



TOWN COUNCIL REGULAR WORK SESSION

Monday, August 10, 2026 @ 7:00 PM

Town Hall Conference Room

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

1. Roll Call
2. PRESENTATION
 - a. Appalachian Trail Connector Update - Justin Proctor
3. NEW BUSINESS
 - a. Purchase of Replacement Truck for the Public Works Concrete Crew- M. Campbell
 - b. Purchase of Replacement Refuse Truck for Public Works- Solid Waste- M. Campbell
 - c. Purchase of Replacement Camera System for Public Works Sewer Camera Truck- M. Campbell
 - d. Council Appointments- Tow Board- J. Petty
4. OLD BUSINESS
 - a. Zoning Ordinance Amendment – Outdoor Dining Areas- L. Kopishke
5. ADJOURN



COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: August 10, 2026

Item# 3A

Agenda Item: Purchase of Replacement Pickup Truck for the Public Works Concrete Crew

Summary: Council is requested to authorize the purchase of a 2027 Ford F-350 Crew Cab 4x4 pickup truck equipped with a 9-foot service body and tow package for the Public Works Concrete Crew. The new vehicle will replace Unit #748, a 2004 Chevrolet 3500 pickup truck with a utility body that has accumulated more than 92,149 miles.

The procurement will be made through the City of Chesapeake, Virginia's cooperative contract with Hall Automotive. Staff obtained a quote from Hall Automotive Fleet Team of Virginia Beach, Virginia, in the amount of \$87,874.00.

Funding for the vehicle purchase is available within the Highway Maintenance Department's FY27 operating budget and consists of \$80,000.00 previously encumbered under Purchase Order #31424 and \$7,874.00 budgeted in the FY27 Motor Vehicles account.

Budget/Funding:	4500-R47005	Highway Maintenance – Motor Vehicles (PO #31424)	\$80,000
	4500-47005	Highway Maintenance – Motor Vehicles (FY27 Budget)	\$ 7,874

Staff Recommendation: Staff recommends authorizing the purchase as presented.



Town of Front Royal Public Works

MEMORANDUM

TO: Michelle Campbell, Purchasing Manager

CC: BJ Wilson, Assistant Town Manager/ Finance Director

FROM: Robert B Boyer, Public Works Director

DATE: August 4, 2026

SUBJECT: Request to purchase 2027 Ford F-350 Crew Cab 4X4 Utility Bed Pick-up Truck.

I would like to request the purchase of a 2027 Ford F-350 crew cab 4x4 utility bed pick-up truck to replace the existing concrete crew truck #748. Truck #748 is a 2004 Chevrolet 3500 pick-up with a utility bed; the body of this truck is getting into bad condition after 22years of daily service. The purchase cost of the new truck is \$87,874.00 from Hall Automotive in Virginia Beach Va. The funding for this purchase has been budget under 4500-47005 and is available on PO#31424.

If you have any questions or need any further information, please contact me at 540-692-4789.

Thank You.

Hall Automotive - Fleet Team

Proposal

More Cars. Great People.

(a MileOne company)

3148 Virginia Beach Blvd

Virginia Beach, VA 23452

Phone 757.498.2303 Fax 757.498.2310

DATE:

8/5/2026

SALESPERSON	CONTACT	CUSTOMER	SHIPPED VIA	F.O.B. POINT	TERMS
Jake Clarke	Don McPatres	Town of Front Royal	Hall Automotive	Front Royal	Net, 30
DESCRIPTION			QUANTITY	UNIT PRICE	AMOUNT
<u>City of Chesapeake IFB 23-176-3155</u>					
2027 Ford F-350 Crew Cab 4x4 179" WB 60" CA DRW			1	\$ 56,773.00	\$ 56,773.00
Options to Include:					
> Z1 - Oxford White Exterior			1	INCL	INCL
> AS - Medium Dark Slate Vinyl Interior			1	INCL	INCL
> 99N - 7.3L V8 Gasoline Engine			1	INCL	INCL
> 44G - 10-Speed Automatic Transmission			1	INCL	INCL
> 18B - Black Platform Running Boards			1	\$ 445.00	\$ 445.00
> 52B - Trailer Brake Controller			1	\$ 300.00	\$ 300.00
> 872 - Rearview Camera & Prep Kit			1	\$ 515.00	\$ 515.00
> 9' DRW Knapheide Service Body w/ Tow Kit, Spray Liner, Telescoping Roof per attached			1	\$ 29,841.00	\$ 29,841.00
> Delivery			1	INCL	INCL
Proposal Accepted by:				Total	\$ 87,874.00
Printed name:					
Date :					

Make all POs to HALL AUTOMOTIVE

If you have any questions, contact Jake Clarke, Fleet Sales, 757.498.2303, jake.clarke@hallauto.com

THANK YOU FOR YOUR BUSINESS!



COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: August 10, 2026

Item# 3B

Agenda Item: Purchase of Replacement Refuse Truck for Public Works Solid Waste

Summary: Council is requested to authorize the purchase of a 2027 Freightliner Chassis equipped with a 25-foot rear loader for the Public Works Solid Waste Department. The new vehicle will replace Unit #687, a 2008 International 2600 refuse truck that has accumulated more than 117,917 miles.

The procurement will be made through a Sourcewell cooperative contract with Daimler Trucks North America. Staff obtained a quote from Excel Truck Group of Weyers Cave, Virginia, an authorized dealer for Daimler Trucks, in the amount of \$266,967.00.

Funding for vehicle purchase is available within the Solid Waste Management Department's FY27 Motor Vehicles operating budget and consist of \$105,004 previously encumbered and \$161,963 budgeted in the FY Motor Vehicles account.

Budget/Funding:	4203-47005	Solid Waste Management – Motor Vehicles	\$161,963
	4203-R47005	Solid Waste Management – Motor Vehicles	\$105,004

Staff Recommendation: Staff recommends authorizing the purchase as presented.

July 10, 2026

Town of Front Royal
102 E Main St
Front Royal, VA 22630

Daimler Contract # 032824DAI

Don,

Excel Truck Group appreciates the opportunity to quote the Town of Front Royal one new 2027 Freightliner M2112 chassis set up for a 25' Loadmaster.

1. Freightliner M2112 chassis	\$137,347
(Pre discounted chassis price \$187,897 with a 31.94% Sourcewell discount.....	\$127,883
Added Tariff, Surcharge, Delivery & Escalator.....	\$9464)
2. Equipment Works 25yd Rear Loader.....	\$129,620
Total.....	\$ 266,967

Optional Warranties

1. Cummins & Aftertreatment 6yr/150k miles.....\$4425
2. Ultimate TC4 (truck chassis) 7yr/100k....\$7145 or 5yr/100k.....\$4805
3. Allison 5yr/unlimited miles....\$1156
4. 5yr Towing (\$750 cap per)\$920

Thanks again and please let me know if you have any questions.

Regards,

Dan Smith
Sales Manager
Excel Truck Group



Town of Front Royal Public Works

MEMORANDUM

TO: Michelle Campbell, Purchasing Manager

CC: BJ Wilson, Assistant Town Manager/ Finance Director

FROM: Robert B Boyer, Public Works Director

DATE: August 4, 2026

SUBJECT: Request to purchase a 2027 Freightliner Chassis with a 25' Loadmaster Solid Waste Body Truck.

I would like to request the purchase of a 2027 Freightliner chassis with a 25' loadmaster solid waste body to replace truck #687 a 2008 International 7600 refuse truck. The purchase cost of this truck will be \$266,967.00 from Excel Truck Group of Va. The funding for this purchase is currently available under 4203-47005. Truck 687 has been used daily for the last 18years to collect solid waste every day and is starting to have issues more and more frequently.

