



TOWN COUNCIL WORK SESSION

Monday, August 8, 2022 @ 6:30pm in the Town Hall Conference Room

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

1. CLOSED MEETING – Planning Commission Interviews and Personnel
2. Items Slated for Public Hearings on August 22
 - A. Special Use Permit for Short-Term Rental at 425 N. Royal Ave – Joy Allen/Patrick Masch – *L. Kopishke*
 - B. Special Use Permit for a Short-Term Rental at 18 E. Stonewall Dr – Jerry & Martha Britton – *L. Kopishke*
 - C. Special Use Permit for Apartments at 650 W. 11th Street – Ramzi Beidas – *Lauren Kopishke*
 - D. Proposed Ordinance Amendments to Town Code Chapter 4 – Admin. of Government – *T. Presley*
3. Items Slated for Consent Agenda for August 22nd Regular Council Meeting – *BJ Wilson*
 - A. Purchase of Kendrick Lane Substation Transformer
 - B. Contract Award for Bridge Inspections Services
 - C. Contract Award for Waterline Upgrades
 - D. Contract Award for Compensation Study/Employee Handbook Update
4. Waiver of Curb, Gutter & Sidewalk Request from Kathy Blevins on Crisman Dr – *Lauren Kopishke*
5. Resolution Acknowledging End of COVID-19 Communicable Disease Local Emergency – *George Sonnett*
6. Open Discussion
7. Adjourn



Work Session Agenda Statement

Item # 01

Meeting Date: August 8, 2022

CLOSED MEETING

Motion to Go into Closed Meeting

I move that Town Council convene and go into Closed Meeting for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, specifically Planning Commission, Town Manager and Town Attorney, pursuant to §2.2-3711(1) of the Code of Virginia. Following the Closed Meeting, Council may take further action in open session.

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.



Work Session Agenda Statement

Item # 2A

Meeting Date: August 8, 2022

Agenda Item: Special Use Permit for Short-Term Rental at 425 N. Royal Avenue – Joy Allen/Patrick Masch

Summary: The applicant is requesting to rent three (3) bedrooms to no more than six (6) people at a time. There is parking provided on site for up to six (6) vehicles. Planning Commission held a public hearing on July 20th and recommended approval. Town Council has a scheduled public hearing on this request for August 22nd.

Budget/Funding: N/A

Staff Recommendation: Staff recommends approval during the public hearing scheduled for August 22nd. Staff does not have any recommended conditions.



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

**Planning Commission Regular Meeting
July 20, 2022**

APPLICATION #:

2200105 – Special Use Permit for Short
Term Rental

APPLICANT:

Joy L. Allen and Patrick Masch

APPLICATION SUMMARY:

A Special Use Permit Application has been submitted for a Short-Term Rental located at 425 N. Royal Avenue. Inspection was completed on June 28, 2022, at 3:30 p.m.

GENERAL INFORMATION:

<i>Site Addresses</i>	425 N. Royal Avenue
<i>Owner(s)</i>	Royal Avenue LLC (Joy L. Allen and Patrick Masch)
<i>Zoning District</i>	C-1, Community Business District / Entrance Corridor
<i>Historic District</i>	No
<i>Tax Identification</i>	Tax Map #20A5-6-13-10
<i>Location</i>	The subject property is zoned C-1 and located south of the intersection of N Royal Ave and 5 th St. The property is in the flood plain of Happy Creek.
<i>Request/ Recommendation</i>	The Applicant is requesting to rent three bedrooms to no more than 6 people at a time. There is parking provided on site for up to six vehicles. Staff recommends approval and does not have any recommended conditions.

View of Front Elevation – 425 N. Royal Avenue



Aerial Zoning Map



Aerial Flood Plain Map



ATTACHMENTS:

1. Special Use Permit Application
2. Inspection report



Work Session Agenda Statement

Item # 02B

Meeting Date: August 8, 2022

Agenda Item: Special Use Permit for a Short-Term Rental at 18 E Stonewall Drive – Jerry & Martha Britton

Summary: The applicant is requesting up to eight (8) occupants in four (4) rooms. There is parking on site for three (3) vehicles in the driveway. Planning Commission held a public hearing on July 20th and recommended approval. Town Council has a scheduled public hearing on this request for August 22nd.

Budget/Funding: N/A

Staff Recommendation: Staff recommends approval during the public hearing scheduled for August 22nd. Staff does not have any recommended conditions.



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

**Planning Commission Regular Meeting
July 20, 2022**

APPLICATION #:

2200106 – Special Use Permit for Short
Term Rental

APPLICANT:

Jerry & Martha Britton

APPLICATION SUMMARY:

A Special Use Permit Application has been submitted for a Short-Term Rental located at 18 East Stonewall Drive. Inspection was completed on June 21, 2022, at 3:30.

GENERAL INFORMATION:

<i>Site Addresses</i>	18 East Stonewall Drive
<i>Owner(s)</i>	Jerry and Martha Britton
<i>Zoning District</i>	C-2, Down Business District
<i>Historic District</i>	Yes
<i>Tax Identification</i>	Tax Map #20A7-4-42
<i>Request/Recommendation</i>	Applicant is requesting up to 8 occupants in 4 rooms. There is parking onsite for 3 vehicles in the driveway Staff recommends approval.

View of Side Elevation – 18 East Stonewall Drive



Aerial Zoning Map



ATTACHMENT: Special Use Permit Application
Inspection Report



Work Session Agenda Statement

Item # 02C

Meeting Date: August 8, 2022

Agenda Item: Special Use Permit for Apartments at 650 W. 11th Street – Ramzi Beidas

Summary: The application is to allow the applicant to convert the first floor of the structure into two (2) 900 square foot dwelling units. The first floor of this property was previously used as a brewery and laundromat facility. There are two (2) dwelling units on the upper floor. Planning Commission recommended approval at their July 20th public hearing.

Budget/Funding: N/A

Staff Recommendation: Staff recommends approval during the Council's public hearing to be held August 22nd with the following conditions:

1. This Special Use Permit is authorized for ground floor dwelling units to be located at 650 W 11th St
2. The existing parking lot shall be resurfaced prior to the business opening.
3. Town Council, or other designated representative, may inspect the property at any reasonable time to ensure compliance with local regulations, including, but not limited to, the conditions placed on this special use permit.
4. Upon inspection of the property, if it is found that the property is not in compliance with local regulations, including but not limited to, the conditions of this special use permit, the Town may revoke this special use permit after notice to the applicant and public hearing.

2200101

APPLICANT:

Ramzi Beidas, MZF, LLC

SUMMARY OF REQUEST:

A Special Use Permit Application has been submitted for two (2) dwelling units to be located on the ground floor at 650 W. 11th Street.

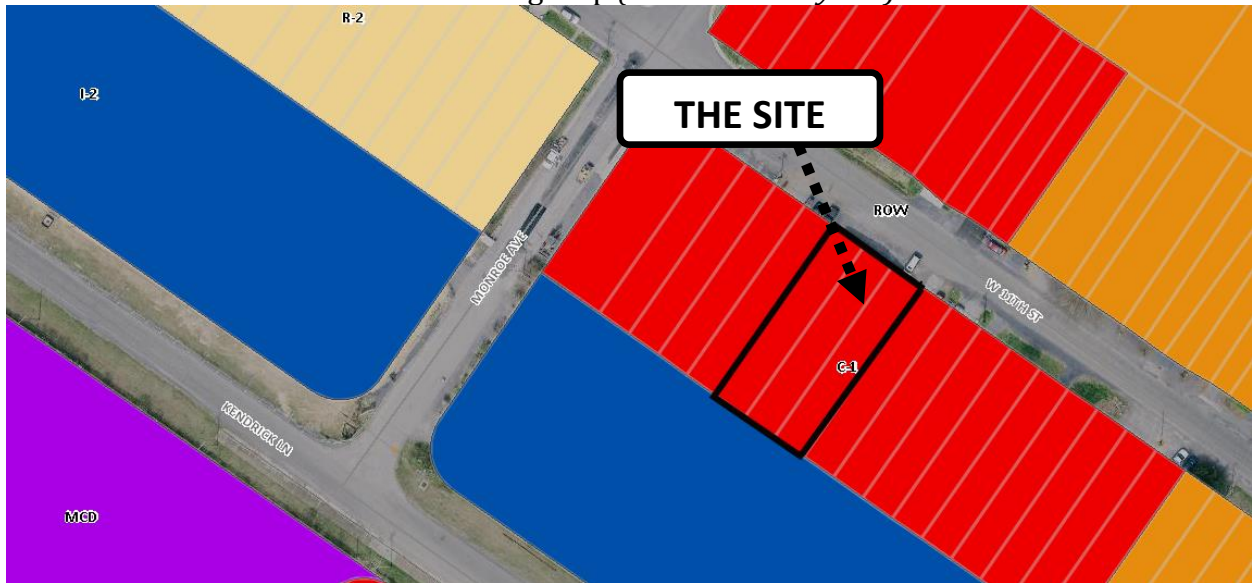
GENERAL INFORMATION:

<i>Site Addresses</i>	650 W. 11 th Street
<i>Property Owner(s)</i>	Ramzi Beidas, MZF, LLC
<i>Existing Zoning</i>	C-1 (Community Business) District
<i>Proposed Use</i>	Ground Floor dwelling units, 900 square feet per dwelling unit
<i>Tax Identification</i>	20A1 2 3, lots 7-9
<i>Location</i>	The proposed use is located on the 1 st floor of the building.

Vicinity Map (Warren County GIS)



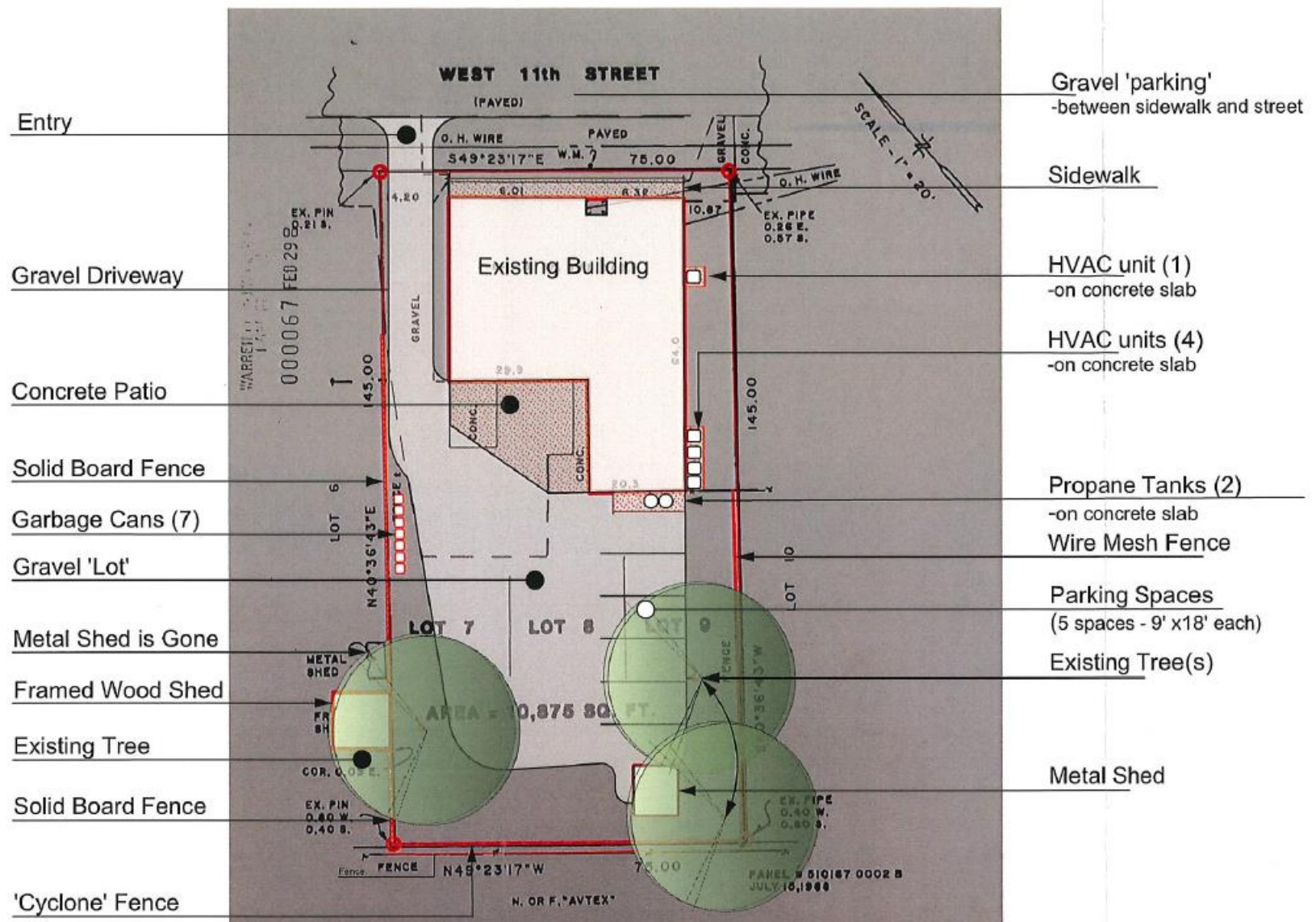
Town Zoning Map (Warren County GIS)



Aerial (Warren County GIS)



Existing Site Conditions(Applicant's Site Plan)



Existing Site Conditions(*Staff Photos of the Property*)



INFORMATION ON THE APPLICATION:

Project Summary & Staff Recommendation

The application is to allow the applicant to convert the first floor of the structure into two, 900 square foot dwelling units. The 1st floor of this property was previously used as a brewery and laundromat facility. There are two dwelling units on the upper floor.

