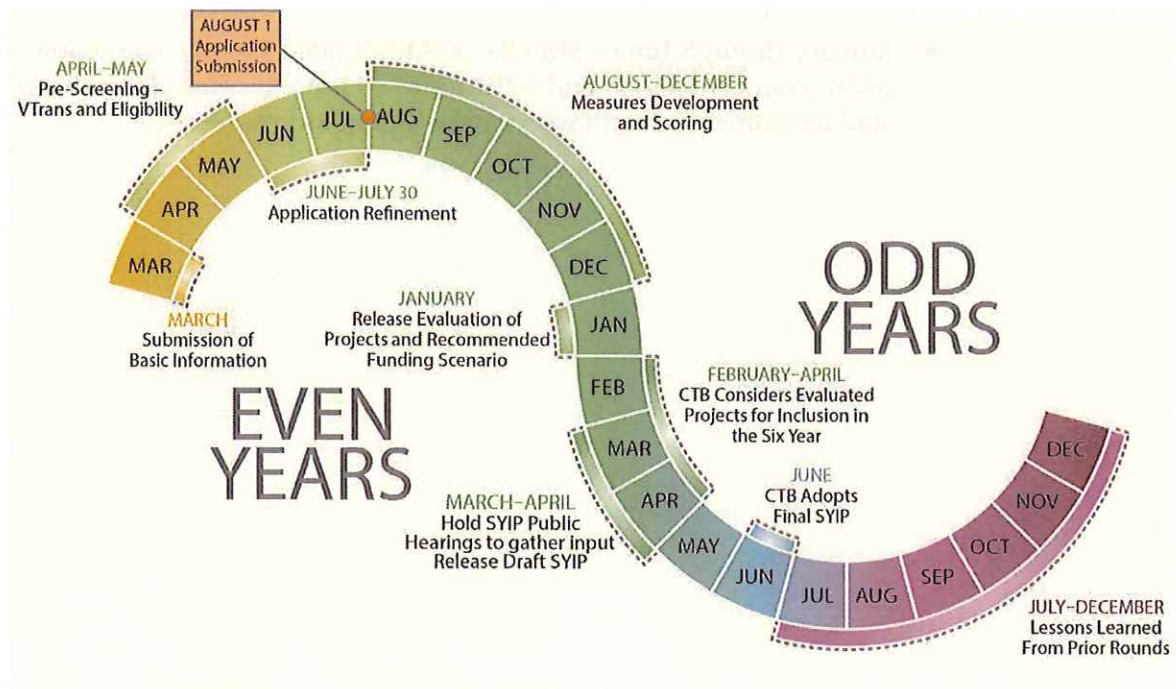
Gary L. Gillispie      \_\_\_ Yes \_\_\_ No  
E. Scott Lloyd      \_\_\_ Yes \_\_\_ No  
Amber F. Morris      \_\_\_ Yes \_\_\_ No

Approved as to Form and Legality:

\_\_\_\_\_  
George Sonnett, Assistant Town Attorney

Dated: \_\_\_\_\_

Figure 1.1 Anticipated SMART SCALE Biennial Cycle



As currently identified, the application and evaluation process timeline will generally proceed as follows (if day does not fall on business day, the first business day after will be used):

- **Winter/Spring:** - Early coordination with DRPT and VDOT prior to application submissions. Recommend engagement of P4P and Pre-Scoping Module resources.
- **March 1<sup>st</sup>** - Call for applications and notification of estimated amount of funding available.
- **March 1<sup>st</sup> through March 31<sup>st</sup>** - Applicants create pre-application containing sufficient basic project information for project screening and eligibility review.
- **April 1<sup>st</sup>** - Deadline to complete pre-application. No new applications will be allowed after April 1<sup>st</sup>.
- **April 1<sup>st</sup> through May 31<sup>st</sup>** - Pre-screening to see if project meet VTrans Mid-term Need and are eligible for SMART SCALE funding.
- **June 1 through July 30<sup>th</sup>** - Application refinement.
- **August 1<sup>st</sup>** - Final applications due. All applications will be made public after the deadline to submit has passed.
- **August through December** - Submitted projects are screened, evaluated and scored.

- **January CTB Meeting** – Results of SMART SCALE screening and evaluations are made public along with the staff recommended funding scenario.
- **January through June** – SMART SCALE-funded projects will follow existing public comment period and SYIP approval process. The CTB may modify the staff recommended funding scenario through formal action.