If you have any questions or need any further information, please contact me at 540-692-4789.

Thank You.



COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: August 10, 2026

Item# 3C

Agenda Item: Purchase of Replacement Camera System for Public Works Sewer Camera Truck

Summary: Council is requested to authorize the purchase of equipment, software, and installation services to retrofit the Public Works Sewer Maintenance Department's sewer camera truck with a new camera inspection system. The existing camera system has reached the end of its useful life and is no longer capable of meeting the Department's operational needs.

The procurement will be made through a **Sourcewell Cooperative Contract** with Infrastructure Solutions Group (ISG) of Mechanicsville, Virginia. Staff obtained a quote from ISG in the amount of **\$139,936.35**.

Funding for the purchase is available within the Sewer Maintenance Department's FY27 Machinery and Equipment operating budget.

Budget/Funding: 9802-47001 Sewer Maintenance – Machinery & Equipment \$139,936.35

Staff Recommendation: Staff recommends authorizing the purchase as presented.



Envirosight - RovverX - Town of Front Royal, VA

Town of Front Royal, VA

Tony Rogers

trogers@frontroyalva.com

+15406357819

Reference: 20260805-140819393

Quote created: August 5, 2026

Quote expires: September 21,

2026

Infrastructure Solutions Group, Inc.

8383 Old Richfood Road

Mechanicsville, VA 23116-8071

United States

Prepared by: Mathieu

Pipeline Inspection Specialist

mathieu@weareisg.com

+18049103790

\$139,936.35

Total

PRODUCTS & SERVICES	QUANTITY	PRICE
Envirosight RovverX HD Mainline System HD System includes VC500 Controller RAX300 Automatic Cable Reel with 1000ft RX130 Quick Change version crawler with 3 sets of rubber wheels for 6" to 12" Integrated lift. RCX90 pan, tilt, zoom camera, pressurization kit	1	\$112,374.08
Retrofit costs	1	\$4,000.00
43" monitor in office, 21" monitor and mount in the rear, booster, con- verters, and all	1	\$3,450.00
Small Aggressive Wheel QC RX130	6	\$549.67
Medium Aggressive Wheel QC RX130	4	\$714.57
Large Aggressive Wheel QC RX130	4	\$736.56
XL Rubber Wheel QC RX130	4	\$670.60

PRODUCTS & SERVICES	QUANTITY	PRICE
Stackable SAT Reel Support Frame	1	\$813.20
HD RAL200 LED Auxiliary Light with Backeye Camera for RVX	1	\$5,614.13
SUMMARY		
One-time subtotal		\$138,036.35
Freight		\$1,900.00

Total	\$139,936.35
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Comments
PDI, Delivery and One Day Training included

Purchase terms
Envirosight Sourcewell contract #080525-EVS



Town of Front Royal Public Works

MEMORANDUM

TO: Michelle Campbell, Purchasing Manager

CC: BJ Wilson, Assistant Town Manager/ Finance Director

FROM: Robert B Boyer, Public Works Director

DATE: August 5, 2026

SUBJECT: Request to have the existing sewer camera truck retro fitted with new Envirosight equipment.

I would like to request proceeding with having Infrastructure Solutions Group retro fit the existing town owned sewer camera truck with new Envirosight equipment. The old camera equipment is eight years old and is starting to have frequent issues due to the harsh environment it's used in on a regular basis. The funding for this purchase is already budgeted under 9802-47001.

If you have any questions or need any further information, please contact me at 540-692-4789.

Thank You.



COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: August 10, 2026

Item: 3D

Agenda Item: Council Appointments – Joint Towing Advisory Board

Summary: Council approved an ordinance (Chapter 158-54 – 158-69) on November 27, 2017, enacting 'Law Enforcement Requested Towing' that initiated the appointment of a Joint Towing Advisory Board. The By-Laws for the Board were approved by the Board of Supervisors (BOS) on February 20, 2018, and Town Council on March 26, 2018. Per the By-Laws, Town Council and BOS are requested to appoint three (3) representatives from the towing and recovery business, three (3) law enforcement members and one citizen member to the Joint Towing Advisory Board to 4-year terms. Proposed members to the new four (4) year term beginning June 26, September 1, 2026, are:

- Captain David Fogle – Front Royal Police Department
- Lieutenant Michael E. Glavis – Warren County Sheriff's Office
- Sergeant Steven Marks – Virginia State Police
- Gloria Knott – Keens Towing
- Louis C. Tharpe – Tharpe's Towing
- Alan Crawford - Midway Towing

Budget/Funding: N/A

Staff Recommendation: Council is requested to approve the members presented under the Consent Agenda at the August 24, 2026, Regular Business Meeting for formal approval

LAW ENFORCEMENT REQUESTED TOWING

Footnotes:

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Editor's note— *Adopted 11-27-17.*

158-54 - PURPOSE

The purpose of this article is to ensure proper storage, availability and service by persons and firms authorized to provide towing services at the request of the Warren County Sheriff's Office, the Front Royal Police Department, Virginia State Police and other law enforcement personnel. The Towing Operators are deemed independent contractors and not employees of Warren County, the Town of Front Royal, Virginia State Police, or other law enforcement agencies assigned to Warren County or Front Royal.

(Ord. 11-22-99)

158-55 - DEFINITIONS

APPLICATION means an application for towing service within Warren County.

COUNTY means Warren County, Virginia.

DMV means Commonwealth of Virginia Division of Motor Vehicles.

EMERGENCY means a critical traffic problem, snow storm, ice storm, hurricane or other extreme weather condition; parade or similar public event; disaster or similar event.

JOINT TOWING BOARD means the Joint Advisory Board on Towing which consists of seven (7) members: three (3) law enforcement officers, including one (1) from the Sheriff's Office, one (1) from the Police Department and one (1) from Virginia State Police, three (3) representatives of Towing and Recovery Businesses and one (1) citizen.

LAW ENFORCEMENT PERSONNEL OR LAW ENFORCEMENT AGENCY means a law enforcement officer of Warren County, Town of Front Royal, Virginia State Police or agency of such officers or other law enforcement agency assigned to Warren County.

POLICE DEPARTMENT means the Town of Front Royal Police Department.

RECEIPT means a printed, numerated and dated receipt that include tow company name, company address and telephone number and receipt signed by owner/operator.

SCC means Commonwealth of Virginia State Corporation Commission.

SHERIFF'S OFFICE means the Warren County Sheriff's Office.

SUSPENSION means temporary removal from the Towing List for a violation of this article or breach of the towing service agreement.

TERMINATION means permanent removal from Towing List and rescission of towing service agreement.

TOWING LIST means the list maintained of the Towing Operators authorized to respond the Sheriff's Office, Police Department or other law enforcement personnel's request for the towing of vehicles.

TOWING OPERATOR means a towing firm or service, with an established business office and location within Warren County, which meets the requirements of this article and has entered into an agreement to provide towing and recovery services at the request of the Sheriff's Office, Police Department or other law enforcement personnel.

TOWING OPERATORS means those who own, lease, or operate a Towing Recovery Business.

TOWING RECOVERY BUSINESS means any person, including a business offering services involving the use of a tow truck, including those engaged in the business of: (1) removing disabled vehicles, parts of vehicles, or cargo to facilities for repair or safekeeping; and (2) restoring to the highway or other location vehicles that have come to rest where they can't be operated. Such business shall have at least one (1) location, consisting of an office and storage lot, within Warren County for at least six (6) months.