Below are parking calculations of what the Town Code requires for off-street parking. The use does qualify for a parking exemption, as found under Town Code 175-127. This allows existing businesses to be reused with the existing parking provided that it is adequately maintained and delineated.

Dwelling units = 2 per unit = 8 spaces

TOTAL = 8

The applicant has 11 parking spaces

The use will require a change of use application with the Warren County Building Inspections Department.

A special use permit is required because “ground floor dwelling units” require a special use permit in the C-1 District, pursuant to Town Code 175-39.B.

Town Code 175-3 defines a dwelling unit as follows: *One (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a weekly, monthly, or longer basis and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities and containing not less than six hundred (600) square feet of residential floor area. Such units shall meet the requirements of the Building Code of the Town of Front Royal.*

The Town is authorized to require a special use permit for certain uses within any zoning district under Virginia Code §15.2-2286. Some specific uses are granted protection from regulation from localities by the Virginia Code, including agriculture uses, small scale conversion of biomass to alternative fuel, certain residential uses, private tents, farm wineries, assisted living facilities, and group homes.

The issuance of a special use permit is subject to such conditions as are deemed necessary by the Front Royal Town Council after recommendations of the Front Royal Planning Commission. Prior to an action by Town Council or a recommendation by the Planning Commission, a **public hearing** is required for special use permits.

Town Staff recommends that the Planning Commission issue a recommendation of approval of the Special Use Permit Application with the following conditions. Additional consideration may need to be given if new information is provided at the scheduled public hearing.

CONDITIONS:

- 1) This Special Use Permit is authorized for ground floor dwelling units to be located at 650 W 11th Street.
- 2) The existing parking lot shall be resurfaced prior to the business opening.
- 3) Town Council, or other designated representative, may inspect the property at any reasonable time to ensure compliance with local regulations, including, but not limited to, the conditions placed on this special use permit.
- 4) Upon inspection of the property, if it is found that the property is not in compliance with local regulations, including but not limited to, the conditions of this special use permit, the Town may revoke this special use permit after notice to the applicant and public hearing.

ATTACHMENTS: Application and associated other documents from the Applicant.

General Note:

This is a graphic summary of existing conditions found by Landscape Architect while doing a visual survey on 4-5-19 of:

Lot 7, Lot 8, Lot 9 in Block 3
Royal Village Subdivision

Landscape Architect confirms all items noted exist on site. He also confirms there is a minimum of 5 parking spaces in the rear as shown

This is not however an official 'survey'.
All dimensions, locations to be considered approximate as they were not done by surveyor per se -but by the Landscape Architect using on a tape measure

It is overlaid on official plat prepared by Larry Himelright P.C. and recorded in Warren County in deed book 1-page 10 in order to show official property lines etc as a reference

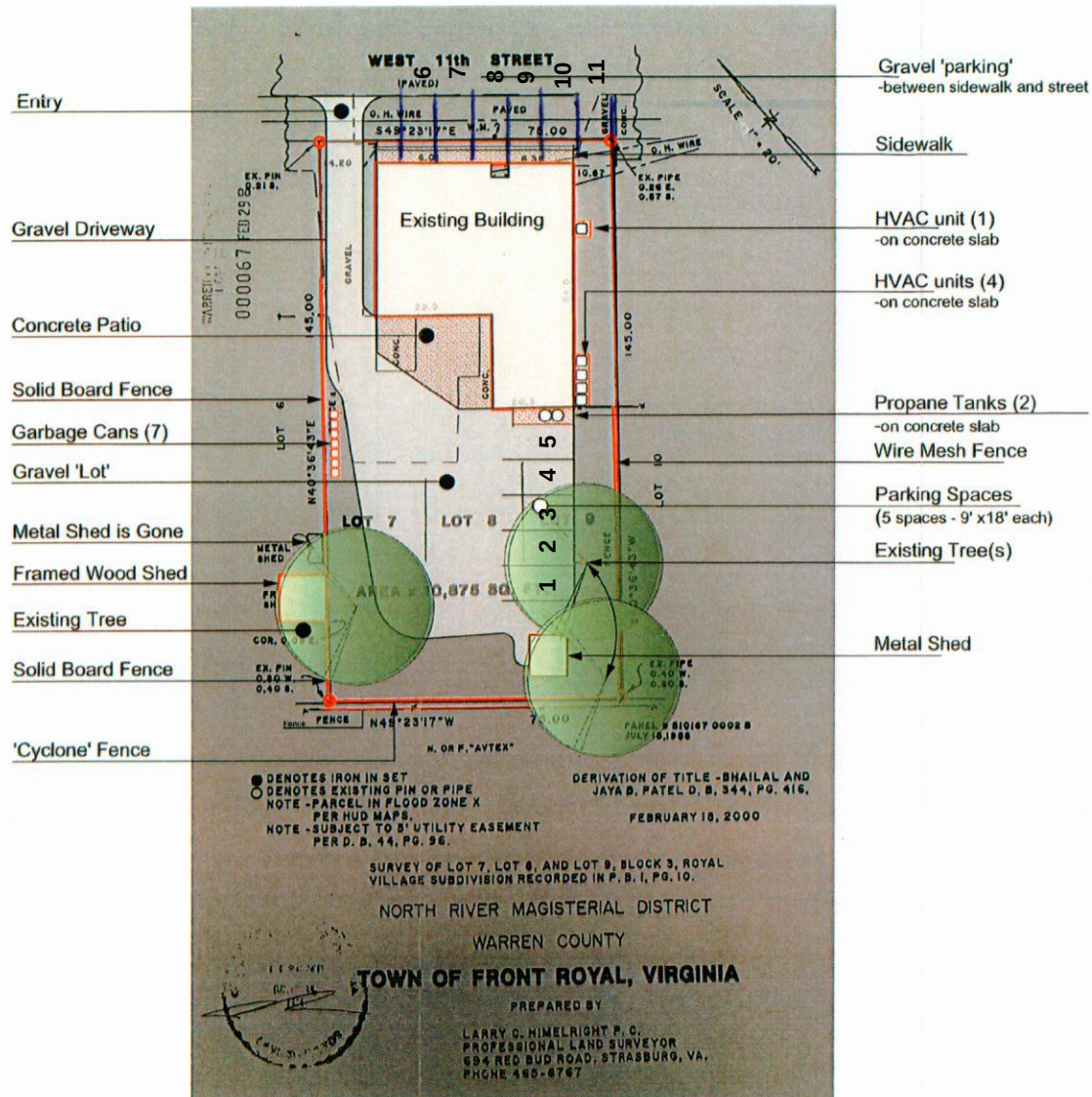
Survey Note

All areas not identified on drawing are Lawn and or vegetation.

Existing Conditions -Site Survey



Graphic Scale
1"=30'-00"



Consultant	
Project Title	
Visual site review for CUP	
Drawing Title	
Existing Conditions Layout	
Project Manager	
J Duggan RLA	
Draws By	Scale
Reviewed By	Drawing No.
Date	1 of 1
4-9-19	
CAD File	
Total Sheets	



Work Session Agenda Statement

Item # 02D

Meeting Date: August 8, 2022

Agenda Item: Proposed Amendments to Town Code Chapter 4 – Administration of Government

Summary: Council reviewed various amendments throughout Chapter 4 at their work session held July 11th. The following amendments were discussed, including two noted below that were added/deleted. It was confirmed that a public hearing on the amendments would be held August 22nd.

- 4-1.D. – Time of Meetings – removed 7:00pm for 2nd Monday of month and added *“additional work sessions as need”* to allow more flexibility
- 4-1.1 - Remote Participation by Electronic Means – cleaned up to match State Code more clearly as suggested by Deputy Town Attorney.
- 4-6 – applicability of Robert’s Rules of Order – removed 10th Edition to reflect current edition
- 4-27 – Town Manager General Responsibilities/Duties – removed supervision of Legal Department as suggested by Deputy Town Attorney
- 4-39 – Town Attorney General Powers and Duties – added supervision of legal department as suggested by Deputy Town Attorney
- 4-44 – Filing Required – Amended to add FREDA, Boards/Commissions and employees to file disclosures and to add FREDA and Executive Director to Training requirement to match State Code more clearly
- Various other minor grammar and updates noted throughout

The amendments below were deleted/added during the July 11th work session:

- 4-1.1.D – Remote Participation by Electronic Means - Remove *“This ordinance applies to all meetings and work session of all the Public Bodies and committees of the Public Body”* – Deputy Town Attorney advised that it was redundant and not needed.
- 4-53.B.5. – Residency of Town Employees – Town Manager suggested adding *“Assistant Town Attorney”*

Budget/Funding: N/A

Staff Recommendation: to have a public hearing on August 22nd and approve the proposed amendments as presented.

Chapter 4

ADMINISTRATION OF GOVERNMENT

Sections:

TOWN COUNCIL**4-1 TIME OF MEETINGS****4-1.1 INDIVIDUAL MEMBER REMOTE PARTICIPATION BY ELECTRONIC MEANS****4-2 STANDING COMMITTEES****4-3 PROPOSED ORDINANCES OR RESOLUTIONS TO BE IN WRITING****4-4 READING/PUBLICATION OF ORDINANCES & EMERGENCY ORDINANCES****4-5 ATTENDANCE OF WITNESSES & PRODUCTION OF BOOKS AND PAPERS****RULES OF ORDER****4-6 APPLICABILITY OF *ROBERT'S RULES OF ORDER*, 10TH EDITION****4-7 SUSPENSION OF RULES****4-8 MAYOR AS PRESIDING OFFICER****4-9 QUESTIONS OF ORDER****4-10 STATEMENT OF QUESTION AND DECLARATION OF RESULT; RECORDED VOTE****4-11 WITHDRAWAL FROM MEETING****4-12 CONDUCT IN ADDRESSING COUNCIL****4-13 PRIORITY IN SPEAKING****4-14 COMMUNICATIONS TO BE IN WRITING****4-15 MOTIONS****4-16 MEETINGS AND ORGANIZATION OF COMMITTEES****4-17 COMMITTEE REPORTS****4-18 ACTIONS UPON CLAIMS AND FOR REMISSION OF TAXES****4-19 ORDER OF BUSINESS; PLACEMENT OF ITEMS ON THE AGENDA****OFFICERS****4-20 RIGHT OF ENTRY****MAYOR****4-21 EXECUTIVE HEAD****4-22 CONTRACTING DEBT****4-23 RECOMMENDATIONS TO COUNCIL****TOWN MANAGER****4-24 (RESERVED)****4-25 BOND****4-26 POSITION TO BE FULL-TIME; REMOVAL****4-27 GENERAL RESPONSIBILITIES AND DUTIES****4-28 DUTIES AS TOWN TREASURER**

- 4-29 BUDGET AND FINANCIAL ADVICE**
- 4-30 ATTENDANCE AT COUNCIL MEETINGS; RECOMMENDATIONS TO COUNCIL**
- 4-31 EMPLOYMENT AND DISCHARGE OF TOWN EMPLOYEES**
- 4-32 MONTHLY FINANCIAL REPORT**
- 4-33 SINKING FUND; INTEREST ON OUTSTANDING BONDS**
- 4-34 CONTROL OF TOWN-OWNED REAL PROPERTY**
- 4-35 BILLS**
- 4-36 DISPOSITION OF TOWN FUNDS**

TOWN ATTORNEY

- 4-37 ELECTION**
- 4-38 COMPENSATION**
- 4-39 GENERAL POWERS AND DUTIES**
- 4-40 SUITS, PROSECUTIONS AND DEFENSE DUTIES**
- 4-41 REPORTS TO COUNCIL**
- 4-42 ACCOUNTING FOR FUNDS**

TOWN ENGINEER

- 4-43 APPOINTMENT; DUTIES**

DISCLOSURE BY CERTAIN EMPLOYEES

- 4-44 FILING REQUIRED**
- 4-45 APPLICABILITY**

PUBLIC RECORDS

- 4-46 TOWN RECORDS - DEFINITION**
- 4-47 TOWN RECORDS DECLARED PUBLIC PROPERTY**
- 4-48 CUSTODY AND PRESERVATION OF TOWN COUNCIL RECORDS**
- 4-49 RECORDS MANAGEMENT PROGRAM**
- 4-50 RECORDS MANAGER**
- 4-51 DEPARTMENT RECORDS OFFICERS**

AUXILIARY POLICE OFFICERS

- 4-52 APPOINTMENT; POWER AND DUTIES**
- 4-53 RESIDENCY OF TOWN EMPLOYEES**

Revised/Re-codified 3-11-85. (Chapter 2 of the 1965 Code. Section 2-39 "Compensation of Town Attorney" amended 6-14-54; Section 2-4 "Ordinances" amended 6-13-60; Section 2-2 "Appointment of Standing Committees" amended 8-8-60; Section 2A "Regulate Emissions" was amended 11-9-64; 12-14-64; 8-23-65; Section 2-43 "Industrial Development Authority" was added 12-11-67; Section 2-27.1 "Duties include those of Town Treasurer" amended 8-9-71; Amended 4-45 7-27-09; Removed 4-45 (Applicability) 12-13-21. General Provisions regarding Town Council and Town Manager are located in the Town Charter; Chapters I – VI. Other amendments noted where applicable.

TOWN COUNCIL

4-1 TIME OF MEETINGS

A. The Council shall hold one regular meeting in the Warren County Government Center on the fourth Monday of each month at 7:00 p.m.; provided however, the regular meeting in the month of December of each year, shall be on the second Monday of that month, held at the same time and in the same place.