# Happy Creek Road Phase II



## Town of Front Royal Happy Creek Road Preliminary Cost Estimate



### Phase II Segment

250ft west of Entrance to 1174 Happy Creek Rd. to Shenandoah Shores Rd. (0.63 mi)

|                                                 |                    |
|-------------------------------------------------|--------------------|
| Estimated Construction Cost                     | \$5,751,800        |
| PE & Permitting (20% of Est. Construction Cost) | \$1,150,400        |
| Preliminary Right of Way and Easements          | \$411,082          |
| Utility Relocation                              | \$0                |
| Environmental Mitigation                        | \$0                |
| Contingency (30% of Est. Construction Cost)     | \$1,725,600        |
| CEI (12.5% of Est. Construction Cost)*          | \$719,000          |
| <b>TOTAL PROJECT COST (FY 20\$)</b>             | <b>\$9,757,882</b> |



The Town of Front Royal will be submitting a VDOT Smart Scale Pre-Application for Phase II of the Happy Creek Road project by April 1<sup>st</sup>. Pre-Applications for this program will be screened in the April/May timeframe and finalized by July 30<sup>th</sup> to meet the August 1<sup>st</sup> Application deadline. Should the Town's Application be successful, funding would be available in FY 2028.



## Work Session Agenda Statement

Item #08

Meeting Date: March 14, 2022

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**Agenda Item:** Edgemont Avenue Street Name Change to Banks Boulevard, Street Avenue

**Summary:** Councilwoman Thompson has requested that Council consider renaming Edgemont Avenue to Banks Boulevard, Street, Avenue or what Council desires.

**Budget/Funding:** N/A

**Staff Recommendation:** Council takes desired action



## Work Session Agenda Statement

Item #09

Meeting Date: March 14, 2022

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**Agenda Item:** Proposed Comprehensive Plan – New Urbanism

**Summary:** Councilman Lloyd will be giving a 15-minutes presentation on New Urbanism.

**Budget/Funding:** N/A

**Staff Recommendation:** Council takes desired action



## Work Session Agenda Statement

Item #10

Meeting Date: March 14, 2022

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### CLOSED MEETING

#### Motion to Go into Closed Meeting

I move that Town Council convene and go into Closed Meeting for the following:

- 1) discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body specific to the Town Manager's performance in his role as Interim Building Code Official, Town Attorney position. Board of Zoning Appeals Vacancy and Environmental Sustainability Advisory Committee (ESAC) Vacancy, pursuant to Virginia Code §2.2-3711. A.1 of the Code of Virginia.
- 2) with respect to a commercial enterprise located in the Town's corporate limits which the Town furnishes public utilities: (a.) Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, pursuant to Virginia Code Section 2.2-3711.A.6 of the Code of Virginia; and, (b.) discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code §2.2-3711.A.29 of the Code of Virginia.

#### Motion to Certify Closed Meeting at its Conclusion *[At the conclusion of the Closed Meeting, immediately re-convene 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.

# **SPECIAL MEETING**



## Council Special Meeting Agenda Statement

Item # 02

Meeting Date: March 14, 2022

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**Agenda Item:** Draft Memorandum of Agreement (MOA) of the Board of Supervisors and Town Council to Promote and Support Development in Front Royal, Virginia Regarding Building Code Enforcement

**Summary:** Mayor Holloway asked for a special called meeting for Council to consider approving the Memorandum of Agreement (MOA) between the Warren County Board of Supervisors and Front Royal Town Council to promote and support development in Front Royal, Virginia regarding building code enforcement contingent upon revisions that include revisions to #5 of the MOA.

The Town terminated the Town-County MOA of February 8, 1983, which designated responsibility for enforcement of the Virginia Uniform Statewide Building Code within the Town limits to the County. On January 3, 2022, the Town instituted a separate building permit and inspections program to respond to citizens and builders concerns regarding the County's performance. The Town department was designed to be self-sufficient without Town citizens subsidizing permit and inspection fees.

As a result of multiple meetings, discussions with the Warren County Home Builders Association and a Joint County Board of Supervisors and Town Council meeting on March 3, 2022, it was decided that the Town Building Permit and Inspection Program would be terminated on the date of the signed MOA between the County and the Town.

Per the MOA, the County shall provide Uniform Statewide Building Code enforcement services pursuant to Code of Virginia § 36-105 and Local Erosion and Sediment Control Programs pursuant to Code of Virginia §10.1-562 to the Town effective on the date of the signed MOA by both the Town and the County. It should be noted, as part of the MOA, the County will not be responsible for enforcing building codes that pertain to the maintenance of dilapidated and blighted properties within the Town.