TOWING SERVICE AGREEMENT means the agreement between the Joint Towing Board and the Towing Operator.

TOWN means the Town of Front Royal, Virginia.

(Ord. 11-22-99)

158-56 - GENERAL MINIMUM REQUIREMENTS

A. *Required Vehicles and Equipment.*

1. The Towing Recovery Business shall have available at least one (1) of the following vehicles with valid Virginia license plates, inspection sticker and SCC/DMV license:
 - a. Tow Truck equipped with a wrecking crane capable of lifting a minimum of eight thousand (8,000) pounds and up to a maximum of ten thousand (10,000) pounds or the gross vehicle weight rating. Tow truck must be equipped with a wheel lift capable of lifting a minimum of one thousand five hundred (1,500) pounds.
 - b. Flatbed Wrecker with at least an eight thousand-pound winch and capable of transporting a maximum of seven thousand (7,000) pounds or the gross vehicle weight rating.
2. Each of the vehicles above shall be originally designed as tow trucks.
3. Each of the vehicles above shall be equipped with the following:
 - a. A chassis rated with sufficient gross vehicle weight to match the maximum capacity of the crane mounted thereon;

- b. All-weather tires on the rear wheels;
 - c. At least one (1) fire extinguisher;
 - d. At least two (2) operable amber revolving or flashing emergency lights, mounted on the highest part of the vehicle and visible from all sides;
 - e. One (1) operable air tank, when not equipped with air brakes. Flatbed Wreckers are exempt from this requirement;
 - f. One (1) heavy-duty street broom and one (1) shovel;
 - g. Dollies, scotch blocks and snatch block;
 - h. Gas and oil absorbent material;
 - i. Reflective vest, shirt or jacket; and
 - j. Vehicle tow lights.
4. Heavy Duty Wreckers.
- a. For those Towing Operators who desire to be on the heavy-duty wrecker list, they shall own or lease a minimum of two (2) towing/recovery trucks and at least one (1) road tractor. One (1) truck shall have a minimum of sixty thousand (60,000) pounds rating and the second truck shall have a minimum forty thousand (40,000) pounds rating. All units shall have winches rated at a minimum of twenty thousand (20,000) pounds. All units must have a boom that raises and lowers, extends and retracts by hydraulics. All units must have a hydraulic under-lift rated to raise twelve thousand (12,000) pounds at full extension.
 - b. Towing Operators shall own, lease or have a written agreement with a subcontractor for the following:
 - (i) Lowboy hydraulic operated trailer capable of transporting a wrecked or disabled road tractor and/or debris;
 - (ii) Trailer forty-five-foot or longer box trailer;
 - (iii) Dump truck, dump trailer or container;
 - (iv) Air cushions designed for and capable of up righting a loaded tractor and trailer;
 - (v) A skid steer loader, forklift or wheel loader capable of moving cargo and/or debris from the highway; and
 - (vi) Adequate personnel to off-load cargo.
 - c. All loads must be secured with two-wheeled straps or safety chains.
 - d. All equipment must be equipped with legally required light and safety equipment.
 - e. All equipment must be in good working order with all equipment required in this article.

B. Storage and Security of Vehicles.

- 1. All Towing Operators shall have a secured lot for vehicles towed under this article. Vehicles shall be stored at all times in said storage lot, storage facility or building or an adjacent service bay.
- 2. A Towing Operator shall maintain and own or lease a dedicated storage area able to contain all towed

vehicles towed by the operator. Storage area shall be fully enclosed by a commercial grade fence which is at least six (6) feet tall, or enclosed by a permanent structure, have adequate lighting and remain reasonably clear of debris. Towing Operators shall not share storage lots unless the shared storage lot is divided by a six-foot high stationary fence with a separate locked entrance to each storage area.

3. The storage lot shall have a sign posted identifying the firm's name and telephone number. Wrecker service facilities and equipment, including vehicles, office, telephone lines, office equipment and storage facilities may not be shared with another wrecker service. Vehicles towed at the request of Law Enforcement Personnel must be placed in storage owned or leased and operated by the wrecker service on the Towing List.
4. The storage lot shall have a graveled or paved surface.

C. *Insurance.*

1. No Towing Service Agreement shall be signed until the Towing Operator has provided evidence of the following insurance coverage for the duration of the Towing Service Agreement by a company or companies licensed to do business in the Commonwealth. Any changes or lapses in insurance coverage shall immediately be reported to the Joint Towing Board.
 - a. The Towing Operator shall be required to carry garage keeper's legal liability insurance in the minimum amount of seventy-five thousand dollars (\$75,000.00) to cover fire, theft, windstorm, vandalism and explosion for each lot. Towing Operators on the heavy-duty wrecker list shall be required to carry garage keeper's legal liability insurance in the minimum amount of two hundred thousand dollars (\$200,000.00).
 - b. Insurance sufficient to protect itself from any and all claims of loss, damage or bodily injury, resulting from its acts or incurred in the operation of the Towing Operator's business equipment and vehicles pursuant to the Towing Service Agreement in the amount of seven hundred fifty thousand dollars (\$750,000.00) or the amount required by the state (vehicle liability policy).
 - c. Insurance sufficient to cover claims under the Worker's Compensation Act, if applicable, for all of its employees. If any work is sublet, the subcontractor shall provide similar coverage.
2. The Towing Operator shall indemnify and hold harmless the Sheriff's Office, Police Department, Virginia State Police, Warren County and Town of Front Royal, all other law enforcement agencies assigned to Warren County including their agents, employees and representatives from any and all claims, casualties, damages or injuries arising out of its actions pursuant to the agreement.

158-57 - APPLICATION FOR AGREEMENT

- A. Any Towing Operator desiring to perform towing work at the request a Law Enforcement Agency shall submit an application for towing service in duplicate to the Joint Towing Board. Prior performance and reputation in the community, as reported through the office of citizen and consumer affairs and criminal history record information as supplied by applicant, will be considered when a Towing Operator applies to perform towing services under the Towing Service Agreement.
- B. In order to be qualified for towing under this article, a Towing Operator shall operate the Towing Recovery

Business at said location within Warren County for a minimum of six (6) months prior to applying for towing under this article. The six-month waiting period may be waived for applicants who are currently authorized to tow under this article.

- C. A Towing Operator may not make any changes that alter the information that was submitted in the application unless first notifying the Joint Towing Board.
- D. The Application shall be submitted on forms provided by the Joint Towing Board and includes the following information:
 - 1. The name of the Towing Recovery Business to include the owners, members and/or corporate officers.
 - 2. The home and business addresses and phone numbers of the Towing Recovery Business, owners, members and/or officers.
 - 3. The location, size and security features of the storage lot on which the towed vehicles will be stored. The storage facility shall be described in detail to include the size, the lighting and the separate entrance. The storage facility may be a building or a lot which shall be a minimum of one thousand five hundred (1,500) square feet for regular Towing Operators or a minimum of three thousand (3,000) square feet for heavy-duty Towing Operators.
 - 4. The location in which the public must go to in order to claim stored vehicles.
 - 5. A statement of availability to provide towing service on a continuous twenty-four-hours-a-day basis each day of the year.
 - 6. A list of the towing equipment, its size and capacity. Towing Operators shall maintain and register all trucks. A copy of property taxes showing taxes paid on trucks and equipment domiciled within the county or town and each vehicle registration must be submitted on an annual basis with application or reapplication.
 - 7. A complete list of insurance policies, carriers and agents which would be in effect upon execution of the Towing Services Agreement. Proof of the policy will be filed with the Joint Towing Board. This information will include amount of coverage limits and include worker's compensation, if applicable.
 - 8. A statement that the Towing Operator accepts reasonable responsibility for any personal property left in towed and stored vehicles, as may be otherwise determined by law, along with a description of the secure place which will be used to store the property left in towed or stored vehicles. A statement that the Towing Operator accepts reasonable responsibility for a towed vehicle from the time hookup starts, until vehicle reaches the intended destination.
 - 9. Towing Operators must list two (2) telephone numbers at which they can be reached on a twenty-four-hour-a-day basis. Specific times and days denoting business hours versus nonbusiness hours must accompany the telephone number. Name of business and telephone number must be posted in a conspicuous place at the place of business.
 - 10. A statement from the zoning office of the local government entity in which the Towing Recovery Business is located that the storage lot listed on the application meets all required zoning requirements.
 - 11. A statement from the Treasurer and/or the town finance office that all financial obligations are paid.