B. In the event that a regular Town Council meeting shall fall on a date designated as a Town holiday, then the regular Council meeting shall be held on the following day (Tuesday) at 7:00 p.m. with location being in the Warren County Government Center or Town Hall whichever is available.

C. In the event that a regular Town Council meeting cannot be conducted at the regular time or location due to circumstances beyond the Town's control, the alternative meeting date shall be the following Monday at 7:00 p.m. in the Warren County Government Center or Town Hall whichever is available.

D. The Council shall hold one work session in the Town Hall on the second Monday of each month at a time specified by the agenda except for the work session in December which shall be held on the first Monday of that month. In the event that a work session cannot be held due to circumstances beyond the Town's control, the Council may either cancel the work session or reschedule the work session to another date and time. Council may hold additional work sessions as needed provided that a majority of Council agrees to the date, time and location of such work session(s).

~~D. The Council shall hold one work session in the Town Hall on the second Monday of each month at 7:00 P.M.; provided the work session in the month of December of each year shall be on the first Monday of that month, held at the same time and in the same place. In the event that a work session cannot be held due to circumstances beyond the Town's control the Council has the option to cancel the work session or reschedule the work session to another date and time.~~

4-1.1 INDIVIDUAL MEMBER REMOTE PARTICIPATION BY ELECTRONIC MEANS

DEFINITIONS

For the purpose of this section, certain words and terms are herein defined as follows:

ABSENCE – members of the public body are physically absent from any and all meetings of the public body. See Charter Section 11 on absences from regular meetings of Council.

ELECTRONIC - technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

IN PERSON ATTENDANCE – members of the public body are physically in attendance of any all meetings of the public body

MEETING - any gathering of a public body whether in person or through the use of electronic communication, of at least three members of a public body or a quorum if it is less than three members to discuss or transact business of the public body whether or not a vote is taken.

QUORUM – majority of members of the public body for the transaction of business. See Charter Section 13.

REMOTE PARTICIPATION – members of a public body may participate in a meeting by electronic communication. See See 4-1.1A. for guidelines.

A. Individual members of Town Public Bodies, **as hereinafter defined**, may participate in meetings of Town Public Bodies by electronic communication means from a remote location that is not open to the public, as permitted by Virginia Code § 2.2-3708.1-2., as that Section may from time to time be amended, or by other future applicable law. This **policy ordinance** shall apply to the entire membership of Town Council, ~~the Planning Commission~~, and all other entities however designated, of Town Council created to perform delegated functions of Town Council or Town government or to advise or assist Town Council or Town government, including, but not limited to **the Planning Commission** ~~the Board of Zoning Appeals~~, ~~the Board of Architectural Review~~, ~~the Town Economic Development Authority~~ and the Urban Forestry Advisory Committee (collectively, “Public Bodies”, or in the singular, “Public Body”). Public Body members requesting remote participation or the matters that will be considered or voted on at the meeting **notifies the Chair of the Public Body that:**

1. **When** such ~~remote individual~~ Public Body **member's remote** participation is due **to** (i) a temporary or permanent disability or other medical condition that prevents the member's physical attendance or (ii) a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance.
2. **When** such ~~remote individual~~ Public Body **member's remote** participation is due to **an emergency or** a personal matter and identifies with specificity the nature of the personal matter. Such participation is limited ~~by the Code of Virginia~~ to two (2) meetings or 25 % percent of the meetings of the public body per public body member each calendar year, whichever is fewer.

B. Whenever an individual Town Public Body member wishes to participate from a remote location, a quorum of the Public Body shall be physically assembled at the primary or central public meeting location, and arrangements will be made for the voice of the ~~remote~~ Public Body member **attending remotely** to be heard by all persons at the primary or central Public Body meeting location. The reason that the ~~remote~~ Public Body member is **appearing remotely and** unable to attend the public body meeting **in person** and the remote location from which the Public Body member participates will be recorded in the Public Body meeting minutes. **If participation is approved pursuant to subdivision A.1, the Public Body shall also include in its minutes the fact that the member participated through electronic communication means**

due to (i) a temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) a family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance. If participation is approved pursuant to subdivision A.2, the Public Body shall also include in its minutes the specific nature of the personal matter cited by the member.

C. ~~Individual~~ A Public Body member's participation from a remote location shall be approved unless such participation would violate this ordinance or other applicable provisions of the Virginia Freedom of Information Act.

If a Public Body member's participation from a remote location is challenged, then the Public Body shall vote whether to allow such participation. If the Public Body votes to disapprove of the Public Body member's remote participation because such participation would violate this ordinance or the provisions of the Virginia Freedom of Information Act, such disapproval will be recorded in the Public Body Meeting Minutes with specificity.

~~D. This ordinance applies to all meetings and work sessions of all the Public Bodies, and committees of the Public Body.~~

4-2 STANDING COMMITTEES

The Council, as soon as practicable after the qualification of the newly elected members of each Council, may appoint the following standing Committees:

- A. A Street Committee with which the Town Manager may consult on all matters with regard to streets.
- B. A Water Committee with which the Town Manager may consult on all matters with regard to water.
- C. An Electric Committee with which the Town Manager may consult on all electric matters.
- D. A Sewer Committee with which the Town Manager may consult on all matters concerning sewers.

4-3 PROPOSED ORDINANCES OR RESOLUTIONS TO BE IN WRITING

No proposed ordinance or proposed resolution having the effect of an ordinance shall be considered or passed by the Council unless it shall be submitted in writing.

4-4 READING AND PUBLICATION OF ORDINANCES; AND EMERGENCY ORDINANCES

A. The Clerk of Council shall, upon receipt of ordinances requiring a public hearing, cause such publication as legally prescribed. The public hearing shall be scheduled for the first available meeting after the completion of the publication requirements.

B. Ordinances shall be adopted at the first reading. Ordinances may be read by title only and not verbatim.

C. Ordinances which fail to pass during the first reading of Council, shall fail at that time and shall not be placed on a subsequent meeting agenda for twelve months unless one of the following occurs: (1) there is a change in the membership of Council, (2) one councilmember who initially voted against the ordinance concurs with its placement on the agenda, (3) an ordinance that was defeated for the lack of a second is again placed on the agenda with the concurrence of any ~~councilman~~ **councilmember** who did not make the initial motion for approval.

D. Emergency ordinances shall take effect immediately upon their passage. An emergency ordinance is an ordinance passed by the Council for the immediate preservation of the public peace, property, health, welfare, safety, or morals. No ordinance granting, enlarging, or affecting any franchise or amending or repealing any ordinance fixing any property tax rate or assessment shall be an emergency ordinance. Ordinances pertaining to the appropriating of money or levying taxes or licenses, or reconsideration of matters at special meetings shall be considered as provided in Town Charter Section 13.

4-5 ATTENDANCE OF WITNESSES & PRODUCTION OF BOOKS AND PAPERS

The Council or any committee thereof when especially authorized, shall have the power to require the attendance of any person as a witness and the production by any person of all proper books and papers when, in the opinion of such body, such attendance or such production is necessary and proper. Summons to attend as witnesses or produce books or papers shall be in writing signed by the presiding officer of the Council or committee thereof and shall be served by the Chief of Police in the same manner as a process to commence an action at law. Such witnesses shall be sworn by the officer presiding at such investigation and shall be liable for perjury or false testimony given at any such investigation. Any person failing or refusing to testify or produce such books or papers may be summoned before the county court and, upon failure to give a satisfactory excuse, shall be fined a sum not exceeding one hundred dollars (\$100) or imprisoned not exceeding thirty (30) days. A right of appeal shall lie to the Circuit Court of the county as in cases of a misdemeanor.

RULES OF ORDER

4-6 APPLICABILITY OF *ROBERT'S RULES OF ORDER*, ~~10TH EDITION~~

The proceedings of the Council, except as its own rules may otherwise provide, shall be governed by the rules of procedure described in **the then current edition of** *Robert's Rules of Order*, ~~10th Edition~~.

4-7 SUSPENSION OF RULES

No rule adopted by the Council shall be suspended without the concurrence of two-thirds (2/3) of the members elected to the Council.

4-8 MAYOR AS PRESIDING OFFICER

The Mayor, as the presiding officer of the Council, shall enforce the **parliamentary** rules of procedure, preserve order and decorum and appoint all committees.

4-9 QUESTIONS OF ORDER

At Council meetings, the Mayor shall decide questions of order and may, without vacating the chair, give his reasons for his decision. From any decision of the chair, an appeal may be made to the body in session, the question being "Shall the decision of the chair be sustained?" Upon such appeal no debate shall be allowed if it refers to a question of decorum, but if it relates to the priority of business or to the relevancy or applicability of propositions, the appeal may be debated.

4-10 STATEMENT OF QUESTION AND DECLARATION OF RESULT; RECORDED VOTE

At Council meetings, the Mayor shall state the question and shall declare the result of the vote. He may direct, or any member may demand, a recorded vote, which shall be taken by a call of the roll.

4-11 WITHDRAWAL FROM MEETING

After a member of the Council, at any meeting thereof, has been recorded as present, he shall not, without permission of the Mayor or the presiding officer, absent himself from such meeting until its adjournment.

4-12 CONDUCT IN ADDRESSING COUNCIL

Every member of the Council shall address the presiding officer before speaking, confine himself to the question before the body and avoid all personal or indecorous language. No such member shall interrupt another while speaking except to rise to a point of order, the point to be briefly stated to the presiding officer.

4-13 PRIORITY IN SPEAKING

At Council meetings, the person first to address the chair shall speak first. When two (2) or more members speak at the same time, the presiding officer shall name the one to speak.

4-14 COMMUNICATIONS TO BE IN WRITING

No communication to the Council shall be entertained unless such communication is in writing.

4-15 MOTIONS

Every motion or proposition at a Council meeting, except such as a subsidiary or incidental, shall be in writing. When a motion is made and seconded, it shall be stated by the presiding officer before being debated. A motion or proposition may be withdrawn by the mover at any time before it is decided, amended or otherwise acted upon.

4-16 MEETINGS AND ORGANIZATION OF COMMITTEES

The members of a committee of the **City Town** Council shall meet on the call of the chairman, who shall be the first-named person on the committee. A majority of the committee shall constitute a quorum to do business.

4-17 COMMITTEE REPORTS

Every committee of the **City Town** Council shall, unless otherwise directed, report at the next succeeding regular meeting upon the subject matter referred to it or shall show good cause why such report is not made. Every such committee shall have authority to report on any matter proper for its consideration, though not specially referred to it. The reports of committees shall be in writing and shall be signed by a majority of its members. The papers referred to therein as well as all written opinions in reference thereto obtained from the attorney for the Town shall be returned with the report.

4-18 ACTIONS UPON CLAIMS AND FOR REMISSION OF TAXES

No claims against the Town shall be acted upon at any Council meeting, except by unanimous consent, unless the same has been considered and laid on the table for one (1) meeting. Every application for a remission of taxes shall be verified by the oath of the applicant and, without special order, shall stand referred to the next meeting.

4-19 ORDER OF BUSINESS; PLACEMENT AND APPROVAL OF ITEMS ON AGENDAS

1. At the first regular meeting of Town Council, Town Council, by majority vote of a quorum of all members of Council, shall decide upon the order of business for all regular meetings of Town Council for that upcoming calendar year. The order of business shall be reduced to writing and certified by the Mayor and Clerk of Town Council.

2. The order of business shall not be departed from except by the consent of two-thirds (2/3) of the members of the Council present and voting.

3. Items which appear under the heading “Consent Agenda items” are intended to be routine business items which are not subject to individual debate or discussion, but are, instead, voted on as a group. However, at the time the presiding officer announces that the Consent Agenda portion of the order of business has been reached, any member of Council may request that any individual items or items may be removed from the Consent Agenda, and such item or items shall, thereafter, become the first item or items considered under the “Items for Approval” portion of the order of business.

4. At every work session meeting of the Council, the order of business shall be determined by the Mayor, or in his absence, the Vice Mayor.

B. THE PLACEMENT OF ITEMS ON AGENDAS

1. The following items shall be placed on a Council Agenda for a regular meeting or work session provided they are delivered to the office of the Town Manager.

- a. Items from members of Town Boards or Commissions whose membership is appointed by the Council.
- b. Items required for decision by the Town Manager, to include citizen requests placed in writing by the citizen or by the Town Manager.
- c. Items requested by the Mayor to include citizen requests placed in writing.
- d. Items requested by at least two (2) members of Council to be placed on a work session. Items requested by a majority of Council be placed on a regular meeting. In the event of a tie the Mayor will determine the placement.
- e. Items requested from citizens who have appeared at a previous meeting of Council, and who have placed their requests in writing and asked for the matter to be considered at an upcoming meeting of Council.

C. APPROVAL OF PLACEMENT OF ITEMS ON THE AGENDAS

1. The Mayor, or in his absence, the Vice Mayor approves the final regular meeting and work session agendas before publication and shall not remove any item on said agendas placed by at least (2) council members for a work session agenda or a majority of councilmembers for a regular meeting agenda.

2. No items may be placed on regular meeting or work session agendas after publication without unanimous vote from all members of Council present and voting.

OFFICERS

4-20 RIGHT OF ENTRY

Whenever any officer or employee of the Town is required or authorized by statute, the provisions of this Code or any ordinance or resolution or rules and regulations or orders issued thereunder, in order to carry out his duties thereunder, to enter any premises or vehicle for the purpose of making an inspection thereof or of anything therein contained, such officer or employee shall have the right to enter any such premises or vehicle at any reasonable time in pursuance of such duties.

