



TOWN COUNCIL WORK SESSION

Monday, November 6, 2017 @ 7:00pm

Town Hall Council Chambers

TOWN/STAFF RELATED ITEMS

1. Fixed Term Financing Option for New Police Department – *Director of Finance* (20 minutes)
2. IT Federal and W. Main Street Extension Update – *Town Manager/ Dir of Planning/ Zoning* (20 minutes)
3. HEPTAD Request for One-Year Extension to Submit Development Plan – *Dir of P&Z* (10 minutes)
4. Ordinance Amendment to Chapter 138 “Solicitors, Peddlers, Itinerant Merchant” – *TM* (20 minutes)
5. Write off For Bad Debt – *Director of Finance* (5 minutes)
6. Budget Amendment – Outstanding Purchase Orders – *Director of Finance* (10 minutes)
7. Joint Tourism Advisory Committee MOA – *Town Manager* (15 minutes)
8. Resolution to Shenandoah National Park Pertaining to Proposed Fee Increase – *Town Manager* (10 mi)

COUNCIL/MAYOR RELATED ITEMS:

9. Members’ Terms Expires on BAR and UFAC
10. Liaison Committee Meeting Items for November 16 Meeting
11. Plaque Wording for Former Town Hall
12. Sidewalks and Street Lights on Progress Drive – *Councilman Morrison*
13. Continued Discussion of Property Maintenance Code Amendments and Establishment of a Rental Inspection District
14. Council Discussion/Goals (*time permitting*)
15. CLOSED MEETING – Potential Revenue Sharing Agreement

Motion to Go Into Closed Meeting

I move that Council convene and go into Closed Meeting for the following purposes relating to a potential revenue sharing agreement between the Town of Front Royal and the County of Warren, for the following purposes: **1)** The discussion or consideration of the investment of public funds where bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, pursuant to Section 2.2-3711. A. 6. of the Code of Virginia; **2)** Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711. A. 7. of the Code of Virginia; and, **3)** The discussion of the award of a public contract involving the expenditure of public funds, and the discussion of the terms or scope of such contract, where discussion in an Open Session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2- 3711. A. 29. of the Code of Virginia.

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

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

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Town of Front Royal, Virginia Work Session Agenda Form

Date: November 6, 2017

Agenda Item: Fixed Term Financing Option for new Police Department

Summary: The Front Royal-Warren County E.D.A. has provided information for the Town's consideration, regarding an alternative funding option on the construction of the new Police Department. The funding option could also be used for Happy Creek Phase II.

The alternative option is a 30-year term fixed rate loan at an interest rate of 2.65%.

Council Discussion: Council is requested to discuss if the 30-year fixed term rate financing would be preferred for financing the construction of the new Police Department Headquarters.

Staff Evaluation: The rate and term is very good for a project of this magnitude.

If the Town chose to proceed with this 30-year term fixed rate long the Town would have an option of paying interest only for a maximum of seven years to allow the real estate tax rate to increase gradually to accommodate the full loan payments.

The New Market Tax Credit Program remains an option for the project. The variables for the future of the N.M.T.C. are the terms/interest rate that will be available after 7+ years when the Town is required to finance the balance of projects and what impacts the federal government may have on the N.M.T.C. in the future.

Attached you will find a comparison of the estimated costs for the N.M.T.C. program, the 30-year term fixed rate loan, and one possible variation of real estate tax increases based on current assessments.

Budget/Funding: The Town would have an option to pay interest only to allow additional time for funding. In FY2021 there will be approximately \$140,000 of debt service paid to the EDA that will be ending, so FY2022 the \$140,000 could be allocated toward the police dept loan. Also, in FY2022 there will be an additional \$150,000 of debt service that will be ending that could be allocated in FY2023 toward the police department loan or other projects.

Legal Evaluation: Town Attorney will be present for questions.

Staff Recommendations: The variables in the New Market Tax Program are the interest rate/terms that will be available in 7+ years and possible impacts of the federal government on the program. A fixed rate term would allow the Town to know the amounts due and would allow the Town to prepare financially for the impact.

Planning Commission Recommendation: (N/A)

Town Manager Recommendation: (The Town Manager will provide input on the issue and make his recommendations to council.)

Council Recommendation:

☐ Additional Worksession
 ☐ Regular Meeting
 ☐ No Action





TOWN OF FRONT ROYAL

DEPARTMENT OF FINANCE

102 E. MAIN STREET

P.O. BOX 1560

B.J. Wilson
Director of Finance
bwilson@frontroyalva.com

(540) 635-7799
(540) 635-2298 fax

DATE: OCTOBER 25, 2017

TO: FRONT ROYAL MAYOR & TOWN COUNCIL
CC: JOE WALTZ

FROM: B. J. WILSON, DIRECTOR OF FINANCE

RE: 30 YEAR FIXED TERM

The Front Royal-Warren County E.D.A. has provided information for the Town's consideration, regarding an alternative funding option on the construction of the new Police Department. The funding option could also be used for Happy Creek Phase II.

The alternative option is a 30-year term fixed rate loan at an interest rate of 2.65%, which is a very good rate for a project of this magnitude and a term.

If the Town chose to proceed with this 30-year term fixed rate long the Town would have an option of paying interest only for a maximum of seven years to allow the real estate tax rate to increase gradually to accommodate the full loan payments.

The New Market Tax Credit Program remains an option for the project. The variables for the future of the N.M.T.C. are the terms/interest rate that will be available after 7+ years when the Town is required to finance the balance of projects and what impacts the federal government may have on the N.M.T.C. in the future.

Attached you will find a comparison of the estimated costs for the N.M.T.C. program, the 30-year term fixed rate loan, and one possible variation of real estate tax increases based on current assessments.

Estimated Expense & Revenues Associated with Buidling of Police Department Headquarters

	NEW MARKET TAX CREDIT PROGRAM		Estimated Interest Only on \$11 Million (2.65% rate)	Estimated Full Debt Service on \$11 Million (2.65% for 30 Years)	R/E TAX REVENUE ALLOCATED TO POLICE DEPT HQ		
	Interest Only Paid on \$11 Million Minimum 7 Years	\$7.7 Million Loan (70% of \$11 Million) (3.25% for 20 Years)			Total R/E Tax Rate Per \$100	Possible R/E Tax Rate Increase	Estimated Police Dept HQ R/E Tax Allocation
FY2018	\$165,000				\$ 0.135		\$ 242,500
FY2019	\$165,000		\$291,500		\$ 0.145	\$ 0.010	\$ 347,500
FY2020	\$165,000		\$291,500		\$ 0.155	\$ 0.010	\$ 452,500
FY2021	\$165,000			\$536,125	\$ 0.165	\$ 0.010	\$ 557,500
FY2022	\$165,000			\$536,125	\$ 0.168	\$ 0.003	\$ 589,000
FY2023	\$165,000			\$536,125	\$ 0.168	-	\$ 589,000
FY2024	\$165,000			\$536,125	\$ 0.168	-	\$ 589,000
FY2025	\$165,000			\$536,125	\$ 0.168	-	\$ 589,000
FY2026	\$165,000	\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2027		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2028		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2029		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2030		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2031		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2032		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2033		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2034		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2035		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2036		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2037		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2038		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2039		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2040		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2041		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2042		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2043		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2044		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2045		\$525,950		\$536,125	\$ 0.168	-	\$ 589,000
FY2046				\$536,125	\$ 0.168	-	\$ 589,000
FY2047				\$536,125	\$ 0.168	-	\$ 589,000
FY2048				\$536,125	\$ 0.168	-	\$ 589,000
FY2049				\$536,125	\$ 0.168	-	\$ 589,000
FY2050				\$536,125	\$ 0.168	-	\$ 589,000
SUBTOTAL	\$1,485,000	\$10,519,000	\$583,000	\$16,083,750			
TOTAL INTEREST & DEBT EXP		\$12,004,000		\$16,666,750			

*All figures are based on current estimated expenses, revenues, & assessments all of which are subject to change

10/25/2017

2

Town of Front Royal, Virginia Work Session Agenda Form

Date: November 6, 2017

Agenda Item: Update on IT Federal revised Site Plan and Royal Phoenix Master Plan.
Town Manager / Director of Planning & Zoning

Summary:

IT FEDERAL SUMMARY: The original IT Federal site plan was approved in 2014, which authorized the applicant to apply for permits to begin construction. However, this has not occurred to-date, and the applicant has submitted in a revised site plan that includes changes. Some of the proposed changes are significant, and require Town Council's approval. In particular, the site plan now specifies that the Town of Front Royal is responsible for the construction and maintenance of the pump station, stormwater facilities, and force main. The original site plan called for these facilities to be the responsibility of the applicant.

IT FEDERAL STATUS: The applicant has been advised that Staff can only issue a conditional approval of the revised site plan, subject to final approval by Town Council due to the changes to the pump station, stormwater facilities and force main. No cost estimates have been provided. A copy the original site plan response letter from the applicant is attached which specifies that the facility would be a private facility.

ROYAL PHOENIX MASTER PLAN SUMMARY: The EDA's engineer, Pennoni, has also prepared a master plan and traffic study for the Royal Phoenix Redevelopment Project. In 2014, when the rezoning and site plan was approved by the Town, a proffer was approved by Town Council that required the EDA to submit these two documents for review and approval by the Town before future development may occur, excluding IT Federal, which was authorized to proceed to construction. This was done to ensure that the Town Code requirements were met, and to ensure that the use and traffic was adequately planned for. It was also done to allow IT Federal to proceed forward. The traffic study recently submitted by Pennoni includes numerous significant off-site improvements that were recommended in the study.

ROYAL PHOENIX MASTER PLAN STATUS: Pennoni is working on a phasing plan and cost estimates for the recommended off-site transportation improvements. Once this information is provided, the Town and applicant will be more able to discuss the timing of when each of the recommended transportation improvements should be constructed and how much the improvements will likely cost. It will then need to be determined who is paying for these improvements. A copy of the "Conclusion" page of the traffic study is attached along with a small copy of the master plan and a copy of the original proffers.

Council Discussion: This agenda item is scheduled for a work session review on 11/06/17.

Staff Evaluation: Staff will be available at the work session for questions.

Budget/Funding: Not yet determined, but potentially significant.

Legal Evaluation: The Town Attorney will be available at the work session for questions.

Town Manager: The acting Town Manager will be available at the work session for questions.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action

Consensus Poll on Action: ____ (Aye) ____ (Nay)

Work Session



8. CONCLUSIONS

This study investigated the impacts of future traffic patterns due to regional growth, build-out of the Royal Phoenix development, and the proposed extension of W. Main St from Kerfoot Ave to Kendrick Lane, in order to determine adequacy of existing and proposed traffic facilities for design year 2030.

Adequacy of New Roadway – W. Main St Extended is being designed as a 3-lane section with auxiliary left-turn lanes at intersections for Royal Phoenix entrances. Capacity analysis indicates that the proposed roadway design would adequately support the forecast traffic.

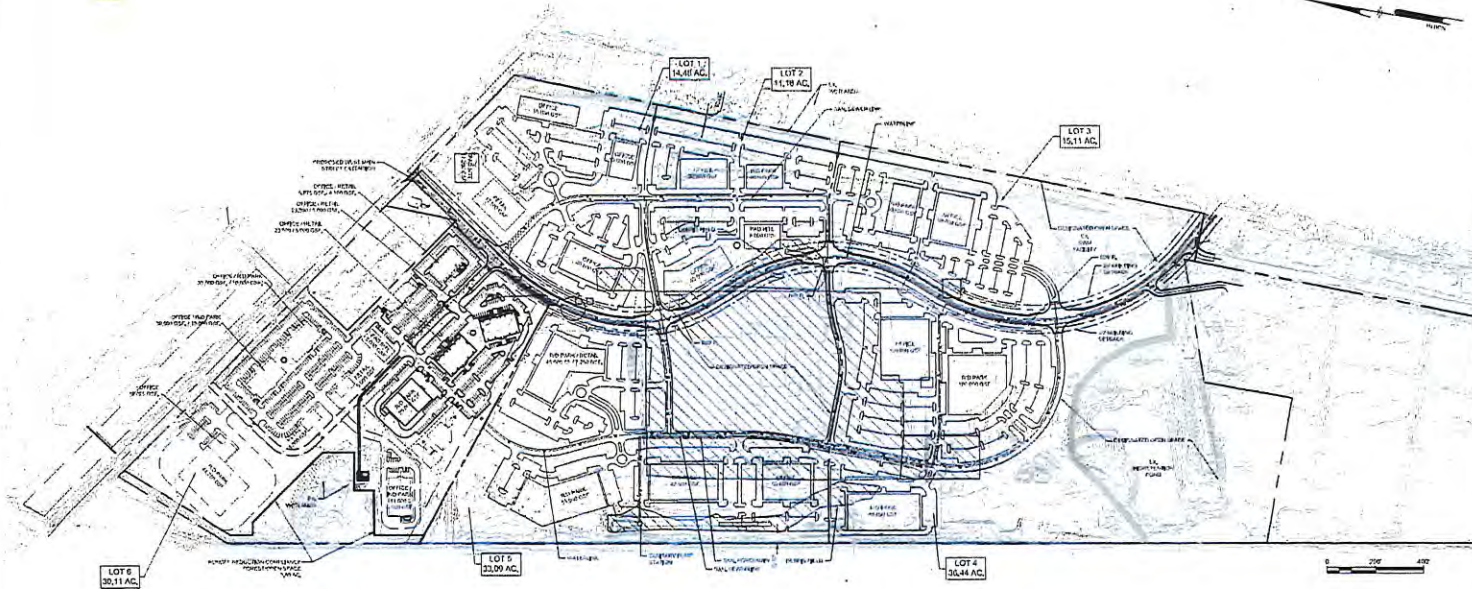
Adequacy of Existing Facilities – For off-site facilities, the following intersections are projected to require mitigation to maintain delay and queues at acceptable levels:

- N. Shenandoah Ave. at W. 14th St (Intersection 1) – addition of an additional northbound and southbound lane on N. Shenandoah Ave through the intersection (would require physical widening of the north leg)
- N. Royal Ave at E./W. 6th St (Intersection 2) – modification of lane usage on the eastbound and westbound E./W. 6th St approaches
- Kendrick Ln at N. Shenandoah Ave (Intersection 3) – consider a single-lane roundabout with by-pass lanes for the eastbound thru, westbound right, and southbound right movements
- S. Royal Ave/Stonewall Jackson Hwy at E./W. Criser Rd – adjust traffic signal timing

Livability Impacts on Affected Residential Areas – The Town also expressed concern for the safety and comfort of residents along the mostly residential existing roadways – Kerfoot Ave and existing W. Main St – that may see negative consequences due to the projected commercial traffic related to the Royal Phoenix development. The following measures were investigated and conceptual level recommendations are offered in this study to help mitigate those concerns:

- Traffic calming measures in the form of:
 - Pavement markings/lane narrowing
 - Raised crosswalks
- Through truck traffic restriction with appropriate signage

It is the opinion of Pennoni that with the implementation of these mitigation strategies, the study area road network can adequately and safely accommodate the additional traffic and traffic patterns associated with the construction of W. Main St Extended and full build-out of the Royal Phoenix development, as well as minimize impacts to residential neighborhoods in the site vicinity. Site phasing for initial development can be accommodated beyond the current tenants at Lot 6, but have not been phased into the ultimate study.

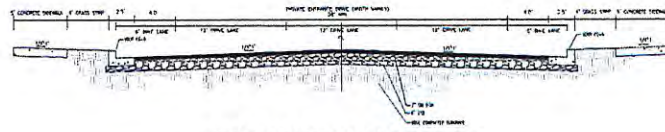


SITE DEVELOPMENT SUMMARY

[illegible]

6213

- [illegible]

**WEST MAIN STREET ROAD SECTION**

LOT#	LOT AREA	OFFICE	R/D PARK	RETAIL	PAD SITES
LOT 1	14.48 ACRES	70,000 GSF	0	17,500 GSF	12,000 GSF
LOT 2	11.16 ACRES	72,000 GSF	20,000 GSF	0	8,000 GSF
LOT 3	15.11 ACRES	60,000 GSF	30,000 GSF	0	0
LOT 4	35.44 ACRES	100,000 GSF	145,000 GSF	0	0
LOT 5	33.09 ACRES	50,000 GSF	142,500 GSF	7,250 GSF	0
LOT 6	38.11 ACRES	155,900 GSF	89,750 GSF	24,100 GSF	8,000 GSF

OPEN SPACE TABULATIONS:
TOTAL AREA FOR BARREL 3

TOTAL AREA FOR PARCEL TM20A1-3-7 AND TM20A1-3-7D: 147.38 AC.
TOTAL OPENSOURCE AREA REQUIRED: 30% (44.22 AC.)
TOTAL OPENSOURCE AREA PROVIDED: 30% (44.25 AC.)

Pennoni

PERHONI ASSOCIATES INC.
117 East Flockley Street
Winchester, VA 22601
T 540.657.2122 F 540.665.0193



ALL CLAIMS MUST BE VERIFIED BY CONTRACTOR
AND OWNER MUST BE NOTIFIED OF ANY
DISCREPANCIES BEFORE WORKING

ROYAL PHOENIX
MASTER DEVELOPMENT PLAN
TOWN OF FRONT ROYAL, VIRGINIA

[illegible]

rev 9/17



OFFICIAL RECEIPT
WARREN COUNTY CIRCUIT
DEED RECEIPT

DATE: 01/30/15 TIME: 11:24:43 ACCOUNT: 187CLR150000415 RECEIPT: 15000000894
CASHIER: SFK REG: WK35 TYPE: OTHER PAYMENT: FULL PAYMENT
INSTRUMENT : 150000415 BOOK: PAGE: RECORDED: 01/30/15 AT 11:24
GRANTOR: INDUSTRIAL DEVELOPMENT AUTHORITY EX: N LOC: CO
GRANTEE: TOWN OF FRONT ROYAL EX: N PCT: 100%

AND ADDRESS : , . .
RECEIVED OF : TOWN OF FRONT ROYAL

CHECK: \$21.00 037063

DESCRIPTION 1: PROFFER STATEMENT
2:

PAGES: 4 OP: 0
NAMES: 0

CONSIDERATION: .00 A/VAL: .00 MAP:
PIN:

301 DEEDS	14.50	145 VSLF	1.50
106 TECHNOLOGY TRST FND	5.00		

TENDERED : 21.00
AMOUNT PAID: 21.00
CHANGE AMT : .00

CLERK OF COURT: JENNIFER R. SIMS

PAYOR'S COPY
RECEIPT COPY 1 OF 2

WARREN COUNTY, VIRGINIA
COUNTY CLERK
000001 JAN 30 12

PROFFER STATEMENT

REZONING: RZ# 14-10-71

CURRENT ZONING: Industrial Employment (I-2) District
[Town Code, Sections 175-64 through 175-53.73, as the same from time to time may be amended, or their successor ordinances.]

PROPOSED ZONING: Mixed-Use Campus Development (MCD District
[Town Code, Sections 175-53.9 through 175-53.16, as the same from time to time may be amended, or their successor ordinances.]

PROPERTY: approximately 147 acres
Tax Parcel #20-A1-3-7

APPLICANT/OWNER: Industrial Development Authority of the Town of Front Royal and The County of Warren County (also referred to as the Economic Development Authority)

PROJECT NAME: Royal Phoenix Redevelopment (Avtex Property)

DATE OF PROFFERS: October 15, 2014

EXHIBITS: Exhibit A: Concept Plan

Preliminary Matters

Pursuant to Section 15.2-2296 et. seq. of the Code of Virginia, 1950, as amended, and the provisions of the Town of Front Royal Zoning Ordinance with respect to conditional zoning, the undersigned Applicant hereby voluntarily agrees to the terms and conditions set forth herein, provided that the Town of Front Royal approves Rezoning Application #14-10-71 for the rezoning of the subject property, as referenced above, consisting of approximately 147 acres, from the Industrial Employment (I-2) District to the Mixed-Use Campus Development (MCD) District. The terms and conditions set forth herein may be subsequently amended, revised, or withdrawn by the Applicant if approved by the Town of Front Royal, in accordance with the Virginia Code and Town Code. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and have no effect whatsoever.

Terms & Conditions (Proffers)

000002 JAN 30 12

A. Phasing

1. Except as described under subsection A.2., the Applicant hereby proffers that development of the subject property shall be limited initially to the 30-acre tract of land that is illustrated on the attached Concept Plan, herein referenced as "Exhibit A", and identified as Lot 6 Development of any or all of the remainder of the property shall require separate approval by the Town of Front Royal, after submission by the applicant of one or more Concept Plans and Traffic Impact Analyses (TIAs) that account for development of the full subject property, or any additional parts thereof, and such documents are accepted and approved by the Town of Front Royal, in accordance with the Virginia Code and Town Code, subject to the consideration of impacts to the Town, and the possible mitigation of such impacts.
2. Development of utilities, access, or other improvements that are necessary to permit the development of lot 6 in substantial conformance with Exhibit A are not restricted by proffer A.1., as shown above.

B. Signatures

The conditions proffered above shall be binding upon the heirs, executors, administrators, assigns, and successors in the interest of the Applicant and owner. In the event the Front Royal Town Council grants this rezoning and accepts the conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the Front Royal Town Code, as the same from time to time may be amended, or their successor ordinances. This Proffer Statement

supersedes any proffer statements previously submitted in connection with this application and this Property.

000003 JAN 30 -

OWNER'S SIGNATURE: [Signature] 12-1-14
PRINT SIGNATURE: Jennifer R. McDonald
TITLE: Executive Director
ADDRESS: 4000 Kendrick Ln. Front Royal VA 22630

WITNESS: _____

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN, TO-WIT:

SUBSCRIBED AND SWORN TO BEFORE ME THIS 1 DAY OF December, 2014, BY Jennifer R. McDonald, WHOSE SIGNATURE IS EXECUTED ABOVE TO THE FOREGOING INSTRUMENT AND WHO HAS APPEARED THIS DAY BEFORE ME, Michelle Henry, A NOTARY PUBLIC IN AND FOR THE COMMONWEALTH OF VIRGINIA AT LARGE.

MY COMMISSION EXPIRES ON THE 30th DAY OF April, 2018

Michelle Henry
NOTARY PUBLIC

Registration Number: 7360170

TOWN APPROVAL SIGNATURE: [Signature]
PRINT SIGNATURE: Timothy W. Darr
TITLE: Mayor, Front Royal
ADDRESS: PO Box Front Royal VA 22630

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN, TO-WIT:

SUBSCRIBED AND SWORN TO BEFORE ME THIS 8th DAY OF December, 2014, BY Timothy W. Darr, WHOSE SIGNATURE IS EXECUTED ABOVE TO THE FOREGOING INSTRUMENT AND WHO HAS APPEARED THIS DAY BEFORE ME, Jennifer E. Berry, A NOTARY PUBLIC IN AND FOR THE COMMONWEALTH OF VIRGINIA AT LARGE.