Town staff will participate in the Development Review Committee monthly meetings with only staff in attendance from Warren County, Rappahannock Electric Cooperative, Virginia Department of Transportation, Warren County Health Department, Economic Development, Fire and Rescue, and the Chamber of Commerce to share project information and provide coordinated information to private sector representatives.

Per #5 of the Agreement, the MOA will continue until January 1, 2027 or can be terminated following a sixty (60) day written notice from the Town to the County.

Any dispute concerning the performance or interpretation of this Agreement shall be adjudicated in the General District or Circuit Courts of Warren County, Virginia.

A Joint Town and County Building Permit and Inspection Committee will be established to revisit the July 17, 2012, Warren County Building Code Study and Findings regarding plans and inspections performance as well as other recommendations from the Committee. The County will consider increasing the permitting fees established on July 1, 2009.

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Moved \_\_\_\_\_ Seconded \_\_\_\_\_

Cockrell \_\_\_\_\_ Gillispie \_\_\_\_\_ Lloyd \_\_\_\_\_ McFadden \_\_\_\_\_ Morris \_\_\_\_\_ Thompson \_\_\_\_\_

Upon approval of the signed MOA between the Town and County, it is requested that all Town resolutions related to the establishment of the Town’s Building Department shall be rescinded. Those resolutions are listed below:

- June 1, 2021 – Establishment of the Building Codes and Environmental Division
- December 13, 2021 – Updated June 1, 2021, Resolution
- December 13, 2021 – Appointment of Acting Building Official
- December 13, 2021 – Building Permit Fees for Residential and Commercial

Chapter 9 “Building and Maintenance Codes” will stay as written in the Town Code.

Warren county can begin issuing permits as soon as the effective date of the MOU. Department of Housing & Community Development (DHCD) will need to be notified of the change with 30-days per USBC 105. Notification should include the name, position, and effective end date of the former or separating official and the appointed position, effective dates, and contact information for the incoming official. The notification should be on Warren County’s letterhead signed by the Chair and Mayor.

Upon receipt of the appointment notification, DHCD will update their state records accordingly.

**Budget/Funding:** None

**Meetings:** Liaison Meeting held March 3, 2022

**Proposed Motion:** I move that Council approve the Memorandum of Agreement (MOA) between the Board of Supervisors and Town Council to promote and support development in Front Royal, Virginia regarding building code enforcement with one revision to #5 of the MOA that the agreement would continue until January 1, 2027 or can be terminated following a sixty (60) day written notice from the Town to the County. I further move that Council rescind Resolutions June 1, 2021 “Establishment of the Building Codes and Environmental Division”; December 13, 2021 “Updated June 1, 2021 Resolution”; December 13, 2021 “Appointment of Acting Building Official” and December 13, 2021 “Building Permit Fees for Residential and Commercial” upon full execution of the MOA from the Town Council and the Board of Supervisors.

**AGREEMENT TO PROMOTE AND SUPPORT DEVELOPMENT IN  
FRONT ROYAL, VIRGINIA REGARDING BUILDING CODE ENFORCEMENT**

**THIS AGREEMENT TO PROMOTE AND SUPPORT DEVELOPMENT IN FRONT ROYAL, VIRGINIA REGARDING BUILDING CODE ENFORCEMENT (the “Agreement”),** made this \_\_\_\_ day of \_\_\_\_\_, 2022 by and between the County of Warren, Virginia, a political subdivision of the Commonwealth of Virginia, (the “County”), and the Town of Front Royal, Virginia, a political subdivision of the Commonwealth of Virginia, (the “Town”);

**WHEREAS,** the Town and the County desire to facilitate and support private sector efforts to continue construction projects thereby promoting the public welfare and employment opportunities in the most economical manner; and

**WHEREAS,** the Town terminated the Town-County Agreement of February 8, 1983, which designated responsibility for enforcement of all aspects of the Virginia Uniform Statewide Building Code within the Town limits to the County; and

**WHEREAS,** the Town instituted a separate building permit and inspections program effective January 3, 2022; and

**WHEREAS,** Town residents are also County residents, and a singular County-wide building inspections program is more cost-effective and provides better service for the community.