MAYOR

4-21 EXECUTIVE HEAD

The Mayor of the Town shall be the executive head of its municipal government.

4-22 CONTRACTING DEBT

The Mayor shall not at any time contract any debt or liability for the Town, but he may, as agent of the Town, after being duly authorized by the recorded vote of the majority of the Council at any regular or special meeting, contract such debt or liability.

4-23 RECOMMENDATIONS TO COUNCIL

From time to time, the Mayor shall recommend to the Council such measures as he may deem needful for the welfare of the Town.

TOWN MANAGER

4-24 (RESERVED)

4-25 BOND

The Town Manager shall give bond in such sum as the Council may deem with corporate surety to be approved by the Council; provided that such sum shall not be less than \$500,000.00; and further provided that such bond shall be for the faithful performance of the duties of the Town Manager and the Town Treasurer, provided such duties remain combined in one (1) office.

4-26 POSITION TO BE FULL-TIME; REMOVAL

The Town Manager shall devote his entire time to the business of the Town and shall be subject at all times to removal by the Council on proven charges of malfeasance, misfeasance, neglect of duty or incompetency.

4-27 GENERAL RESPONSIBILITIES AND DUTIES

A. The Town Manager shall be responsible to the Council for the proper administration of all affairs of the Town coming within the ordinances and resolutions of the Council.

B. It shall be the duty of the Town Manager to exercise supervision and control over all departments of the **city Town** government **with the exception of the legal department**, and to have general supervision over all public improvements, works and undertakings.

C. **SOCIAL MEDIA** - The Town Manager shall oversee all communication commonly referred to as “Social Media” given the following regulations:

1. The Town’s Facebook, Twitter, or other “Social Media” communications are operated by the Town under the direction of the Town Manager.
2. The Town reserves the right, at the sole discretion of the Town Manager, to change, modify, add or delete comments, photos or videos at any time. The following is a list of justifications for deletion of comments, photos or videos by the Town Manager or designee, but is not exhaustive:
 - a. Comments, photos, or videos associated with unlawful activity
 - b. Comments, photos, or videos that contain offensive or vulgar language
 - c. Comments, photos, or videos that contain personal attacks on staff, Town Council or members of the public
 - d. Comments, photos, or videos that contain commercial solicitation or advertisement.
3. The Town has the right to reproduce any pictures or videos to this site in any of its publications or websites or any other media outlets.
4. The Town shall not share information gathered through its “Social Media” with third parties for promotional purposes.
5. The views, postings, or opinions expressed through “Social Media” do not necessarily reflect those of the Town of Front Royal

4-28 DUTIES AS TOWN TREASURER

The duties of the Town Treasurer shall be combined with those of the duties of the Town Manager, effective September 1, 1971, and from that day forward the Town Manager shall have all of the power, authority, duties, obligations and responsibilities which are set forth in the Charter of the Town Treasurer.

4-29 BUDGET AND FINANCIAL ADVICE

The Town Manager shall prepare the annual budget and keep the Town Council fully advised as to its financial conditions and needs of the Town.

4-30 ATTENDANCE AT COUNCIL MEETINGS; RECOMMENDATIONS TO COUNCIL

The Town Manager shall attend all meetings of the Council and recommend to the Council for adoption such measures as he may deem expedient or necessary.

4-31 EMPLOYMENT AND DISCHARGE OF TOWN EMPLOYEES

The Town Manager shall be authorized and empowered, except as otherwise specifically provided, to employ and discharge such employees as the Council shall determine are necessary for the proper administration and conduct of the Town and its utilities.

4-32 MONTHLY FINANCIAL REPORT

The Town Manager shall make a monthly report to the Council at its regular monthly meeting of all moneys collected, the amount then due and any sums paid out.

4-33 SINKING FUND; INTEREST ON OUTSTANDING BONDS

A. The Town Manager shall, in preparing budgets for the future years for the consideration of the Council of the Town, set up a sufficient sum per year to be covered in the sinking fund of the Town to create sufficient funds in the sinking fund of the Town to retire outstanding bonds as they mature or become callable.

B. An additional amount sufficient to pay interest on outstanding bonds shall be also set up each year in the budget when made up for the consideration of the Town Council.

4-34 CONTROL OF TOWN-OWNED REAL PROPERTY

All real property owned in whole or in part by the Town shall be under the general control and supervision of the Town Council. No private person or other entity shall use or occupy any of the real property owned in whole or in part by the Town except upon the express consent of the Town Council or its designated agent, who shall be the Town Manager. Any person or entity using or occupying any real property owned by the Town without first having obtained consent therefore shall be guilty of a misdemeanor and shall be punished as provided in Section 1-15 of the Town Code.

4-35 BILLS

The Town Manager shall prepare and make prompt collection of all bills for taxes, water and sewer service and electricity and shall keep separate accounts and records of the same.

4-36 DISPOSITION OF TOWN FUNDS

The Town Manager shall deposit daily to the credit of the Town, in the depositories designated in Section 75-1 of this Code, all money collected through his office or other funds coming into his hands.

TOWN ATTORNEY

4-37 ELECTION RESERVED

The Council shall elect a Town Attorney biennially, which Attorney shall be elected at the first regular meeting in September 1932, or as soon thereafter as practicable, for a term of two (2) years, beginning September 1, 1932. Such Attorney shall have been admitted to practice law in the courts of the state.

4-38 COMPENSATION

The salary of the Town Attorney shall be in such amount as may be fixed by the Council. When the duties of his office require his presence out of Town, his reasonable expenses shall be allowed him.

4-39 GENERAL POWERS AND DUTIES

A. The Town Attorney shall have charge, management and control of all legal matters affecting the Town and, in regard to all municipal affairs, shall be the legal advisor of the Mayor, Town Manager and Council or any committee thereof, and when requested, he shall furnish written or verbal opinions upon any subjects involving questions of law in which the Town is interested.

B. It shall be the duty of the Town Attorney to draft all bonds, deeds, obligations, contracts, leases, conveyances, agreements and other legal instruments, of whatever nature, which may be required of him by any ordinance or order of the Council, or which, by law, usage or agreement, should be drawn by the Town. The Town Attorney **shall have supervision and control over the legal department and** shall perform such other duties as are or may be required of him for the Town by any ordinance or resolution of the Council.

4-40 SUITS, PROSECUTIONS AND DEFENSE DUTIES

It shall also be the duty of the Town Attorney to commence and prosecute all actions and suits to be brought by the Town before any tribunal in this state and to appear, defend and advocate the rights and interests of the town or any officer of the town in any suit or prosecution for any act in the discharge of his official duties or wherein any estate, right, privilege, ordinance or acts of the Town government may be brought in question. He shall appear before the County Court and prosecute on behalf of the Town any person or persons charged with violation of any ordinance of the Town when requested so to do by the Mayor or Town Manager. He shall also prosecute or assist in the prosecution before the Circuit Court of all appeals of criminal cases from the County Court to the Circuit Court of the county.

4-41 REPORTS TO COUNCIL

Whenever requested by the Council, the Town Attorney shall prepare and duly deliver to the Council a report showing the conditions of all cases handled by him and the conditions of all cases pending in which the Town is interested.

4-42 ACCOUNTING FOR FUNDS

The Town Attorney shall promptly account for and pay over to the Town Collector any and all funds belonging to the Town, collected or received by him, together with an itemized statement showing from whom received and for what accounts such money was received.

TOWN ENGINEER**4-43 APPOINTMENT; DUTIES**

The Town Manager may appoint a Town Engineer who shall hold office at the pleasure of the Town Manager. He shall have control and supervision, under the direction of the Town Manager, over all public works of the Town. He shall perform such other duties as may be required of him by the Town Manager or the provisions of this Code and other ordinances of the Town.

DISCLOSURE BY CERTAIN EMPLOYEES

(Adopted 12-12-83)

4-44 FILING REQUIRED

A. FILING REQUIRED: **In accordance with Code of Virginia §2.2-3115, members of every governing body, the Executive Director and members of each Economic Development Authority as created by the Industrial Development and Revenue Bond Act (§15.2-4900), persons appointed by governing body, persons occupying such positions of employment with governing body and specific non-salaried citizen members of local boards and commissions shall file as a condition to assuming office or employment, a disclosure statement of personal interests and other information as required annually on or before February 1st.** ~~Per Code of Virginia Chapter 31— State and Local Government Conflict of Interest Act (§§ 2.2-3100— 2.2-3132) any local elected official, local appointed officer or member of a board or commission, employee or nonsalaried citizen member required to file an annual disclosure on or before February 1 shall disclose their personal interests and other information as required on forms prescribed by the Virginia Conflict of Interest and Ethics Advisory Council for the preceding calendar year complete through December 31.~~

MOVED TWO PARAGRAPHS TO END OF B.

B. APPLICABILITY: The following local elected and appointed officials are required to file the Virginia Conflict of Interest and Ethics Advisory Council State and Local Statement of Economic Interest Disclosure:

- Mayor and Members of Town Council
- Executive Director and Members of Economic Development Authority of the Town of Front Royal

The following local board and commission members are required to file the Virginia Conflict of Interest and Ethics Advisory Council Financial Disclosure Statement.

- Non-salaried citizen members of local boards and commissions if the governing body has designated them to file

The following board and commission members and employee(s) are required to file the Virginia Conflict of Interest and Ethics Advisory Council Disclosure of Real Estate Holdings.

- Planning Commission Members
- Board of Zoning Appeals Members
- Town Manager
- Town Attorney
- Clerk of Council
- Director of Finance

All those required to file a disclosure as a condition to assuming office or employment shall file such disclosure on or before the day such office or position of employment is assumed and disclose his personal interests and other information as required for the preceding 12-month period complete through the last day of the month immediately preceding the month in which the office or position of employment is assumed. When the deadline for filing any disclosure pursuant to this article falls on a Saturday, Sunday, or legal holiday, the deadline for filing shall be the next day that is not a Saturday, Sunday, or legal holiday.

The Clerk of Council shall be responsible for the maintenance and retention of disclosure forms for five (5) years, pursuant to Code of Virginia Chapter 37 – Virginia Freedom of Information Act. ~~Per Code of Virginia Chapter 37 – Virginia Freedom of Information Act (§ 2.2-3700 – 2.2-3715);~~ The Clerk of Council shall make available for public inspection all disclosure forms, upon request.

C. TRAINING: ~~Per~~ **In accordance with** Code of Virginia §2.2-3132 local elected officials **and the Executive Director and Directors of the Front Royal Economic Development Authority** are required to take training on the State and Local Government Conflict of Interests Act (provided by the Virginia Conflict of Interest and Ethics Advisory Council) and the Virginia Freedom of Information Advisory Council (provided by the Freedom of Information Advisory Council) within two months of starting their position, and then once every two years based on the date of the last completed training. ~~Town Council may also receive the training requirements from the Town Attorney.~~

4-45 RESERVED

PUBLIC RECORDS

(Adopted 11-26-90)

4-46 TOWN RECORDS - DEFINITION

The term "Town records" shall include all written books, papers, letters, documents, photographs, tapes, microfiche, microfilm, photostats, sound recordings, maps and other

documentary materials or information in any recording medium, regardless of physical form or characteristics, including data-processing devices and computers, which are made or received in connection with the transaction of any public business by any office or department of the Town of Front Royal.

The following described material shall not be included in the definition of "Town records": "Nonrecord" materials shall mean reference books and exhibit materials made or acquired and preserved solely for reference use or exhibition purposes, extra copies of documents preserved only for convenience or reference and stocks of publications.

(Added 11-26-90-Effective Upon Passage)

4-47 TOWN RECORDS DECLARED PUBLIC PROPERTY

All Town records as defined in this ~~Article~~ Code are hereby declared to be the property of the Town of Front Royal. No Town official or employee shall have by virtue of his/her position any personal or property rights to such records. All custodians of Town records shall, at the expiration of his/her term of office, appointment or employment, deliver to his/her successor or, if there be none, to the Town Records Manager, all books, writings, letters, documents and other Town records in his/her possession or otherwise entrusted to his/her care.

4-48 CUSTODY AND PRESERVATION OF TOWN COUNCIL RECORDS

The Clerk of the Front Royal Town Council shall be responsible for the retention and preservation of the records of that body. The Clerk shall see to it that all such records, to include the minutes of its meetings, are accurately recorded on a durable medium and preserved in a manner which meets the requirements of Section 15.2-1412.

4-49 RECORDS MANAGEMENT PROGRAM

The Front Royal Town Manager shall develop a comprehensive Records Management Program which establishes and provides procedures for the management of Town records from their creation to their ultimate disposition. The records management program shall provide for the efficient and economical creation, distribution, maintenance, use, preservation and disposition of all Town records.

4-50 RECORDS MANAGER

The Front Royal Town Manager shall designate a Records Manager for all Town records. The Records Manager shall be responsible for administering the Records Management Program and for implementing the policies and procedures established thereby.

4-51 DEPARTMENT RECORDS OFFICERS

Each department head shall designate from his/her staff personnel a Records Officer. The departmental Records Officer shall report directly to the department and shall be responsible for coordinating and implementing the Records Management Program for his/her office or

department. Each Records Officer shall cooperate and work with the Town Records Manager to ensure that the provisions of Part 4 are complied with by his/her respective department. Each department Records Officer shall monitor compliance within his/her department with all provisions for the retention and disposition of Town records

AUXILIARY POLICE OFFICERS

(Adopted 11-14-94)

4-52 APPOINTMENT; POWER AND DUTIES

A. The Director of Public Safety is hereby authorized to appoint auxiliary police officers as he deems necessary, not to exceed the number of ten (10).