MY COMMISSION EXPIRES ON THE 30th DAY OF November, 17

Jennifer E. Berry
NOTARY PUBLIC

Registration Number: 30601003



000004 JAN 30 12

INSTRUMENT #150000419
RECORDED IN THE CLERK'S OFFICE OF
WARREN COUNTY ON
JANUARY 30, 2012 AT 11:24AM

JENNIFER R. SIMS, CLERK
RECORDED BY: SFR



3

Town of Front Royal, Virginia Work Session Agenda Form

Date: November 6, 2017

Agenda Item: HEPTAD, LLC – Request for One-Year Extension to Submit Development Plan.
Director of Planning & Zoning

Summary:

Attached is a letter from Robert J. Light, legal counsel for HEPTAD, LLC. The letter is a request for the Town to extend the Town Code deadline for HEPTAD, LLC to submit a development plan. Specifically, Town Code 175-37.18 requires that a development plan be submitted within one (1) year of approval of the Master Land Use Plan. However, the Town Code allows this deadline to be extended by Town Council. Last year Town Council approved a one-year extension that expires on December 3, 2017.

The attached letter from the Applicant acknowledges that the construction of the road has removed an obstacle, but *“the challenge has now shifted to attracting a buyer willing to undertake the design and construction of an entirely new development in the Front Royal area upon the terms and conditions of the rezoning proffers.”*

HEPTAD, LLC is the owner of the proposed development referred to as Swan Estates, or simply as HEPTAD. This property was conditionally rezoned to the PND District in 2012. The proffers include a limit of 450 dwellings on the 98.25-acre property. The portion of the property on the east side of LRP is designated for commercial uses and adjoins the property owned by Valley Health. Cash proffers are included to the Town for construction of LRP and to the County for impact to the public school system. A future road connection to Westminster Drive is also included in the proffers.

Council Discussion: This agenda item is scheduled for a work session review on 11/06/17.

Staff Evaluation: Without Leach Run Parkway it is understandable that it would be challenging to market the property. However, for a good part of this past year, Leach Run Parkway has been open, and the market appears to be relatively strong. Staff would recommend that an extension be provided this year, but that it be specified that it will be the final extension.

Budget/Funding: None.

Legal Evaluation: The Town Attorney will be available at the work session for questions.

Town Manager: The acting Town Manager will be available at the work session for questions.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)



LAWSON AND SILEK, P.L.C.

43 CHESTER STREET
POST OFFICE BOX 602
FRONT ROYAL, VIRGINIA 22630
TELEPHONE: (540) 635-9415
FACSIMILE: (540) 635-9421
EMAIL: RLIGHT@LAWSONANDSILEK.COM

September 27, 2017

Jeremy F. Camp, Director
Department of Planning & Zoning
Town of Front Royal
102 East Main Street
Front Royal, Virginia 22630

RE: Heptad – Request for One-Year Extension on Development Plan

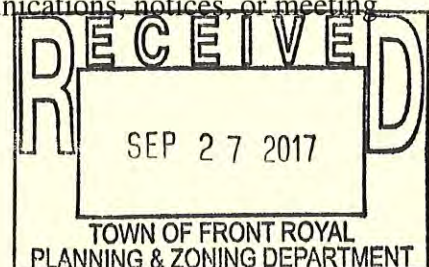
DELIVERED BY HAND DELIVERY

Dear Jeremy:

As you know, pursuant to Town Code §175-37.18, the Town Council granted Heptad an extension on the requirement to file the Development Plan required by the Town Code. The extension is scheduled to expire on December 3, 2017. I am writing this letter on behalf my client to request from the Town Counsel an additional one-year extension of the Development Plan requirement to December 3, 2018. Please treat this letter as Heptad's statement of justification for such a request.

My client has continued to actively and diligently market the property. The completion of Leach Run Parkway has removed an obstacle which hampered Heptad's contract discussions in the past. Nevertheless, the challenge has now shifted to attracting a buyer willing to undertake the design and construction of an entirely new development in the Front Royal area upon the terms and conditions of the rezoning proffers. An additional one-year extension would hopefully provide sufficient time to enter into a contract with such buyer/developer and thereby be in a position to submit the Development Plan next year.

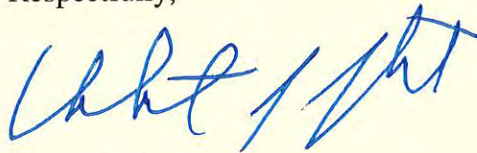
We respectfully request that this matter be placed on the earliest Town Council work session agenda for discussion and eventual placement on the Council's regular meeting agenda for approval. We also ask that you copy us with any Town communications, notices, or meeting agendas referencing this request.



Jeremy F. Camp
September 27 2017
Page Two (2)

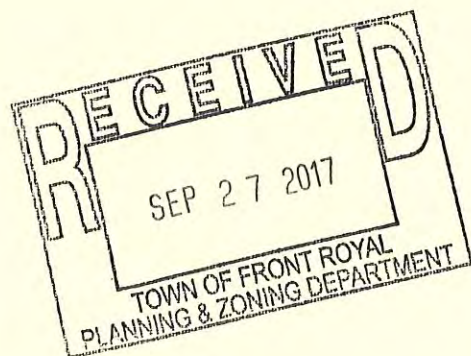
Thank you in advance for your assistance, and please contact Joe or me with any additional questions.

Respectfully,



Robert J. Light

Cc: Heptad, LLC



November 28, 2016 Regular Meeting

COUNCIL APPROVAL – HEPTAD – One Year Extension to Submit Development Plan

Councilman Tewalt moved, seconded by Connolly that Council approve a request from HEPTAD, LLC for a one-year extension to submit their required development plan for property referred to as Swan Estates (HEPTAD) until December 3, 2017.

Vote: Yes – Connolly, Egger, Hrbek, Meza, Tewalt and Tharpe No –

N/A

Abstain – N/A Absent

– N/A

(Mayor Darr did not vote as there was no tie to require his vote)

4



Town of Front Royal, Virginia Work Session Agenda Form

Date: November 6, 2017

Agenda Item: Ordinance Amendment to Chapter 138 "Peddlers, Solicitors, Itinerant Merchants"

Summary: On March 14, 2016 Council approved and amended Chapter 138 in its entirety not only to expand the use of food trucks but specifically define and regulate the sales of Peddlers, Solicitors and Itinerant Merchants. Since March 2016 Town Staff has encountered issues with the permitting process that interferes with streamlining permits to satisfy the Town's customer service goals. Various members of staff have reviewed the amendments and have approved the revisions as presented. Specific revisions to Chapter 138 include but not limited to:

- removing the application information so they may be updated as needed without revising the Town Code;
- changing the permit application process from the Town Manager's Office to the Planning and Zoning Office and Finance Department to streamline the process more effectively and efficiently;
- changing finger and thumb prints to background checks for solicitors, due to the police department not having this option readily available to them in their department and also to streamline the process for applicants since background checks can be performed more efficiently with same results;
- using state code definition for the exemption of home grown products as suggested by the Town Attorney
- reducing the permitting process from thirty (30) days to (10) business days to enhance customer service

Council Discussion: Council is requested to consider the revisions as presented.

Staff Evaluation: Staff will be available

Budget/Funding: The Director of Finance will be available.

Legal Evaluation: The Town Attorney will be available.

Staff Recommendations: Staff recommends that Council direct staff to advertise for a public hearing.

Town Manager Recommendation: Town Manager will be available.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action

Consensus Poll on Action: ____ (Aye) ____ (Nay)

AN ORDINANCE TO AMEND FRONT ROYAL TOWN CODE CHAPTER 138 PERTAINING TO PEDDLERS, SOLICITORS AND ITINERANT MERCHANTS

WHEREAS, Chapter 138 was amended in its entirety March 14, 2016 to not only expand the use of food trucks but specifically define and regulate the sales of Peddlers, Solicitors and Itinerant Merchants; and

WHEREAS, since March 2016 Town Staff has encountered issues with the permitting process that interferes with streamlining permits to satisfy the Town's customer service goals; and,

NOW THEREFORE, BE IT ENACTED, by the Town Council of the Town of Front Royal, Virginia, that Chapter 138 of the Front Royal Town Code is hereby amended as follows and is effective January 1, 2018:

Chapter 138

PEDDLERS, SOLICITORS AND ITINERANT MERCHANTS

138-1 PERMIT REQUIRED

To promote the safety of residents, it shall be unlawful for any person to engage in the business of a **Peddler, Itinerant Merchant, or Commercial Solicitor** ~~peddling, itinerant merchandising, or soliciting~~ as defined in this Chapter, within the limits of Front Royal, Virginia, without first obtaining a permit as provided herein. Issuance of a permit does not relieve an individual from obtaining a business license (Town Code Chapter 98) from the Town's Finance Department prior to engaging in operation **of** ~~in the business. of peddling, itinerant merchandising, or soliciting.~~

138-2 DEFINITIONS

ITINERANT MERCHANT - One who offers merchandise, goods, food or services for sale or barter from a stationary but temporary site within the Town.

PEDDLER - One who moves from place to place within the Town and offers merchandise, goods, food or services for sale or barter at no definite place of business.

STREET; ROAD - A public thoroughfare, except an alley, driveway or parking area, which affords vehicular traffic circulation and principal means of access to abutting property.

TOWN- Front Royal, Virginia.

TOWN MANAGER - The Town Manager of Front Royal, Virginia or their designated agent.

SOLICITOR (Commercial Solicitor) - Any person, whether a principal, agent, or salesman, who engages in transient business by going from residence to residence for the purpose of taking orders or offering to take orders for the sale of goods, wares, or merchandise or taking orders for services to be performed in the future. A commercial solicitor shall not carry goods, ware, or merchandise except for display purposes only, and shall not sell items directly.

VEHICLE- Every device in, upon or by which any person or property is or may be transported or drawn including any wheeled conveyance.

138-3 PERMIT APPLICATION

A. Applicants for permits under this Chapter must file with the **Town's Planning and Zoning Department** ~~Town Manager~~ a sworn application ~~in writing on a form~~ to be furnished by the Town. ~~which shall give the following information:~~

- ~~1. Name, date of birth, social security number (optional), contact phone number, address and email address.~~
- ~~2. Address.~~
- ~~3. A brief description of the nature of the business and the goods to be sold.~~
- ~~4. Driver's License Number or State ID Number. (Additional information required for non-exempt applications)~~
- ~~5. If employed, the name and address of the employer, federal employment identification number (optional), together with a written employment contract or other written document from the employer establishing the exact relationship.~~
- ~~6. The location and the length of time during the current year when the peddling or itinerant merchandising will take place in the Town.~~
- ~~7. Name and address of Virginia registered agent, if there is a registered agent for the business.~~
- ~~8. If a vehicle is to be used, a description of the same, together with the license number or other means of identification.~~
- ~~9. Proof of Virginia retail sales tax registration and the retail sales tax number issued, if applicable.~~
- ~~10. Proof of approval by the Virginia Department of Health for sale of food products.~~
- ~~11. The finger and thumb prints of the applicant shall be taken at the time of application, will apply only to solicitors.~~
- ~~12. The names and contact phone numbers of at least two (2) persons who will certify as to the applicant's good character and business responsibility, or in lieu of the names of references, any other available evidence as to the good character and business responsibility of the applicant as will enable an investigator to promptly evaluate such character and business responsibility.~~

~~13. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation, the nature of the offense and the penalty affixed therefor.~~

~~13. The application shall provide a two (2) recent front facing passport size photographs which accurately depicts the applicant's appearance at the time of application.~~

B. At the time of filing of the application for permit, a fee of twenty dollars (\$20.00) shall be paid to the Town Manager, to cover the cost of investigation and processing of the application. There shall be no fee **for those who are deemed exempt as defined in 138-4.** ~~an exemption application.~~

C. At the time of filing, the applicant application shall provide a ~~two (2) recent~~ front facing passport size photograph which accurately depicts the applicant's appearance at the time of application.

D. A background check will be performed on all applicants for Commercial Solicitor's permits by local law enforcement.

E. All Peddlers and Itinerant Merchants **applicants** shall obtain approval from the **Town's** Department of Planning and Zoning prior to selling from private property. Approval shall be based upon submittal of a plat, site plan, or sketch plan identifying the location of the property on which the activity is to be conducted and showing the location of the structure from which the sale or exchange activity will occur, the area under the control of such person, parking spaces and provisions for well-defined vehicular entrances and exits. ~~Such application shall state the name, address and telephone number of the person or persons conducting the activity, the days and hours of operation, and shall include evidence of the property owner's permission to use the property, as required above, as well as a copy of the approved plat or site plan. A copy of the permit issued by the Town Manager or the designee as well as a copy of the approved plat, site plan, or sketch plan and the written permission of the property owner shall be kept at the site of the activity.~~

138-3.1 4 QUALIFYING FOR AN EXEMPTION FROM PERMIT REQUIREMENTS

A. The following shall be exempt from the permit application fee ~~requirements~~ but shall be required to **submit a permit application** and comply with Sections 7, 8, 9, and 10 of this Chapter:

- ~~1. Persons selling fresh farm products or family supplies in accordance with Virginia Code Section 58.1-3717;~~ **Persons selling farm or domestic products or nursery products, ornamental or otherwise, or for the planting of nursery products, as an incident to the sale thereof, outside of the regular market houses and sheds of the Town, provided such products are grown or produced by the person offering them for sale; and peddlers at wholesale or to those who sell or offer for sale in person or by their employees, ice, wood, charcoal, meats, milk, butter, eggs, poultry, game, vegetables, fruits or other family supplies of a perishable nature or farm products grown or produced by them and not purchased by them for sale. A dairyman who uses upon the streets of the Town in one or more vehicles may sell and deliver from his vehicles, milk, butter, cream and eggs in Town without procuring a peddler's license.**

2. Persons selling newspapers;
 3. Persons selling for wholesale concerns who only solicit orders from or sell to retail dealers in Front Royal for resale or other commercial purposes or to manufacturers for manufacturing or other commercial purposes;
 4. Wholesalers soliciting orders or selling to others for retail, resale, or upon manufacturers for manufacturing and selling at wholesale at place of manufacture;
 5. Children of or under the age of 16, except when they are acting as agents of adults covered by this article;
 6. Delivery of food or merchandise ordered by phone, internet, or mail from a fixed place of business issued a business license for operation;
 7. Merchants selling food and merchandise during a Special Event that has been issued permit by the Town; and
 8. Tax exempt civic, charitable, government or educational organizations. ~~receiving a waiver of this Chapter by the Town Manager.~~
- B. All persons qualifying for exemptions from this Section must present proof of such qualification ~~to the Town Manager upon completion of application and be granted exemption from the permit requirements of this Chapter as provided in Section 138-3.1.~~

~~138-3.2 APPLICATION FOR PERMIT OR EXEMPTION~~

- ~~A. Applicants for permits under this Chapter must file with the Town Manager a sworn application in writing on a form to be furnished by the Town, which shall give the following information:~~
- ~~14 Name, date of birth, social security number (optional), contact phone number, and email address.~~
 - ~~15 Address.~~
 - ~~16 A brief description of the nature of the business and the goods to be sold.~~
 - ~~17 Driver's License Number or State ID Number. (Additional information required for non-exempt applications)~~
 - ~~5. If employed, the name and address of the employer, federal employment identification number (optional), together with a written employment contract or other written document from the employer establishing the exact relationship.~~
 - ~~6. The location and the length of time during the current year when the peddling or itinerant merchandising will take place in the Town.~~

- ~~7. Name and address of Virginia registered agent, if there is a registered agent for the business.~~
 - ~~8. If a vehicle is to be used, a description of the same, together with the license number or other means of identification.~~
 - ~~9. Proof of Virginia retail sales tax registration and the retail sales tax number issued, if applicable.~~
 - ~~10. Proof of approval by the Virginia Department of Health for sale of food products.~~
 - ~~11. The finger and thumb prints of the applicant shall be taken at the time of application, will apply only to solicitors.~~
 - ~~1. The names and contact phone numbers of at least two (2) persons who will certify as to the applicant's good character and business responsibility, or in lieu of the names of references, any other available evidence as to the good character and business responsibility of the applicant as will enable an investigator to promptly evaluate such character and business responsibility.~~
 - ~~2. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation, the nature of the offense and the penalty affixed therefor.~~
 - ~~12. The application shall provide two (2) recent front facing passport size photographs which accurately depict the applicant's appearance at the time of application.~~
- ~~B. At the time of filing of the application for permit, a fee of twenty dollars (\$20.00) shall be paid to the Town Manager, to cover the cost of investigation and processing of the application. There shall be no fee for an exemption application.~~

138-4 5 INVESTIGATION AND ISSUANCE OF PERMITS

Upon receipt of such **completed** application **and required background check**, the original shall be referred to the Town Manager, who shall make an investigation of the applicant's business responsibility and character. the Town Manager **or his designee** shall endorse on the application their approval, execute a permit addressed to the applicant for the carrying on of the business applied for **and submit executed permit to the Town's Finance Department for payment of business license tax as defined in Chapter 98 of the Town Code.** and deliver to the applicant their permit. Such permit shall contain the signature of the issuing officer and shall show the name, address and photograph of said applicant, the kind of goods to be sold thereunder, the date of issuance and the length of time the same shall be operative, as well as the permit number and other identifying description of any vehicle used in such peddling or itinerant merchandising. The Finance Department Town Manager shall keep a permanent record of all permits issued.

~~A. Unless the Town Manager determines otherwise After completion of an investigation, the Town Manager will issue the applicant a~~ **Permits** ~~shall be~~ **approved or denied** ~~issued within thirty (30)~~ **ten (10) business** days following the date of the filing of the application.

~~B. After investigation and finding that the health, safety, and welfare of the public so demands, the Town Manager may refuse to issue a permit to an applicant for reasons including, but not limited to, the following:~~

- ~~1. Conviction of any felony or crime of moral turpitude (including, by way of illustration and not limitation, crimes of sexual misconduct and distribution of controlled substances or paraphernalia) within the five (5) years immediately preceding the date of filing of the application.~~
- ~~2. Fraud, misrepresentation or intentional false statement of material or relevant facts contained in the application.~~
- ~~3. Lack of necessary permits or licenses to conduct the business proposed to be conducted.~~

~~C. The Town Manager shall endorse on the application their approval, execute a permit addressed to the applicant for the carrying on of the business applied for and deliver to the applicant their permit. Such permit shall contain the signature of the issuing officer and shall show the name, address and photograph of said applicant, the kind of goods to be sold thereunder, the date of issuance and the length of time the same shall be operative, as well as the permit number and other identifying description of any vehicle used in such peddling or itinerant merchandising. The Finance Department Town Manager shall keep a permanent record of all permits issued.~~

~~D. In determining whether the applicant's character and business responsibility is satisfactory, the Town Manager, or their designated agent, shall consider evidence revealed by the investigation which shows honesty, reliability, and knowledge of the business to be engaged in. A permit shall be denied or revoked if the applicant is shown to be guilty of moral turpitude. In the event the results of the initial investigation are unclear as to the nature of the applicant's character and business responsibility, an additional investigation of the applicant shall be made.~~

138-5-6 TRANSFER

No permit or ~~exemption letter~~ issued under the provisions of this Chapter shall be used by any person other than the one to whom it was issued.

138-6-7 RENEWAL

All permits issued under the provisions of this Chapter shall be valid ~~from the date issued and shall expire on December 31 of the year of issuance regardless of the date issued. The holder of any permit may seek renewal thereof upon the filing of a written renewal application. The renewal application shall reflect any information changed from the previous year's application and it shall be approved upon verification by the Town Manager that the applicant for renewal has complied with the laws of the Commonwealth.~~ **for the calendar year they are issued, beginning from the date of issuance, and expiring on December 31 of each calendar year. Permits shall be renewed for subsequent calendar years, without the requirement for a new permit application, if the applicant files to renew their business license with the Department of Finance by March 1 of the calendar year, and submits written verification that there are no changes from the previous year's application. A new permit application shall be required if there are changes from the previous year's application, or if the filing of a renewal occurs after March 1 of the calendar year.**

138-7 8 ——— PEDDLING AND ITINERANT MERCHANDISING RESTRICTIONS

No Peddler, **Commercial Solicitor** or Itinerant Merchant shall have any exclusive right to any location on public property, nor shall he or she:

- A. be permitted a stationary location on any public sidewalk or street;
- B. display any sign on a street, sidewalk, or other public place visible to vehicular traffic, except for signs that are actually imprinted on the exterior body of a licensed motor vehicle;
- C. make any sale or delivery to any person while such person is located in the **street, as defined in 138-2** roadway;
- D. make any sale, offer or delivery to any driver or passenger in a motor vehicle while the motor vehicle is stopped at a red light or while in a moving traffic lane;
- E. conduct business from any street or center median strip of any street;
- F. restrict access to any legally parked vehicle;
- G. operate in any other way that would restrict the flow of pedestrian or vehicular traffic;
- H. conduct any business on any private or public property, street, or sidewalk between the hours of 10:00 pm and 6:00 am except if operating through a Special Events Permit issued by the Town
- I. leave a vehicles **and/or equipment** overnight at the approved location. All **vehicles and equipment must be removed from the site by the end of the business day, unless prior approval from the property owner has been received and submitted to the Town Manager or his designee for verification, excluding those permitted at the Flea Market as specified in Chapter 98-46.**
- J. leave any cart or table unattended on any public property, street, or sidewalk;
- K. shall provide receptacles for the disposal of waste materials or other litter created in the immediate area of any stationary location from which sales, offers of sales or deliveries are taking place, and they shall request customers to place all waste and litter in the receptacles and they shall remove and dispose of the waste materials and litter.

138-8 9 PLACE OF SALE – PEDDLER AND ITINERANT MERCHANTS

- A. All Peddlers and Itinerant Merchants may only be located in the areas designated by the Town's Zoning Map as C-1, Community Business District, C-2, Downtown Business District, or the Mixed-Use Campus District, **unless approved by Special Event Permit.**
- B. It shall be unlawful for any **Peddler or** Itinerant Merchants to occupy or partially occupy while selling, or sell from, the private property of another without written permission of the private property owner.
- C. ~~All itinerant merchants shall obtain approval from the Department of Planning & Zoning prior to selling from private property. Approval shall be based upon submittal of a plat, site plan,~~

~~or sketch plan identifying the location of the property on which the activity is to be conducted and showing the location of the structure from which the sale or exchange activity will occur; the area under the control of such person, parking spaces and provisions for well defined vehicular entrances and exits. Such application shall state the name, address and telephone number of the person or persons conducting the activity, the days and hours of operation, and shall include evidence of the property owner's permission to use the property, as required above, as well as a copy of the approved plat or site plan. A copy of the permit issued by the Town Manager or the designee as well as a copy of the approved plat, site plan, or sketch plan and the written permission of the property owner shall be kept at the site of the activity.~~

138-9 ~~10~~ RESIDENCE DOOR-TO-DOOR ~~SALES HOURS COMMERCIAL SOLICITORS (COMMERCIAL)~~

Door-to-door sales shall only take place between the hours of 9:00 a.m. and 8:00 p.m.