All Towing Operators must be current in all financial obligations to the County and/or Town.

12. A copy of declaration of personal property or business personal property on registered equipment must be submitted annually.
13. All applicants shall pay an application fee, as established by the Joint Towing Board, remitted to and collected by the Joint Towing Board.

158-58 - INSPECTIONS OF TOWING OPERATOR

- A. All of the tow trucks, required equipment and storage facilities shall be inspected and approved by the Joint Towing Board prior to use. In addition, all tow trucks and required equipment shall conform to the provisions of Code of Virginia § 46.2-1000 et seq. The Joint Towing Board may periodically inspect all wreckers, equipment and storage facilities utilized under this article. There will be an annual inspection of all wreckers, equipment and storage facilities utilized under this article. For heavy-duty wreckers a CVSA sticker will also be required.
- B. There shall be an annual inspection fee, as established by the Joint Towing Board, remitted to and collected by the Joint Towing Board.
- C. The Joint Towing Board shall give the Towing Operator written notice when the equipment or storage facility is found to be unacceptable.
- D. Tow trucks and equipment or storage facilities that fail the inspection shall not be used by a Towing Operator in the performance of its obligations under a Towing Services Agreement until they pass inspection.
- E. Failure to comply with any of the conditions stated above will result in suspension of the Towing Operator from the Towing List until the corrections have been made. If the corrections are not made within ten (10) calendar days, the Towing Operator shall be terminated from the Towing List.
- F. All applications for new Towing Operators to be included on the Towing List or applications for renewals of Towing Operators shall be submitted to and shall only be received and processed by the Joint Towing Board from May 1 to May 30 of each calendar year. The calendar year for the application of this article shall be July 1 to June 30.

158-59 - APPLICATION APPROVAL

- A. The Joint Towing Board shall conduct an investigation to determine the accuracy of the information contained in the application and shall inspect the storage lot and equipment to be used.
- B. Upon completion of the investigation, the Joint Towing Board shall determine whether the applicant meets the requirements of this article. If the Joint Towing Board finds the applicant qualified, he shall approve and sign the Towing Services Agreement. The applicant's name shall be placed on the Towing List in a rotating order.
- C. If the Joint Towing Board finds the applicant unqualified, it shall indicate in writing the reasons and return the application to the applicant.

158-60 - DUTIES AND REQUIREMENTS OF TOWING OPERATORS

- A. Towing Operators shall, at the request of and as directed by Law Enforcement Personnel, tow vehicles in the County or Town in a manner that is damage-free to the vehicle being towed. Towing Operators shall comply with all applicable federal, state and local laws and regulations, including, but not limited to, the securing of all necessary federal, state and local licenses. All Towing Operators shall display a WT-Tag (tow truck for hire) and/or an IRP-Tag (international registration plan).
- B. All Towing Operators shall have the Towing Recovery Business' name, town, state and telephone numbers printed on both sides of the towing vehicle in letters and numerals of such size, shape and color as to be readily legible during daylight hours from a distance of fifty (50) feet while the vehicle is not in motion. No magnetic sign shall be used on vehicles. Decals are permissible. The Towing Operator shall provide a business card to Law Enforcement Personnel before leaving the scene. Each Towing Operator must be registered with the Virginia Department of Motor Vehicles in the name of the Towing Recovery Business and insured by the Towing Recovery Business.
- C. Towing Operators shall provide twenty-four-hours-per-day towing service each day of the year.
- D. Towing Operators shall have available at all times sufficient and qualified personnel to receive calls and execute the towing.
- E. If a Towing Operator determines additional equipment is needed, the Law Enforcement Personnel shall contact a different Towing Operator on the Towing List.
- F. Towing Operators shall notify all Law Enforcement Agencies during normal business hours forty-eight (48) hours prior to a change in their phone number. No answering service is allowed.
- G. The Towing Operator agrees to arrive on the scene within thirty (30) minutes of receiving a call. If the Towing Operator fails to meet the specified time limit, the Law Enforcement Personnel will notify a second Towing Operator. Once the second Towing Operator has been requested, services from the first Towing Operator are considered canceled and the first Towing Operator is not due any payment. Heavy-duty Towing Operators will have a forty-five (45) minute time limit to arrive on scene.
- H. If in the judgment of the Joint Towing Board, excessive delays are caused by circumstances within the Towing Operator's control, the Joint Towing Board may recommend the Towing Operator be suspended/terminated from the Towing List.
- I. Towing Operators shall have only those tow trucks owned or lease purchased by them responding to calls for service.
- J. If a tow truck is not available, then the Towing Operator shall immediately indicate to the dispatcher that it cannot respond and the reason why. The dispatcher shall then notify the next Towing Operator on the list.
- K. Towing Operators may use crossovers located on the interstates or public highways that are prohibited when directed to do so by Law Enforcement Personnel pursuant to Code of Virginia § 46.2-920.1.
- L. All Towing Operators must possess a valid Virginia driver's license or commercial driver's license, and medical certificate as may be required and be qualified to operate the tow vehicle and its equipment.
- M. All Towing Operators shall decline a service call if they consumed alcohol and or used any drug or narcotic, either by a doctor's prescription or of their own free will within eight (8) hours prior to a call for service.
- N. Towing Operators shall remove all litter, glass and debris caused by the incident which necessitated

towing, including ordinary and reasonable quantities of oil and gas spillage as determined by the Law Enforcement Personnel on the scene. If circumstances warrant additional charges, they will be thoroughly documented and itemized.

- O. All Towing Operators shall have the capability to accept cash and credit card as payment for services under the agreement in the field at the time services are rendered.
- P. The Towing Operator shall tow vehicles to any destination requested by the vehicle owner or any Law Enforcement Personnel, after financial obligations have been finalized. The Towing Operator shall not tow vehicles outside of the Warren County limits.
- Q. Any Towing Operator permanently ceasing to provide towing/recovery services shall, within fifteen (15) days, notify the Joint Towing Board in writing.