B. The Director of Public Safety, with the approval of the Town Manager, shall establish rules and regulations concerning the operation of the auxiliary police officers, including their uniforms, arms and equipment and training.

C. Persons appointed as auxiliary police officers shall be of good character. Their appointment shall be revocable at any time by the Director of Public Safety or the Town Manager.

D. The auxiliary police officers may be called into service as deemed necessary by the Director of Public Safety or, in times of public emergencies, by the Town Manager. Said auxiliary may also be called into service at such times as there are insufficient numbers of regular police officers to preserve the peace, safety and good order of the Town and at any time for the purpose of training.

E. When called into service, the auxiliary police officers shall wear the prescribed uniform and shall have all the powers and authority and all the immunities of constables at common law and shall have all of the power and authority and all of the immunities of full-time law enforcement officers if all work forces have met the training requirements established by the Department of Criminal Justice Services under Section 9-170 §9.1 of the Code of Virginia, 1950, as amended, or its successor statute.

F. Persons appointed as auxiliary police officers shall serve without compensation.

G. Persons appointed as auxiliary police officers may not engage in employment which may occasionally require the use of their police powers in the performance of such employment unless such employment is specifically approved by the Town Manager.

4-53 RESIDENCY OF TOWN EMPLOYEES

A. As a condition of the acceptance of employment with the Town of Front Royal, and as a condition of the continuance of such employment with the Town of Front Royal, persons holding the following positions in the Town government shall be required to become residents within the Town's corporate limits as soon as practical upon the commencement of employment and to remain residents within the Town corporate limits during the duration of their employment in such offices:

1. Town Manager;

B. As a condition of the acceptance of employment with the Town of Front Royal, and as a condition of the continuance of such employment with the Town of Front Royal, persons holding the following positions in the Town government shall be required to become residents within the boundaries of Warren County as soon as practical upon the commencement of employment and to remain residents within the County during the duration of their employment in such offices:

1. Clerk of Council;
2. Chief of Police;
3. Director of ~~Electrical~~ **Energy** Services;
4. Director of Public Works/~~Utilities~~;
5. **Assistant Town Manager**

C. As a condition of the acceptance of employment with the Town of Front Royal, and as a condition of the continuance of such employment with the Town of Front Royal, persons holding the following positions in the Town government shall be required to become residents within a thirty (30) mile radius of Town Hall as soon as practical upon the commencement of employment and to remain residents within the thirty (30) mile radius of Town Hall during the duration of their employment in such offices:

1. Director of Finance;
2. Director of Planning;
3. Director of Human Resources;
4. Town Engineer.

D. If any such employee required to meet such residency described above shall, after having established such bona fide residence, cease to be a bona fide resident as required above, or if any such employee fail to become a bona fide resident as required above within the twelve-month period following the commencement of such employment, the individual's employment shall be deemed to have been voluntarily vacated.

E. The residency requirements set forth in paragraphs B and C above may be waived or modified by Town Council in its sole discretion, for good and acceptable cause, on a case-by-case basis, for an identifiable candidate or employee in any of the designated positions.

F. Any person occupying a position to which the aforesaid residence requirements apply, but who prior to March 1, 2001, was not required to maintain a residence as required above, shall not, by the adoption of this section, be required to establish such a residence. Such person shall, however, be subject to the residence requirements contained herein upon promotion or re-assignment to another of the positions enumerated herein, or upon establishment of a residence, as required above subsequent to July 1, 2005.

This ordinance shall become effective upon passage.

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

Gary L. Gillispie __Yes __No

Letasha T. Thompson __Yes __No

Amber F. Morris __Yes __No

Joseph E. McFadden __Yes __No

Zachary Jackson __Yes __No

A public hearing on the above was held on _____, 2022 having been advertised in the Northern Virginia Daily on _____.

Approved as to form and legality:

George Sonnett, Deputy Town Attorney

Date: ____/____/____



Work Session Agenda Statement

Item # 03A

Meeting Date: August 8, 2022

Agenda Item: Purchase of Kendrick Lane Substation Transformer

Summary: Council will be requested to approve the purchase of an electric transformer for the Kendrick Lane substation for the Department of Energy Services during the regular scheduled meeting August 22, 2022.

The Town solicited an invitation for bid for the purchase of the substation transformer which closes August 4, 2022. All guidelines as set forth in the Virginia Public Procurement act will have been followed when presented to Council for approval.

The Town has been budgeting for the replacement of the transformer over the past couple budget cycles and now has budgeted enough funds to replace the aging transformer. Anticipated lead time for receiving the transformer is approximately three (3) years due to material shortages. Replacement of this substation transformer is needed to maintain the Town's electric infrastructure.

Budget/Funding: 9401-R47938 Dept of Energy Services - Kenrick Substation

Staff Recommendation: Staff recommends approving the purchase of the Substation Transformer under the August 22nd Consent Agenda.



Work Session Agenda Statement

Item # 03B

Meeting Date: August 8, 2022

Agenda Item: Contract Award for Bridge Inspection Services

Summary: Council will be requested to approve awarding a contract for bridge inspection services for the Department of Public Works during the regular scheduled meeting August 22, 2022.

The Town solicited a request for proposals to obtain proposals from qualified firms authorized to perform bridge inspections at the Virginia Department of Transportation's (VDOT) required intervals. All guidelines as set forth in the Virginia Public Procurement act will have been followed when presented to Council for approval.

The solicitation was issued to allow the Town to contract with the selected firm for a period of one year with the option to renew the contract for four additional one-year terms.

Budget/Funding: 4500-45412 Highway Maintenance Bridge Inspections \$15,000.00

Staff Recommendation: Staff recommends approving the award of contract when presented under the August 22nd Consent Agenda.



Work Session Agenda Statement

Item # 03C

Meeting Date: August 8, 2022

Agenda Item: Contract Award for Waterline Upgrades

Summary: Council will be requested to approve awarding a contract for a firm to perform waterline upgrades for Manassas Ave (between 6th St and Happy Creek Rd) and Braxton Rd (from Polk Ave to Leach St) for the Department of Public Works during the regular scheduled meeting August 22, 2022.

The Town solicited an invitation for bid for qualified contractors to perform the waterline upgrades. All guidelines as set forth in the Virginia Public Procurement act will have been followed when presented to Council for approval.

These waterline upgrades have been coordinated to coincide with the Town's paving plan.

Budget/Funding: 9602-R47513 Water Line Maintenance – Water Line Upgrade

Staff Recommendation: Staff recommends approving the award of contract under the August 22nd Consent Agenda.



Work Session Agenda Statement

Item #03D

Meeting Date: August 8, 2022

Agenda Item: Contract Award for Compensation Study & Employee Handbook Update

Summary: Council will be requested to award a contract to have a Compensation Study and the Employee Handbook update for the Department of Human Resources during the regular scheduled meeting August 22, 2022.

The Town solicited a request for proposals to obtain a qualified firm to perform the compensation study and handbook update. All guidelines as set forth in the Virginia Public Procurement act will have been followed when presented to Council for approval.

Staff interviewed respondents to the Request for Proposals (RFP) July 25th-July 29th. Competitive negotiations began thereafter, and staff intends to provide Council with a scope of work to be awarded during the August 22, 2022 regular meeting.

The Compensation Study is being performed in advance of preparation of the FY24 budget cycle to provide the ability to adjust the FY23 as needed.

Budget/Funding: 1202-43002 Dept of Human Resources – Professional Services

Staff Recommendation: Staff recommends approving the award of contract when presented to Council under the August 22nd Consent Agenda.



Work Session Agenda Statement

Item # 4

Meeting Date: August 8, 2022

Agenda Item: Waiver Request for 1340 Crisman Drive

Summary: The Applicant owns a lot on Crisman Drive in which she was approved on June 28, 2022 to construct a new single-family dwelling. The creation of this lot was approved on May 31, 2022. The Applicant has requested that Town Council waive the curb & gutter, sidewalk, and driveway requirements for this new home. A letter of request from the Applicant is attached.

1. Curb & gutter is required along the frontage of the Applicant's lot per Town Code 148-850.C, whereas *"For all subdivisions involving the creation of an additional lot and for all new development projects, curb and gutter sections shall be required along the frontage of all existing public streets. This requirement may be waived upon approval of Town Council in residential areas where the majority of surrounding development properties do not have curb and gutter, where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters."*
2. Sidewalks are required along the frontage of the Applicant's lot per Town Code 148-850.D, whereas *"For subdivisions involving the creation of an additional lot and for all new development projects, sidewalk sections shall be required along the frontage of all existing public streets. This requirement may be waived on vote of the Town Council in residential areas under the following conditions: where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters."*
3. The Driveway to the Applicant's house is required to be installed with a nonerodable surface per Town Code 148-860.A.-6.d whereas..... *"All driveways shall have a nonerodable surface treatment, such as asphalt or concrete pavement. Side slopes for driveway cuts shall not exceed 25% (4:1) unless deemed feasible by a geotechnical report."*

It should be noted that there is NO provision in the Town's Code to waive the requirement for Driveways.

As explained in the Applicant's letter of request, the primary reason that a waiver is being sought is because of lack of curb & gutter, sidewalks and nonerodable driveways within 200 feet of the property. According to the applicant, the street improvements would look out of place in this historic neighborhood. Secondly, the added cost to install a nonerodable driveway of over 90 feet in length would be a significant expense to the owner.

The following supporting documents are attached with this cover sheet:

- Pictures of Crisman Drive (pages 3-5)
- Town Code 148-850 Street Improvements (pages 6-8)
- Town Code 148-860 Environmental Improvements (pages 9-13)
- Vicinity Map (page 14)
- Crisman Drive Property Map (page 15)
- House Location Plans for 1340 Crisman Drive (page 16)
- Applicant's letter of request (pages 17-21)

Budget/Funding: No direct impact. May have an impact in future budgets.

Staff Recommendation: Curb and gutter is not necessary for the purpose of stormwater management for this particular development. However, if Town Council chooses to waive curb & gutter, the Town may incur additional costs if curb & gutter is added to Crisman Drive in the future.



Traveling South on Crisman Drive. Proposed New House is on the Left Side of the Street. Property Line/Right-of-Way Line is approximately 25 feet from the edge of existing pavement.



Traveling North on Crisman Drive. Proposed New House is on the Right Side of the Street. Total Existing Pavement Width is 14 feet. Town Construction Standards (RC-1) require Residential Streets to have a minimum pavement width of 36 feet.



The Street currently has storm drainage issues and *is not included* in the VDOT Urban Maintenance Inventory.

148-850 STREET IMPROVEMENTS

A. Streetlights.

1. Streetlights shall be installed to illuminate streets and other public highways. The installation of streetlights shall be accordance with the design standards and specifications of the Town.
2. Streetlights shall be spaced at a maximum of three hundred (300) feet apart and staggered on opposite sides of the street with one streetlight every six hundred (600) feet on both sides of the road.

B. Monuments.

1. Street Monuments. Street right-of-way lines shall be marked at all points of tangent and points of curve with a steel rod or iron pipe not less than one-half (1/2) inch in diameter and eighteen (18) inches in length. Following completion of road work, a steel rod or iron pipe shall also be placed at street centerline, centerline points of tangent and points of curve and the radius point of each new cul-de-sac.
2. Corner Monuments. All lot corners shall be marked with a steel rods or iron pipe not less than one-half (1/2) inch in diameter and eighteen (18) inches in length, driven flush with the finished grade.
3. In the event a steel rod or iron pipe cannot be set due to an obstruction, an offset monument may be set or the point may be marked by drill hole, chisel mark or other method deemed appropriate by the professional and so documented to the Director.
4. All required monuments shall be installed by the subdivider or developer. Upon completion of subdivision streets, sewers and other improvements, the subdivider or developer shall make certain that all monuments required by the Town are clearly visible for inspection and use. All monuments must be set before any site or street improvements are accepted by the Town.

C. Curb and Gutter.

1. *Curbs and gutter shall be required for the purpose of drainage and safety and delineation and protection of the pavement edge. Curbs and gutters and all driveway entrances shall meet the design standards found within the Construction Standards and Specifications Manual.*
2. Curbs and gutters shall be installed by the applicant along both sides of all new streets. *For all subdivisions involving the creation of an additional lot and for all new development projects, curb and gutter sections shall be required along the frontage of all existing public streets.* This requirement may be waived upon approval by Town Council in residential areas where the majority of surrounding developed properties do not have curb and gutter, where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters. The Town Engineer may waive curb & gutter for development projects

comprising of no more than two (2) dwelling units in residential areas along existing streets where curb & gutter is not currently present within 200 feet of the property.

D. Sidewalks.

1. Sidewalks shall be installed by the applicant along both sides of all new streets. *For subdivisions involving the creation of an additional lot and for all new development projects, sidewalk sections shall be required along the frontage of all existing public streets.* This requirement may be waived on vote of the Town Council in residential areas under the following conditions: where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters. The Town Engineer may waive sidewalks for development projects comprising of no more than two (2) dwelling units in residential areas along existing streets where sidewalks are not currently present within 1000 feet of the property.
2. The minimum design standards for sidewalks shall be at least six (6) feet in width when abutting the curb, and a minimum of five (5) feet when offset from the curb. For the latter, the land located between the sidewalk and the curb shall comply with the Construction Standards and Specifications.
3. Sidewalks shall normally be parallel to the street. Nonparallel sidewalks and/or walkways may be approved by the Town in order to preserve topographical or natural features and to provide visual interest.
4. Where pedestrian walkway systems have been approved as an alternative to sidewalks, the walkways may be located away from streets, linking groups of dwelling units with other groups of dwelling units and/or facilities such as parking areas, recreational areas and activity centers. In reviewing the location of alternative walkway systems, the Town shall consider safety, practical accessibility and aesthetics.
5. Public easements shall be granted for sidewalks and/or walkways located outside the public right-of-way.
6. All sidewalks shall be constructed in accordance with Town standards and specifications and shall conform to the requirements of Section 15.2-2021, Code of Virginia, as amended, requiring curb ramps for the handicapped. Curb ramps shall comply with the Virginia Department of Transportation's Road and Bridge Standards.