Regardless of whether or not a permit and business license has been issued, no person shall enter in or upon any house, building or private property of any type without the prior express consent of the owner or occupant thereof, where there is placed or posted on the premises in a conspicuous position at or near the usual means of ingress a sign or other form of notice stating or indicating that the owner or occupant thereof forbids or otherwise does not desire persons in solicitation or selling to enter upon the premises.

138-10 ~~11~~ EXHIBITION OF PERMIT/~~BUSINESS LICENSE~~ ~~OR EXEMPTION LETTER~~

Peddlers, ~~or Itinerant Merchants~~ **and Commercial Solicitors** are required to conspicuously display their permit/**business license** at their vehicles or temporary stands or if they have none, to exhibit their permit/**business license** ~~or exemption letter~~ upon request.

138-11 ~~12~~ RECORDS

The **Town's Finance Department** ~~Town Manager~~ shall maintain a record for each permit **and business license issued**, and record the reports of violation thereon.

138-12 ~~13~~ REVOCATION OF PERMIT

- A. Permits issued under the provision of this Chapter may be revoked by the Town Manager after notice and hearing for any of the following causes:
- ~~1. Fraud, misrepresentation or intentional false statement contained in the application for permit.~~ Fraud, misrepresentation or intentional false statement of material or relevant facts contained in the application.
 - ~~2. Conviction of any felony or crime of moral turpitude (including, by way of illustration and not limitation, crimes of sexual misconduct and distribution of controlled substances or paraphernalia).~~ Conviction of any felony or crime of moral turpitude (including, by way of illustration and not limitation, crimes of sexual misconduct and distribution of controlled

substances or paraphernalia) within the five (5) years immediately preceding the date of filing of the application.

3. Conviction of any crime involving fraud in the conduct of his or her business.

4. Permit holder ~~operates their peddling or itinerant merchandising that~~ creates a public safety hazard as identified by Fire Marshal, Chief of Police, or their designee **or any authoritative body that has legal regulatory oversight over warrants public safety.**

5. Any violation of this Chapter ~~or Chapter 110 of the Front Royal Code.~~

B. Notice of the hearing for revocation of a permit shall be given in writing, setting forth specifically the grounds of the revocation and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the permit holder at their last known address at least five (5) days prior to the date set for hearing. Failure to appear for a hearing does not preclude permit revocation.

~~After investigation and finding that the health, safety, and welfare of the public so demands, the Town Manager may refuse to issue a permit to an applicant for reasons including, but not limited to, the following:~~

~~1. Conviction of any felony or crime of moral turpitude (including, by way of illustration and not limitation, crimes of sexual misconduct and distribution of controlled substances or paraphernalia) within the five (5) years immediately preceding the date of filing of the application.~~

~~2. Fraud, misrepresentation or intentional false statement of material or relevant facts contained in the application.~~

~~3. Lack of necessary permits or licenses to conduct the business proposed to be conducted.~~

138-13 14 APPEAL OF DENIAL OR REVOCATION OF PERMIT

A. Any person aggrieved by the action of the Town Manager, or the designated agent, in the denial of an application for a permit or in the decision with reference to the revocation of a permit shall have the right of appeal. Such appeal shall be taken by filing with the Clerk of the Town Council within ten (10) days after the notice of action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds of appeal.

B. The Clerk of the Town Council shall notify the Town Manager of the filing of an appeal.

C. Upon filing an appeal, the party aggrieved shall be entitled to a hearing by the Town Council. The time and place of the hearing shall be scheduled by the Clerk of Council at any time after the filing of an appeal upon notice by the Clerk of Council mailed to the party to the action at the address required to be stated by the appellant at the time of the filing of the appeal. Such appeals may be continued by the Town Council.

D. The party shall have the right to present their case in person or by counsel licensed to practice law in the Commonwealth of Virginia.

- E. The Town Council shall consider the case record as well as statements offered by an interested party and shall determine whether the Town Manager abused their discretion under the rules and standards set forth in this Chapter. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence in civil actions.

138-14 15 LICENSE TAX

The License Tax for activities defined in this Chapter shall be provided in the following Chapters:

- A. Peddlers & Itinerant Merchants – Chapter 98-61
B. Commercial Solicitors – Chapter 98-45

138-15 16 PENALTY FOR VIOLATION OF CHAPTER

Any person violating any provision of this Chapter or shall be guilty of a Class 1 Misdemeanor with penalties specified in Town Code Chapter 1-15.

138-16 17 SEVERANCE CLAUSE

The provisions of this Chapter are hereby declared to be severable, and if any section, sentence, clause or phrase of this Chapter shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Chapter, but they shall remain in effect, it being the legislative intent that this Chapter shall stand, notwithstanding the invalidity of any part.

This ordinance shall become effective January 1, 2018.

APPROVED:

Hollis L. Tharpe, Mayor

ATTEST:

Jennifer E. Berry, Clerk of Council

THIS ORDINANCE was approved at the Regular Meeting of the Town of Front Royal, Virginia on its second reading, conducted _____ 2017, upon the following recorded vote:

Eugene R. Tewalt	Yes/No	Jacob L. Meza	Yes/No
William A. Sealock	Yes/No	Christopher S. Morrison	Yes/No
John P. Connolly	Yes/No	Gary Gillispie	Yes/No

A public hearing on the above was held on _____, 2017, having been advertised in the Northern Virginia Daily on _____, 2017, and _____, 2017. The Ordinance was enacted at the Regular Meeting of the Town Council held _____ 2017, to become effective immediately.

Approved as to form and legality:

Douglas W. Napier, Town Attorney

Date: ____/____/____

5

Town of Front Royal, Virginia Worksession Agenda Form

Date: November 6, 2017

Agenda Item: Write Off for Bad Debt

Summary: Council is requested to approve the removal of seven years or older of outstanding accounts receivable (bad debts) on the Town's ledger in the amount of \$175,999.70 from enterprise and general fund liability accounts. This value includes 298 utility accounts. All recourse of attempting to collect these amounts has been completed.

Council Discussion: (Issue or Action Council is requested to consider)

Staff Evaluation: The Town's bad debt write off policy was adopted in 2013 per request of the Town's auditors Mitchell & Company.

Staff has determined that the accounts presented meet the criteria for uncollectible as determined by the Town's bad debt write off policy:

- 1) No activity on closed account for at least 7 years
- 2) Account has entered a status of "bankruptcy" with no activity for 5 years
- 3) All other methods of collection have been exhausted

The amount of bad debt approved to be removed by Council continues to decrease:

Dec 2013 -	\$848,191 – approved for removal
Dec 2014 -	\$144,049 – approved for removal
Feb 2016 -	\$225,318 – approved for removal
Feb 2017 -	\$203,808 – approved for removal
Nov 2017 -	\$175,999 – requesting approval to be removed

The FY18 budgeted revenue for the sales of electric, water, sewer, & refuse totals approximately \$29.9 million. The amount of \$175,999 represents approximately 0.6% of the budgeted sales.

Budget/Funding: No funding is required, journal entry will be done effecting balance sheet only.

Legal Evaluation: Town Attorney will be present for questions.

Staff Recommendations: Staff recommends approving as presented.

Planning Commission Recommendation: N/A

Town Manager Recommendation: (The Town Manager will provide input on the issue and make his recommendations to council.)

Council Recommendation:

☐ Additional Worksession
 ☐ Regular Meeting
 ☐ No Action



FY18 Uncollectible Utility Accounts

Balance	Service Address	Final Bill Due Date
\$ 217.14	1346 FOREST HILL DR.	4/20/2007
\$ 928.46	60 W STRASBURG RD	2/28/2009
\$ 55.83	135 CROOKED RUN PLAZA SUITE#120	5/6/2010
\$ 140.50	70 RIVERTON COMMONS PLAZA SUITE #B20	3/29/2010
\$ 241.00	70 RIVERTON COMMONS DR #B10	2/5/2010
\$ 368.13	193 W DUCK ST	2/22/2010
\$ 383.66	418 W DUCK ST	6/8/2007
\$ 251.11	1442 RIVER CT	3/9/2010
\$ 1,149.87	1324 QUEENS HWY	5/31/2009
\$ 522.56	1320 QUEENS HWY	6/11/2010
\$ 1,416.49	1314 QUEENS HWY	5/14/2010
\$ 60.65	AVALON SHORES LOT #25	3/16/2010
\$ 318.69	1502 SCRANTON AVE	6/21/2010
\$ 300.84	1355 EDMONT AVE	5/6/2010
\$ 1,443.97	116 E 15TH ST	4/30/2009
\$ 1,430.01	1616 N ROYAL AVE	4/2/2010
\$ 1,310.61	112 W 16TH ST	12/31/2009
\$ 448.65	121 W 14TH ST #2	10/31/2009
\$ 170.80	140 W 17TH ST	8/24/2007
\$ 427.21	830 W 15TH ST	6/21/2010
\$ 427.45	1416 N SHENANDOAH AVE #12	3/26/2010
\$ 237.38	1320 STATE ST	6/16/2010
\$ 299.37	1325 WOODSIDE AVE.	4/19/2005
\$ 203.61	115 W 13TH ST	6/30/2010
\$ 456.66	1200 VIRGINIA AVE	3/22/2010
\$ 173.72	109 FAIRVIEW AVE	1/31/2010
\$ 33.19	111 W 12TH ST #4	7/31/2009
\$ 3,304.27	1116 N ROYAL AVE	4/23/2010
\$ 242.97	1095 N ROYAL AVE #1	6/30/2010
\$ 373.84	1095 N ROYAL AVE #4	5/31/2010
\$ 445.61	1095 N ROYAL AVE #9	5/31/2010
\$ 402.26	1095 N ROYAL AVE #12	4/30/2010
\$ 708.79	315 W 11TH ST	6/30/2010
\$ 368.95	336 W. 9TH ST. FRONT ROYAL, VA	4/24/2005
\$ 550.61	804 N SHENANDOAH AVE	12/31/2008
\$ 251.37	127 W 8TH ST #1	6/17/2010
\$ 255.56	1315 MONROE AVE.	4/4/2008
\$ 111.48	1317 MONROE AVE	5/31/2009

FY18 Uncollectible Utility Accounts

Balance	Service Address	Final Bill Due Date
\$ 198.44	705 W 14TH ST	3/22/2010
\$ 1,441.47	718 W 14TH ST	6/30/2010
\$ 95.85	709 W 13TH ST	7/31/2009
\$ 795.05	812 W 13TH ST	5/31/2010
\$ 584.98	728 W 13TH ST	5/21/2010
\$ 665.83	708 W 13TH ST	1/31/2009
\$ 477.05	834 W 11TH ST	3/8/2010
\$ 878.49	736 W 11TH ST	1/29/2010
\$ 323.82	711 W. 11TH ST.	6/8/2007
\$ 373.07	650-F W 11TH ST	4/22/2010
\$ 990.99	622 W 11TH ST	6/17/2010
\$ 241.52	612-A W 11TH ST	2/28/2009
\$ 858.66	606 W 11TH ST	6/30/2010
\$ 231.16	600 W. 11TH ST.	2/21/2005
\$ 71.30	343 KENDRICK LN #14	12/31/2009
\$ 124.93	343 KENDRICK LN #2	6/30/2009
\$ 548.99	343 KENDRICK LN #3	11/30/2009
\$ 101.50	353 KENDRICK LN #32	12/31/2008
\$ 395.68	353 KENDRICK LN #25	4/30/2010
\$ 522.91	353 KENDRICK LN #25	3/31/2009
\$ 74.00	353 KENDRICK LN #26	6/30/2010
\$ 291.52	353 KENDRICK LN #28	4/30/2010
\$ 54.11	363 KENDRICK LN #57	6/30/2010
\$ 329.06	363 KENDRICK LN #45	6/30/2009
\$ 1,581.28	623 W 11TH ST	6/11/2010
\$ 2,102.98	603 W 12TH ST	11/30/2009
\$ 243.76	1400 MASSANUTTEN AVE #3	8/31/2009
\$ 3,761.58	616 W 13TH ST	2/28/2009
\$ 191.22	359 W 9TH ST	4/23/2010
\$ 197.80	363 W 9TH ST	4/26/2010
\$ 169.99	803 B N ROYAL AVE	1/31/2010
\$ 1,599.31	803-A N ROYAL AVE	6/7/2010
\$ 733.05	810 WARREN AVE	4/9/2010
\$ 370.23	915-D N ROYAL AVE	5/24/2010
\$ 800.11	406 N ROYAL AVE #2	4/30/2009
\$ 374.09	318 N ROYAL AVE #2	9/30/2009
\$ 1,920.77	427 VIRGINIA AVE	3/31/2009
\$ 384.91	11 W 5TH ST	2/5/2010

FY18 Uncollectible Utility Accounts

Balance	Service Address	Final Bill Due Date
\$ 585.52	17 W 5TH ST	2/12/2010
\$ 960.13	501 VIRGINIA AVE	4/2/2010
\$ 26.44	21-A W 6TH ST	4/26/2010
\$ 543.39	21-B W 6TH ST	6/30/2009
\$ 299.04	21-C W 6TH ST	1/29/2010
\$ 1,188.00	704 VIRGINIA AVE	4/30/2009
\$ 973.03	520 VIRGINIA AVE #3	6/30/2010
\$ 146.09	520 VIRGINIA AVE #9	11/30/2008
\$ 131.59	520 VIRGINIA AVE #12	1/18/2010
\$ 142.06	120 W 6TH ST #1	2/28/2009
\$ 396.90	120 W 6TH ST #8	4/16/2010
\$ 556.99	120 W 6TH ST #11	4/30/2009
\$ 464.39	517 VILLA AVE	6/11/2010
\$ 736.09	406 VIRGINIA AVE.	1/16/2007
\$ 284.01	210 VIRGINIA AVE #6	1/31/2010
\$ 389.53	204 VIRGINIA AVE #110	5/10/2010
\$ 1,129.51	122 VIRGINIA AVE	2/22/2010
\$ 320.01	22 W 1ST ST #10	3/12/2010
\$ 501.29	135 CHESTER ST #2	4/27/2010
\$ 395.66	240 WARREN AVE	4/16/2010
\$ 1,759.40	20 E 4TH ST	5/10/2010
\$ 145.73	415 WARREN AVE #1	2/19/2010
\$ 736.62	425 WARREN AVE	5/5/2010
\$ 508.46	718 WARREN AVE #4	5/3/2010
\$ 306.83	714 WARREN AVE	4/23/2010
\$ 578.47	626 WARREN AVE SHOP	5/25/2010
\$ 149.37	508-A WARREN AVE	4/2/2010
\$ 1,819.55	505 WARREN AVE	5/6/2010
\$ 777.44	210 E MAIN ST #4	9/30/2009
\$ 307.81	126 E MAIN ST #4	10/31/2009
\$ 45.87	126 E. MAIN ST. #1	12/31/2007
\$ 208.65	126 E MAIN ST #6	12/31/2008
\$ 203.05	112 E MAIN ST #7	6/21/2010
\$ 177.82	112 E MAIN ST #2	6/11/2010
\$ 431.56	112 E MAIN ST #9	12/31/2008
\$ 476.44	412 VISCOSE AVE	2/26/2010
\$ 887.15	515 VISCOSE AVE	4/2/2010
\$ 283.06	518 W MAIN ST #3	4/21/2010

FY18 Uncollectible Utility Accounts

Balance	Service Address	Final Bill Due Date
\$ 894.96	512-D W MAIN ST	2/28/2009
\$ 194.83	512-B W MAIN ST	5/30/2004
\$ 38.21	113 E MAIN ST #4	6/15/2010
\$ 133.32	113 E. MAIN ST. #6 FRONT ROYAL, VA	6/11/2002
\$ 610.82	409-B E MAIN ST	3/25/2010
\$ 318.07	529 E MAIN ST #2	4/23/2010
\$ 119.80	9 S ROYAL AVE	6/16/2010
\$ 851.19	19 S ROYAL AVE #3	4/22/2010
\$ 266.74	19 S ROYAL AVE #4	4/28/2010
\$ 104.85	21 S ROYAL AVE REAR	5/20/2010
\$ 339.83	21 S ROYAL AVE	5/14/2010
\$ 337.78	27 S ROYAL AVE STORAGE #350	3/8/2010
\$ 5,888.38	27 S. ROYAL AVE. HOUSE BASEMENT & HALL	4/8/2010
\$ 377.38	27 S ROYAL AVE #200-#220	3/8/2010
\$ 385.32	27 S ROYAL AVE #410-430	4/8/2010
\$ 162.32	215 S ROYAL AVE #1	5/17/2010
\$ 260.39	313 S ROYAL AVE	1/4/2010
\$ 191.96	540 LILLARD DR	2/28/2010
\$ 769.85	524 LILLARD DR	4/28/2010
\$ 54.66	122 ELSIA DR.	8/24/2007
\$ 522.12	122 ELSIA DR	6/11/2010
\$ 524.69	118 ELSIA DR. FRONT ROYAL, VA	6/1/2005
\$ 193.88	539 S ROYAL AVE #2	4/30/2009
\$ 605.45	20 W STONEWALL DR #5	5/14/2010
\$ 215.30	107 LEE ST	6/16/2010
\$ 263.70	244 ORCHARD ST	5/14/2010
\$ 238.28	425 GRAND AVE.	12/8/2004
\$ 523.45	301 SKYLINE PL	7/31/2009
\$ 515.97	307 SKYLINE PL	5/31/2009
\$ 463.80	315 SKYLINE PL	11/30/2008
\$ 656.24	321 SKYLINE PL	2/28/2009
\$ 106.54	150-A SHERWOOD AVE	6/21/2010
\$ 1,047.51	122 S SHENANDOAH AVE #4	6/30/2010
\$ 548.61	117-B S SHENANDOAH AVE	6/16/2010
\$ 383.55	121-A S. SHENANDOAH AVE.	12/30/2005
\$ 392.16	121-B S SHENANDOAH AVE	1/29/2010
\$ 574.30	211-C S SHENANDOAH AVE	4/26/2010
\$ 1,709.73	403 KERFOOT AVE	5/31/2009

FY18 Uncollectible Utility Accounts

Balance	Service Address	Final Bill Due Date
\$ 455.34	401 KERFOOT AVE	4/23/2010
\$ 391.88	424 DUNCAN AVE	6/30/2009
\$ 133.82	343 CHERRYDALE AVE #6	11/30/2009
\$ 1,817.18	355 CHERRYDALE AVE.	11/3/2006
\$ 329.75	374 CHERRYDALE AVE	4/23/2010
\$ 158.20	392 CHERRYDALE AVE	1/29/2010
\$ 60.69	425 CHERRYDALE AVE	6/21/2010
\$ 731.06	438 CHERRYDALE AVE	4/30/2009
\$ 197.65	126 W CRISER RD	5/10/2010
\$ 925.41	5103 BROWNTOWN RD	3/31/2010
\$ 151.39	272 WALNUT DR	5/12/2010
\$ 44.51	401 E CRISER RD #103	3/26/2010
\$ 98.14	415 E CRISER RD #203	4/19/2010
\$ 36.86	415 E CRISER RD #204	6/30/2009
\$ 148.05	409 E CRISER RD #102	8/31/2009
\$ 328.07	409 E CRISER RD #302	4/19/2010
\$ 408.59	640 MILLS LN	1/29/2010
\$ 158.93	60 E CRISER RD	5/26/2010
\$ 1,320.55	117 BEEDEN LN	6/21/2010
\$ 106.67	201 SOUTH ST	5/10/2010
\$ 383.79	142 BEEDEN LN	4/19/2010
\$ 128.53	200 BEEDEN LN	6/16/2010
\$ 331.85	448 ACTON ST	4/30/2010
\$ 143.74	482 HILL ST	2/28/2010
\$ 444.95	809 REMOUNT RD	5/24/2010
\$ 405.00	5 JAMESTOWN RD.	1/31/2008
\$ 167.72	9 SHENANDOAH COMMONS WAY #304	12/31/2008
\$ 214.18	5 SHENANDOAH COMMONS WAY #104	1/29/2010
\$ 146.51	11 SHENANDOAH COMMONS WAY #304	6/25/2010
\$ 61.43	15 SHENANDOAH COMMONS WAY #101	1/31/2008
\$ 430.45	15 SHENANDOAH COMMONS WAY #203	4/26/2010
\$ 67.74	19 SHENANDOAH COMMONS WAY #301	7/31/2009
\$ 513.56	19 SHENANDOAH COMMONS WAY #302	4/30/2009
\$ 341.21	19 SHENANDOAH COMMONS WAY #304	5/31/2009
\$ 225.05	23 SHENANDOAH COMMONS WAY #104	4/30/2010
\$ 76.72	23 SHENANDOAH COMMONS WAY #303	9/9/2003
\$ 122.36	25 SHENANDOAH COMMONS WAY #103	11/18/2004
\$ 129.06	25 SHENANDOAH COMMONS WAY #203	6/30/2010

FY18 Uncollectible Utility Accounts

Balance	Service Address	Final Bill Due Date
\$ 126.85	25 SHENANDOAH COMMONS WAY #304	5/31/2010
\$ 415.17	21 SHENANDOAH COMMONS WAY #302	6/30/2010
\$ 225.25	13 SHENANDOAH COMMONS WAY #202	4/30/2009
\$ 1,755.03	13 BEAU LANE LOT 7A	12/31/2008
\$ 325.91	723 STAYMAN ST	6/11/2010
\$ 1,150.94	101 THE HILL	5/31/2010
\$ 101.62	605 RANDOLPH AVE	5/20/2010
\$ 177.73	623 BEL AIR AVE	6/16/2010
\$ 1,446.65	634 BEL AIR AVE	4/9/2010
\$ 469.78	630 BEL AIR AVE	7/31/2009
\$ 2,481.45	630 BEL AIR AVE	5/14/2010
\$ 49.57	628 BEL AIR AVE	2/19/2010
\$ 431.88	606 MIDLAND AVE. FRONT ROYAL, VA	3/31/2002
\$ 615.70	530 BEL AIR AVE	4/21/2010
\$ 238.31	424 BEL AIR AVE	8/31/2009
\$ 1,875.33	429 BEL AIR AVE	4/23/2010
\$ 788.53	1002 STUART DR	6/30/2009
\$ 525.07	963 STUART DR	8/31/2009
\$ 1,036.92	963 STUART DR	4/30/2010
\$ 2,701.08	1026 GOODVIEW DR	6/30/2010
\$ 240.03	971 AUBURN CT	12/31/2009
\$ 932.63	977 GOODVIEW DR	2/28/2009
\$ 96.07	1102 GOODVIEW DR	4/2/2010
\$ 762.51	1103 EWELL ST	4/30/2010
\$ 610.53	1101 EWELL ST	1/4/2010
\$ 258.50	1101 ASHBY ST LOT #1	1/22/2010
\$ 724.35	1106 ASHBY ST	4/2/2010
\$ 470.28	1104 ASHBY ST	1/8/2010
\$ 1,041.41	111 STEELE AVE	6/30/2010
\$ 603.23	115 STEELE AVE	5/31/2009
\$ 291.43	106 STEELE AVE	7/31/2009
\$ 215.89	514 CARTER ST.	12/31/2007
\$ 854.25	7 SOUTH ST	3/10/2010
\$ 193.83	28 E PROSPECT ST	3/22/2010
\$ 1,428.33	14 E STONEWALL DR #A	5/31/2009
\$ 644.00	120-A S ROYAL AVE	5/31/2009
\$ 434.21	116-B S ROYAL AVE	3/31/2009
\$ 882.44	110 S ROYAL AVE #A BASEMENT	3/9/2010