**NOW, THEREFORE THE PARTIES AGREE AS FOLLOWS:**

- 1) The Town building permit and inspection program is terminated effective as of the date of this Agreement.
- 2) The County shall provide County-wide, inclusive of the Town, Uniform Statewide Building Code enforcement services pursuant to Code of Virginia § 36-105 and Local Erosion and Sediment Control Programs pursuant to Code of Virginia § 10.1-562 effective as of the date of this Agreement. The County shall not enforce the Building Code portions that pertain to maintenance, or dilapidated or blighted properties in the Town.
- 3) Town staff will participate in the Development Review Committee monthly meetings with staff from Warren County, Rappahannock Electric Cooperative, Virginia Department of Transportation, Warren County Health Department, Economic Development, Fire and

Rescue, and the Chamber of Commerce to share project information and provide coordinated information to private sector representatives.

- 4) The Town will continue the partnership with the County by using the EnerGov/Tyler Technologies permitting software initiated jointly, and the Town will continue to pay 25% of the cost thereof.
- 5) This Agreement shall continue until the later of 1/1/2027 or sixty days after written notice is provided by the Town.
- 6) The Town shall provide zoning and permitting information to the Commissioner of the Revenue of Warren County on a timely basis but not later than ten days after receipt thereof by the Town of such information to ensure correct property valuations and assessment.
- 7) Any dispute concerning the performance or interpretation of this Agreement shall be adjudicated in the General District or Circuit Courts of Warren County, Virginia.
- 8) This Agreement constitutes the entire understanding and agreement among the parties with respect to the matters set forth herein and supersedes all prior or contemporaneous understandings or agreements among the parties with respect to the subject matter hereof, whether oral or written.
- 9) This Agreement constitutes a fully negotiated agreement among sophisticated parties, with the assistance of legal counsel, and must not be construed and interpreted for or against any party thereto.

This Agreement to Promote and Support Development in Front Royal, Virginia Regarding Building Code Enforcement has been duly authorized and approved by the Town Council of the Town of Front Royal, Virginia and the Board of Supervisors of Warren County, Virginia and the Mayor of the Town and the Chairman of the Board are authorized to execute the same.

**WITNESS** the following signatures:

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Mayor  
Town of Front Royal, Virginia

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Chairman  
Board of Supervisors of  
Warren County, Virginia

## RESOLUTION

### The establishment of the Building Codes and Environmental Division

**WHEREAS**, Town Council desires to establish the Town's Building Codes and Environmental Division (Division) to protect the health, safety and general welfare of the public through the administration and uniform enforcement of laws and regulations related to land use, building construction and property maintenance.

**WHEREAS**, the Division is to provide **minimum** standards of the Virginia Uniform Statewide Building Code to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings, structures and certain equipment within this jurisdiction; and

**WHEREAS**, duties of the Division include the review and the issuance of building permits and conducting the required building inspections for final approval before occupancy or use; and,

**WHEREAS**, the Division maintains the safety and appearance of the Town's existing structures and properties through routine inspections and code compliance throughout the Town and responds to complaints about building, structures, and property code violations; and,

**WHEREAS**, the Division works with residents, businesses, and the development community to protect natural resources and enhance communities while accommodating growth and development; and,

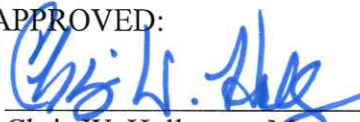
**WHEREAS**, the Division is responsible for ensuring that the engineering, construction, and maintenance of the Town's storm water sewer system and facilities meet certain standards for the environment, and improvement of stormwater runoff; and,

**WHEREAS**, the Division issues applicable land disturbing activity permits and in accordance with the requirements of the Commonwealth's Virginia Stormwater Management Act and Construction General Permit Regulations; and,

**WHEREAS**, the Town is designated as a Virginia Erosion and Sediment Control Program (VESCP) and Virginia Stormwater Management Program (VSMP) authority; and,

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the Town Council of the Town of Front Royal, Virginia, that Town Council approves this resolution regarding the establishment of the Building Codes and Environmental Division.

APPROVED:

  
Chris W. Holloway, Mayor

Attest:

  
Tina L. Presley, Clerk of Town Council

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THIS RESOLUTION was approved at the Special Meeting of the Town of Front Royal, Virginia, Town Council conducted on June 1, 2021 upon the following recorded vote:

Joseph McFadden      Yes/No

Gary L. Gillispie      Yes/No

Scott Lloyd      Yes/No

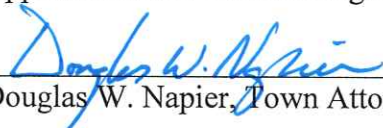
Jacob L. Meza      Yes/No Absent

Lori A. Cockrell      Yes/No

Letasha T. Thompson      Yes/No

\*\*\*\*\*

Approved as to Form and Legality:

  
\_\_\_\_\_  
Douglas W. Napier, Town Attorney

Dated: 06-01-2021

## RESOLUTION

### APPOINTMENT OF ACTING BUILDING OFFICIAL

-----  
**WHEREAS**, Town Code Section 9-100 (D) states, in part: “[a]t such time that Town Council may establish a Building Department and a Board of Appeals, the Town Manager shall appoint a Building Official to administer and enforce the Building Code”; and,

**WHEREAS**, on June 1, 2021, the Town Council resolved to establish a Building Department, otherwise to be known as the Building Codes and Environmental Division; and,

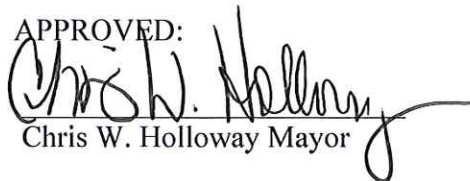
**WHEREAS**, the Virginia Uniform Statewide Building Code (“VUSBC”) requires every local building department to have a building official, and requires that any such building official meet certain qualifications; and,

**WHEREAS**, based upon the current Town Manager’s representations, the current Town Manager has the requisite combination of education and experience to meet the qualification requirements for a building official under the VUSBC; and,

**WHEREAS**, in order to open the Building Department prior to the hiring and appointment of a Building Official by the Town Manager, the Town Council desires to appoint the Town Manager as Acting Building Official with the understanding that the Town Manager shall not become the permanent Building Official but shall resign from the position of Acting Building Official immediately upon the hiring and appointment of a Building Official.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Council appoints Steven Hicks, Town Manager, as Acting Building Official, effective upon passage.

APPROVED:

  
Chris W. Holloway Mayor

ATTEST:

  
Tina L. Presley, Clerk of Council

---

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on December 13, 2021 upon the following recorded vote:

*[vote and signatures following page]*

Lori A. Cockrell ☒ Yes ☐ No

Letasha T. Thompson ☒ Yes ☐ No

Joseph E. McFadden ☒ Yes ☐ No

Gary L. Gillispie ☒ Yes ☐ No

E. Scott Lloyd ☒ Yes ☐ No

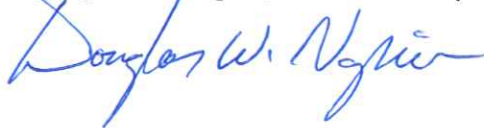
Amber F. Morris ☒ Yes ☐ No

\*\*\*\*\*

Approved as to Form and Legality:

12-13-2021

Douglas W. Napier, Town Attorney



Dated: 12-13-2021

## **UPDATED RESOLUTION**

### **For the establishment of a Town Building Department**

**WHEREAS**, Town Council approved a resolution at a Special Meeting held June 1, 2021 to establish the Building Codes and Environmental Division; and,

**WHEREAS**, Town Council desires to update that resolution for clarification and specificity; and,

**WHEREAS**, Town Council continues their desire to establish a Town Building Department and a Local Board of Building Code of Appeals (LBBCA), herein referred to generally as the "Board of Appeals", to administer and enforce the mandatory provisions of the Virginia Uniform Building Code, including Part I, Construction Code, and Part II, Rehabilitation Code to protect the health, safety and general welfare of the public; and,

**WHEREAS**, the Department is to provide minimum standards of the Virginia Uniform Statewide Building Code to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings, structures and certain equipment within this jurisdiction; and,

**WHEREAS**, duties of the Department include the review and the issuance of building permits and conducting the required building inspections for final approval before occupancy or use; and,

**WHEREAS**, the Department maintains the safety and appearance of the Town's existing structures and properties through routine inspections and code compliance throughout the Town and responds to complaints about building, structures, and property code violations; and,

**WHEREAS**, the Department works with residents, businesses, and the development community to protect natural resources and enhance communities while accommodating growth and development; and,

**WHEREAS**, the Department is responsible for ensuring that the engineering, construction, and maintenance of the Town's storm water sewer system and facilities meet certain standards for the environment, and improvement of stormwater runoff; and,

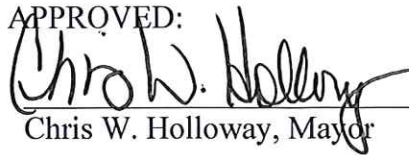
**WHEREAS**, the Department's intent is to issue applicable land disturbing activity permits and in accordance with the requirements of the Commonwealth's Virginia Stormwater Management Act and Construction General Permit Regulations; and,

**WHEREAS**, the Town is in the process of being designated as a Virginia Erosion and Sediment Control Program (VESCP) and Virginia Stormwater Management Program (VSMP) authority by the Department of Environmental Quality (DEQ); and,

**WHEREAS**, the Town is requesting Warren County to continue to regulate land disturbing activities on the Town's behalf until State designates the Town its own authority; and,

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the Town Council of the Town of Front Royal, Virginia, that Town Council approve this updated resolution regarding the establishment of a Town Building Department pursuant to Town Code Chapter 9.