E. Solid Waste Disposal and Collection.

1. All developments with exterior trash disposal or collection areas shall locate these sites so as to facilitate collection and minimize the negative impact on residents, neighboring properties and public rights-of-way.
2. All visible trash disposal or collection and storage areas shall be screened from neighboring residential properties and from public property, including streets, parks, sidewalks and other public areas.

3. Screening shall consist of a combination of landscaping and fencing. A solid wood or masonry fence at least six (6) feet in height shall be provided on three (3) sides, with a solid opaque gate on the fourth side. Landscaping shall be incorporated to improve the visual appearance.
4. All permanently installed trash containers shall be adequately sized to handle the needs of the facility or development and shall be equipped with fitted lids to prevent odor leakage and infestation from rodents, insects, and other pests.

148-860 ENVIRONMENTAL IMPROVEMENTS

A. Steep Slopes.

1. Purpose: Steep slopes, when developed, require more grading and land disturbance than development of flat to gently sloping topographical areas. Therefore, the purpose of this section is to establish protective regulations to:
 - a. Minimize soil disturbance on steep or critical slopes due to the potential for erosion problems;
 - b. Assist in the prevention of soil erosion from storm water runoff, protect downstream buildings and yards from water and soil intrusion, and protect the Town's surface and groundwater resources from siltation and contamination;
 - c. Promote stable building sites that prevent soil erosion and are structurally sound so as to maintain slope stability;
 - d. Promote accessibility for fire and rescue apparatus;
 - e. Maintain the visual and environmental resources that are part of the character of Front Royal; and
 - f. Encourage innovative development in Front Royal by providing the flexibility necessary to produce environmentally sensitive subdivisions which direct building, parking and street locations to terrain more suitable to development while maximizing conservation of the original slopes, native cover, prominent land forms, rocky outcrops, natural open space, wildlife habitat and scenic resources.
2. Applicability: All proposed subdivisions which result in the creation of an additional building lot or lots with the exception of boundary line adjustments, must submit a plan, in addition to any required subdivision development, street construction or erosion & sediment control plan, identifying predevelopment areas of steep slope. Clear cutting or grading for the purpose of altering predevelopment slopes shall not be permitted.
3. Establishment of Steep Slope Areas: The predevelopment slopes shall be computed by rise over run from naturally occurring contour lines based on topographic information showing two foot contour intervals and based on NAVD 88 vertical datum. The topographic data may be field run or from aerial photography, provided the information is current and the contouring method provides the precision expected for the contour interval used.
 - a. Identification of Steep Slope Areas: Steep slopes areas are classified into one of the following two categories:
 - [1] All areas of slope between 15% and 25% which contain highly erodible, highly permeable or shrink-swell soils. Determination of soils which are highly erodible, highly permeable or shrink-swell shall be based on the USDA Soil Conservation Service Soil Survey of Warren County, Virginia, or based on soils analysis prepared by a geotechnical engineer or other appropriate licensed professional.
 - [2] All areas of slope greater than 25%.
 - b. Minimum Size of Steep Slope Area: Steep slope standards do not apply to isolated steep slope areas that are less than 5,000 square feet in land area. For the purposes of this provision, the entire

contiguous area of the steep slopes shall be included in the minimum size calculations, regardless of the number of individual lots or different land ownerships involved.

4. Creation of Slope Overlays: The plan identifying steep slopes and critical slopes must include overlays over the entire tract involved identifying by color coding the following:
 - a. All areas of slope between 15 to 25% which contain highly erodible, highly permeable or shrink-swell soils.
 - b. All areas of slope greater than 25%.
5. Plan Requirements: An overlot grading plan, prepared by a professional licensed by the State of Virginia to prepare such a plan, for the development, management, stabilization and preservation of steep slope areas shall be prepared in accordance with the detail requirements of Town Code Section 148 and upon submission of a report by a certified soil or geotechnical engineer, and/or other appropriate licensed professional, indicating if and how the steep slope may be safely developed.

The final subdivision plat showing any lot or portion of any lot located within a steep slope overlay area must contain a note stating that the property shown hereon is subject to the provisions of Section 148-42, Steep Slopes, of the Town of Front Royal Subdivision Ordinance, in accordance with the conditions shown on the approved overlot grading plan and/or geotechnical report filed with the applicable and appropriate subdivision application.

6. Building Site Requirements: In addition to the requirements of the grading plan described herein, the plan shall include the following standards:
 - a. Site development shall be designed in a manner that requires a minimum amount of alteration to the steep slope.
 - b. Existing vegetation shall be preserved to the maximum extent possible.
 - c. No finished slopes are to be created with a final grade greater than 15% unless deemed feasible by a geotechnical report.
 - d. Residential driveway grades exceeding 10% are not recommended. Residential driveway grades greater than 10% shall be constructed in conformance with Virginia Department of Transportation's (VDOT) standard CG-9 or other applicable entrance detail requirements. Commercial or industrial driveway grades shall be constructed in conformance with VDOT standard CG-11 or other applicable entrance detail requirements. All driveways shall have a nonerodable surface treatment, such as asphalt or concrete pavement. Side slopes for driveway cuts shall not exceed 25% (4:1) unless deemed feasible by a geotechnical report.
 - e. Use of retaining wall is encouraged to reduce the steepness of man-made slopes and to provide planting pockets conducive to vegetation and landscaping. All retaining walls shall require an engineered design with the exception of non-tiered retaining walls with level backfill and no surcharge loading with a height of 24 inches (2.0 feet) or less from the finished grade. Retaining walls shall not exceed 72 inches (6.0 feet) in height from the finished grade, however, the Town Council, at its discretion, may waive the maximum height requirement for retaining walls located within non-residentially zoned areas. This provision is not intended to preclude a structure's foundation or basement wall or the creation of a walkout basement.
 - f. Landscaping and plantings shall be in accordance with Town Standards.

7. **As-Built Plan Required:** A post construction as-built survey of the approved steep slope overlaid grading plan shall be required prior to the issuance of an approved occupancy permit. The as-built drawings shall clearly show any changes or variations from the approved design, and if deemed significant by the Director, may require any such change or variation be brought into compliance with the approved plan. The as-built information shall be shown on the original plan and include the following:
- a. Horizontal variations greater than 1.0 foot should be shown dimensionally or through plus stations. Horizontal variations greater than 5.0 feet should also show the graphic relocation of the object. Vertical elevation variations greater than 0.1 feet shall be provided for all shown design elevations.
 - b. All as-built information shall be shown on the original plan either as blocked in or drawn in a different text style or font from that as shown on the original plan.
 - c. Each sheet of the plan shall contain the words “AS-BUILT” in bold text on or near the title block.
 - d. Date, plan legend, bar scale and north arrow.
 - e. Retaining walls. Indicate type and show elevations of the top of wall and the lowest adjacent finished grade.
 - f. Curb cut, driveway and material. Centerline grade of driveway with spot elevations.
 - g. Spot elevations of graded areas to determine grade of finished slope. Highlight all areas of finished slopes exceeding design grade by more than 1%.
 - h. Horizontal location with dimensions of all structures with dimensions including porches, decks, garages, etc. Show vertical elevations of first floor and basement floor.
 - i. Horizontal and vertical location of roof drains, foundation drains and other drainage outlets. Locations of utility services.
 - j. Location of required plantings.
 - k. The final as-built plan must be stamped by Licensed Land Surveyor or Professional Engineer and include certification that the as-built plan is substantially in conformance with the original plan. If a geotechnical report is used, the appropriate licensed professional must certify that the as-built is in conformance with the report.
8. **Exemptions:** Except as otherwise provided herein, no disturbance of steep slopes will be allowed except for the following activities which may be permitted by exemption from the Director of Planning & Zoning:
- a. Utility service lines, walkways, steps, landings.
 - b. Emergency action to remediate an unstable slope which poses an imminent threat to health, safety or welfare of the public.
 - c. Normal landscape maintenance or routine arboreal activities, including small scale planting of ornamental flowers or shrubs, and/or the removal of diseased or damaged trees, and/or the removal of undesirable trees, provided revegetation is in conformance with Town Standards.
 - d. Disturbance for public roadway or street crossings, or other public purposes as determined by the Director of Planning.

- e. Construction of approved landscaping berms, drainage ditches or swales, ponds and dams and other required storm drainage conveyance facilities.

B. Erosion and Sediment Control.

All land disturbing activities shall conform to the requirements of the Virginia Erosion and Sediment Control Handbook.

C. Preservation of Natural Features.

The arrangement of lots, blocks, streets, parking areas and structures shall be designed to make the most advantageous use of topography and natural physical features. Tree masses and large individual trees shall, whenever possible and consistent with the provisions of this chapter, be preserved. Any system of sidewalks, roadways and lot layout shall be designed to take advantage of the visual qualities of the area.

D. Floodplain Regulations.

1. Land within a one-hundred-year floodplain may be platted, provided that such lands are not used to meet the minimum required lot size and are designated on the plats as a floodplain easement area and that the subdivision would not necessitate changes to topographic conditions that alter the floodway district.
2. All development within floodplain areas, as established by Chapter 175, Sections 76 through 78 of the Town Code, including dam and impounding structure break zones, shall be subject to the regulations of Chapter 175, Sections 74 through 81.3 of the Town Code.
3. Except where floodplain development is permitted, floodplain areas shall be maintained in their natural state.

E. Landscaping.

All major subdivisions and developments meet the landscaping requirements found under Chapter 156 of the Town Code, including, but not limited to, screens and buffers, development tree plantings, street trees, and parking lot landscaping.

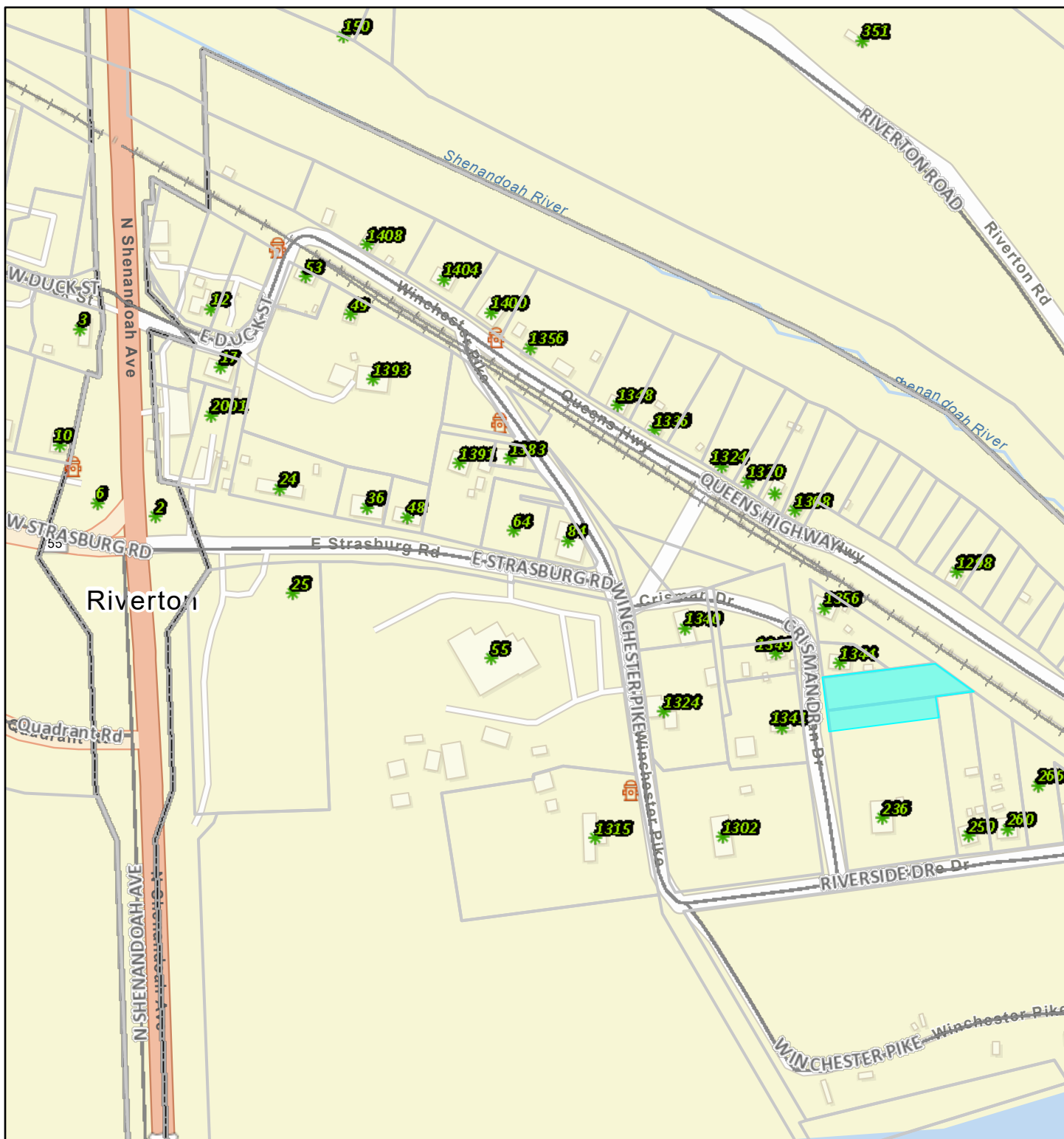
F. Light and Air.