FY18 Uncollectible Utility Accounts

Balance	Service Address	Final Bill Due Date
\$ 315.78	315 PINE ST	4/2/2010
\$ 1,219.08	221 E PROSPECT ST	2/28/2010
\$ 877.26	341 OSAGE ST	3/31/2009
\$ 1,071.31	341 OSAGE ST	4/19/2010
\$ 34.73	220 CHURCH ST	6/15/2010
\$ 1,491.53	208 CHURCH ST	3/22/2010
\$ 130.38	341 CLOUD ST #1	6/16/2010
\$ 190.17	320 CLOUD ST #6	6/14/2010
\$ 336.21	203 BLUE RIDGE AVE	6/11/2010
\$ 421.98	203 BLUE RIDGE AVE #1	6/11/2010
\$ 1,304.11	203 BLUE RIDGE AVE #2	6/11/2010
\$ 705.09	203 BLUE RIDGE AVE #3	6/11/2010
\$ 1,085.01	325 BLUE RIDGE AVE	2/12/2010
\$ 1,837.97	349 BLUE RIDGE AVE #B	4/30/2009
\$ 412.11	356 BLUE RIDGE AVE. #3	5/31/2006
\$ 546.34	356 BLUE RIDGE AVE #2	2/28/2010
\$ 674.00	317 FRAZIER PL	4/30/2009
\$ 531.61	10 BLUE RIDGE AVE #1	5/12/2010
\$ 312.29	221 FLETCHER ST #2	4/30/2009
\$ 299.84	311 RITENOUR ST	6/11/2010
\$ 1,262.36	308 RITENOUR ST	3/18/2010
\$ 512.17	334 RITENOUR ST	2/22/2010
\$ 731.91	337 RITENOUR ST	4/30/2010
\$ 352.27	515 SHORT ST	5/21/2010
\$ 1,733.86	518 SHORT ST	5/10/2010
\$ 432.56	518 SHORT ST	3/31/2009
\$ 75.54	9 S MARSHALL ST	2/12/2010
\$ 160.80	15 S MARSHALL ST	9/30/2009
\$ 1,527.62	821 E STONEWALL DR	9/30/2009
\$ 1,336.47	34 N MARSHALL ST	6/17/2010
\$ 936.00	8 N MARSHALL ST	5/31/2010
\$ 144.94	107 PINECREST ST	5/26/2010
\$ 487.81	129 HENRICO RD	6/17/2010
\$ 1,076.93	14 YORKTOWN CT.	4/4/2008
\$ 497.32	314 HENRICO RD	5/10/2010
\$ 1,035.27	314 AMHERST DR	1/31/2009
\$ 2,610.66	1048 HORSESHOE DR	4/30/2010
\$ 839.88	322 REMOUNT RD	4/22/2010

FY18 Uncollectible Utility Accounts

Balance	Service Address	Final Bill Due Date
\$ 491.81	322 REMOUNT RD	4/22/2010
\$ 600.69	35 ROYAL LN. #3	1/31/2008
\$ 389.56	35 ROYAL LN #8	10/31/2009
\$ 66.97	35 ROYAL LN #10	6/21/2010
\$ 131.81	47 ROYAL LN #5	3/26/2010
\$ 351.16	67 ROYAL LN #5	4/9/2010
\$ 50.23	125 BIGGS DR #2	1/31/2010
\$ 106.22	74 ROYAL LN	6/30/2009
\$ 701.93	1387 JOHN MARSHALL HWY	6/21/2010
\$ 330.17	6 LAKE AVE	4/19/2010
\$ 878.46	1508 JOHN MARSHALL HWY #3-TR	7/31/2009
\$ 1,487.54	14 LAKE AVE TR#14	8/30/2009
\$ 329.26	14 LAKE AVE TR#14	12/31/2009
\$ 626.42	18 LAKE AVE	3/31/2010
\$ 247.97	1496 JOHN MARSHALL HWY	11/30/2009
\$ 607.83	1484 JOHN MARSHALL HWY	3/31/2010
\$ 194.89	1474 JOHN MARSHALL HWY	4/2/2010
\$ 436.74	1472 JOHN MARSHALL HWY	5/26/2010
\$ 654.38	1470 JOHN MARSHALL HWY	4/9/2010
\$ 138.08	1456 ANDERSON ST.	12/12/2008
\$ 556.68	1456 ANDERSON ST	1/31/2010
\$ 466.53	1454 ANDERSON ST	2/12/2010
\$ 395.51	1425 ANDERSON ST	1/19/2010
\$ 741.07	1388 LINDEN ST	5/13/2010
\$ 240.18	77 WESTMINSTER DR	12/31/2009
\$ 404.01	110 MANASSAS AVE	4/16/2010
\$ 990.04	207 MANASSAS AVE	1/22/2010
\$ 1,283.14	712 STOCKTON RD	7/31/2009
\$ 4,207.36	115 POLK AVE	6/30/2010
\$ 982.05	1049 BRAXTON RD	3/29/2010
\$ 106.94	7 EVELYN CT	5/29/2009
\$ 175,999.70		

6



Town of Front Royal, Virginia Work Session Agenda Form

Date: November 6, 2017

Agenda Item: Budget Amendment – Outstanding Purchase Orders

Summary: Council is requested to approve a budget amendment to carry forward unpaid balances on purchase orders not completed at the end of June 2017 for fiscal year 2018.

Council Discussion: Council is requested to approve the budget amendment as presented.

Staff Evaluation: The Finance department has compiled a list of outstanding purchase orders, totaling \$17,939,093.36, based on the final audit results that need to be carried forward to the FY18 budget cycle to complete unfinished projects.

Budget/Funding: Funding will be offset from the appropriate fund balance reserves for each fund indicated, the revenue for these projects have been connected in previous budget cycle.

General Fund	\$ 518,544.07
Special Projects	524,435.78
Electric Fund	962,321.21
Sewer Fund	10,532,847.61
Water Fund	3,801,208.58
Solid Waste Fund	51,184.28
Street Fund	<u>1,548,551.83</u>
TOTAL	\$17,939,093.36

Legal Evaluation:

Staff Recommendations: Staff recommends Council move forward with a public hearing on this item, an increase of greater than 1% of the original budget requires a public hearing. Staff furtherers would recommendation of approval of these funds as this is a yearly housekeeping item.

Town Manager Recommendation:

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)

	<u>PO#</u>	<u>Account#</u>	<u>Vendor</u>	<u>Amount</u>	<u>Year Reserved</u>	<u>Description</u>
Projects	28340	9130 - R47982	LOCAL CONNECTOR ROAD	\$ 365,681.39	FY15	WEST MAIN CONNECTOR ROAD
	28341	9130 - R47013	FACILITY STUDY	\$ 158,754.39	FY15	POLICE HQ
				<u>\$ 524,435.78</u>		
Council	28237	1101 - R43002	COMMUNITY DEVELOPMENT	\$ 87,646.96	FY15	ON GOING PROJECT
	28462	1101 - R43002	LORD FAIRFAX SMALL BUSIN	\$ 13,000.00	FY16	CONTRACT RENEWAL
	28936	1101 - R43002	HUMANE SOCIETY OF WARREN	\$ 1,159.00	FY17	CONTRIBUTION FOR USE OF 2 TROLLEY
	28953	1101 - R43002	FELICIA HART/COMMUNITY DEVELOPMENT	\$ 6,765.42	FY17	COMMUNITY DEVELOPMENT SERVICES
	29034	1101 - R43002	MILLIMAN, INC.	\$ 7,000.00	FY17	ACTURIAL REPORTS FOR OPEB
				<u>\$ 115,571.38</u>		
Town Manager	28990	1201 - R45412	OFFICEFURNITURE.COM, LLC	\$ 1,811.00	FY17	FURNITURE FOR THE TOWN MA
	29065	1201 - R45428	SWANK MOTION PICTURES	\$ 1,304.75	FY17	GAZEBO MOVIE FLICKS
				<u>\$ 3,115.75</u>		
HR	28915	1202 - R43002	PAYPOINT HR, LLC	\$ 12,000.00	FY17	COMPENSATION AND CLASSIFICATION STUDY
	29033	1202 - R45504	INTERNATIONAL PUBLIC MAN	\$ 2,520.00	FY17	TRAINING FEES
	29037	1202 - R43023	SITEHAWK	\$ 1,400.00	FY17	ON-LINE MSDS MANAGEMENT
	29038	1202 - R42013	CAPELLA UNIVERSITY INC	\$ 1,200.00	FY17	TUITION ASSISTANCE - 4 CL
				<u>\$ 17,120.00</u>		
Fleet Maintenance	29054	1203 - R47003	BEARCOM	\$ 31,113.34	FY17	GPS SYSTEM FOR RADIOS
	29055	1203 - R47009	BAUGHAN & BAUKHAGES, PLL	\$ 93,890.00	FY17	ARCHITECTURAL SERVICES FO
	29057	1203 - R47001	MAC TOOLS	\$ 35,000.00	FY17	FRONT END ALIGNMENT MACHI
	29058	1203 - R45412	W W GRAINGER INC	\$ 2,800.00	FY17	ASSORTED OFFICE FURNITURE
				<u>\$ 162,803.34</u>		
I/T	28338	1204 - R47007	SUNGARD PUBLIC SECTOR PE	\$ 4,273.30	FY15	FINANCIAL SERVER UPGRADE
	28540	1204 - R47007	SYNTAX COMMUNICATIONS,	\$ 415.00	FY16	NETWORKING & INFRASTRUCTURE
	28654	1204 - R43005	SHI CORP.	\$ 10,000.00	FY16	CITRIX XENDESKTOP ENTERPR
	28658	1204 - R43005	SHI CORP.	\$ 10,000.00	FY16	DELL EXTENDED WARRANT
	28705	1204 - R43005	SHAREFILE	\$ 2,160.00	FY17	SHAREFILE BASE PLAN 20 EMPLOYEES
	28717	1204 - R43005	RICOH USA, INC.	\$ 3,463.62	FY17	RICOH MP5002SP - CASHIERS
	28719	1204 - R43005	RICOH USA, INC.	\$ 903.59	FY17	RICOH MPC3502 GOLD MAINTEN
	28722	1204 - R43005	PITNEY BOWES	\$ 4,571.43	FY17	MAILING MACHINE AND METER
	28825	1204 - R43005	RICOH USA, INC.	\$ 649.22	FY17	RICOH MPC3004 COLOR COPIE
	28835	1204 - R43005	DELL SOFTWARE INC.	\$ 1,976.04	FY17	DELL DATA PROTECTION/RAPI
	28962	1204 - R43005	SHI CORP.	\$ 6,069.26	FY17	QUEST SOFTWARE - RAPID RE
	29020	1204 - R47007	SYNTAX COMMUNICATIONS,	\$ 39,784.43	FY17	FIBER UPGRADE PROJECT
	29035	1204 - R45421	VISA	\$ 95.88	FY17	PARAGON HARD DISK MANAGER
	29053	1204 - R45504	(ISC)2	\$ 8,000.00	FY17	IT STAFF - SECURITY TRAINING
	29064	1204 - R45421	SHI CORP.	\$ 1,049.93	FY17	LENOVO THINKCENTRE
				<u>\$ 93,411.70</u>		

	<u>PO#</u>	<u>Account#</u>	<u>Vendor</u>	<u>Amount</u>	<u>Year Reserved</u>	<u>Description</u>
Tourism	28285	1205 - R43018	4IMPRINT	\$ 3,958.55	FY15	VISITOR CENTER PROMOTIONAL SUPPLIES
	28645	1205 - R43006	COMMERCIAL PRESS, INC	\$ 869.74	FY16	PRINTING SERVICES
	28694	1205 - R43040	NATIONAL MEDIA SERVICES,	\$ 10,000.00	FY16	DRIVE TOURISM
	28958	1205 - R43007	POWER PLAY MARKETING	\$ 1,000.00	FY17	QUARTER PAGE, FULL COLOR
				<u>\$ 15,828.29</u>		
Finance	28991	1215 - R43009	TREASURER OF WARREN COUN	\$ 2,500.00	FY17	TAX BOOKS
				<u>\$ 2,500.00</u>		
Police	28986	3101 - R45425	GUN SHOP	\$ 4,631.88	FY17	CCI/SPEER, PISTOL CARTRID
	29003	3101 - R45504	SOUTHERN POLICE EQUIPMEN	\$ 695.00	FY17	REGISTRATION FEE FOR INTE
	29042	3101 - R45504	VISA	\$ 702.20	FY17	HOLIDAY INN LOUISVILLE AI
	28917	3102 - R45410	HOWARD UNIFORM COMPANY	\$ 185.85	FY17	KEYSTONE R10 NAVY HAT
	29003	3102 - R45504	SOUTHERN POLICE EQUIPMEN	\$ 695.00	FY17	REGISTRATION FEE FOR INTE
	29006	3102 - R43006	PRINTECH, INC.	\$ 665.04	FY17	VIRGINIA UNIFORM TRAFFIC
	28972	3103 - R43005	MSAB INC.	\$ 995.00	FY17	XRY YEARLY MAINTENANCE FE
	29003	3103 - R45504	SOUTHERN POLICE EQUIPMEN	\$ 695.00	FY17	REGISTRATION FEE FOR INTE
	29002	3108 - R45410	TSSI	\$ 2,272.00	FY17	ARMIS BASE VEST CIIIA, OD
	29044	3108 - R45504	VISA	\$ 1,114.32	FY17	CRYSTAL GATEWAY MARRIOTT
				<u>\$ 12,651.29</u>		
B & G	28570	4302 - R47009	LOWE'S	\$ 4,000.00	FY16	ROOF REPLACEMENT
	28989	4302 - R43002	MARK'S HARDWOOD FLOORS	\$ 555.00	FY17	SERVICES TO REFINISH VISITOR CENTER FLOOR
				<u>\$ 4,555.00</u>		
P&Z	27531	8101 - R47014	AIR SURVEY CORPORATION	\$ 54,105.00	FY14	UPDATE AERIAL IMAGERY DATA
	28342	8101 - R43026	RENAISSANCE PLANNING GRO	\$ 29,809.49	FY15	COMP PLAN UPDATES
	28569	8101 - R47001	CARON EAST, INC.	\$ 2,300.00	FY16	SURVEYOR EQUIPMENT
	28693	8101 - R43002	SABRA, WANG & ASSOCIATES	\$ 3,995.00	FY16	TRAFFIC IMPACT STUDY
	28545	8104 - R45504	PLANNING COMMISSION	\$ 777.83	FY16	EDUCATION FOR NEW PLANNING COMM MEMBERS
				<u>\$ 90,987.32</u>		

	<u>PO#</u>	<u>Account#</u>	<u>Vendor</u>	<u>Amount</u>	<u>Year Reserved</u>	<u>Description</u>
Streets	29059	4107 - R45504	AMERICAN TRAFFIC SAFETY SERVICES	\$ 2,014.35	FY17	WORK ZONE SAFETY
	29063	4107 - R45515	TREASURER OF VIRGINIA	\$ 1,500.00	FY17	TRAINING & LICENSES
	28869	4102 - R47933	RACEY PAVING & EXCAVATIN	\$ 399,598.55	FY17	CRISER ROAD TRAIL
	28997	4102 - R45474	CLATTERBUCK PAVEMENT MAR	\$ 1,161.13	FY17	FURNISH AND INSTALL ALKYD
	29007	4102 - R47009	TWIST & TURN	\$ 3,505.00	FY17	TRASH CONTAINERS FOR LEAC
	28283	4500 - R47926	TREASURER OF VIRGINIA -	\$ 268,939.00	FY15	SOUTH FORK BRIDGE
	28302	4500 - R45407	CARMEUSE LIME AND STONE	\$ 19,805.67	FY15	VARIOUS GRADE OF STONE
	28461	4500 - R47909	ARTHUR CONSTRUCTION CO.,	\$ 124,025.00	FY16	WESTMINSTER DRIVE SIDEWALK
	28489	4500 - R47962	MATTERN & CRAIG	\$ 297,446.65	FY16	CRISER ROAD BRIDGE
	28737	4500 - R45407	VULCAN, INC.	\$ 1,020.00	FY17	2#, 6-FOOT CHANNEL POSTS
	28752	4500 - R45407	RACEY PAVING & EXCAVATIN	\$ 13,490.20	FY17	ASPHALT REPAIR - INTERSEC
	28914	4500 - R47956	SLURRY PAVERS INCORPORAT	\$ 62,694.00	FY17	SLURRY SEAL PAVING ON SEC
	28932	4500 - R47005	CAPITAL GMC TRUCKS, INC.	\$ 63,000.00	FY17	DUMP TRUCK
	28957	4500 - R47005	VALLEY SUPPLY & EQUIPMEN	\$ 268,478.00	FY17	JOHNSTON VT651 STREET SWE
	28997	4500 - 45474	CLATTERBUCK PAVEMENT MAR	\$ 7,281.32	FY17	FURNISH AND INSTALL ALKYD
	29061	4500 - R47005	CRIM'S TRAILER SALES	\$ 10,000.00	FY17	14 TON TRAILER
	29066	4500 - R45473	CLATTERBUCK PAVEMENT MAR	\$ 4,592.96	FY17	STREET LINE PAINTING
				<u>\$ 1,548,551.83</u>		
Electric	28305	9401 - R43002	SOUTHEASTERN CONSULTING	\$ 20,900.00	FY15	WORK PLAN STUDY
	28390	9401 - R43002	ENGINEERING TECHNIQUES,	\$ 4,500.00	FY16	MAIN STREET CANOPY LIGHTS
	28541	9401 - R43004	MORETZ CONSULTING	\$ 4,000.00	FY16	ELECTRIC VEHICLE DC FAST
	28628	9401 - R47005	MAP ENTERPRISES	\$ 19,416.33	FY16	BUCKET TRUCK/EQUIPMENT
	28648	9401 - R43003	LEE INSPECTION & CONSULT	\$ 16,904.45	FY16	POLE INSPECTION SERVICES
	28669	9401 - R47929	SYNTAX COMMUNICATIONS,	\$ 20,200.00	FY16	HAPPY CREEK SUBSTATION PROJECT
	28682	9401 - R47937	SOUTHEASTERN CONSULTING	\$ 227,782.96	FY16	TRANSFORMER REPLACEMENT
	28733	9401 - R43004	PITTMAN'S TREE & LANDSCA	\$ 43,467.52	FY17	TREE TRIMMING, RIGHT-OF-W
	28740	9401 - R45412	TWIST & TURN	\$ 765.00	FY17	TRASH CAN TO BE PLACED AT
	28743	9401 - R43002	GDS ASSOCIATES, INC.	\$ 8,000.00	FY17	POWER SUPPLY CONSULTING S
	28744	9401 - R43021	SOUTHEASTERN CONSULTING	\$ 1,430.95	FY17	PROFESSIONAL ELECTRICAL E
	28930	9401 - R47502	CUSTOM UTILITY	\$ 459.20	FY17	SCH30 U-GUARD RISER GUARD
	28930	9401 - R47502	CUSTOM UTILITY	\$ 167.71	FY17	ESTIMATED SHIPPING/HANDLI
	28946	9401 - R47009	LAKE PAVING COMPANY, INC	\$ 58,327.85	FY17	PAVING PROJECT - ENTRANCE
	28984	9401 - R47502	UNITED UTILITY	\$ 4,956.42	FY17	CABINET
	29001	9401 - R47005	ALTEC INDUSTRIES, INC.	\$ 313,000.00	FY17	DIGGER/DERRICK
	29011	9401 - R45410	SAFETY ZONE SPECIALISTS	\$ 1,000.00	FY17	FR CLASS 3 HI-VIS SHORT S
	29023	9401 - R47502	RUMSEY ELECTRIC COMPANY	\$ 3,780.00	FY17	3-PHASE ITRON SENTINEL ME
	29024	9401 - R45504	VISA	\$ 3,500.00	FY17	HOTEL ROOM FEES WHILE ATT
	29025	9401 - R45504	VIRGINIA, MARYLAND & DEL	\$ 7,000.00	FY17	TRAINING CLASSES
	29026	9401 - R43003	LEE INSPECTION & CONSULT	\$ 31,655.00	FY17	POLE INSPECTION PROGRAM
	29027	9401 - R45407	SCHWEITZER ENGINEERING L	\$ 2,578.88	FY17	MANAGED ETHERNET SWITCH
	29046	9401 - R47502	ERMCO	\$ 8,016.00	FY17	POLEMOUNT TRANSFORMERS -
	27543	9417 - R47001	SUNGARD PUBLIC SECTOR PE	\$ 160,512.94	FY14	AMI - PROGRAM
				<u>\$ 962,321.21</u>		