158-61 - RESPONSIBILITIES AND RECORDS OF TOWING OPERATORS

- A. If an owner or lien holder fails to claim any vehicle or if the Towing Operator wants to satisfy any lien which it has on a vehicle, it shall be the Towing Operator's responsibility to dispose of or sell the vehicle in compliance with the Virginia State Code.
- B. The Towing Operator shall be reasonably responsible for vehicles towed and any contents from the time the vehicle is towed until one (1) of the following events occur:
 - 1. The vehicle is delivered to a location specified by the owner or other authorized person;
 - 2. The vehicle and property is released to and accepted by the owner or authorized person in the same condition as originally towed; or
 - 3. The vehicle is otherwise disposed of according to law.
- C. Towing Operators shall secure all personal property at the scene of a collision to the extent possible and preserve personal property in a vehicle which is about to be towed.
- D. The Towing Recovery Business shall keep records of all vehicles which have been towed pursuant to the Towing Services Agreement. These records shall include, at a minimum, the date and time of tow, the vehicle's license number and state of issue, the vehicle's identification number, the year, make, model and color of the vehicle, the location from which it was towed, the charges for towing and storage, the disposition of vehicle and date of disposition.
 - 1. Such records shall be available for inspection by the Joint Towing Board during the Towing Recovery Business' normal business hours.
 - 2. The Towing Recovery Business shall retain a copy of these records for a period of at least twelve (12) months from the date of the tow.
- E. Towing Operators shall promptly arrange for the release of vehicles towed or stored pursuant to this article. There shall be an attendant available from the hours of 8:00 a.m. through 5:00 p.m., except on weekends and state holidays, for the purpose of permitting inspections or releasing stored vehicles. After hours the owner or attendant must be available by telephone. The owner or attendant must be available twenty-four-hours-a-day, each day of the year for the purpose of releasing stored vehicles.
 - 1. Towing Operators, upon receiving a request to release or permitting an inspection of a stored or

seized vehicle from the owner, operator or other authorized person, shall release that vehicle to the owner or other authorized person between the hours 8:00 a.m. and 5:00 p.m. within a thirty-minute timeframe.

2. Towing Operators, upon receiving a request to release or permit an inspection of a stored vehicle by an owner or authorized person during other than normal business hours, shall allow and otherwise require two (2) hours-notice for the release of such motor vehicle. The foregoing notice provision shall apply likewise for the release of personal property and contents within the vehicle. All fees charged for any off-hour release/inspection shall be no more than one (1) day of storage.
3. Upon request, Towing Operators shall distribute to the owner, operator or authorized agent a copy of the complaint procedures form.
4. Towing Operators shall not release any vehicle designated as "seized" or "seized for forfeiture" by a Law Enforcement Agency until the Towing Operator obtains permission from the requesting agency. The Towing Operator shall bill the requesting agency for the cost of the tow.
- F. Towing Operators shall not release any vehicle that has a "hold" on property contained within such vehicle without first obtaining authorization from the requesting Law Enforcement Agency.
- G. Whenever the Towing Operator is requested to remove a vehicle and the owner of the vehicle, or their authorized agent or driver, is not at the scene at the time of the tow, Law Enforcement Personnel is requested to complete a tow sheet form that includes the following:
 1. Owners name and address, if known;
 2. Description of the vehicle and any visible prior damage;
 3. Storage facility name and address;
 4. Inventory of accessible contents of the vehicle; and
 5. One (1) copy shall be given to the Towing Operator, one (1) copy to the owner of the vehicle and one (1) copy retained by the Law Enforcement Agency.
- H. All records relating to Towing Operator's application and insurance shall be made available for inspection by the Joint Towing Board after a Freedom of Information Act request is filed.

158-62 - ROTATION SYSTEM

- A. The Joint Towing Board shall ensure that Towing Operators are called on a rotating basis according to the Towing List. Being placed on the Towing List does not guarantee a particular number or quantity of calls; does not guarantee an equivalent number of calls to every Towing Operator on the list; nor entitle any Towing Operator on the list to any compensation as a consequence for not being called in accordance with the Towing List or when removed from the Towing List.
- B. The owner or operator of a vehicle to be towed shall be asked to specify the Towing Operator of his choice, whether or not authorized by Law Enforcement Personnel, unless the vehicle constitutes a traffic hazard and the requested Towing Operator will have an unacceptable response time. If the owner or operator requests a specific Towing Operator, the Law Enforcement Personnel shall complete an owner request form which shall be signed by the owner or operator of the vehicle.

- C. The Law Enforcement Personnel shall not call any Towing Operator who does not have a Towing Services Agreement unless all Towing Operators on the Towing List are unavailable or an Emergency exists. In the event of an emergency or no availability of Towing Operators on the Towing List, Law Enforcement Personnel and the Virginia Department of Motor Vehicles (VDOT) can request Towing Recovery Businesses outside of Warren County.
- D. In an emergency, a supervisor of a Law Enforcement Agency may call a Towing Operator out of sequence in order to shorten response time to the scene of the incident. However, any Towing Operators which are randomly used during suspensions of the Towing List must be reported to communications for record purposes.
- E. Law Enforcement Personnel at the scene may reject the services of the Towing Operator dispatched when the Towing Operator arrives with inadequate equipment to perform the tow. Unfitness shall include, but not limited to, possession of inadequate equipment to perform the tow, or operated by personnel who, due to drugs, alcohol or other incapacity, are not likely to perform the tow safely. In the event that the Towing Operator is determined to be unfit, Law Enforcement Personnel shall notify communications to dispatch the next Towing Operator on the Towing List and shall file a written report with the Joint Towing Board.
- F. Law Enforcement Personnel will call another Towing Operator if the first Towing Operator fails to answer the telephone or receives a busy signal after two (2) attempts.
- G. If the Towing Operator does not answer the telephone or refuses the call, the Towing Operator loses that turn in rotation and will not be called until the Towing List rotates to their name again. If the Towing Operator responds to a call, it shall be placed at the bottom of the Towing List, unless the Towing Operator through no fault of its own is not used and receives no compensation for the call. In that event, it shall be placed back at the top of the Towing List.

158-63 - COMPENSATION

- A. All costs incident to towing and storage shall be paid by the owner or other authorized person of the towed and stored vehicle to the Towing Operator. In those cases involving "seized" vehicles, the owner shall reimburse the requesting Law Enforcement Agency for the towing costs.
- B. The towing and storage fees charged by the Towing Operator shall be reasonable in light of those charged by other Towing Operators in the county for comparable service. There shall be no additional charges for mileage. No charges imposed for the storage of vehicles for a period of twenty-four (24) hours or less shall exceed charges imposed for one (1) day of storage.
- C. An itemized receipt for payment, which sets forth the cost of towing, excessive cleanup, storage, and repairs shall be issued to the owner/operator or other authorized person. Said receipt shall also include a signature line for the owner/operator or other authorized person acknowledging receipt of the vehicle.
- D. All Towing Operators shall submit their current pricing to the Joint Towing Board related to towing, recovery, winching, storage charges and administrative charges. No administrative charges shall be incurred for the first twenty-four (24) hours of storage and no administrative fee or charge shall exceed ninety-five dollars (\$95.00). Written notice of these fees shall be available at the request of the owner or operator of the vehicle's request.

158-64 - SOLICITATION BY TOWING OPERATORS

- A. No Towing Operator shall respond to an accident, scene of an emergency or mechanical breakdown for the purpose of towing vehicles unless specifically called there by Law Enforcement Personnel, or the person involved in the accident or emergency. Violation of this section shall result in suspension from the Towing List for thirty (30) days for the first offense, sixty (60) days for the second offense, and termination from the Towing List for a third offense for a period of twelve (12) months.
 - 1. The Law Enforcement Personnel shall direct the Towing Operator to leave even if the Towing Operator would otherwise have been called to the location.
 - 2. The Law Enforcement Personnel may direct the Towing Operator to provide necessary services in such instances when immediate assistance is necessary to protect persons or property.
- B. Towing Operators are prohibited from soliciting business at the scene of accidents, emergencies or mechanical breakdowns.