1. All outdoor lighting fixtures shall be arranged or shielded to direct, or reflect, light away from adjoining residential uses.
2. Where a site development plan is required, new outdoor lighting fixtures shall be designed, constructed, and operated to meet the International Dark-Sky Association (IDA) design

standards or certifications for lighting; except that, the Planning Director may authorize alternative design standards or certifications that reasonably achieve the purpose of controlling the spillover of light onto adjacent properties and the sky, and protecting the public safety by preventing glare from outdoor light.

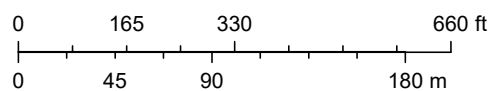
3. All outdoor lighting that produces harmful electromagnetic energy, including arc welding or acetylene torches, shall be completely screened from view sufficiently to be imperceptible beyond the lot lines.
4. All development shall conform to the regulations of the Virginia State Air Pollution Control Board concerning the emissions of smoke, particulate matter, odors and other gaseous pollutants.
5. All development shall comply not exceed the maximum height and setback regulations of the underlying zoning district, as found under Chapter 175 of the Town Code.

Vicinity Map



July 21, 2022

1:4,514

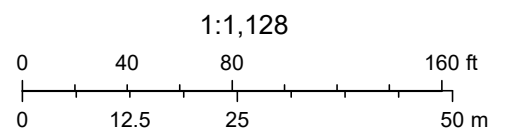


Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Crisman Drive



July 21, 2022



PER INST. # 220003812



CRISMAN DR.
50' WIDE R/W

RIM EL. 504.3'
INV. OUT 495.7'

INV. EL. 495.2'

- ⊕ DENOTES SEWER MANHOLE.
- w — DENOTES PROPOSED WATERLINE.
- s — DENOTES EXISTING SEWER LINE.
- ss — DENOTES PROPOSED SEWER LINE.
- DENOTES EXISTING CONTOUR.
- ····· DENOTES PROPOSED CONTOUR.
- ⊕ DENOTES PROP. 2" RED MAPLE TREE UNLESS NOTED.
- WOODED DENOTES WOODED AREA TO BE PRESERVED.

ELEVATIONS DATUM NAVD 88.

BASE FLOOD ELEVATION FOR FLOOD ZONE AE = 498.0'.

PROPOSED NEW BUILDING COVERAGE AREA = 2,304 SQ. FT.

PROPOSED TOTAL AREA OF DISTURBANCE = 7,500 SQ. FT.

PROPOSED TREES = 2 STREET TREE.

NOTE: NO PROPOSED SLOPE ON THIS LOT IS GREATER THAN 15%.

GENERALIZED DEVELOPMENT PLAN

TAX MAP 20A12-4 PARCEL 16A

NORTH RIVER MAGISTERIAL DISTRICT

**TOWN OF FRONT ROYAL
WARREN COUNTY, VA.**

T.M. 20A12-4 PARCEL 13
N/F FUNK
PER INST. # 160006730

T.M. 20A12-4 PARCEL 12
N/F FUNK
PER INST. # 020007605

T.M. 20A12-4
NEW PARCEL 16A
25,731 SQ. FT.

T.M. 20A12-4 PARCEL 14
N/F CHARLES
PER INST. # 980006930

T.M. 20A12-4 PARCEL 15
N/F CHAVEZ
PER INST. # 010001207

T.M. 20A12-4 PARCEL 16
N/F VOLB
PER INST. # 200006531



LINE	BEARING	DISTANCE
L1	S 47°55'40" E	99.72'
L2	S 01°18'24" W	46.98'
L3	N 01°05'00" W	109.44'
L4	N 88°52'30" E	141.40'

NORFOLK-SOUTHERN
RAILROAD
VARIABLE WIDTH

DUE TO LACK OF EXISTING CURB AND GUTTER ON CRISMAN DR.
A WAIVER FOR CURB AND GUTTER WILL BE REQUESTED.

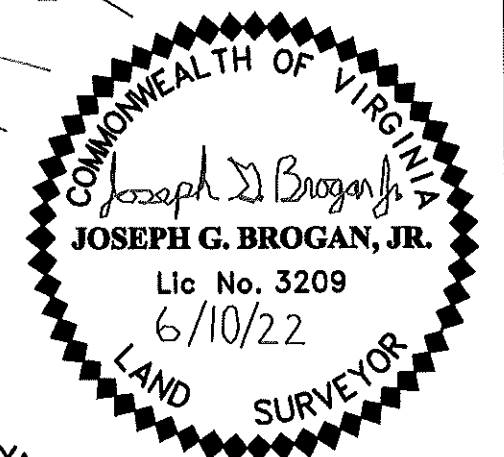
NO TITLE REPORT FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DERIVATION OF TITLE TO: KATHERINE E.
BLEVINS PER INSTRUMENT # 2100010304.

PLAT REF: INSTRUMENT # 220003812.

SUBJECT PARCELS SITUATED IN FLOOD ZONES X AND AE PER
FIRM MAP NO. 51187C0104C EFFECTIVE DATE JUNE 3, 2008.

SUBJECT AND ADJOINING PROPERTIES ZONED R-1.



PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
JUNE 10, 2022

Kathy Blevins
3945 Lyndhurst Drive #103
Fairfax, VA 22030

July 6, 2022

Front Royal Town Manager/Planning Commission
102 East Main Street
Front Royal, VA 22630

Ref: Request for waiver on Town Code: 148-860 #6-d and Town Code: 148-850 C & D

Dear Town Manager/Planning Commission:

I am writing to address concerns I have over curb and gutter requirements and non-erosive driveway requirements for my home being built on Crisman Drive in Riverton. I would like you to consider a waiver for the curb and gutter and driveway for this property taking into account the following justification:

- This area where my home is being built is listed in the National Historic Registry with the Planning Zoning Dept. There are no sidewalks nor non-erosive driveways on Crisman Drive or within 200 ft. of my property. These requirements for this property will look out of place in this historic neighborhood. See enclosed photos.
- The non-erosive driveway I would be required to put in would measure roughly 92 ft. from the garage to the street and would look out of place in the neighborhood. A gravel driveway would be more esthetically in line with the other current homes.
- Upon starting the building process, I had planned to install gravel for a driveway, as a driveway is not included in my contract with my builder. The current requirement of a driveway of this length would be significant added expense to me as a new owner trying to build an affordable home in Front Royal.
- From a stormwater management perspective, non-erosive driveways do create a runoff and the two houses across the street already have an existing standing water issue on the right side and rear of their property.

When you come to observe the property, you will be able to fully appreciate the historical feel of the neighborhood, and how the requirement of curb and gutter and non-erosive driveway would *negatively change the character of this lovely tucked away neighborhood*. As a new resident of Front Royal, I am not just interested in my property, but the impact this will have on this small section of historic Riverton.

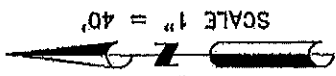
Thank you for taking the time to consider ~~my~~ requests. If you have any questions, please feel free to contact me at (571)437-7172 or by email at kayb6746@gmail.com.

Sincerely,

A handwritten signature in black ink that reads "Kathy Blevins". The signature is fluid and cursive, with a large loop at the end of the last name.

Kathy Blevins

PER INST. # 220003812



CRISMAN DR.
50' WIDE R/W

RM EL. 504.3
INV. OUT 495.7

TO RIVERSIDE DR.

T.M. 20A12-4 PARCEL 13
N/F FUNK
PER INST. # 180005730

T.M. 20A12-4 PARCEL 12
N/F FUNK
PER INST. # 020007605

N 89°18'09" E
163.29'

T.M. 20A12-4
NEW PARCEL 16A
25,731 SQ. FT.

NORFOLK-SOUTHERN
RAILROAD
VARIABLE WIDTH

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N/F VOIR
PER INST. # 200006531

T.M. 20A12-4 PARCEL 16
N/F CHAVEZ
PER INST. # 010001207

T.M. 20A12-4 PARCEL 14
N/F CHARLES
PER INST. # 980006930

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ELEVATIONS DATUM NAVD 88.
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PROPOSED NEW BUILDING COVERAGE AREA = 2,304 SQ. FT.
PROPOSED TOTAL AREA OF DISTURBANCE = 7,500 SQ. FT.
PROPOSED TREES = 2 STREET TREE.
NOTE: NO PROPOSED SLOPE ON THIS LOT IS GREATER THAN 15%.

GENERALIZED DEVELOPMENT PLAN
TAX MAP 20A12-4 PARCEL 16A
NORTH RIVER MAGISTERIAL DISTRICT
TOWN OF FRONT ROYAL
WARREN COUNTY, VA.

NO TITLE REPORT FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DERIVATION OF TITLE TO: KATHERINE E.
BLEVINS PER INSTRUMENT # 2100010304.
PLAT REF: INSTRUMENT # 220003812.
SUBJECT PARCELS SITUATED IN FLOOD ZONES X AND AE PER
FIRM MAP NO. 51187C0104C EFFECTIVE DATE JUNE 3, 2008.
SUBJECT AND ADJOINING PROPERTIES ZONED R-1.

PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578
FRONT ROYAL, VA 22630-0034
TEL. & FAX (540) 635-5657
JUNE 10, 2022





263 Riverside Dr.



1349 Crisman Dr.



1341 Crisman Dr.



1344 Crisman Dr.



1356 Crisman Dr



Work Session Agenda Statement

Item # 05

Meeting Date: August 8, 2022

Agenda Item: Resolution Acknowledging End of COVID-19 Communicable Disease Local Emergency

Summary: Due to the COVID-19 Pandemic, Town Council approved a COVID-19 Emergency Ordinance ("Ordinance") on March 23, 2020. The Ordinance appointed a Director of Emergency Management and declared a COVID-19 Communicable Disease Local Emergency and implemented emergency procedures to ensure continuity of Town Government. As recited in paragraph 6 of the Ordinance, emergency procedures were to remain in effect until terminated by Town Council, for a period not to exceed six months. However, on September 28, 2020, Town Council amended the Ordinance so that the continuity of government provisions of the Ordinance would continue in effect **"for a period until Town Council takes action otherwise"**. With the Commonwealth of Virginia no longer being in a COVID-19 state of emergency, the local emergency has ended, and the continuity of government procedures authorized by the Ordinance are no longer enabled.

Budget/Funding: N/A

Staff Recommendation: Town Council is asked to pass a resolution at their August 22nd regular meeting agenda acknowledging the end of the COVID-19 Communicable Disease Local Emergency and that the continuity of government procedures authorized by the Ordinance are no longer enabled.

COVID-19 EMERGENCY ORDINANCE

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA, APPOINTING A DIRECTOR OF EMERGENCY MANAGEMENT AND SIMULTANEOUSLY CONFIRMING AND RATIFYING A DECLARATION OF A COVID-19 COMMUNICABLE DISEASE LOCAL EMERGENCY SIMULTANEOUSLY ISSUED BY THE TOWN'S DIRECTOR OF EMERGENCY MANAGEMENT EFFECTIVE MARCH 23, 2020, AND IMPLEMENTING EMERGENCY PROCEDURES TO ENSURE CONTINUITY OF TOWN GOVERNMENT.

WHEREAS, Section 44-146.19(B)(3) of the Code of Virginia requires all towns in Commonwealth to appoint a coordinator of emergency management, and Town Council desires to appoint the Town Manager, or, in the absence of a town manager, the Interim Town Manager, as the Director of Emergency Management for the Town; and

WHEREAS, it is acknowledged that pursuant to Section 8 of the Town Charter that in time of emergency the Mayor may take command of the police, maintain order and enforce the law subject to review by Town Council; and

WHEREAS, Section 44-146.16 of the Code of Virginia, 1950, as amended, defines terms and conditions, including but not limited to "communicable disease", "disaster" and "state of emergency" which, when existent, support the declaration of a "local emergency" as is also therein defined; and

WHEREAS, Section 44-146.21(A) of the Code of Virginia, 1950, as amended, prescribes the procedure for declaring a local emergency, including but not limited to the simultaneous consent of the local governing body to a declaration of local emergency by the Town's Director of Emergency Management; and

WHEREAS, the open public meeting requirements of the Virginia Freedom of Information Act, Section 2.2-3707 of the Code of Virginia, 1950, as amended, are limited only by a properly claimed exemption pursuant to Section 2.2-3700(B) of the Code of Virginia, 1950, as amended; and

WHEREAS, Section 15.2-1413 of the Code of Virginia, 1950, as amended, provides that a locality may, by ordinance, provide a method to assure continuity in its government in the event of a disaster for a period not to exceed six months; and

WHEREAS, Section 38 of the Town Charter and Section 4-4 of the Code of the Town of Front Royal, Virginia, as amended, prescribes the procedure for the single reading and passage of emergency ordinances of the Town, allowing for immediate effect, provided that four (4) members of the Town Council vote to waive a second reading; and

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the healthcare community in responding to COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 communicable disease outbreak a pandemic; and

WHEREAS, on March 12, 2020, Governor Ralph Northam declared a state of emergency in the Commonwealth of Virginia in response to the continued spread of COVID-19, and declared the anticipated effects of COVID-19 to be a disaster as described in Section 44-146.16 of the Code of Virginia, 1950, as amended; and

WHEREAS, on March 15, 2020, Governor Northam announced a ban on all gatherings of one hundred (100) or more people statewide; and

WHEREAS, on March 16, 2020, President Donald Trump urged people to avoid gathering in groups of more than ten (10) people; and

WHEREAS, on March 17, 2020, Governor Northam and the State Health Commissioner issued a Declaration of Public Health Emergency addressing the need to increase social distancing to inhibit the spread of the COVID-19 virus, and the Governor, by press release, urged all Virginians to follow the federal guidance limiting non-essential gatherings of more than ten (10) people and urging all Virginians aged 65 and older to self-quarantine; and

WHEREAS, there have been confirmed cases of COVID-19 in the Loud Fairfax Health District (LFHD); and

WHEREAS, on March 20, 2020, Virginia Attorney General Mark Herring issued an official advisory opinion regarding the open public meeting requirements of the Virginia Freedom of Information Act, Section 2.2-3707 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Town Council is satisfied that the public health threat posed by COVID-19 constitutes a real and substantial threat to health and safety of persons and property in the Town of Front Royal, Virginia, and that a declaration of local emergency is necessary and essential.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Front Royal, Virginia:

1. That it hereby appoints the Town Manager, or, in the absence of a town manager, the Interim Town Manager, as Director of Emergency Management for the Town, which is currently Matthew A. Tederick, Interim Town Manager.