Sewer	<u>PO#</u>	<u>Account#</u>	<u>Vendor</u>	<u>Amount</u>	<u>Year Reserved</u>	<u>Description</u>
	27521	9801 - R47519	CHA CONSULTING, INC.	\$ 4,367.71	FY13	LOOP STUDY
	27549	9801 - R47009	LANTZ CONSTRUCTION WINCH	\$ 70,000.00	FY14	CROOKED RUN PUMP STATION
	27930	9801 - R45407	GHD INC.	\$ 6,882.00	FY14	FAN PRESS
	28187	9801 - R47015	ADAMS ROBINSON ENTERPRIS	\$ 5,905,619.74	FY15	WWTP EXPANSION
	28320	9801 - R45407	PRIME SOLUTION, INC.	\$ 10,000.00	FY15	UPDAT THE #1 ROTARY FAN P
	28375	9801 - R47015	GHD INC.	\$ 992,251.45	FY16	UPGRADE WWTP
	28563	9801 - R47009	LANTZ CONSTRUCTION WINCH	\$ 33,212.00	FY16	BLOWER BUILDING ROOF REPL
	28674	9801 - R45407	LLOYD ELECTRIC CO INC	\$ 25,000.00	FY16	MISCELLANEOUS EQUIPMENT REPAIRS
	28885	9801 - R47009	PATTERSON CONSTRUCTION C	\$ 500,000.00	FY17	RIVERTON & CRKD RUN PUMP
	28910	9801 - R47005	WOODSTOCK EQUIPMENT COMP	\$ 60,000.00	FY17	FARM TRACTOR WITH ROTARY
	28931	9801 - R45413	JCI JONES CHEMICALS INC	\$ 1,290.00	FY17	CHLORINE/SULFUR DIOXIDE - 1 TON CYLINDER
	29000	9801 - R47001	WOODSTOCK EQUIPMENT COMP	\$ 58,350.00	FY17	4-WHEEL DRIVE FARM TRACTO
	29028	9801 - R43077	INBODEN ENVIRONMENTAL SE	\$ 10,000.00	FY17	MISCELLANEOUS LABORATORY
	29029	9801 - R45413	WINSCHER ENVIRONMENTAL,	\$ 6,260.00	FY17	BRENNTAG WINFLOC 7BC1 POL
	29030	9801 - R43004	W W GRAINGER INC	\$ 1,500.00	FY17	SHELVING
	29031	9801 - R45407	USABUEBOOK	\$ 10,000.00	FY17	EFFLUENT COMPOSITE SAMPLE
	28183	9802 - R47998	WALLER PROPERTIES LLC	\$ 750.00	FY15	425 HILL STREET - RESIDEN
	28309	9802 - R47998	D & S CONTRACTORS	\$ 2,502,906.24	FY15	I & I ABATEMENT
	28666	9802 - R47998	CHA CONSULTING, INC.	\$ 248,051.92	FY16	I & I ABATEMENT ENGINEERING
	28668	9802 - R47005	CAPITAL GMC TRUCKS, INC.	\$ 31,302.00	FY16	VEHICLES AND EQUIPMENT
	28752	9802 - R45407	RACEY PAVING & EXCAVATIN	\$ 6,745.10	FY17	ASPHALT REPAIR - INTERSEC
	28794	9802 - R47998	BUSHONG CONTRACTING CORP	\$ 6,795.00	FY17	RIVERTON ROAD SEWER LINE
	28998	9802 - R47005	CRIM'S TRAILER SALES	\$ 5,000.00	FY17	PURCHASE TRAILER
	28999	9802 - R47009	DON LARGENT ROOFING, INC	\$ 15,000.00	FY17	ROOF REPLACEMENT ON POLE
	29049	9802 - R45504	EMBASSY SUITES HAMPTON	\$ 1,116.36	FY17	ACCOMMODATIONS FOR TOWN E
	29050	9802 - R47530	EAST JORDAN IRON WORKS I	\$ 20,000.00	FY17	WATERTIGHT MANHOLE FRAME,
	28717	9502 - R43005	RICOH USA, INC.	\$ 308.09	FY17	RICOH MPC3002
	29047	9502 - R43023	MARTIN'S FOOD STORES	\$ 140.00	FY17	REFRESHMENTS - DEFENSIVE
				<u>\$ 10,532,847.61</u>		

Water	<u>PO#</u>	<u>Account#</u>	<u>Vendor</u>	<u>Amount</u>	<u>Year Reserved</u>	<u>Description</u>
	27011	9501 - R43002	ARCADIS US, INC.	\$ 1,965.50	FY12	MCKAY SPRINGS - SERVICES
	28717	9501 - R43005	RICOH USA, INC.	\$ 308.09	FY17	RICOH MPC3002
	29047	9501 - R43023	MARTIN'S FOOD STORES	\$ 140.00	FY17	REFRESHMENTS - DEFENSIVE
	27128	9601 - R43005	ABB, INC.	\$ 16,403.05	FY12	16" FINISHED WATER METER
	27494	9601 - R47903	MCGRANE FENCE COMPANY	\$ 39,729.00	FY13	SECURITY IMPROVEMENTS
	27521	9601 - R47519	CHA CONSULTING, INC.	\$ 1,548.29	FY13	LOOP STUDY
	27522	9601 - R47507	CHA CONSULTING, INC.	\$ 25,299.86	FY13	WATER PLANT IMPROVEMENTS
	27546	9601 - R47009	CHA CONSULTING, INC.	\$ 100,000.00	FY14	WATER PLANT RESERVOIR REP
	27919	9601 - R47507	CHA CONSULTING, INC.	\$ 94,206.64	FY14	WATER PLANT UPGRADE
	28119	9601 - R47009	CHA CONSULTING, INC.	\$ 360,000.00	FY15	FAIRGROUND ROAD WATER TANK REPAIR/PAINT
	28287	9601 - R43002	CHA CONSULTING, INC.	\$ 25,000.00	FY15	WTP RESERVOIR ENGINEERING
	28322	9601 - R47009	M.C. DEAN, INC.	\$ 20,000.00	FY15	4-H PUMP STATION GENERATO
	28327	9601 - R47009	CHA CONSULTING, INC.	\$ 300,000.00	FY15	JAMESTOWN PUMP
	28559	9601 - R47009	CARTER MACHINERY CO INC	\$ 15,000.00	FY16	REPLACEMENT CNTRL GUARD HILL PUMP STATION
	28560	9601 - R47009	LANTZ CONSTRUCTION WINCH	\$ 25,000.00	FY16	RAW WATER RESERVOIR PIER
	28676	9601 - R47009	UTILITY SERVICE CO INC	\$ 100,000.00	FY16	REPAIR AND PAINT FAIRGROUND TOWER
	28678	9601 - R43077	SCIENTIFIC METHODS INC.	\$ 2,703.73	FY16	TESTING SERVICES FOR LONG
	28871	9601 - R47009	FLOMEC, INC.	\$ 300,000.00	FY17	FILTER MEDIA REPLACEMENT
	28955	9601 - R47005	LAWRENCE EQUIPMENT, INC.	\$ 1,148.00	FY17	KNAPHEIDE 8' SRW SERVICE
	28981	9601 - R45504	MICHAEL C KISNER	\$ 148.00	FY17	AWWA WATER JAM - HAMPTON,
	28982	9601 - R45504	MITCHELL E SINE	\$ 148.00	FY17	AWWA WATER JAM - HAMPTON,
	28983	9601 - R45407	TURBINE SUPPLY COMPANY	\$ 805.00	FY17	C1045 CARBON STEEL THREAD
	29005	9601 - R45412	GLOBAL EQUIPMENT COMPANY	\$ 598.10	FY17	VERTICAL FILE CABINET - L
	29008	9601 - R47009	COMMERCIAL PAINTING CORP	\$ 8,300.00	FY17	PAINTING PROJECT - WTP FI
	29012	9601 - R43004	EASTERN SUPPLY INC	\$ 1,200.00	FY17	BASIN CONTROL EQUIPMENT E
	29013	9601 - R43004	COMPLETE CARPET CARE	\$ 3,000.00	FY17	STRIP AND WAX FLOORS - WA
	29014	9601 - R45407	SYDNOR HYDRO...INC.	\$ 12,000.00	FY17	PUMP SHAFTS AND INSTALLAT
	29016	9601 - R47009	UTILITY SERVICE CO INC	\$ 50,000.00	FY17	RAW WATER INTAKE LINE CLE
	29017	9601 - R43002	CHA CONSULTING, INC.	\$ 75,000.00	FY17	WATER DISTRIBUTION/SYSTEM
	29018	9601 - R47009	LONG FENCE	\$ 35,000.00	FY17	ALUMINUM HAND RAIL REPLAC
	29019	9601 - R47009	COMMERCIAL PAINTING CORP	\$ 6,000.00	FY17	FILTER MEDIA AREA PAINTIN
	29049	9601 - R45504	EMBASSY SUITES HAMPTON	\$ 1,059.36	FY17	ACCOMMODATIONS FOR TOWN E
	28015	9602 - R47513	BUSHONG CONTRACTING CORP	\$ 26,321.00	FY15	WATERLINE UPGRADE HAPPY CREEK & BRAXTON
	28111	9602 - R47513	BUSHONG CONTRACTING CORP	\$ 40,248.50	FY15	WATERLINE UPGRADES
	28291	9602 - R47513	BUSHONG CONTRACTING CORP	\$ 130,090.00	FY15	UPGRADE WATER LINES W 15TH, KERFOOT
	28479	9602 - R47513	LEACH RUN PARKWAY	\$ 868,225.00	FY16	LEACH RUN PARKWAY WATERLINE
	28589	9602 - R43002	FLUID PINPOINTING SERVIC	\$ 68,680.00	FY16	LEAK DETECTION SURVEY
	28667	9602 - R47513	BUSHONG CONTRACTING CORP	\$ 115,605.00	FY16	WATERLINE UPGRADES
	28668	9602 - R47005	CAPITAL GMC TRUCKS, INC.	\$ 31,302.00	FY16	VEHICLES AND EQUIPMENT, A
	28752	9602 - R45407	RACEY PAVING & EXCAVATIN	\$ 6,745.10	FY17	ASPHALT REPAIR - INTERSEC
	28998	9602 - R47005	CRIM'S TRAILER SALES	\$ 5,000.00	FY17	PURCHASE TRAILER
	28999	9602 - R47009	DON LARGENT ROOFING, INC	\$ 15,000.00	FY17	ROOF REPLACEMENT ON POLE
	29049	9602 - R45504	EMBASSY SUITES HAMPTON	\$ 1,116.36	FY17	ACCOMMODATIONS FOR TOWN E
	29051	9602 - R47530	HD SUPPLY WATERWORKS, LT	\$ 40,000.00	FY17	FIRE HYDRANTS
	29052	9602 - R47513	BUSHONG CONTRACTING CORP	\$ 432,000.00	FY17	WATER LINE UPGRADES - BEL AIR
	28992	9617 - R47001	HD SUPPLY WATERWORKS, LT	\$ 399,165.00	FY17	RADIO READ WATER METERS
				<u>\$ 3,801,208.58</u>		

Solid Waste	<u>PO#</u>	<u>Account#</u>	<u>Vendor</u>	<u>Amount</u>	<u>Year Reserved</u>	<u>Description</u>
	28785	4203 - R45403	W.H.O. MANUFACTURING CO	\$ 37,049.28	FY17	TUB GRINDER REPAIRS
	29045	4203 - R45414	CALICO INDUSTRIES INC	\$ 5,000.00	FY17	PLASTIC BAGS FOR RESALE
	29060	4203 - R47001	TOTER LLC	\$ 9,135.00	FY17	DUMPSTERS WITH LIDS CARTS W/ LIDS
				<u>\$ 51,184.28</u>		

General Fund	\$ 518,544.07
Special Projects	\$ 524,435.78
Street Fund	\$ 1,548,551.83
TOTAL GOVERNMENTAL FUNDS	\$ 2,591,531.68

Electric Fund	\$ 962,321.21
Sewer Fund	\$ 10,532,847.61
Water Fund	\$ 3,801,208.58
Solid Waste Fund	\$ 51,184.28
TOTAL OF ALL FUNDS	\$ 17,939,093.36

7



Town of Front Royal, Virginia Work Session Agenda Form

Date: November 6th, 2017

Agenda Item: Joint Tourism Advisory Board – Memorandum of Agreement

Summary: Warren County recently adopted a 3% increase to the transient occupancy tax that increases the tax from 2% to 5% (effective July 2, 2017), which will allow the County to collect money to be spent for tourism purposes. It is understood that the intent of the County is not to supplant the current funding by the Town, but to allow the Town and County to put additional resources to branding and marketing the community as a destination. Additionally, this would allow the Town and County to support and enhance restaurants, lodging establishments and the many amenities in the community.

The attached document is the entire agreement along with a copy of the By-Laws.

This Agreement does allow the Town to appoint three (3) representatives (one must be a representative from the hotel industry). The terms of these appointees are specified in this Agreement. Staff can provide Council with recommendations for possible appointees. In addition, the Director of Community Development and Tourism will serve on this Board for four (4) years.

Council Discussion: This agenda item is scheduled for a work session review on November 6, 2017.

Staff Evaluation: The Director of Community Development and Tourism has worked through several renditions of this Agreement with Doug Stanley, Warren County Administrator, and is comfortable with the final verbiage. The Warren County Board of Supervisors approved this version at their September 19 meeting.

Budget/Funding: There is no separate Town budget/funding allocated for this.

Legal Evaluation: The Town Attorney will be available at the work session for questions.

Staff Recommendations: The Director of Community Development and Tourism has worked through several renditions of this Agreement with Doug Stanley, Warren County Administrator, and is comfortable with the final verbiage.

Town Manager Recommendation:

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)



Memorandum of Agreement



*of the Board of Supervisors of Warren County
and the Town of Front Royal Town Council*

FRONT ROYAL-WARREN COUNTY JOINT TOURISM ADVISORY COMMITTEE

I. PURPOSE

Since June 21, 1993 the Town of Front Royal has been responsible for funding the Visitor's Center and tourism for the community. At the time, the vast majority of hotels, motels, and restaurants benefitting from tourism were located inside the limits of the Town of Front Royal. With the growth of the lodging industry in the County outside of Town limits, Warren County recently adopted a 3% increase to the transient occupancy tax that increases the tax from 2% to 5% (effective July 1, 2017), which will allow the County to collect money to be spent for tourism purposes. It is understood that the intent of the County is not to supplant the current funding by the Town, but to allow the Town and County to put additional resources to branding and marketing the community as a destination. Additionally, this would allow the Town and County to support and enhance restaurants, lodging establishments, and the many amenities in the community.

The Town of Front Royal and County of Warren would like to appoint a Joint Tourism Advisory Committee to advise, assist, support, and advocate for tourism policies, programs, and activities to market and promote Front Royal-Warren County and its environs. This Committee will serve as the "local tourism industry organization" referred to in Section 58.1-3819 of the Code of Virginia, as amended, and will include local lodging partners as indicated in the Code section.

This Committee shall:

- A. Promote and assist tourism development in the Front Royal-Warren County community;
- B. Develop and assist in the implementation of a joint tourism development plan to increase overall tourism revenue;
- C. Encourage individuals, businesses, and the Town and County to invest in tourism development as an integral part of overall economic development; and
- D. Assist the various regional organizations in planning and implementing a regional tourism development plan(s).

II. COMPOSITION

- A. The Committee shall consist of nine (9) members, each appointed to a four-year term. Three members shall be 1) the Front Royal Director of Community Development & Tourism, 2) the Warren County Planning Director, and 3) the President of the Front Royal-Warren County Chamber of Commerce. The remaining six (6) members shall be appointed by the Front Royal Town Council (3 members) and Warren County Board of Supervisors (3 members). One member from each the Town and the County must be a representative from a lodging property.
- B. The officers of the Committee shall be appointed for a one-year term, with no individual holding an office for more than two consecutive terms without a one year lapse between terms. The Committee shall elect officers each July and fill vacancies as required during the intervening months. The officers shall include the following:
 - I. Chairman: develops an agenda and presides over meetings, reports quarterly to the Warren County Board of Supervisors and the Front Royal Town Council, and as agreed upon by the Committee, represents the committee on other tourism development committees and organizations, as appropriate
 - II. Vice-Chairman: serves in the absence of the Chairman and oversees the Plan of Work
 - III. Secretary: maintains the minutes of the meetings and issues notices of meetings as provided herein
 - IV. Treasurer: develops an annual budget of funds made available to the Committee
 - V. The offices of Secretary and Treasurer may be combined if the Committee so votes
- C. The Committee may utilize any existing tourism subcommittees or appoint such 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.
- D. Members of the Committee may be reimbursed for their actual expenses. Claims for expenses by Committee members shall be submitted to the Town of Front Royal and/or County of Warren and paid in accordance with the governing procedures for such claims and shall also be subject to the County's allocation and budgeting procedures.

III. FINANCIAL MATTERS

The Joint Tourism Advisory Committee is authorized to apply for, accept, and expend gifts, grants, or donations from public or private sources to enable the Committee to carry out its objectives.



- A. The County of Warren shall be designated as fiscal agent to administer and maintain fiscal records for the Committee.
- B. Each tourism project that is approved by the Committee shall include a budget and funding plan. The funding plan shall include any grant and/or private funds that may be used toward the project, as well as a proposed split (agreed to by the Director of Tourism and a representative of Warren County) of the remaining cost of the project between the Town of Front Royal and County of Warren.

IV. ADMINISTRATIVE MATTERS

- A. The Committee shall make quarterly reports to the Front Royal Town Council and Warren County Board of Supervisors.
- B. No individual member of the Committee shall make representations or commitments on the Committee's behalf without formal approval or endorsement by the majority of the membership of the Committee.

V. MEETINGS

- A. The Committee shall meet every other month on the second Wednesday of the month. 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. Special meetings may be called by the Chairman or on request of three 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.
- B. Meetings shall be open to the general public and news media within the provisions of the Virginia Freedom of Information Act.
- C. The Committee, if voted upon, shall endeavor to hold its meetings in various locations of the Town/County in order to facilitate citizen involvement.
- D. A quorum shall consist of a majority of the members.
- E. Minutes of all meetings shall be kept and retained by the Secretary.
- F. Robert's Rules of Order shall govern the conduct of all meetings.

VI. GOALS OF THE COMMITTEE

Consistent with its purpose, the Committee shall establish objectives and strategies (Plan of Work) that support the Joint Tourism Plan for achieving the goals set forth below. In doing so, the Committee will provide recommendations to any public employees who may be specifically assigned to carry out the Committee's mission.

- A. Citizen Understanding - Increase the economic value of tourism and travels to the Town of Front Royal and County of Warren and its citizens and businesses, and encourages inter-community collaboration on all matters relating to tourism development and promotion.
- B. Tourism - Broaden awareness of the community's existing attractions, both natural and man-made, its heritage and historic sites, and services provided for travelers. This effort shall include awareness within the tourism industry and among the traveling public, with emphasis on multi-county initiatives whenever possible.
- C. Hospitality - Ensure that travelers to and through Front Royal-Warren County are served hospitably and have ready access to information on tourist services and points of interest.
- D. Tourism Development - Pursue with the Economic Development Authority, Town of Front Royal, and County of Warren an overall economic development program to include the development of additional visitor accommodations such as lodging and conference facilities, restaurants, campgrounds, public parks, and other attractions.
- E. Scenic Beauty - Encourage programs whose purpose(s) are to preserve and enhance the scenic beauty of the Town and County, particularly along its public highways.

VII. AMENDMENTS

This Memorandum of Agreement may be amended, repealed, or altered in whole or in part by the Front Royal Town Council and Warren County Board of Supervisors with thirty (30) days written notice.

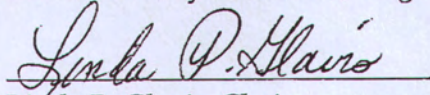
VIII. SEAL

The Committee may have a seal or logotype that identifies its purposes for use in any brochures, letterheads, and other official publications issued by the Committee on its behalf. The Committee may authorize the use of such a graphic by others when such use helps further the Committee's goals and objectives.

Approved by the Warren County Board of Supervisors
Approved by the Front Royal Town Council

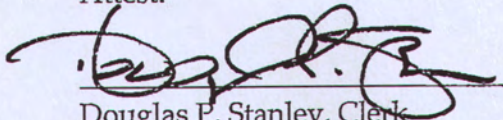
Witnesseth the following signatures:

For the County of Warren, Virginia



Linda P. Glavis, Chair
Board of Supervisors

Attest:



Douglas P. Stanley, Clerk
Board of Supervisors

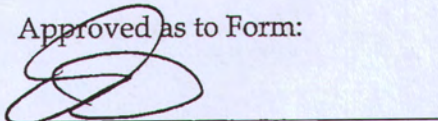
For the Town of Front Royal, Virginia

Hollis L. Tharpe, Mayor

Attest:

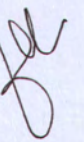
~~Joseph E. Waltz~~
~~Interim Town Manager~~

Approved as to Form:



Dan N. Whitten
County Attorney
County of Warren, Virginia

Douglas W. Napier
Town Attorney
Town of Front Royal, Virginia



**BY-LAWS OF THE
FRONT ROYAL-WARREN COUNTY
JOINT TOURISM COMMITTEE**

ARTICLE 1 – PURPOSE OF COMMITTEE

- 1-1 The Front Royal-Warren County Joint Tourism Committee (“the Committee”) is hereby created to act as an advisory board for the Front Royal Town Council and Warren County Board of Supervisors to advise, assist, support, and advocate for tourism policies, programs, and activities to market and promote Front Royal-Warren County and its environs.
- 1-2 The Committee provides input and recommendations to the Board of Supervisors and Town Council on the following issues:
- 1-2-1 Promote and assist tourism development in the Front Royal-Warren County community;
 - 1-2-2 Develop and assist in the implementation of a joint tourism development plan to increase overall tourism revenue;
 - 1-2-3 Encourage individuals, businesses, and the Town and County to invest in tourism development as an integral part of overall economic development;
 - 1-2-4 Assist the various regional organizations in planning and implementing a regional tourism development plan(s).

ARTICLE 2 – SELECTION OF MEMBERS

- 2-1 The Committee shall consist of nine (9) members:
- 2-1-1 Three members shall be the Front Royal Director of Community Development and Tourism, the Warren County Planning Director, and the President of the Front Royal-Warren County Chamber of Commerce.
 - 2-1-2 The remaining six (6) at-large members shall be appointed by the Front Royal Town Council (3 members) and Warren County Board of Supervisors (3 members).
 - 2-1-3 One member from each the Town and the County must be a representative from a lodging property.
- 2-2 Each at-large member shall be appointed for a four (4) year term. For the initial appointment after the formation of the Committee, the County shall appoint one member to a four (4) year term and two members to two (2) year terms and the Town shall appoint two members to four (4) year terms and one member to a two (2) year term. Thereafter, all at-large members shall hold office for a term of four (4) years each, such that the terms of office of the members are staggered. Members shall hold office until the successor has been appointed, which successor shall serve the unexpired remainder of that member’s term.

ARTICLE 3 – SELECTION OF OFFICERS

- 3-1 The officers of the Committee shall be appointed for a one (1) year term, with no individual holding an office for more than two consecutive terms without a one year lapse between terms. The Committee shall elect officers each July and fill vacancies as required the intervening months.
- 3-2 Officers of the Committee shall consist of a Chairman, Vice-Chairman, Secretary, and Treasurer. The offices of Secretary and Treasurer may be combined if the Committee so votes.
- 3-3 Nomination of officers shall be made from the floor at the beginning of the July meeting for the ensuing year. Election of officers shall follow immediately. A candidate receiving a majority vote of the members shall be declared elected.

ARTICLE 4 – DUTIES OF OFFICERS

4-1 The Chairman shall:

- 4-1-1 Develop an agenda and preside at meetings.
- 4-1-2 Report quarterly to the Warren County Board of Supervisors and the Front Royal Town Council.
- 4-1-3 Represent the Committee on other tourism development committees and organizations, as agreed upon by the Committee.
- 4-1-4 Rule on procedural questions (subject to reversal by a majority vote of the members present).
- 4-1-5 Certify official documents involving the authority of the Committee.
- 4-1-6 Certify minutes as true and correct copies.
- 4-1-7 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.

4-4

The Treasurer shall:

- 4-4-1 Be responsible for developing an annual budget of funds made available to the Committee.
- 4-4-2 Work with the fiscal agent to ensure the payment of all invoices and the collection of all funds due for the purposes of the Committee.

ARTICLE 5 – SUBCOMMITTEES

- 5-1 The Committee may utilize any existing tourism subcommittees or appoint such 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 – FINANCIAL MATTERS

- 6-1 The County of Warren shall be designated as fiscal agent to administer and maintain fiscal records for the Committee.
- 6-2 Members of the Committee may be reimbursed for their actual expenses. Claims for expenses by Committee members shall be submitted to the fiscal agent and paid in accordance with the governing procedures for such claims and shall also be subject to the fiscal agent's allocation and budgeting procedures.