APPROVED:

  
Chris W. Holloway, Mayor

Attest:

  
Tina L. Presley, Clerk of Town Council

THIS RESOLUTION was approved at the <sup>Regular</sup>~~Special~~ Meeting of the Town of Front Royal, Virginia, Town Council conducted on ~~June 4, 2021~~ <sup>December 13,</sup> upon the following recorded vote:

Joseph McFadden

Yes/No

Gary L. Gillispie

Yes/No

Scott Lloyd

Yes/No

Jacob L. Meza

Yes/No

Lori A. Cockrell

Yes/No

Letasha T. Thompson

Yes/No

\*\*\*\*\*

Approved as to Form and Legality:

  
Douglas W. Napier, Town Attorney

Dated: 12-13-2021



# TOWN OF FRONT ROYAL

## Building Permit Fees - Commercial

### STANDARD FEES

|                                     |             |
|-------------------------------------|-------------|
| Minimum Fee                         | 75.00       |
| New, Manufactured or Industrialized | .20 sq. ft. |
| Addition, Alteration                | .20 sq. ft. |
| Renovation or Repairs               | .08 sq. ft. |
| Construction Trailer                | 60.00       |
| Re-Roofing minimum 60.00            | .03 sq. ft. |
| Re-Inspection                       | 45.00       |
| Special/Partial Inspection          | 45.00       |
| Stop Work Order Release             | 75.00       |
| Work Started Without Permit         | 200.00      |

### MODIFY OR CHANGES TO

|                                                      |        |
|------------------------------------------------------|--------|
| Re-Review of Approved Plans<br>10.00 per page, max   | 250.00 |
| Approved Permits, per occasion                       | 25.00  |
| Plan Replacement - 10.00 per page, plus copy charges |        |

### PERMIT RENEWAL

|                                                  |       |
|--------------------------------------------------|-------|
| After 1 <sup>st</sup> year – additional 6 months | 25.00 |
|--------------------------------------------------|-------|

### CERTIFICATE OF OCCUPANCY (CO)

|                             |        |
|-----------------------------|--------|
| New with Building Permit    | N/C    |
| New with Existing Structure | 100.00 |
| Temporary CO                | 50.00  |
| Renewal                     | 50.00  |
| Change of Use               | 100.00 |

### MISCELLANEOUS

|                                                 |        |
|-------------------------------------------------|--------|
| Demolition                                      | 45.00  |
| Moving Buildings/Structures, original site      | 45.00  |
| Pole Light Bases (4 Bases, 1 Footer Inspection) | 45.00  |
| Each Additional Base                            | 5.00   |
| Tents                                           | 75.00  |
| Cell Tower, Tank, or similar Structure, each    | 75.00  |
| Antennas, each                                  | 45.00  |
| Phased Permit Approval, each                    | 250.00 |
| Application to Local Appeals Board              | 100.00 |

### AMUSEMENT RIDES

|                                      |        |
|--------------------------------------|--------|
| Kiddie                               | 25.00  |
| Circular or Flat Rides 20' in height | 35.00  |
| Spectacular                          | 55.00  |
| Coasters 30'                         | 150.00 |

### PLAN REVIEW & INSPECTION FEES

|                             |        |
|-----------------------------|--------|
| Onsite Building Inspection  | 125.00 |
| Fire Protection Plan Review | 140.00 |
| Building Plan Review        | 140.00 |

*Plan Review and Inspection Fees are per hour. Not Shown will be set by Certified Building Official.*

*All fees subject to change during application process.*

### PLUMBING

|                                        |       |
|----------------------------------------|-------|
| Minimum Fee (up to 10 fixtures)        | 55.00 |
| Per Fixture Over 10                    | 5.00  |
| Heating/Cooling System Water Piping    | 10.00 |
| Building Roof Drains                   | 10.00 |
| Storm Sewer Laterals                   | 10.00 |
| Water Service Connection               | 45.00 |
| Sewer Service Connection               | 45.00 |
| Water/Sewer Connection Combined        | 45.00 |
| Manufactured/Industrialized Connection | 45.00 |
| Backflow Preventer, each               | 10.00 |