158-65 - PROHIBITED PRACTICES

- A. A violation of any of the following may subject the Towing Operator to suspension from the Towing List:
 - 1. Deliberate failure of a Towing Operator to respond to calls;
 - 2. Securing a Towing Services Agreement by fraud or concealment of a material fact;
 - 3. Violation of the Towing Services Agreement;
 - 4. Chronic or repeated violations of this article;
 - 5. A single violation of this article including, but not limited to:
 - a. Running unauthorized calls;
 - b. Overcharges;
 - c. Alcohol or drug use;
 - d. Tardiness more than five (5) times in a six-month period;
 - e. Failure to notify the Joint Towing Board with immediate changes regarding insurance, taking on new members, owners, corporate officers or any other changes regarding anything listed in the Application;
 - f. Fraudulent acts with respect to this article;
 - g. Failure to comply with the rules and regulations of Code of Virginia § 46.2-2820 et seq.; or
 - h. Violate any laws of the Commonwealth of Virginia, the County of Warren, or the Town of Front Royal, which are considered a felony or misdemeanor.

158-66 - COMPLAINTS

- A. Any Towing Operator who believes he has been unfairly treated by Law Enforcement Personnel may file a written complaint with the Joint Towing Board.
- B. Any person who believes a violation of this article has occurred may file a complaint against a Towing

Operator. Joint Towing Board will provide the complainant with a complaint form to be filled out and returned to the Joint Towing Board. The complaints shall be investigated by the Joint Towing Board.

- C. After an investigation of the complaint, the Joint Tow Board shall notify the complainant of the results of the investigation and any action as a result of the complaint.
- D. The local office of the Virginia State Police shall use the Towing List on law enforcement requested calls in Warren County. By agreement with the local office of the Virginia State Police, the Joint Towing Board shall investigate towing complaints for both state and county calls. Any imposed disciplinary action shall be binding on all law enforcement initiated calls for towing service.

158-67 - SUSPENSION OR TERMINATION OF TOWING OPERATORS

- A. Any Law Enforcement Agency, upon investigation of the facts, may recommend that a Towing Operator be heard by the Joint Towing Panel for any violation of the provisions of this article.
- B. The Joint Towing Board shall provide the Towing Operator with written notice of said violation. Notification of the date, time and location of a hearing on the violation shall also be provided.
- C. The Joint Towing Board has the authority to suspend or terminate Towing Operators through due process.

158-68 - APPEALS PROCESS AND HEARING

- A. In the event that a representative from a Towing and Recovery Business that sits on the Joint Towing Panel lodges a complaint against another Towing Operator, said representative shall abstain from the hearing.
- B. The Law Enforcement Personnel involved in the incident shall be responsible for presenting the allegations against a Towing Operator to the Joint Towing Panel members and may call witnesses and ask questions of any witness.
- C. If complainant is not present, the complaint form will be presented to the Joint Towing Panel as complainant's evidence/testimony.
- D. The Towing Operator shall be allowed an opportunity to attend the hearing and bring any witnesses that were directly involved in the incident where the accused Towing Operator was charged with a violation of this article. The Towing Operator will be allowed to present evidence/testimony supporting his/her case to the Joint Towing Panel. The Towing Operator may make an opening statement, ask witnesses questions and make a closing statement.
- E. No attorneys will be allowed to attend this administrative hearing on behalf of a complainant or defendant.
- F. No witnesses, except for those being questioned, will be allowed in the room during the administrative hearing.
- G. The Joint Towing Panel, after hearing evidence presented, shall render a decision. If the accused Towing Operator is present, the chairman presiding over the hearing shall immediately verbally notify the accused of the decision. A written notification shall be prepared and sent to the Towing Operator through first class postage with the U.S. Postal Service and a copy of the decision will be sent to each Law Enforcement

Agency. If the Towing Operator is not present at the conclusion of the hearing to receive the verbal notification of the panel, the Towing Operator shall waive the right to immediate notification of the decision.

H. The decision of the Joint Towing Panel is final.

158-69 - AMENDMENTS TO ORDINANCE

- A. The Joint Towing Board will recommend revisions to this ordinance to the Warren County Board of Supervisors and the Front Royal Town Council.
- B. All proposed revisions shall be discussed with the Joint Towing Board and their input will be considered in each proposed revision.
- C. Revisions shall be in effect from the date on which the amendments to the Town and County Code with identical language are adopted by the Warren County Board of Supervisors and the Front Royal Town Council.
- D. Towing Operators on the Towing List shall be given written notification of any amendments ten (10) days prior to the revision being adopted.

**BY-LAWS OF THE
FRONT ROYAL-WARREN COUNTY JOINT TOWING BOARD**

ARTICLE 1 – PURPOSE OF COMMITTEE

- 1-1 The Front Royal-Warren County Joint Towing Board ("the Committee") is hereby created to ensure proper storage, availability and service by persons and firms authorized to provide towing services at the request of the Warren County Sheriff's Office (hereinafter the "Sheriff's Office"), the Front Royal Police Department (hereinafter the "Police Department"), Virginia State Police (hereinafter "State Police") and other law enforcement personnel.

ARTICLE 2 – SELECTION OF MEMBERS

- 2-1 The Committee shall consist of seven (7) members to be appointed jointly by the Front Royal Town Council and the Warren County Board of Supervisors. The Committee shall include the following members:
- 2-1-1 Three (3) members shall be law enforcement officers, including a representative from the Sheriff's Office, the Police Department, and State Police.
 - 2-1-2 Three (3) members shall be representatives of towing and recovery businesses.
 - 2-1-3 One (1) member shall be a citizen of the Town of Front Royal or the County of Warren.
- 2-2 Each member shall serve a four (4) year term and shall be appointed jointly by the Front Royal Town Council and the Warren County Board of Supervisors.

ARTICLE 3 – SELECTION OF OFFICERS

- 3-1 Officers of the Committee shall consist of a Chairman, Vice-Chairman, and Secretary.
- 3-2 The officers of the Committee shall be appointed for a one (1) year term, with no individual holding an office for more than two (2) consecutive terms without a one (1) year lapse between terms.
- 3-3 Nomination of officers shall be made from the floor at the beginning of the first meeting of the year for the ensuing year. Election of officers shall follow immediately. A candidate receiving a majority vote of the members shall be declared elected. The Warren County Sheriff or his designee shall oversee the nomination and election of officers.
- 3-4 Vacancies in office shall be filled at the next Committee meeting according to the procedures in this article.

- 3-4 Vacancies in office shall be filled at the next Committee meeting according to the procedures in this article.

ARTICLE 4 – DUTIES OF OFFICERS

4-1 The Chairman shall:

- 4-1-1 Develop an agenda and preside at meetings.
- 4-1-2 Report annually to the Board of Supervisors and the Town Council.
- 4-1-3 Rule on procedural questions (subject to reversal by a majority vote of the members present).
- 4-1-4 Certify official documents involving the authority of the Committee.
- 4-1-5 Certify minutes as true and correct copies.
- 4-1-6 Carry out other duties as assigned by the Committee.

4-2 The Vice-Chairman shall:

- 4-2-1 Assume the full powers of the Chairman in the absence or inability of the Chairman to act upon and oversee the Plan of Work.

4-3 The Secretary shall:

- 4-3-1 Record attendance at all meetings.
- 4-3-2 Record the minutes of the Committee meetings.
- 4-3-3 Notify members of all meetings.
- 4-3-4 Maintain a file of all official Committee records and reports.
- 4-3-5 Certify maps, records, and reports of the Committee.
- 4-3-6 Give notice and be responsible for publishing public notices of all Committee public hearings and public meetings.
- 4-3-7 Attend to the correspondence necessary for the execution of the duties and functions of the Committee.