ARTICLE 7 – MEETINGS

- 7-1 The Committee shall meet every other month on the second Wednesday of the month. 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.
- 7-2 Special meetings may be called by the Chairman or on request of three 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.
- 7-3 The Committee, if voted upon, shall endeavor to hold its meetings in various locations of the Town/County in order to facilitate citizen involvement.
- 7-4 All meetings of the Committee shall be open to the public, except as provided for in the Virginia Freedom of Information Act.
- 7-5 If any At-Large member has three (3) unexcused absences in a calendar year, the member shall be removed from the Committee and another representative shall be appointed by the Board of Supervisors or Town Council, as applicable, to fill the unexpired term of office.

ARTICLE 8 – VOTING

- 8-1 A majority of the members shall constitute a quorum.
- 8-2 No action of the Committee shall be valid unless authorized by a majority vote of those present and voting.

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 the Warren County Board of Supervisors and Front Royal Town Council with thirty (30) days written notice.

Adopted by the Warren County Board of Supervisors: September 19, 2017

Adopted by the Front Royal Town Council: _____, 2017

8



Town of Front Royal, Virginia Work Session Agenda Form

Date: November 6, 2017

Agenda Item: Resolution for Shenandoah National Park Pertaining to Proposed Fee Increase

Summary: The National Park Service is considering increasing entrance fees for (17) highly visited national parks during peak visitor seasons to generate needed revenue for improvements to their aging infrastructure. The Shenandoah National Park is one of the (17) parks listed for the proposed increases to begin June 1, 2018. The peak season is June 1 – October 31 and the proposed entrance fee increases during this time includes: Peak Visitor Season: Per Vehicle from \$25.00 to \$70.00; Per Person from \$10.00 to \$30.00 Per Motorcycle from \$20.00 to \$50.00. The only increase for Regular Season entrance fees is for the Per Person from \$10.00 to \$12.00; The Annual Pass is currently \$50.00; however, it will be increased to \$75.00 for all year with no distinction between Peak and Regular Seasons. The comment period for the proposal ends November 23, 2017.

Council Discussion: Council is requested to consider approval of a resolution to be submitted to the National Park Service showing impact that the proposed increase would have on the Town of Front Royal

Staff Evaluation: Staff will be available

Budget/Funding: Finance Director will be available

Legal Evaluation: Town Attorney will be available

Staff Recommendations: Staff will be available

Town Manager Recommendation: Town Manager will be available

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action

Consensus Poll on Action: ____ (Aye) ____ (Nay)

RESOLUTION
SHENANDOAH NATIONAL PARK ENTRANCE FEE INCREASE

WHEREAS, the National Park Services is considering increases to entrance fees at the most highly visited national parks during their peak visitor seasons to generate revenue for improvements to aging infrastructure, and;

WHEREAS, the Shenandoah National Park is considered one of the parks for an increase in entrance fees during the Peak Visitor Season (June 1 – October 31) that include: Per Vehicle from \$25.00 to \$70.00; Per Person from \$10.00 to \$30.00 Per Motorcycle from \$20.00 to \$50.00. The only increase for Regular Season entrance fees is for the Per Person from \$10.00 to \$12.00; The Annual Pass is currently \$50.00; however, it will be increased to \$75.00 for all year being no distinction between Peak and Regular Seasons; and,

WHEREAS, In 2016 approximately 116,000 vehicles entered the Shenandoah National park at Front Royal during the months of June – October with a large percentage of those visiting the Front Royal Visitors' Center during that time; and,

WHEREAS, the chief objective of the Front Royal Visitors' Center is to divert a percentage of Shenandoah National Park visitors to local restaurants, motels, businesses and shops; and,

WHEREAS, the proposed significant increase in entrance fees during the peak season for visitors to the Shenandoah National Park could jeopardize tourism and much anticipated revenue to the Town of Front Royal; and,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Town Council of the Town of Front Royal hereby adopt this resolution that would notify the National Park Service that the increase in the proposed increase in entrance fees at the Shenandoah National Park would impact the economic revenue associated with tourism for the Town of Front Royal.

APPROVED:

Hollis L. Tharpe, Mayor

ATTEST:

Jennifer E. Berry
Clerk of Council

This resolution was adopted on the _____ day of November 2017 by the Town Council of the Town of Front Royal, Virginia.

TARGETED FEE INCREASES AT PARKS TO ADDRESS MAINTENANCE BACKLOG

FACT SHEET

As part of its commitment to improve the visitor experience and increase revenue to help address the deferred maintenance backlog, the National Park Service is proposing to implement peak season entrance fees at 17 of its busiest national parks.

Peak season will be the busiest contiguous five month period of visitation for each park.

- 1 park would start as soon as practical in 2018
- 12 parks would start May 1, 2018
- 4 parks would start June 1, 2018

A 30-day public comment period will open on 10/24/2017 and close on 11/23/2017. Interested parties are encouraged to make comments electronically via the National Park Service's Planning, Environment, and Public Comment (PEPC) website <https://parkplanning.nps.gov/proposedpeakseasonfeerates> or in writing to 1849 C Street, NW, Mail Stop: 2346 Washington, DC 20240.

Following the public comment period, feedback will help determine where, or if, peak season fee rates will be implemented.

Fees have become an important source of revenue used to improve the visitor experience and recreation opportunities in national parks and on other federal lands.

The funds raised are critically needed to improve facilities and infrastructure and to provide an enhanced level of service, all of which would have a direct impact on the visitor.

The 17 parks are:

- Acadia National Park (ACAD)
- Arches National Park (ARCH)
- Bryce Canyon National Park (BRCA)
- Canyonlands National Park (CANY)
- Denali National Park (DENA)
- Glacier National Park (GLAC)
- Grand Canyon National Park (GRCA)
- Grand Teton National Park (GRTE)
- Joshua Tree National Park (JOTR)
- Mount Rainier National Park (MORA)
- Rocky Mountain National Park (ROMO)
- Olympic National Park (OLYM)
- Sequoia and Kings Canyon National Park (SEKI)
- Shenandoah National Park (SHEN)
- Yellowstone National Park (YELL)

- Yosemite National Park (YOSE)
- Zion National Park (ZION)

These 17 parks are the top revenue parks. They collect 70% of the total of all entrance fees throughout the country.

The peak season for each park is defined as the busiest contiguous five month period of visitation

- JOTR January 1-May 31
- ARCH, BRCA, CANY, DENA, GLAC, GRCA, GRTE, OLYM, SEKI, YELL, YOSE, ZION May 1- September 30
- ACAD, MORA, ROMO, SHEN June 1- October 31

During peak-season, the entrance fee will be \$70 per private, non-commercial vehicle, \$50 per motorcycle, and \$30 per person.

Additionally, the commercial tour entrance fee at these parks would also have a peak-season pricing. For additional information on commercial tour fees please visit the National Park Service's Planning, Environment, and Public Comment (PEPC) website at <https://parkplanning.nps.gov/commercialtourrequirements>.

The annual America the Beautiful-The National Parks and Federal Recreational Lands Pass which provides free entrance to all parks for a year will remain \$80.

Entrance fees are not charged to persons under 16 years of age or holders of the America the Beautiful-The National Park and Federal Recreation Lands Annual, Senior, Military, Access, or Volunteer Passes or holders of EKIP passes.

Implementing the seasonal pricing structure will likely increase total entrance fee revenues from \$199.9M to \$268.5M, annually - an increase of 34.3% over Fiscal Year 2016.

All of the money will stay within the National Park Service. 80% of the money will remain in the park where it is collected. The other 20% will be spent on projects in other national parks. The funds will be expended on projects and activities that further the mission and purpose of the NPS, with an emphasis on deferred maintenance. This includes roads, bridges, campgrounds, waterlines, bathrooms, and other visitor services.

Access to the majority of National Park Service sites remains free; only 118 of 417 National Park Service sites charge an entrance fee. The other 299 national parks do not charge an entrance fee.

Region	National Park	State	Current Park-Specific Annual Pass Fee	Current Per Vehicle Fee	Current Per Person Fee	Current Per Motorcycle Fee	Proposed Regular Season Park-Specific Annual Pass Fee	Proposed Regular Season Per Vehicle Fee	Proposed Regular Season Per Person Fee	Proposed Regular Season Per Motorcycle Fee	Proposed Peak Season Park- Specific Annual Pass Fee	Proposed Peak Season Per Vehicle Fee	Proposed Peak Season Per Person Fee	Proposed Peak Season Per Motorcycle Fee	Proposed Peak Season Dates
Alaska	Denali	AK	\$40		\$10		\$75		\$12		\$75		\$30		May-Sept
Intermountain	Grand Canyon	AZ	\$60	\$30	\$15	\$25	\$75	\$30	\$15	\$25	\$75	\$70	\$30	\$50	May-Sept
Intermountain	Yellowstone	ID, MT, WY	\$60	\$30	\$15	\$25	\$75	\$30	\$15	\$25	\$75	\$70	\$30	\$50	May-Sept
Intermountain	Zion	UT	\$50	\$30	\$15	\$25	\$75	\$30	\$15	\$25	\$75	\$70	\$30	\$50	May-Sept
Intermountain	Rocky Mountain	CO	\$60	\$30	\$15	\$25	\$75	\$30	\$15	\$25	\$75	\$70	\$30	\$50	Jun-Oct
Intermountain	Grand Teton	WY	\$60	\$30	\$15	\$25	\$75	\$30	\$15	\$25	\$75	\$70	\$30	\$50	May-Sept
Intermountain	Glacier	MT	\$50	\$30	\$15	\$25	\$75	\$30	\$15	\$25	\$75	\$70	\$30	\$50	May-Sept
Intermountain	Bryce Canyon	UT	\$35	\$30	\$15	\$25	\$75	\$30	\$15	\$25	\$75	\$70	\$30	\$50	May-Sept
Intermountain	Arches	UT	\$50	\$25	\$10	\$15	\$75	\$25	\$12	\$20	\$75	\$70	\$30	\$50	May-Sept
Intermountain	Canyonlands	UT	\$50	\$25	\$10	\$15	\$75	\$25	\$12	\$20	\$75	\$70	\$30	\$50	May-Sept
Northeast	Shenandoah	VA	\$50	\$25	\$10	\$20	\$75	\$25	\$12	\$20	\$75	\$70	\$30	\$50	Jun-Oct
Northeast	Acadia	ME	\$50	\$25	\$12	\$20	\$75	\$25	\$12	\$20	\$75	\$70	\$30	\$50	Jun-Oct
Pacific West	Yosemite	CA	\$60	\$30	\$15	\$25	\$75	\$30	\$15	\$25	\$75	\$70	\$30	\$50	May-Sept
Pacific West	Sequoia & Kings Canyon	CA	\$50	\$30	\$15	\$25	\$75	\$30	\$15	\$25	\$75	\$70	\$30	\$50	May-Sept
Pacific West	Joshua Tree	CA	\$40	\$25	\$12	\$12	\$75	\$25	\$12	\$20	\$75	\$70	\$30	\$50	Jan-May
Pacific West	Mount Rainier	WA	\$50	\$25	\$10	\$20	\$75	\$25	\$12	\$20	\$75	\$70	\$30	\$50	Jun-Oct
Pacific West	Olympic	WA	\$50	\$25	\$10	\$20	\$75	\$25	\$12	\$20	\$75	\$70	\$30	\$50	May-Sept

National Park Service Proposes Targeted Fee Increases at Parks to Address Maintenance Backlog

[National Park Service » National Park Service Proposes Targeted Fee Increases at Parks to Address Maintenance Backlog » Document List](#)

As part of its commitment to improve the visitor experience, the National Park Service is considering increases to fees at highly visited national parks during peak visitor seasons. Proposed peak season entrance fees and revised fees for road-based commercial tours will generate badly needed revenue for improvements to the aging infrastructure of national parks.

Under the proposal, peak season entrance fees would be established at 17 national parks. The peak-season for each park would be defined as its busiest contiguous five month period of visitation.

During a five-month peak-season at each of the 17 parks, the entrance fee would be \$70 per vehicle, \$50 per motorcycle, and \$30 per person. All of the funds would be used to improve facilities, infrastructure, and visitor services, with an emphasis on deferred maintenance projects.

The peak season for each park is defined as the busiest contiguous five month period and would be as follows:

- May 1-September 30 for Arches National Park, Bryce Canyon National Park, Canyonlands National Park, Denali National Park, Glacier National Park, Grand Canyon National Park, Grand Teton National Park, Olympic National Park, Sequoia & Kings Canyon National Park, Yellowstone National Park, Yosemite National Park, Zion National Park
- June 1-October 31 for Acadia National Park, Mount Rainier National Park, Rocky Mountain National Park, Shenandoah National Park
- January 1-May 31 for Joshua Tree National Park

The public is encouraged to comment about the National Park Service's proposal to implement peak season entrance fees at 17 national parks. A 30-day public comment period will open on October 24, 2017 and close on November 23, 2017. We invite the public to submit comments electronically via the National Park Service's Planning, Environment, and Public Comment (PEPC) website: <https://parkplanning.nps.gov/proposedpeakseasonfeerates>. To comment use the "Document List" or "Open For Comment" project links in the left side navigation menu. Open the document and use the "Comment Now" button. Comments will also be accepted in writing. To submit written comments, mail comments to National Park Service, Recreation Fee Program, 1849 C Street, NW, Mail Stop: 2346 Washington, DC 20240.

The National Park Service is also proposing entrance and permit fee adjustments for commercial tour operators. The proposal would increase entrance fees for commercial operators and

standardize commercial use authorization (CUA) requirements for road-based commercial tours, including application and management fees. All CUA fees stay within the collecting park and would fund rehabilitation projects for buildings, facilities, parking lots, roads, and wayside exhibits that would enhance the visitor experience. The fees will also cover the administrative costs of receiving, reviewing, and processing CUA applications and required reports.

This proposal would also include a peak season commercial entrance fee structure for the 17 national parks referenced above.

Information and a forum for public comments regarding the commercial permit requirements and commercial tour fees is available October 24, 2017 to November 23, 2017 on the NPS Planning, Environment and Public Comment (PEPC) website at <http://parkplanning.nps.gov/commercialtourrequirements>. Written comments may be sent to National Park Service, Recreation Fee Program, 1849 C Street, NW, Mail Stop: 2346 Washington, DC 20240.

Contact Information

Christine Williamson for Peak Season and Commercial Tour Entrance Fees
(202) 513-7132

Samantha Towery for Commercial Use Authorization Requirements (CUA)
(303) 987-6908

Shenandoah NP

Bookmark this report: <https://irma.nps.gov/Stats/SSRSReports/Park%20Specific%20Reports/Traffic%20Counts>

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
TRAFFIC COUNT AT FRONT ROYAL ENTRANCE												
2017	3,169	6,137	5,816	15,408	16,449	18,340	21,226	20,224	18,485			
2016	2,414	2,750	7,418	12,027	15,955	17,013	21,651	19,301	19,041	38,682	19,341	3,623
2015	1,265	1,206	4,274	12,738	19,970	14,947	18,156	21,197	17,236	39,817	11,628	3,731
2014	830	1,081	3,657	11,938	17,950	17,033	19,810	19,938	16,722	37,255	9,054	2,393
2013	1,724	1,260	4,009	17,145	14,986	16,130	18,773	18,959	17,739	17,711	14,173	1,838
2012	2,497	2,365	6,597	11,685	16,361	16,892	17,032	16,107	17,381	34,591	7,461	1,853
2011	1,583	1,908	4,870	10,550	15,103	15,109	20,312	15,214	13,934	34,285	11,747	2,613
2010	393	77	5,257	12,729	17,277	15,983	21,431	18,649	18,033	40,618	11,026	887
2009	2,321	2,838	4,538	10,493	15,911	14,978	20,809	18,710	16,652	31,094	9,993	655
2008	2,450	2,099	6,092	8,585	15,373	15,032	17,120	19,077	12,504	31,663	13,928	2,237
2007	2,840	776	4,700	9,993	16,283	16,223	20,319	16,350	18,523	29,391	13,871	2,045
2006	2,564	2,251	5,397	11,143	15,304	14,440	19,119	17,334	15,158	34,258	10,071	3,303
2005	2,106	2,119	3,855	9,500	15,794	15,801	19,181	15,165	14,430	22,596	16,648	547
2004	1,488	2,887	5,006	14,500	22,000	19,408	18,782	17,780	14,267	34,116	8,248	2,347
2003	1,167	614	4,570	10,873	11,151	14,503	19,054	18,385	8,556	33,667	12,326	1,774
2002	2,879	4,021	6,296	10,333	16,387	18,135	27,682	18,756	14,603	22,354	13,710	753
2001	1,677	3,439	4,947	12,798	14,531	15,243	21,254	17,491	19,408	38,718	10,079	2,906
2000	2,414	2,821	6,461	11,187	14,246	15,282	20,404	17,393	17,518	42,969	7,372	1,234
1999	1,158	3,170	4,234	11,674	17,958	15,351	20,444	18,308	15,719	37,644	9,708	2,006
1998	1,895	990	1,373	10,077	15,951	15,170	21,342	21,374	18,667	37,718	12,390	2,000
1997	1,976	3,406	7,387	11,331	16,392	17,007	21,597	23,068	16,631	31,547	9,080	2,054
1996	486	2,082	5,571	12,350	14,232	18,404	23,727	22,944	12,931	40,050	7,773	2,220
1995	2,610	2,929	7,289	14,795	17,737	17,622	25,546	23,006	21,294	35,597	8,602	800
TRAFFIC COUNT AT PANORAMA REST												
2015	0	0	0	0	0	0	0	0				
2014	0	0	0	0	0	0	0	0	0	0	0	0
2013	0	0	0	0	0	0	0	0	0	0	0	0
2012	0	0	0	0	0	0	0	0	0	0	0	0
2011	0	0	0	0	0	0	0	0	0	0	0	0
2010	0	0	0	0	0	0	0	0	0	0	0	0
2009	0	0	0	0	0	0	0	0	0	0	0	0
2008	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0
2005	557	570	0	0	0	0	0	0	0	0	0	0
2004	667	872	923	2,270	8,124	2,873	2,605	2,794	2,207	0	915	767
2003	962	560	105	1,346	1,947	332	1,211	1,945	3,314	4,438	1,237	767
2002	1,604	791	1,437	1,533	2,863	3,650	3,789	3,770	3,030	3,511	2,151	1,180
2001	462	682	415	457	2,809	3,605	4,922	3,923	3,959	5,788	1,552	819
2000	0	100	100	0	100	100	259	3,307	3,511	5,260	6,410	870
1999	500	250	0	0	100	0	0	0	0	0	0	0

Table 3 (continued). Visits, spending and economic contributions to local economies of NPS visitor spending - 2016.

Park Unit	Total Recreation Visits	Total Visitor Spending (\$000s, \$2016)	Contribution of all Visitor Spending			
			Jobs	Labor Income (\$000s, \$2016)	Value Added (\$000s, \$2016)	Economic Output (\$000s, \$2016)
San Juan Island NHP	316,123	\$18,483.3	244	\$8,829.8	\$14,965.0	\$24,061.3
Sand Creek Massacre NHS	6,848	\$400.4	7	\$108.4	\$210.3	\$399.0
Santa Monica Mountains NRA	906,605	\$39,449.5	557	\$21,192.3	\$32,743.8	\$54,340.8
Saratoga NHP	102,807	\$6,011.0	88	\$2,545.7	\$4,621.7	\$7,654.6
Saugus Iron Works NHS	11,160	\$652.5	10	\$368.8	\$578.6	\$924.6
Scotts Bluff NM	130,085	\$7,605.8	113	\$2,998.8	\$5,134.1	\$8,872.8
Sequoia NP*	1,254,688	\$95,203.6	1,337	\$38,526.6	\$66,020.8	\$113,958.4
Shenandoah NP	1,437,341	\$96,204.1	1,278	\$50,004.0	\$79,138.6	\$126,153.4
Shiloh NMP	421,863	\$24,665.8	394	\$9,167.0	\$15,709.9	\$28,763.6
Sitka NHP	217,141	\$38,513.3	741	\$21,506.4	\$31,966.5	\$55,343.2
Sleeping Bear Dunes NL*	1,683,554	\$183,131.9	2,872	\$71,355.7	\$130,603.9	\$231,016.1
Springfield Armory NHS	22,434	\$1,311.7	18	\$696.3	\$1,123.3	\$1,794.8
Statue Of Liberty NM	4,501,548	\$263,199.0	3,352	\$155,427.8	\$240,682.0	\$364,030.0
Steamtown NHS*	99,660	\$5,403.5	86	\$2,796.4	\$4,429.4	\$7,432.4
Stones River NB	346,213	\$20,242.6	322	\$9,872.6	\$16,222.8	\$27,545.2
Sunset Crater Volcano NM	60,232	\$3,521.7	52	\$1,289.3	\$2,289.4	\$3,933.7
Tallgrass Prairie NPRES	29,378	\$1,717.8	26	\$735.7	\$1,215.0	\$2,188.5
Thaddeus Kosciuszko NMEM	2,795	\$163.5	3	\$95.9	\$149.0	\$242.6
Theodore Roosevelt NP	753,880	\$47,793.7	654	\$17,797.1	\$28,484.6	\$51,009.7
Theodore Roosevelt Birthplace NHS	6,583	\$384.9	3	\$226.8	\$352.1	\$533.2
Theodore Roosevelt Inaugural NHS	29,200	\$1,707.3	25	\$712.3	\$1,345.4	\$2,196.0
Theodore Roosevelt Island P	164,361	\$9,609.9	135	\$5,243.7	\$8,229.1	\$13,117.6
Thomas Edison NHP	57,695	\$3,373.4	44	\$1,995.5	\$3,073.0	\$4,670.5
Thomas Jefferson NMEM	3,414,345	\$64,803.3	923	\$36,536.1	\$57,698.4	\$91,836.4
Thomas Stone NHS	10,652	\$622.8	8	\$341.3	\$532.4	\$842.7
Timpanogos Cave NM	91,261	\$5,335.9	90	\$2,824.9	\$4,425.3	\$7,930.6
Timucuan EHP	1,148,495	\$67,150.9	1,082	\$32,247.0	\$53,560.1	\$92,245.1
Tonto NM	38,048	\$2,224.6	33	\$1,187.8	\$1,912.4	\$3,155.8
Tumacácori NHP	43,830	\$2,562.6	39	\$1,029.6	\$1,800.7	\$3,096.0

* For these parks, results are based on a visitor survey at the designated park. For other parks, visitor characteristics and spending averages are adapted from national averages for each park type.

¹ Trip characteristic data, spending data, and local area definitions were updated for these parks in 2016.

^x Areas that were closed in 2016.

⁰ Areas that were open but did not report visitation in 2016.