### MECHANICAL

|                                                |       |
|------------------------------------------------|-------|
| Central Heat or Combination, up to 60k BTU     | 55.00 |
| Each Additional 60k BTU                        | 5.00  |
| Air Conditioning, up to 5 Tons                 | 55.00 |
| Each Additional Ton                            | 5.00  |
| Hood System, each (see suppression if applies) | 55.00 |
| Elevators, each                                | 45.00 |
| Fire/Smoke Dampers, each                       | 45.00 |
| Ductwork                                       | 45.00 |

### STORAGE TANKS

|                                                                 |       |
|-----------------------------------------------------------------|-------|
| Minimum                                                         | 55.00 |
| Up to 2 @ 500 gal each or less, A/G, U/G with piping            | 55.00 |
| Each Additional less than 500 gal                               | 10.00 |
| Greater than 500 gal, each, (above or below ground with piping) | 55.00 |
| Gas Appliances and Piping to Regulator                          | 55.00 |
| Gas Lines Only                                                  | 55.00 |
| Combination Inspection – Tank, Piping, Appliance                | 55.00 |

### ELECTRICAL

|                     |       |
|---------------------|-------|
| Administrative Cost | 10.00 |
|---------------------|-------|

*Electrical Permits Require a Separate Application and Fee Payable to MIDDLE DEPARTMENT INSPECTION AGENCY*

### FIRE PROTECTION SYSTEMS

|                                                                |       |
|----------------------------------------------------------------|-------|
| Fire Alarm Systems, each (minimum)                             | 55.00 |
| Each Fixture/Appliance                                         | .10   |
| Fire Detection System, each (minimum)                          | 55.00 |
| Each Fixture/Appliance                                         | .10   |
| Fire Suppression System (Sprinkler, Hood, etc), each (minimum) | 75.00 |
| Each Head                                                      | .15   |
| Fire Pumps, each                                               | 75.00 |
| Stand Pumps, each                                              | 75.00 |
| Special Suppression System, each                               | 75.00 |

*R-5 Structures or as noted.*

*State Levy of 2% on all permit fees as required.*

*EFFECTIVE JANUARY 3, 2022*

Now, therefore, be it resolved that the Town Council approve a resolution that adopts the Commercial and Residential Schedule of Fees for the Town's Building Department and allows the Town Manager to amend the Commercial and Residential Schedule of Fees from time to time for the Town's Building Department.

APPROVED:

Chris W. Holloway  
Chris W. Holloway Mayor

ATTEST:

Tina L. Presley  
Tina L. Presley, Clerk of Council

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on December 13, 2021 upon the following recorded vote:

|                     |                                                                     |                   |                                                                     |
|---------------------|---------------------------------------------------------------------|-------------------|---------------------------------------------------------------------|
| Lori A. Cockrell    | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Gary L. Gillispie | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Letasha T. Thompson | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | E. Scott Lloyd    | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Joseph E. McFadden  | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Amber F. Morris   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

\*\*\*\*\*

Approved as to Form and Legality:

Douglas W. Napier  
Douglas W. Napier, Town Attorney

Dated: 12-13-2021



# TOWN OF FRONT ROYAL

## Building Permit Fees - Residential

### STANDARD FEES

|                                     |             |
|-------------------------------------|-------------|
| Minimum Fee                         | 50.00       |
| New, Manufactured or Industrialized | .15 sq. ft. |
| Addition                            | .15 sq. ft. |
| Alteration                          | .15 sq. ft. |
| Renovation                          | .15 sq. ft. |
| Re-Roofing (if required)            | 45.00       |
| Re-Siding (if required)             | 45.00       |
| Replacement Windows (if required)   | 45.00       |
| Fireplace                           | 45.00       |
| Re-Inspection                       | 45.00       |
| Special/Partial Inspection          | 45.00       |
| Stop Work Order Release             | 45.00       |
| Work Started Without Permit         | 50.00       |

### MODIFY OR CHANGES TO

|                             |                                              |
|-----------------------------|----------------------------------------------|
| Re-Review of Approved Plans | 45.00                                        |
| Approved Permits            | 25.00                                        |
| Plan Replacement            | 5.00 per page (max 25.00), plus copy charges |