ARTICLE 5 – SUBCOMMITTEES

- 5-1 The Committee may appoint any subcommittees or advisory groups as necessary for the conduct of its work. The Chairman of the Committee shall be an ex-officio member of all such subcommittees or groups.

ARTICLE 6 – MEETINGS

- 6-1 The Committee shall meet on a quarterly basis on the first Wednesday of January, April, July and October or any other day determined by majority vote of the Committee. Whenever the regular scheduled meeting falls on a legal holiday, the regular meeting shall be held on the following day. Notice of time and place of regular meetings shall be emailed by the Secretary to the Committee and interested parties at least fourteen (14) days in advance of each meeting.

- 6-2 Special meetings may be called by the Chairman or on request of three (3) members of the Committee by emailed notice at least seven (7) days in advance of the date of such special meeting. Emergency meetings may be convened by the Chairman with a 24-hour telephone notice attempt to reach all members.
- 6-3 All meetings of the Committee shall be open to the public, except as provided for in the Virginia Freedom of Information Act.
- 6-4 If any member has three (3) unexcused absences in a calendar year, the member shall be removed from the Committee and another representative shall be appointed jointly by the Board of Supervisors and Town Council to fill the unexpired term of office.

ARTICLE 7 – VOTING

- 7-1 A majority of the members shall constitute a quorum.
- 7-2 No action of the Committee shall be valid unless authorized by a majority vote of those present and voting.

ARTICLE 8 – COMPLAINTS

- 8-1 In the event that a complaint is lodged by a member of the Committee against a towing operator or law enforcement personnel, such member shall be excused from the hearing on the complaint.

ARTICLE 9 – ORDER OF BUSINESS

- 9-1 The order of business for a regular meeting shall be:
- 9-1-1 Call to Order
 - 9-1-2 Roll Call
 - 9-1-3 Adoption of Agenda
 - 9-1-4 Approval of Minutes
 - 9-1-5 Committee Matters
 - 9-1-6 Adjournment
- 9-2 Parliamentary procedure in all Committee meetings shall be governed by Robert's Rules of Order.
- 9-3 The Committee shall keep minutes of each meeting, and these minutes shall become a public record. The Chairman shall sign all minutes, and they shall be kept in the official minute book.

ARTICLE 10 – AMENDMENTS

10-1

These By-laws may be amended by a majority vote of both the Warren County Board of Supervisors and Front-Royal Town Council with thirty (30) days' notice to each governing body.

Adopted by the Warren County Board of Supervisors: February 20th, 2018

Adopted by the Front Royal Town Council: March 26th, 2018



COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: August 10, 2026

Item# 4A

Agenda Item:

2600349 – An ordinance amendment to define outdoor dining area in town code §175-3, permit outdoor dining as an accessory use in the c-1, community business district & c-2, downtown business district, and add performance standards under town code §175-118.

Summary:

This amendment will provide parameters for staff to regulate and permit business owners to provide outdoor seating within the Town's commercial districts.

PC held a public hearing on July 15th and forwarded a recommendation of approval.

Town Council reviewed this item on August 3, 2026.

Budget/Funding: N/A

Staff Recommendation: Staff recommends approval.

PLANNING COMMISSION REGULAR MEETING
AGENDA STATEMENT

Meeting Date: July 15, 2026

Public Hearing Item 2: 2600349 – An Ordinance Amendment to define Outdoor Dining Area in Town Code §175-3, permit outdoor dining as an accessory use in the C-1, Community Business District & C-2, Downtown Business District, and add performance standards under Town Code §175-118.

Recommendation of Approval ☒
Recommendation of Denial ☐
Postponed ☐

In order to promote the general welfare of the public and in accordance with Town Code §175-1(B), Commissioner Brooks moved, seconded by Vice Chairman Marrazzo that the Planning Commission forward a recommendation of approval to the Town Council to approve an Ordinance Amendment to define Outdoor Dining Area in Town Code §175-3, permit outdoor dining as an accessory use in the C-1, Community Business District and C-2, Downtown Business District, and add performance standards under Town Code §175-118.

VOTE: Yes – Fedoryka, Marshner, Neel, Marrazzo, Brooks

No – N/A

Abstain – N/A

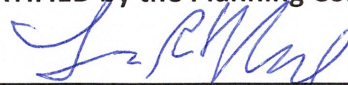
Absent – N/A

ROLL CALL

Moved Brooks Seconded Marrazzo

Marshner y Marrazzo y Neel Abstain Brooks y Fedoryka y

CERTIFIED by the Planning Commission



Chairman Neel

Town of Front Royal, Virginia

Planning Commission Regular Meeting Agenda

☐ Consent Action ☐ Administrative Action ☒ Public Hearing ☐ Discussion

Agenda Item: Ordinance Amendment #2600349

MEETING DATE: July 15, 2026

SUMMARY: An Ordinance Amendment to define Outdoor Dining Area in Town Code §175-3, permit outdoor dining as an accessory use in the C-1, Community Business District & C-2, Downtown Business District, and add performance standards under Town Code §175-118.

STAFF RECOMMENDATION: Staff recommends approval. This amendment will provide parameters for staff and business owners to provide and regulate outdoor seating.

DRAFT MOTION:

"In order to promote the general welfare of the public and in accordance with Town Code §175-1(B), I move that the Planning Commission forward a recommendation of approval to the Town Council to approve an Ordinance Amendment to define Outdoor Dining Area in Town Code §175-3, permit outdoor dining as an accessory use in the C-1, Community Business District & C-2, Downtown Business District, and add performance standards under Town Code §175-118. "

"I move that the Planning Commission keep the public hearing open to allow staff time to ascertain additional information regarding _____."

"In order to promote the general welfare of the public and in accordance with Town Code §175-1(B), I move that the Planning Commission forward a recommendation of denial to the Town Council for Text Amendment #2600349 for the following reason(s)_____:"

NOTE: These are only a draft motions. Alternative motions are also welcome.

PLANNING COMMISSION ACTION:

Moved _____ Seconded _____

Marshner _____ Marrazzo _____ Neel _____ Brooks _____ Fedoryka _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other

**AN ORDINANCE AMENDMENT TO DEFINE OUTDOOR DINING AREA IN TOWN CODE §175-3,
PERMIT OUTDOOR DINING AS AN ACCESSORY USE IN THE C-1, COMMUNITY BUSINESS
DISTRICT & C-2, DOWNTOWN BUSINESS DISTRICT, AND ADD PERFORMANCE STANDARDS
UNDER TOWN CODE §175-118.**

Amendment to § 175-3 (Definitions)

OUTDOOR DINING AREA — An outdoor space on the same lot as, or contiguous to, a legally established food establishment (such as a restaurant or cafe) used for the consumption of food or beverages. All furniture, umbrellas, and structures must be temporary, unattached, and easily removable at the end of daily business hours.

175-39 - USE REGULATIONS (C-1)

- A. Subject to the standards and requirements set forth in this Chapter, except as prohibited or restricted by separate restrictions of record that may pertain to property within the C-1 District, the following uses of land and buildings are permitted by-right in the C-1 District:

RESIDENTIAL:

Up to three (3) dwelling units of any type, but not on the ground floor.

Caretaker quarters.

COMMERCIAL:

Appliance stores and repair services.

Assembly Halls.