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Town of Front Royal, Virginia Work Session Agenda Form

Date: November 6, 2017

Agenda Item: Members' Terms Expire on BAR and UFAC

Summary: Gary D. Vaughn and Joan E. Harding's terms expire on the Board of Architectural Review (BAR) on November 13, 2017. Mr. Vaughn would like to be considered for re-appointment and Ms. Harding is not interested in the re-appointment. BAR terms are for four (4) years. Staff was notified by Planning/Zoning that Ms. Harding did not want to be considered for re-appointment; therefore, staff began advertising for the vacancy on Monday, October 23, 2017.

Sarah M. Wills term on the Urban Forestry Advisory Commission (UFAC) expires December 20, 2017. She would like to be considered for re-appointment. UFAC terms are for four (4) years.

Council Discussion: Council directs staff on desired action

Staff Evaluation: None

Budget/Funding: The Director of Finance will be available.

Legal Evaluation: The Town Attorney will be available.

Staff Recommendations: Staff will be available

Town Manager Recommendation: Town Manager will be available.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action

Consensus Poll on Action: ____ (Aye) ____ (Nay)

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Town of Front Royal, Virginia Work Session Agenda Form

Date: November 6, 2017

Agenda Item: Liaison Committee Meeting Items for November 16, 2017

Summary: The next Liaison Committee Meeting is scheduled for November 16, 2017. The last meeting agenda is attached.

Council Discussion: Council takes desired action

Staff Evaluation: None

Budget/Funding: None

Legal Evaluation: Town Attorney will be available

Staff Recommendations: None

Town Manager Recommendation: Town Manager will be available

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action

Consensus Poll on Action: ____ (Aye) ____ (Nay)

Work Session



AGENDA TOWN/COUNTY LIAISON COMMITTEE MEETING

Warren County Government Center

September 21, 2017

6:00 PM



- **Call to Order – Linda P. Glavis, Chair of the Warren County Board of Supervisors**
 - 1) **IT Federal Main Street Project – Joe Waltz**
 - 2) **Splash Pad – Joe Waltz**
 - 3) **Route 522 Corridor Water Upgrade Project – Joe Waltz**
 - 4) **Phase II Happy Creek Road Project Update – Joe Waltz**
 - 5) **Town Building Maintenance Code Enforcement Update – Joe Waltz**
 - 6) **Update on Wastewater Treatment Plant – Joe Waltz**
 - 7) **Development Review Committee – Doug Stanley**
 - 8) **Building Inspections Software – Doug Stanley**
 - 9) **Warren County's In-Town Projects – Doug Stanley**
 - 10) **Joint Towing Board – Doug Stanley**
 - 11) **Tethering of Dogs in Extreme Weather – Doug Stanley**
 - 12) **Closed Meeting – Section 2.2-3711(A)(3) of the Virginia Freedom of Information Act re: Disposition of Real Property**
- **Adjournment**

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Town of Front Royal, Virginia Work Session Agenda Form

Date: November 6, 2017

Agenda Item: Plaque for former Town Hall

Summary: On October 16, 2017 Council reviewed the placement of an historical plaque on the former Town Hall as well as the wording to be placed on such plaque submitted by the Warren Heritage Society. Town Staff was directed to bring wording back for Council's review to be placed on a smaller plaque to be installed on the front of the former Town Hall. Attached is wording extracted from various documents currently in the Town's possession including financial paperwork and minutes. The mention of the quarried stone is from the Warren Heritage Society's information give to Council in October. Attached are also pictures depicting the size and cost of plaques the Town purchased in 2013 for the current Town Hall to give Council an idea of size and wording.

22' x 24' Plaque placed on wall

14' x 14' Plaques – placed on the Time Capsule

Council Discussion: Council is requested to approve the plaque's appearance, informative content, and place of placement in a regular meeting of Town Council.

Staff Evaluation: Staff will be available

Budget/Funding: The Land Exchange Agreement specifies the plaque shall be erected by the owner of the former Town Hall and the Town of Front Royal maintains it.

Legal Evaluation: Town Attorney will be available

Staff Recommendations: Staff will be available

Town Manager Recommendation: Town Manager will be available

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action

Consensus Poll on Action: ____ (Aye) ____ (Nay)

ORIGINAL TOWN HALL

January 1936 – January 2013

Constructed in part by the Public Works Administration New Deal of 1933 created by the National Industrial Recovery Act, as the Municipal Building (“Town Hall”) of the Town of Front Royal to be used for public purposes including Town offices, Fire Department, Auditorium and Community Library, and other uses as the Town Council may from time to time designate. The stone used for construction was quarried in the Massanutten Mountains. The first Town Council Meeting was held here on February 10, 1936.

The Warren Heritage Society humbly places this time capsule in the hope that future residents of the Town of Front Royal and Warren County will take as much pleasure as we do in the rich tapestry of our community's history. Within this container are signposts pointing towards people, places and events in the history of Front Royal and Warren County. Take direction and explore.

"The past is never dead. It's not even past."

William Faulkner

Town of Front Royal

Commemorating the first year in the
Town's Administration Building

Placed December 8th 2014

Mayor Timothy W. Darr

Vice Mayor N. Shae Parker

Councilman Bret W. Hrbek

Councilman Eugene R. Tewalt

Councilman Daryl L. Funk

Councilman Thomas H. Sayre

Councilman Hollis L. Tharpe



**DEDICATED TO THE CITIZENS OF FRONT ROYAL
TO BETTER SERVE OUR COMMUNITY
JANUARY 2013**

Mayor Timothy W. Darr

Vice Mayor N. Shae Parker

Councilman Daryl L. Funk

Councilman Bret W. Hrbek

Councilman Thomas H. Sayre

Councilman Eugene R. Tewalt

Councilman Hollis L. Tharpe

Vice Mayor Chris W. Holloway

Councilman Thomas E. Conkey

Councilman Carson C. Lauder, Jr.

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Town of Front Royal, Virginia
Work Session Agenda Form

Date: November 6, 2017

Agenda Item: Sidewalks and Street Lights on Progress Drive

Summary: Council is requested to discuss the placement of sidewalks and street lights on Progress Drive per Councilman Morrison. This item was discussed at a work session held September 18, 2017. Attached is the cost estimate that was presented to Council at that time. This item was removed from the October 16, 2017 work session.

Council Discussion: Council takes desired action

Staff Evaluation: Staff will be in attendance

Budget/Funding: Finance Director will be in attendance

Legal Evaluation: Town Attorney will be in attendance

Staff Recommendations: Staff will be in attendance

Town Manager Recommendation: Town Manager will be in attendance

Council Recommendation: ☒ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ___(Aye) ___(Nay)

Cost Estimate for Sidewalks and Lights - Progress Drive

Category	Items	Quantity	Estimated Cost	Actual Cost	Total Estimated	Total Actual
Curb & Gutter		1,940	\$30.00		\$58,200.00	\$0.00
Sidewalk	Survey	1	\$2,000.00		\$2,000.00	\$0.00
	Concrete	3524	\$33.00		\$116,292.00	\$0.00
	Handicap ramps	4	\$1,000.00		\$4,000.00	\$0.00
Lights	Light poles	13	\$2,000.00		\$26,000.00	\$0.00
	Wire and misc. material	1	\$4,000.00		\$4,000.00	\$0.00
Total			\$9,063.00	\$0.00	\$210,492.00	\$0.00

Cost estimate for sidewalks on both sides of Progress Drive, sidewalks completed by contractor and the installation of light poles will be done in-house.

Subtotal	\$210,492.00	\$0.00
Unexpected Costs - Add 15%	\$31,573.80	\$0.00
Total	\$242,065.80	\$0.00

5/4/17 Rev 1

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Town of Front Royal, Virginia Work Session Agenda Form

Date: November 6, 2017

Agenda Item: Continued Discussion of Property Maintenance Code Amendments and Establishment of a Rental Inspection District

Summary: Town Council held a public hearing on September 25, 2017 for adoption of a Property Maintenance Code and Establishment of a Rental Inspections District. Council voted to postpone the first reading to discuss in more detail in a work session and vote on the first reading at the next regular meeting held after the work session. Council held a public hearing to receive public input on August 28, 2017. Those minutes are attached. Council removed this discussion at the October 16, 2017 work session.

Council Discussion: Council takes desired action at the November 13, 2017 regular meeting

Staff Evaluation: Staff will be available

Budget/Funding: Director of Finance will be available

Legal Evaluation: Town Attorney will be available

Staff Recommendations: Staff will be available

Town Manager Recommendation: Town Manager will be available.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action

Consensus Poll on Action: ____ (Aye) ____ (Nay)

Work Session

TOWN COUNCIL WORK SESSION

FEBRUARY 13, 2017



PROPERTY MAINTENANCE & RENTAL INSPECTIONS

Referral to the Planning Commission

PROPERTY MAINTENANCE & RENTAL INSPECTIONS

LOCAL DISCUSSION:

Pros

- *Deteriorating Buildings/Poor Maintenance*
- *Blight/Property Values*
- *Rental Complaints*
- *Derelict Buildings*



Cons

- *Additional costs for landlords*
- *Regulation*
- *Additional staff for administration*
- *Legal costs*

*A Lifelong
Community*



*A Popular
Destination*



*Preserved
Assets*



*A Vibrant
Town*





PRESERVED ASSETS. *The Town's historic buildings will be restored for new uses, natural assets will be preserved, and the Town will be clean and attractive.*

Front Royal's has many assets, both historic buildings, and natural and civic assets. This theme envisions a future where Front Royal has succeeded in preserving, protecting and enhancing its many physical assets. There are a number of historic structures in various states of use, non-use or repair or disrepair in the Town. ★ Challenges identified include absentee ownership, or lack of maintenance and upkeep,

which were issues not just with historic buildings but in some other areas of the Town. The restoration, re-use, rehabilitation of historic structures and façades was a dominant and popular

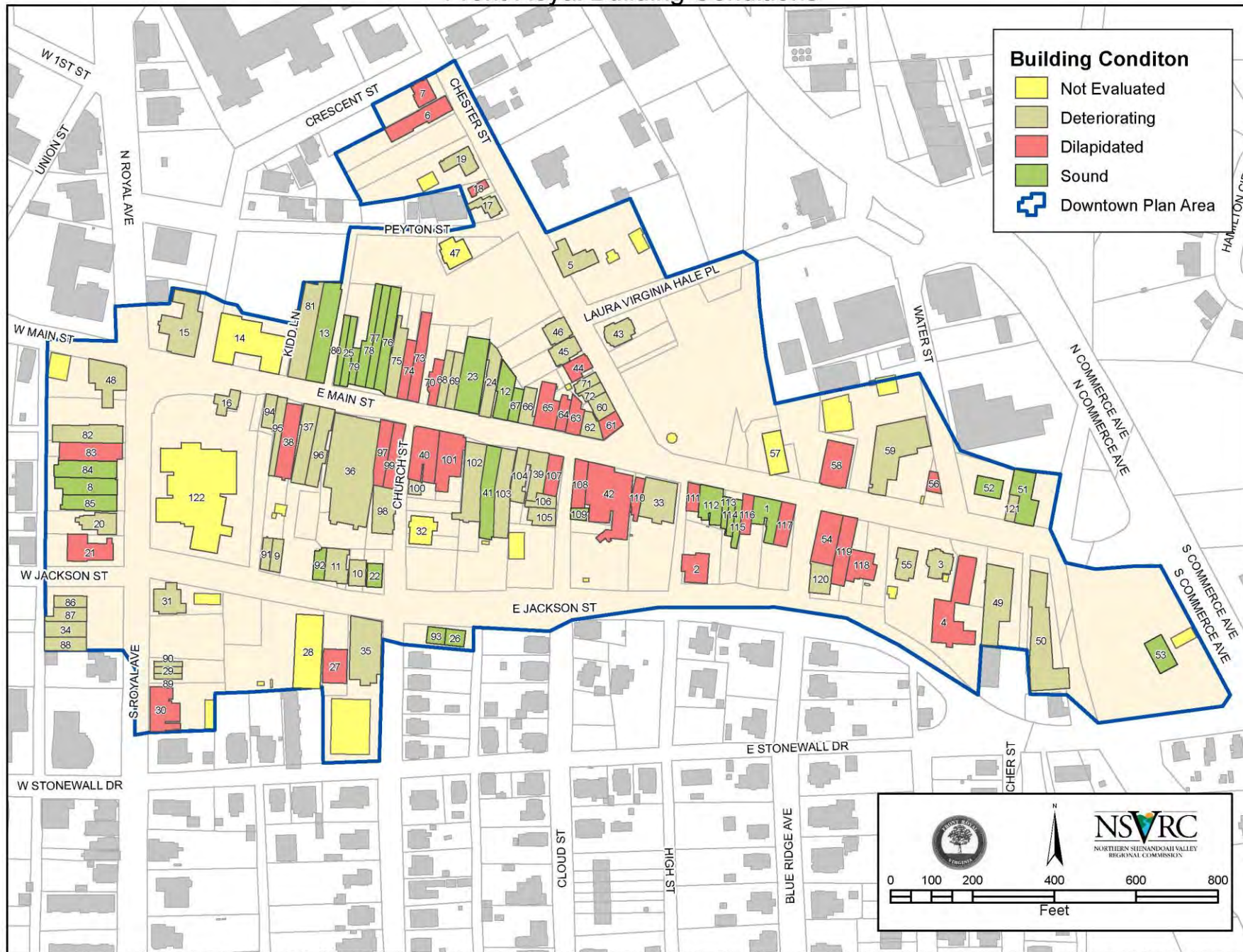
4. Affordable and diverse housing for many income levels, with accountable landlords.

A wide range of housing options contributes to Front Royal's vision as a lifelong community where people of all ages and stages in life can meet their housing needs. The options should include a wide range of housing types from single-family homes to apartments above downtown stores. Possible supporting actions or ideas include:



- 4.1 Enforce maintenance standards for rental properties .
- 4.2 Promote new housing types that are attractive to seniors, making it possible for them to age in place rather than leaving Front Royal.
- 4.3 Purchase the "Silk Mill" for preservation. It may be used as a public amenity, such as a museum, or a private use such as outlet stores or housing.
- 4.4 Encourage the return of old houses from business use to housing use.
- 4.5 Increase single-family housing in the greater downtown area.
- 4.6 Encourage energy efficient rental housing development.
- 4.7 Encourage construction of more affordable apartments.

Front Royal Building Conditions



Note: Surveyed building condition determined using Dunbar & Associates "Building Condition Survey" criteria. Municipal buildings (County Court House, Town Office, Police Department & Visitors Center), sheds/storage facilities and places of worship were excluded from the building inventory.

PROPERTY MAINTENANCE & RENTAL INSPECTIONS

LEGAL AUTHORITY (Optional Provisions):

- Virginia Uniform Building Code, Virginia Maintenance Code, Part III
- Virginia Code § 36-105.1:1

PROPERTY MAINTENANCE & RENTAL INSPECTIONS

PLANNING COMMISSION:

- July 20, 2016 – Public Input Meeting
- November 30, 2016 – Public Hearing

PROPERTY MAINTENANCE & RENTAL INSPECTIONS

PLANNING COMMISSION'S RECOMMENDATION:

- Adopt Virginia Maintenance Code (Town-Wide)
- Establish Rental Inspection Program within a designated Rental Inspection District
- Other

PROPERTY MAINTENANCE & RENTAL INSPECTIONS

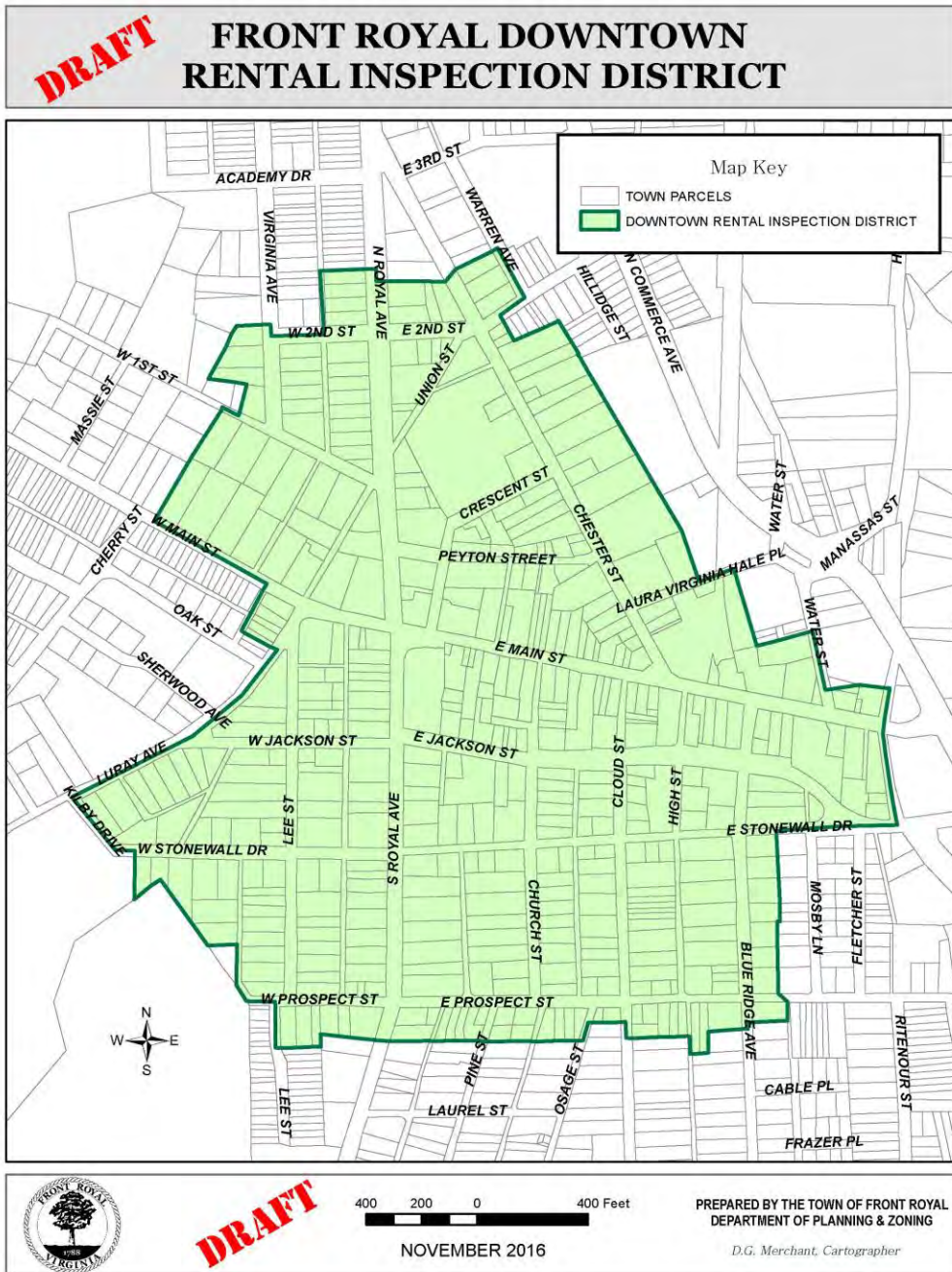
Virginia Maintenance Code:

- Many localities enforce on complaint basis, typically from the exterior.
- Attached guide provides list of items an inspection would inspect.
- Structural alterations not required unless they endanger life or health.
- Building permits would be required as normal for required work.

PROPERTY MAINTENANCE & RENTAL INSPECTIONS

Rental Inspections:

- Based on a designated Rental Inspection District.
- Requires Town Council to pass Findings on the District (9-300).
- Landlords required to notify Town of rental units.
- Inspection of rental units every 4 years, unless a violation is known.
- Interior inspections.
- No fee for initial inspection. \$100 for subsequent inspections (if necessary).
- Buildings with more than ten (10) rental units only require 10% of units (2 minimum).
- Appeal process.
- Misdemeanor violations.



Rental Inspection District:

- Downtown area.
- 300 units estimated.
- May add individual properties also by separate findings of Town Council.

Other Supporting Information:

- Virginia Maintenance Code Requirements (DRAFT GUIDEBOOK)
- Comparative look at programs of similar jurisdictions.
- DRAFT Amendment to Town Code Chapter 9
- Virginia Maintenance Code (2012)
- Virginia Code 36-105.1:1

Locality	Population ¹	Maintenance Code	Rental Inspections	Building Inspections	Total Staff / Inspectors	Fees ⁴	Rental Units
Culpeper ²	17,145 (5 th)	No ²	No	No	N/A	N/A	n/a
Winchester	26,203	Yes	Yes	Yes	6 / 4 ³	35/0/50	3,700
South Boston	7,989 (16 th)	Yes	Yes	No	1 / 1	50/0/0	unknown
Williamsburg	14,068	Yes	Yes	Yes	6 / 1	50/0/0	unknown
Blacksburg	42,620 (2 nd)	Yes	Yes	Yes	5 / 1	0/0/100	2,500
Herndon	23,292 (3 rd)	Yes	Yes	Yes	6 / 3	70/30/60	30-60 buildings
Pulaski	8,948 (10 th)	Yes	Yes	Yes	3 / 1	0/0/100	24-30 buildings
Front Royal (PROPOSED)	15,038 (7 th)	Yes	Yes	No	2 / 1 ⁵	0/100/100	300+ est.

- 2014 US Census reported population estimates.
- The Town of Culpeper did not adopt the full property maintenance code, opting to only adopt the dilapidated structure portion of Part III of the PMC. Building permits and inspection are handled by Culpeper County.
- The City of Winchester is divided into 4 Rental Inspection areas, each managed by a different inspector.
- Fees show the fees for the Initial Inspection/1st Re-inspection/ 2nd Re-inspection
- Establishment of a program in the Town, as proposed, would require 1 FT inspector. In addition, a PT employee is proposed that would share duties within the Department of Planning & Zoning. The alternative administrative approach would be to establish an agreement with Warren County Building Inspections to administer the program.

DRAFT AMENDMENT

"Building Code, Maintenance Code, and Rental Inspections" (4)

This draft amendment to the Town Code proposes the adoption of the Virginia Maintenance Code (2012); establishment of a Property Maintenance Code Official; and creation of a Residential Rental Inspection District. The following language also includes the existing provisions of Chapter 9 and language that reserves the Town's right to establish a Building Department and designates Warren County to administer the building code, as previously established by an agreement in 1983, until such time that the Town may establish a building department.

START -----

Chapter 9

BUILDINGS BUILDING CODE, MAINTENANCE CODE AND RENTAL INSPECTIONS

9-1 ~~REMOVAL, REPAIR, ETC., OF CERTAIN BUILDINGS AND STRUCTURES~~

[remove in full]

9-2 REMOVAL, REPAIR, ETC., OF BUILDINGS AND OTHER STRUCTURES HARBORING ILLEGAL DRUG USE

[relocate to Chapter 145-4 in full]

ARTICLE 1: BUILDING CODE REGULATIONS

9-100 BUILDING CODE

A. In accordance with the Code of Virginia § 36-105, the Town of Front Royal hereby reserves its authority to establish a Town Building Department, and a Local Board of Building Code Appeals (LBBCA), herein referred to generally as the "Board of Appeals," to administer and enforce the mandatory provisions of the Virginia Uniform Building Code, including Part I, Construction Code, and Part II, Rehabilitation Code, and including future amendments thereto, and all codes incorporated by reference therein. Such codes shall generally be referred to herein generally as the "Building Code."