2. That simultaneously upon his appointment as Director of Emergency Management, Town Council acknowledges a Declaration of Local Emergency by the Town's Director of Emergency Management due to the COVID-19 pandemic and that the Declaration of Local Emergency empowers the Director of Emergency Management with special authority and duties, said authority and duties being defined by the laws, rules, regulations and plans of the United States of America, the Commonwealth of Virginia and the Town of Front Royal, and Town Council hereby consent to same pursuant to Section 44-146.21(A) of the Code of Virginia, 1950, as amended.

3. That it is not necessary that the Mayor exercise his authority to take command of the police, maintain order and enforce the law at this time.

4. That it understands and confirms that when, in judgment of this Town Council, all needed emergency actions have been taken and the emergency has abated, appropriate action to end the declared local emergency will be taken,

5. That the infectious nature of COVID-19 makes it unsafe to assemble a quorum of this Town Council in a single location, or to assemble members of the public in a single location, making it difficult or impossible for this Town Council and the Town's boards and commissions to conduct meetings in accordance with normal practices and procedures. Therefore, in accordance with Section 15.2-1413 of the Code of Virginia, 1950, as amended, notwithstanding Section 2.2-3707 of the Code of Virginia, 1950, as amended, or any contrary provision of law, general or special, and consistent with the March 20, 2020 official advisory opinion of the Virginia Attorney General regarding the open public meeting requirements of the Virginia Freedom of Information Act, the following emergency procedures are adopted to ensure continuity of government during the pendency of the emergency and disaster created by COVID-19 pandemic and are deemed a valid exemption pursuant to Section 2.2-3700(B) of the Code of Virginia, 1950, as amended, from the open meeting requirements of the Virginia Freedom of Information Act which shall otherwise remain in full force and effect:

a. That any process, procedure, or matter which requires the physical presence of the public in a Town building that the Director of Emergency Management has declared or in the future declares to be closed to the public is hereby suspended.

b. Meetings of Town Council and other Town boards and commissions may be held through electronic communication means without a quorum of members physically present in a single location, so long as notice of such meetings is still given in accordance with applicable laws.

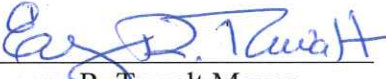
c. Such meetings may be held without permitting members of the public to be physically present in a central location or in the same physical location as any of this Town Council, board, or commission members, so long as alternative arrangements for public access to such meetings are made. Such alternative public access may be electronic, including but not limited to audio, telephonic, or video broadcast.

d. For any matter requiring a public hearing by law, public comment will be solicited and received via written means prior to the vote on such matter. Public comments may also be solicited and, if so solicited, received, via electronic and/or telephonic means if possible and practical. All such comments will be provided to the members of the body and made a part of the record of such meeting.

6. That the continuity of government provisions in the aforesaid paragraph 5 shall be in effect until repealed by this Town Council, for a period not exceeding six months from the date of this declaration of a local emergency. Upon repeal or expiration of the aforesaid paragraph 5, the matters referenced therein shall resume operation in accordance with all of the requirements of Section 2.2-3707 of the Code of Virginia, 1950, as amended.

This ordinance shall become effective upon passage.

APPROVED:


Eugene R. Tewalt Mayor

ATTEST:


Tina L. Presley, Acting Clerk of Council

THIS ORDINANCE was approved at the Regular Meeting of the Town of Front Royal, Virginia as an emergency ordinance conducted March 23, 2020, upon the following recorded vote:

William A. Sealock ☒ Yes ☐ No

Chris W. Holloway

☒ Yes ☐ No

Lori A. Cockrell ☒ Yes ☐ No

Jacob L. Meza

☒ Yes ☐ No (teleconference)

Gary L. Gillispie ☒ Yes ☐ No (teleconference)

Letasha T. Thompson

☐ Yes ☒ No

Approved as to form and legality:


Douglas W. Napier, Town Attorney

Date: 03/23/2020



**TOWN OF FRONT ROYAL
TOWN MANAGERS OFFICE**

102 E. MAIN STREET
PO BOX 1560
FRONT ROYAL, VIRGINIA 22630-1560
(540) 635-8007
(540) 636-7475 (Fax)

MATTHEW A. TEDERICK
Interim Town Manager
tederick@frontroyalva.com

March 23, 2020

Effective immediately by consent of the Front Royal Town Council and Pursuant to Code of Virginia §44-146.21, I declare a local emergency in the Town of Front Royal, Virginia.

Sincerely,

Matthew A. Tederick
Interim Town Manager/Director of Emergency Management

copy of original

COVID-19 EMERGENCY ORDINANCE

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA, APPOINTING A DIRECTOR OF EMERGENCY MANAGEMENT AND SIMULTANEOUSLY CONFIRMING AND RATIFYING A DECLARATION OF A COVID-19 COMMUNICABLE DISEASE LOCAL EMERGENCY SIMULTANEOUSLY ISSUED BY THE TOWN'S DIRECTOR OF EMERGENCY MANAGEMENT EFFECTIVE MARCH 23, 2020, AND IMPLEMENTING EMERGENCY PROCEDURES TO ENSURE CONTINUITY OF TOWN GOVERNMENT.

WHEREAS, Section 44-146.19(B)(3) of the Code of Virginia requires all towns in Commonwealth to appoint a coordinator of emergency management, and Town Council desires to appoint the Town Manager, or, in the absence of a town manager, the Interim Town Manager, as the Director of Emergency Management for the Town; and

WHEREAS, it is acknowledged that pursuant to Section 8 of the Town Charter that in time of emergency the Mayor may take command of the police, maintain order and enforce the law subject to review by Town Council; and

WHEREAS, Section 44-146.16 of the Code of Virginia, 1950, as amended, defines terms and conditions, including but not limited to "communicable disease", "disaster" and "state of emergency" which, when existent, support the declaration of a "local emergency" as is also therein defined; and

WHEREAS, Section 44-146.21(A) of the Code of Virginia, 1950, as amended, prescribes the procedure for declaring a local emergency, including but not limited to the simultaneous consent of the local governing body to a declaration of local emergency by the Town's Director of Emergency Management; and

WHEREAS, the open public meeting requirements of the Virginia Freedom of Information Act, Section 2.2-3707 of the Code of Virginia, 1950, as amended, are limited only by a properly claimed exemption pursuant to Section 2.2-3700(B) of the Code of Virginia, 1950, as amended; and

WHEREAS, Section 15.2-1413 of the Code of Virginia, 1950, as amended, provides that a locality may, by ordinance, provide a method to assure continuity in its government in the event of a disaster for a period **until Town Council takes action otherwise** ~~not to exceed six months~~; and

WHEREAS, Section 38 of the Town Charter and Section 4-4 of the Code of the Town of Front Royal, Virginia, as amended, prescribes the procedure for the single reading and passage of emergency ordinances of the Town, allowing for immediate effect, provided that four (4) members of the Town Council vote to waive a second reading; and

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the healthcare community in responding to COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 communicable disease outbreak a pandemic; and

WHEREAS, on March 12, 2020, Governor Ralph Northam declared a state of emergency in the Commonwealth of Virginia in response to the continued spread of COVID-19, and declared the anticipated effects of COVID-19 to be a disaster as described in Section 44-146.16 of the Code of Virginia, 1950, as amended; and

WHEREAS, on March 15, 2020, Governor Northam announced a ban on all gatherings of one hundred (100) or more people statewide; and

WHEREAS, on March 16, 2020, President Donald Trump urged people to avoid gathering in groups of more than ten (10) people; and

WHEREAS, on March 17, 2020, Governor Northam and the State Health Commissioner issued a Declaration of Public Health Emergency addressing the need to increase social distancing to inhibit the spread of the COVID-19 virus, and the Governor, by press release, urged all Virginians to follow the federal guidance limiting non-essential gatherings of more than ten (10) people and urging all Virginians aged 65 and older to self-quarantine; and

WHEREAS, there have been confirmed cases of COVID-19 in the Loud Fairfax Health District (LFHD); and

WHEREAS, on March 20, 2020, Virginia Attorney General Mark Herring issued an official advisory opinion regarding the open public meeting requirements of the Virginia Freedom of Information Act, Section 2.2-3707 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Town Council is satisfied that the public health threat posed by COVID-19 constitutes a real and substantial threat to health and safety of persons and property in the Town of Front Royal, Virginia, and that a declaration of local emergency is necessary and essential.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Front Royal, Virginia:

1. That it hereby appoints the Town Manager, or, in the absence of a town manager, the Interim Town Manager, as Director of Emergency Management for the Town, which is currently Matthew A. Tederick, Interim Town Manager.

2. That simultaneously upon his appointment as Director of Emergency Management, Town Council acknowledges a Declaration of Local Emergency by the Town's Director of Emergency Management due to the COVID-19 pandemic and that the Declaration of Local Emergency empowers the Director of Emergency Management with special authority and duties,

said authority and duties being defined by the laws, rules, regulations and plans of the United States of America, the Commonwealth of Virginia and the Town of Front Royal, and Town Council hereby consent to same pursuant to Section 44-146.21(A) of the Code of Virginia, 1950, as amended.

3. That it is not necessary that the Mayor exercise his authority to take command of the police, maintain order and enforce the law at this time.

4. That it understands and confirms that when, in judgment of this Town Council, all needed emergency actions have been taken and the emergency has abated, appropriate action to end the declared local emergency will be taken,

5. That the infectious nature of COVID-19 makes it unsafe to assemble a quorum of this Town Council in a single location, or to assemble members of the public in a single location, making it difficult or impossible for this Town Council and the Town's boards and commissions to conduct meetings in accordance with normal practices and procedures. Therefore, in accordance with Section 15.2-1413 of the Code of Virginia, 1950, as amended, notwithstanding Section 2.2-3707 of the Code of Virginia, 1950, as amended, or any contrary provision of law, general or special, and consistent with the March 20, 2020 official advisory opinion of the Virginia Attorney General regarding the open public meeting requirements of the Virginia Freedom of Information Act, the following emergency procedures are adopted to ensure continuity of government during the pendency of the emergency and disaster created by COVID-19 pandemic and are deemed a valid exemption pursuant to Section 2.2-3700(B) of the Code of Virginia, 1950, as amended, from the open meeting requirements of the Virginia Freedom of Information Act which shall otherwise remain in full force and effect:

a. That any process, procedure, or matter which requires the physical presence of the public in a Town building that the Director of Emergency Management has declared or in the future declares to be closed to the public is hereby suspended.

b. Meetings of Town Council and other Town boards and commissions may be held through electronic communication means without a quorum of members physically present in a single location, so long as notice of such meetings is still given in accordance with applicable laws.

c. Such meetings may be held without permitting members of the public to be physically present in a central location or in the same physical location as any of this Town Council, board, or commission members, so long as alternative arrangements for public access to such meetings are made. Such alternative public access may be electronic, including but not limited to audio, telephonic, or video broadcast.

d. For any matter requiring a public hearing by law, public comment will be solicited and received via written means prior to the vote on such matter. Public comments may also be solicited and, if so solicited, received, via electronic and/or telephonic means if possible and practical. All such comments will be provided to the members of the body and made a part of the record of such meeting.

6. That the continuity of government provisions in the aforesaid paragraph 5 shall be in effect until repealed by this Town Council, for a period **until Town Council takes action otherwise not exceeding six months from the date of this declaration of a local emergency.** Upon repeal or expiration of the aforesaid paragraph 5, the matters referenced therein shall resume operation in accordance with all of the requirements of Section 2.2-3707 of the Code of Virginia, 1950, as amended.

This ordinance shall become effective upon passage.

APPROVED:


Eugene R. Tewalt Mayor

ATTEST:


Tina L. Presley, Clerk of Council

THIS ORDINANCE was approved at the Regular Meeting of the Town of Front Royal, Virginia as an revised emergency ordinance conducted September 28, 2020, upon the following recorded vote:

William A. Sealock ☒ Yes ☐ No

Lori A. Cockrell ☒ Yes ☐ No

Gary L. Gillispie ☒ Yes ☐ No

Chris W. Holloway ☒ Yes ☐ No

Jacob L. Meza ☒ Yes ☐ No

Letasha T. Thompson ☒ Yes ☐ No

Approved as to form and legality:


Douglas W. Napier, Town Attorney

Date: 09 / 28 / 2020