Automobile and truck sales lots and leasing agencies, in accordance with Section 175-44.E.

Automobile service stations, in accordance with Section [175-110](#).

Bakeries, when products are sold as retail on the premises.

Banks, branch banks, and financial institutions.

Barber and beauty shops.

Car washing.

Catering Services.

Contractor's offices, display rooms and storage.

Commuter parking facilities.

Department Stores.

Drugstores.

Florist shops/floral designers.

Funeral homes.

Furniture stores.

Grocery stores.

Hardware stores.

Laundries, Laundromats and dry cleaners.

Lumber and building supply, with storage under cover.

Machinery sales and service.

Motels, hotels, and tourist homes.

Newspaper and other printing establishments.

Personal Services.

Retail Stores, as defined in Section 175-39.C.

Pharmaceutical Center.

Professional and Business Offices.

Radio and television broadcasting stations, studios or offices.

Recreational Facility, Commercial.

Restaurants, including drive-in restaurants.

Special childcare services.

Technology business, as defined in Section [175-3](#), provided that such use does not involve broadcast or communications towers or manufacturing operations.

Theatres, Indoor.

Tobacco, smoke or vape shop in accordance with provisions of Section [175-152](#).

Veterinary hospitals.

Wearing-apparel stores.

INDUSTRIAL:

ORGANIZATIONAL:

Art galleries and museums.

Churches.

Public libraries.

MISCELLANEOUS:

Accessory uses, structures and buildings.

Home occupations.

Open Space.

Public facilities.

Public parks and playgrounds.

Outdoor Dining Area, in accordance with 175-118.

Public utilities.

Signs, as set forth in Section [175-106](#).

Special childcare services.

Such other uses as determined similar to one (1) or more enumerated uses by the Zoning Administrator.

- B. The following uses are permitted within the C-1 District only by approval of a special use permit, except as prohibited or restricted by separate restrictions of record that may pertain to property within the C-1 District:

RESIDENTIAL:

Apartments or dwelling units, with four (4) or more units or where located on the ground floor, subject to the provisions of Section 175-113.

COMMERCIAL:

Automobile garages, excluding where repairs work is only an accessory use, subject to the requirements of Section 175-110.3 where motor vehicle painting or body work services are provided.

Automobile Parking Lots, commercial.

Bed and Breakfasts, as set forth in Section 107.3.

Day Care Facilities and schools, subject to the provisions of Section 175-107.1.F, and any necessary improvements or changes to address the considerations of that section.

Farmers' markets, and flea markets, in accordance with Section 175-44.F.

Kennels.

Shopping centers as set forth in Section 175-111.

Tobacco, smoke or vape shop.

INDUSTRIAL:

Distribution facilities, subject to the standards and criteria for industrial uses provided in Section 175-70.

Wholesale establishments with storage and processing, subject to the standards and criteria for industrial uses provided in Section 175-70.

ORGANIZATIONAL:

Schools.

MISCELLANEOUS:

Any use permitted under Section 175-39, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of Section 175-41, subject to the requirements of Section 175-136. Additional heights approved by a special use permit shall be required to increase the required setback and yard area requirements by an equivalent distance from each property line.

Conservation areas.

Communication towers, in accordance with Section 175-110.4.

Conversion of a structure originally designed and intended for occupancy as a single-family dwelling into a structure with more than one (1) dwelling.

Boarding Houses, Clubs and Lodging Houses.

Mini-warehouses, subject to the standards of Section 107-44.G.

Nursing homes, as set forth in Section 175-107.

Parking Structures.

Structures with a height between forty-five (45) feet and seventy (70) feet, and any residential structure not in conformance with the height limitation of Section 175-41.

Structures with a gross floor area of fifty thousand (50,000) square feet or more.

Townhouse-style commercial development, where the intent is to divide the property into individual lots.

- C. For the purpose of this section, "retail stores" are defined as buildings for the display and sale of merchandise at retail or for the rendering of personal services, but specifically exclusive of coal, wood and oil and lumberyards, accessory uses, adult bookstores (stores engaged in the sale of magazines and other publications of sexually-oriented nature), massage parlors and stores engaged in the sale of sexual aids, devices and merchandise.

175-47 - USES PERMITTED BY RIGHT (C-2)

- A. Subject to the standards and requirements set forth in this Chapter, except as prohibited or restricted by separate restrictions of record that may pertain to property within the C-2 District, the following uses of land and buildings are permitted by-right in the C-2 District:

RESIDENTIAL:

Conversion of existing residential and/or commercial structures into buildings with a greater number of dwelling units.

Single-family and two-family dwellings.

COMMERCIAL:

Assembly Halls.

Bakeries, when products are sold as retail on the premises.

Banks, branch banks, and financial institutions.

Barber and beauty shops.

Bed and Breakfasts.

Catering Services.

Department Stores, fifteen thousand (15,000) square feet or less.

Drugstores.

Florist shops/floral designers.

Funeral homes.

Furniture stores.

Grocery stores, fifteen thousand (15,000) square feet or less.

Hardware stores.

Laundries, Laundromats, and dry cleaners.

Motels, hotels, and tourist homes.

Newspaper and other printing establishments.

Personal Services.

Pet Shops, without boarding kennel.

Retail Stores, as defined in Section 175-47.B.

Professional and Business Offices.

Radio and television broadcasting stations, studios or offices.

Recreational Facility, Commercial.

Restaurants, excluding drive-in restaurants.

Technology business, as defined in Section [175-3](#), provided that such use does not involve broadcast or communications towers or manufacturing operations.

Theatres, Indoor.

Wearing-apparel stores.

INDUSTRIAL:

ORGANIZATIONAL:

Art galleries and museums.

Churches, excluding churches with ground level frontage on E. Main Street.

Public libraries.

MISCELLANEOUS:

Accessory uses, structures and buildings.

Clubs.

Home occupations.

Open space.

Outdoor Dining Area, in accordance with 175-118.

Public event, see [Chapter 72](#) for additional permitting requirements for entertainment festivals.

Public facilities.

Public parks and playgrounds.

Public utilities.

Signs, as set forth in Section [175-106](#).

Special childcare services.

Such other uses as determined similar to one (1) or more enumerated uses by the Zoning Administrator.

- B. For the purpose of this section, "retail stores" are defined as buildings for the display and sale of merchandise at retail or for the rendering of personal services, but specifically exclusive of coal, wood and oil and lumberyards, accessory uses, adult bookstores (stores engaged in the sale of magazines and other publications of a sexually-oriented nature), and stores engaged in the sale of sexual aids, devices and merchandise.

§ 175-118 PERFORMANCE STANDARDS FOR OUTDOOR DINING

Outdoor dining areas shall be permitted by-right as an accessory use to any lawful restaurant, cafe, or food establishment in the C-1, C-2, and applicable mixed-use zoning districts, subject to compliance with the following standards:

- A. The outdoor seating footprint cannot exceed 50% of the restaurant's indoor dining floor area.
- B. Seating must not block building exits, emergency escape routes, or fire equipment.
- C. Establishments must follow the Virginia Construction Code requirements. At least one outdoor table must be fully accessible to individuals with disabilities.

- D. Operators must use planters, ropes, or removable railings to cleanly separate the dining area from nearby pedestrian or vehicle traffic.
- E. Outdoor seating may only operate during the establishment's normal indoor business hours.
- F. Amplified music or loudspeakers are prohibited in outdoor spaces unless a separate permit is issued, and all operations must meet Chapter 106 (Noise) limits.
- G. Establishments must keep the area clean, free of litter, and provide adequate trash receptacles.

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