### PERMIT RENEWAL

|                                                  |       |
|--------------------------------------------------|-------|
| After 1 <sup>st</sup> year – additional 6 months | 25.00 |
|--------------------------------------------------|-------|

### CHIMNEY

|                                              |       |
|----------------------------------------------|-------|
| Pre-Fab or Masonry<br>(1 flue & 1 appliance) | 45.00 |
| Each Additional Flue                         | 5.00  |
| Relining                                     | 45.00 |

### ACCESSORY STRUCTURES/MISC

|                                            |             |
|--------------------------------------------|-------------|
| Garage – Attached or Detached              | .15 sq. ft. |
| Storage Building (larger than 150 sq. ft.) | .15 sq. ft. |
| Deck                                       | 45.00       |
| Sign                                       | 45.00       |
| Demolition                                 | 45.00       |
| Moving Buildings/Structures                | 45.00       |

### CERTIFICATE OF OCCUPANCY (CO)

|                             |        |
|-----------------------------|--------|
| New with Building Permit    | N/C    |
| New with Existing Structure | 100.00 |
| Temporary CO                | 50.00  |
| Renewal                     | 50.00  |

Plan Review and Inspection Fees are per hour. Not Shown will be set by Certified Building Official.  
All fees subject to change during application process.

### PLUMBING

|                                      |       |
|--------------------------------------|-------|
| Minimum Fee (up to 15 fixtures)      | 45.00 |
| Per Fixture Over 15                  | 5.00  |
| Water Service Connection             | 45.00 |
| Sewer Service Connection             | 45.00 |
| Water/Sewer Connection Combined      | 45.00 |
| Manufactured/Modular Connection      | 45.00 |
| Well/Septic Lines (Re-Connect), each | 5.00  |
| Backflow Preventer, each             | 10.00 |

### MECHANICAL

|                                                                 |       |
|-----------------------------------------------------------------|-------|
| Central Heat, Heat Pump or Heat & A/C up to 60k BTU, per system | 45.00 |
| Each Additional 60k BTU                                         | 5.00  |
| Air Conditioning up to 5 Tons, Per System                       | 45.00 |
| Each Additional Ton                                             | 5.00  |
| Supplemental System to Main, each                               | 45.00 |
| Moving Buildings/Structures                                     | 15.00 |

### STORAGE TANKS

|                                                              |       |
|--------------------------------------------------------------|-------|
| Minimum                                                      | 45.00 |
| Up to 2 @ 500 gal each or less, A/G, U/G with piping         | 45.00 |
| Each Additional less than 500 gal                            | 10.00 |
| Greater than 500 gal each, above or below ground with piping | 45.00 |
| Gas Appliances and Piping to Regulator                       | 45.00 |
| Gas Lines Only                                               | 45.00 |
| Combination Inspection – Tank, Piping, Appliance             | 45.00 |

### POOLS

|              |             |
|--------------|-------------|
| In Ground    | .15 sq. ft. |
| Above Ground | 45.00       |

### ELECTRICAL

|                                                                                                          |       |
|----------------------------------------------------------------------------------------------------------|-------|
| Administrative Cost                                                                                      | 10.00 |
| Electrical Permits Require a Separate Application and Fee Payable to MIDDLE DEPARTMENT INSPECTION AGENCY |       |

### MISCELLANEOUS

|                                    |        |
|------------------------------------|--------|
| Application to Local Appeals Board | 100.00 |
|------------------------------------|--------|

R-5 Structures or as noted.  
State Levy of 2% on all permit fees as required.  
EFFECTIVE JANUARY 3, 2022

Now, therefore, be it resolved that the Town Council approve a resolution that adopts the Commercial and Residential Schedule of Fees for the Town's Building Department and allows the Town Manager to amend the Commercial and Residential Schedule of Fees from time to time for the Town's Building Department.

APPROVED:

Chris W. Holloway  
Chris W. Holloway Mayor

ATTEST:

Tina L. Presley  
Tina L. Presley, Clerk of Council

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on December 13, 2021 upon the following recorded vote:

Lori A. Cockrell ☒ Yes ☐ No

Gary L. Gillispie ☒ Yes ☐ No

Letasha T. Thompson ☒ Yes ☐ No

E. Scott Lloyd ☒ Yes ☐ No

Joseph E. McFadden ☒ Yes ☐ No

Amber F. Morris ☒ Yes ☐ No

\*\*\*\*\*

Approved as to Form and Legality:

Douglas W. Napier  
Douglas W. Napier, Town Attorney

Dated: 12-13-2021