B. Under the provisions of this Chapter, Town Council may elect to pass a resolution to officially establish a Town Building Department to administer and enforce the Building Code. Such resolution shall also include the establishment of a Board of

Appeals, as described further herein. Upon adoption of such resolution of Town Council the Town hereby adopts the Building Code, and all such duties and requirements specified therein.

C. Until such time that the Town elects to establish a Town Building Department and Town Board of Appeals, the Town shall enter into an agreement with the local governing body of another county or municipality or with some other agency, or an approved state agency for such administration, enforcement and appeals resulting therefrom.

(1) The February 8, 1983 agreement with Warren County shall remain in effect at the passing of this ordinance until such time that the agreement is terminated, renewed or amended. This agreement establishes Warren County as the Building Department for the Town, including the Warren County Board of Building Code Appeals as the appeals board for the Town.

D. At such time that Town Council may establish a Building Department and Board of Appeals, the Town Manager shall appoint a Building Official to administer and enforce the Building Code. Such Building Official shall meet the required qualification and certification requirements, and shall maintain all permanent records of the Building Department, including applications received, permits, certificates, notices and orders issued, fees collected and reports of inspection in accordance with the Library of Virginia's General Schedule Number Six. The Building Official shall administer and enforce the Building Code, and may establish procedures and policies as may be necessary for such administration and enforcement. All codes and procedures shall be made available for the public to view and/or obtain copies from the office of the Building Official during established normal business hours.

E. As specified under Subsection B, Town Council shall appoint five (5) members to a Board of Appeals upon adoption of a Town Building Department. The membership of the Board shall be established in compliance with the following requirements, unless more stringent requirements are required by the Building Code.

(1) All members of the Board of Appeals shall live within Warren County, Virginia, and at least three (3) members shall reside within the Town.

(2) Town Council may appoint two (2) alternate members who shall be called by the board chair to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.

(3) At least three (3) members shall have no less than five (5) years knowledge and experience in the construction industry. Members that do not have knowledge and experience in the construction industry shall have an

equivalent experience in the real estate, law, architecture, or engineering professions.

(4) No employee or official of the Town may serve as a Board Member.

(5) Compensation, meeting dates, voting procedures, officers, term limits and other procedures of the Board of Appeals shall be established in by-laws that are approved by Town Council.

(6) The Board of Appeals shall be used as the appeals board for the Virginia Maintenance Code and Rental Inspection Program.

(7) The Board of Appeals shall be reviewed by the Virginia Department of Housing and Community Development.

ARTICLE 2: MAINTENANCE CODE REGULATIONS

9-200 ADOPTION OF MAINTENANCE CODE

A. To ensure the protection of the public health, safety and welfare, the Town hereby adopts the optional provisions of the Virginia Uniform Building Code, including Part III, Virginia Maintenance Code, future amendments thereto, and including codes incorporated by reference therein, herein also generally referred to generally as the "Maintenance Code," as related to building regulations that facilitate the maintenance, rehabilitation, development and reuse of existing buildings at the least possible cost to ensure the protection of the public health, safety and welfare of Town residents. Furthermore, in accordance with §36-99 of the Code of Virginia, the purpose of this code is to protect the health, safety and welfare of the residents of the Commonwealth of Virginia, provided that buildings and structures should be permitted to be maintained at the least possible cost consistent with recognized standards of health, safety, energy conservation and water conservation, including provision necessary to prevent overcrowding, rodent or insect infestation, and garbage accumulation; and barrier-free provisions for the physically handicapped and aged.

B. The Town Manager shall appoint a Maintenance Code Official to administer and enforce the Virginia Maintenance Code. The Maintenance Code Official shall meet the required qualifications, certification requirements, and training requirements of the Maintenance Code. All codes, policies and procedures shall be made available for the public to view and/or obtain copies from the office of the Maintenance Code Official during established normal business hours.

C. The Town shall appoint a Board of Appeals to consider all appeals that may arise from the provisions of this Article. Such Board of Appeals shall be established

under the criteria found within Chapter 9, Section 100, Subsection E. Alternatively, the Town may elect to use the Board of Appeals used by another county or municipality, or with some other agency, provided that an agreement is entered into with the appropriate local government board, or an approved state agency.

ARTICLE 3: RENTAL INSPECTIONS

9-300. FINDINGS.

Town Council has found that within the residential rental inspection districts established herein, each of the following conditions exist:

- A. There is a need to protect the public health, safety and welfare of the occupants of dwelling units inside the residential rental inspection district described and established herein;
- B. The residential rental dwelling units in the residential rental inspection district are in need of inspection to prevent deterioration, taking into account the number, age and condition of the residential dwelling rental units inside the residential rental inspection district; and
- C. The inspection of residential rental dwelling units inside the residential rental inspection district is necessary to maintain safe, decent and sanitary living conditions for tenants and other residents living in the residential rental inspection district.
- D. The Town Council has further found that, for each of the individual residential rental dwelling units described in section 9-301 of this article, one (1) of the following conditions exists:
 1. There is a need to protect the public health, welfare and safety of the occupants of that individual dwelling unit;
 2. The individual dwelling unit is either blighted or in the process of deteriorating; or
 3. There is evidence of violations of the Building Code that affect the safe, decent and sanitary living conditions for tenants living in such individual dwelling unit

9-301. APPLICABILITY.

- A. The provisions of this article shall apply to all rental dwelling units within a residential rental inspection district designated by Town Council and to individual residential dwelling units outside designated residential rental inspection districts made subject to this article, as provided by Virginia Code § 36-105.1:1(B)(3).
- B. A residential rental inspection district, as shown on the map labeled "Rental Inspection Districts 20__" and filed in the Town Clerk's office on _____, 20__,

is hereby established and made subject to the requirements of this article. Maps detailing this residential rental inspection district shall be available in the office of the Maintenance Code Official.

- C. The following individual rental dwelling units that are outside the residential rental inspection district are hereby made subject to this article:

(1) *Reserved*

- D. Town council may designate additional residential rental inspection districts or make other individual residential rental units outside the residential rental inspection district subject to this article after notice and a public hearing thereon, as provided by Virginia Code § 36-105.1:1. A separate finding for each individual dwelling unit shall be made by the local governing body prior to designation of individual residential rental units outside of a residential rental inspection district that (i) there is a need to protect the public health, welfare and safety of the occupants of that individual dwelling unit; (ii) the individual dwelling unit is either (a) blighted or (b) in the process of deteriorating; or (iii) there is evidence of violations of the Building Code that affect the safe, decent and sanitary living conditions for tenants living in such individual dwelling unit.

9-302. IMPLEMENTATION; NOTIFICATION REQUIREMENT FOR OWNERS.

- A. The owner of any dwelling unit within a residential rental inspection district shall notify the Maintenance Code Official in writing if such dwelling unit is used for rental purposes. Such notice shall be provided within ninety (90) days of adoption of this chapter; or within ninety (90) days of the transfer of ownership or a change. No fee shall be required for such notification by the owner; nor shall there be a penalty for not providing said notification within the ninety (90) days period.

- B. The Maintenance Code Official may develop a form for such notification requirement that includes the following information: (i) the address and a brief description of the rental dwelling unit; (ii) the name, street address and telephone number of the owner of the property; (iii) the name, street address and telephone number of the managing agent, if any; (iv) the number of people who occupy each dwelling unit, and (v) the family status of the occupants. Such form shall not require the name or social security number of any tenant.

- C. If the Maintenance Code Official has reason to believe that an owner has failed to provide the required notice of a residential rental dwelling unit within the residential rental inspection district, or any other individually designated properties subject to this article, he or she shall provide a written notice to the owner setting a seven (7) day deadline for the owner to provide such written notification. The penalty for the willful failure of an owner of a dwelling unit who is using the dwelling unit for residential rental purposes to comply with the written notification requirement shall be a civil penalty of fifty dollars (\$50.00) per unit. For purposes of this section, notice from the Maintenance Code Official sent by regular first class mail to the last known address of the owner as shown on the current real estate tax assessment

books or current real estate tax assessment records shall be deemed compliance with this requirement.

9-303. RENTAL CERTIFICATE OF COMPLIANCE REQUIRED.

No owner or managing agent shall rent or offer to rent a residential rental dwelling unit within a residential rental inspection district or an individual residential rental dwelling outside a residential rental inspection district that is subject to this article without a rental certificate of compliance therefor, issued after a satisfactory inspection of the property by the building official or his or her designee.

9-304. INSPECTIONS, GENERALLY.

A. The Maintenance Code Official shall cause an inspection to be made of each rental dwelling unit located within a residential rental inspection district, within four (4) years of the designation of the residential rental inspection district for compliance with the provisions of the Maintenance Code that affect the safe, decent and sanitary living conditions for the tenants of such property. The Maintenance Code Official is hereby authorized to establish schedules to accomplish the inspection of dwelling units in different areas within the residential rental inspection district. The Maintenance Code Official shall inspect any individual residential rental dwelling unit that is outside a residential rental inspection district within ninety (90) days of the date the dwelling unit is made subject to this article. After such inspection, the owner and the managing agent, if any, will be provided with a list of any violations found and the date by which such violations must be corrected. Following the initial inspection of a residential rental dwelling unit subject to this article, the Maintenance Code Official may inspect any residential rental dwelling unit in a residential rental inspection district, not otherwise exempted, annually.

B. Upon a determination that a rental dwelling unit is in compliance with the provisions of the existing structure regulations of the Maintenance Code, a rental certificate of compliance shall be issued to the owner. No certificate shall be issued until all inspection fees are paid. The certificate shall be valid for a term of four (4) years. Upon the initial or periodic inspection of a residential rental dwelling unit subject to this article for compliance with the Maintenance Code, the property shall be exempt from this article's inspection requirements for four (4) years, provided there are no building code violations that affect the safe, decent and sanitary living conditions for the tenants of the residential rental dwelling unit. However, upon the sale of a residential rental dwelling unit, the Maintenance Code Official may perform an inspection of the dwelling unit. Residential rental dwelling units shall be exempt from the inspection requirement of this article for four (4) years from the date of issuance of a certificate of occupancy or rental certificate for the unit by the Maintenance Code Official. Any inspection exemption granted for a rental dwelling unit prior to _____, 20____, shall be valid for the period as initially granted, unless revoked as provided herein.

C. There shall be no fee for the initial inspection required by this article or the first re-inspection. If all violations are not corrected at the time of the first re-inspection, then the fee for the second and any subsequent re-inspection for the original violation shall be one hundred dollars (\$100.00).

D. The Maintenance Code Official, or his or her duly authorized agent, shall have the right to inspect any rental dwelling unit within a residential rental inspection district or other individual residential dwelling units subject to this article at any reasonable time, in order to carry out an inspection required by this section. The owner, managing agent, occupant, or other person in charge of the premises shall permit the Maintenance Code Official, or his or her duly authorized agent, access to any dwelling unit within a residential rental inspection district or any individual residential dwelling unit subject to this article for the purpose of conducting an inspection authorized by this article. In the event the Maintenance Code Official or his or her authorized agent is denied access to a dwelling unit, he or she may apply for an administrative search warrant in order to gain access to the premises.

E. Nothing in this article shall prohibit an inspection of any residential rental dwelling unit or individual residential dwelling unit subject to this article for a violation of the Virginia Uniform Statewide Building Code, pursuant to a complaint, as required herein.

F. The owner or managing agent may appeal the Maintenance Code Official's determination of a violation of the Maintenance Code to the Board of Appeals.

9-305. INITIAL AND PERIODIC INSPECTIONS OF MULTI-FAMILY DWELLING UNITS.

A. If a multi-family development has more than ten (10) dwelling units, in the initial and periodic inspections, the Maintenance Code Official shall inspect not less than two (2) and not more than ten (10) percent of the dwelling units of that multi-family development, which includes all of the multi-family buildings which are part of that multi-family development. However, no inspection fee shall be charged for more than ten (10) dwelling units. Two (2) family dwellings and multi-family dwelling units with three (3) to nine (9) dwelling units are not exempt from the inspection requirements of this article.

B. The inspected dwelling units of a multi-family development shall be selected by the Maintenance Code Official. At the time of inspection, no violations of the Virginia Uniform Statewide Building Code shall exist. If the Maintenance Code Official determines upon inspection of the sampling of dwelling units that there are violations of the Maintenance Code that affect the safe, decent and sanitary living conditions for the tenants of such multi-family dwelling unit, the Maintenance Code Official may inspect as many dwelling units as necessary to enforce the Maintenance Code.

C. If the dwelling units that are inspected are in compliance with the provisions and all other applicable codes and ordinances, then a rental certificate of compliance shall be issued as provided herein.

D. Nothing in this section shall serve to exempt the owner, managing agent, or tenant of a multi-family dwelling unit from compliance with all applicable statutes, laws, and ordinances, including the Virginia Uniform Statewide Building Code.

9-306. REVOCATION OF EXEMPTION FROM INSPECTION.

A. The Maintenance Code Official may revoke an inspection exemption granted pursuant to Chapter 9-307(b) upon finding that the residential rental dwelling unit is in violation of the building code during the exemption period.

B. Before revoking an exemption, the Maintenance Code Official shall notify the owner, managing agent, and tenant of the violation, in writing, via first class mail, specifying the nature of the violation; establishing a deadline for correction of the violation, which shall be no less than seven (7) and no greater than thirty (30) days; and stating that the exemption will be revoked on a date certain unless the Maintenance Code Official's determination of the existence of a Maintenance Code violation is appealed to the Board of Appeals. The notice shall also set forth the appeal process as herein established.

9-307. APPEAL.

A. The Board of Appeals designated by Town Council for the Maintenance Code shall serve as the Board of Appeals for all appeals under this article.

B. The owner, managing agent or tenant may appeal a notice of revocation, or other determination related to the Maintenance Code that is made by the Maintenance Official. Such appeals shall be considered by the Board of Appeals designated for the Maintenance Code under Article 2 of this Chapter.

B. If an appeal is filed, inspection exemptions shall remain in effect until the appeal is resolved by the Board of Appeals.

ARTICLE 4: GENERAL

9-400 NONLIABILITY OF PERSONNEL ENFORCING CHAPTER.

Nothing in this chapter or in any code adopted by this chapter shall be construed as imposing upon any Town officer or employee duly authorized to administer or enforce the provisions of this chapter any liability or responsibility for damages to any person injured by a defect in any building construction or other work mentioned herein, or by the installation thereof, nor shall the Town government or any official or employee thereof be held as assuming any such liability or responsibility by reason of inspections authorized by this chapter or certificates of approval issued by the building official or property maintenance code official.

9-401 VIOLATIONS

A. It shall be unlawful for any owner or any other person, firm or corporation to violate any provision of this chapter. Any violation shall be deemed a misdemeanor and any owner or any other person, firm or corporation convicted of a violation shall be punished by a fine of not more than two thousand five hundred dollars (\$2,500.00). In addition, each day the violation continues after conviction or the expiration of the court-ordered abatement period shall constitute a separate offence. If the violation remains uncorrected at the time of conviction, the court shall order the violator to abate or remedy the violation in order to comply with the applicable Code. Except as otherwise provided by the court for good cause shown, any such violator shall abate or remedy the violation within six (6) months of the date of conviction. Each day during which the violation continues after the court-ordered abatement period has ended shall constitute as separate offence. Any person convicted of a second offense, committed within less than five (5) years after a first offence under this chapter shall be punished by confinement in jail for not more than five (5) days and a fine of not less than \$1,000 nor more than \$2,500, either or both. Provided, however, that the provision for confinement in jail shall not be applicable to any person, firm or corporation, when such violation involves a multiple-family dwelling unit. Any person convicted of a second offense committed within a period of five (5) to ten (10) years of a first offense under this chapter shall be punished by a fine of not less than \$500 nor more than \$2,500. Any person convicted of a third or subsequent offense involving the same property committed within ten (10) years of an offense under this chapter after having been at least twice previously convicted, shall be punished by confinement in jail for not more than ten (10) days and a fine of not less than two thousand five hundred dollars (\$2,500.00) nor more than five thousand dollars (\$5,000.00), either or both. No portion of the fine imposed for such third or subsequent offense committed within ten (10) years of an offense under this chapter shall be suspended.

B. Any prosecution under this section shall be commenced within the time specifications provided under Virginia Code § 19.2-8.

9-402 PERMIT FEES.

A. Town Council reserves the right to adopt and publish a schedule of fees for services rendered by either the Building Code Official and/or Maintenance Code Official, and to amend the schedule by separate resolution. Such schedule of fees and any amendment shall be in lieu of any permit fees set forth in any technical code adopted by the Town.

B. No permit as required by the Town by ordinance or regulation shall be issued unless the fee prescribed for the service shall have been paid, nor shall any amendment to such a permit be approved until any additional fee, if any, due to an increase in the estimated cost of the building or structure, shall also have been paid.

9-403 AUTHORITY TO REQUIRE REMOVAL, REPAIR, ETC., OF BUILDING AND OTHER STRUCTURES.

- A. Owners of real property within the Town shall remove, repair or secure any building, wall or any other structure which might endanger the public health or safety of other residents of the Town.
- B. If an owner fails to do so, the building official may send the owner notice of his or her obligations under this section. Such notice shall be:
- (1) In writing, mailed by certified mail, return receipt requested, sent to the last known address of the property owner; and
 - (2) Published in a newspaper having general circulation in the locality in accordance with the applicable provisions of Code of Virginia §§ 15.2-1426, 15.2-1427.
- C. The Town, through its own agents or employees, may remove, repair or secure any building, wall or any other structure which might endanger the public health or safety of other residents of the Town if the owner and lien holder of the property fails to do so within thirty (30) days following the later of the return of the certified mail receipt or newspaper publication. However, if the structure is deemed to pose a significant threat to public safety and such fact is stated in the notice, the Town may take action to prevent unauthorized access to the building within seven days of such notice. Repair of the structure may include maintenance work to the exterior of a building to prevent deterioration of the building or adjacent buildings.
- D. In the event the Town, through its own agents or employees removes, repairs or secures any building, wall or any other structure pursuant to this section, the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the Town as taxes and levies are collected.
- E. Every charge authorized by this section which remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local taxes and enforceable in the same manner as provided Code of Virginia (1950), Title 58.1, Chapter 39, Articles 3 and 4, as amended.
- F. The remedies provided by this section are in addition to, and not in lieu of, any other remedy provided by general law or by the Building Code.

9-404 THROUGH 9-409. *Reserved*

9-410 DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building Code means the applicable provisions of the Virginia Uniform Building Code, Part I, Construction Code, and Part II, Rehabilitation Code, including future amendments thereto, and all codes incorporated by reference therein.

Building Code Official means the person that is employed, contracted, or designated with an agreement from another county, municipality or other agency, that has been appointed by the Town to administer and enforce the applicable provisions of the Building Code, as defined herein.

Conditions which immediately affect safe, decent and sanitary living conditions of persons occupying a residential rental dwelling unit, means physical conditions of a residential rental dwelling unit that violate fire safety; lack of or poor condition of sanitary facilities; absence of implied or expressed heating systems or equipment; items which affect the safe operation of electrical and mechanical systems; items which affect structural integrity of the building and/or the ability of the building envelope to keep out weather, or one or more other conditions that if not corrected would be reasonably expected to become conditions that affect the safe, decent and sanitary living conditions of the occupants.

Day means a calendar day.

Disqualifying violation includes those conditions which affect safe, decent and sanitary living conditions of persons occupying a residential rental dwelling unit, or other conditions that violate the provisions of the Virginia Uniform Statewide Building Code, or multiple Building Code violations that indicate in their totality that the dwelling unit is not being properly maintained.

Dwelling unit, means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation; or, means a building or structure, or part thereof, that is used for a home or residence by one or more persons who maintain a household. The term dwelling unit shall not include hospitals, nursing homes, convalescent homes or similar facilities providing medical care to the aged, infirm or disabled.

Family means one (1) or more persons related by blood, marriage, or adoption, or under approved foster care.

Follow-up inspection, means the inspection of a property made to determine if violations previously cited have been abated.

Group home means a facility for social rehabilitation or substance abuse or mental health problems that contains a group housing arrangement that provides custodial care but does not provide medical care.

Initial inspection, means the first inspection of a residential rental dwelling unit subject to this article.

Maintenance Code means the applicable provisions of the Virginia Uniform Building Code, Part III, Maintenance Code, and all codes incorporated by reference therein.

Maintenance Code Official means the person that is employed, contracted, or designated with an agreement from another county, municipality or other agency, that has been appointed by the Town to administer and enforce the applicable provisions of the Maintenance Code, as defined herein.

Managing agent means any person having the authority, singly or in combination with another, to enter into an agreement for the occupancy of property subject to this article.

Multi-family dwelling, means a building or structure, or part thereof, that is used by three (3) or more families, each in an individual dwelling unit and living independently of each other.

Multiple-family development, means a building or structure, or part thereof, that is used by ten (10) or more dwelling units on the same premises.

Owner, means the person or entity shown on the current real estate assessment books or current real estate assessment records of the Town or the fee simple owner of the property if ownership has changed since such tax assessment records were last updated.

Periodic inspection, means an inspection of a residential rental dwelling unit conducted upon the exemption period for the unit, or after a follow-up inspection which revealed abatement of cited violations.

Premises, a single lot of record under ownership, or multiple contiguous lots of record that are under the same ownership.

Rent means to lease, sublease, let or otherwise grant for consideration the right to occupy a dwelling unit.

Residential rental inspection district, means a rental inspection district designated by the Town council pursuant to this article.

Residential rental dwelling unit, or as generally referred to as a *rental*, means a dwelling unit that is leased or rented to one or more tenants on a month to month basis or for any period in excess of 30 days including, but not limited to, condominiums, manufactured or mobile homes, single-family detached dwellings, duplex dwellings, townhouse dwellings or multifamily dwellings (which shall include efficiency apartments and condominiums). However, a dwelling unit occupied in part by the owner thereof shall not be construed to be a residential rental dwelling unit unless a tenant occupies a part of the dwelling unit which has its own cooking and sleeping areas, and a bathroom, unless otherwise provided in chapter 175, Zoning, by the Town.

Violations. As applicable to the Maintenance Code, means conditions which affect safe, decent and sanitary living conditions of persons occupying a residential rental dwelling unit include items that violate fire safety; lack of or poor condition of sanitary facilities; absence of adequate heating systems or equipment; items which affect the safe operation of electrical and mechanical systems; items which affect structural integrity of the building and/or the ability of the building envelope to keep out weather, or one or more other conditions that, if not corrected, would be reasonably expected to become conditions that affect the safe, decent and sanitary living conditions of the occupants, or other conditions that violate the provisions of the Maintenance Code, or multiple Maintenance Code violations that indicate, in their totality, the dwelling unit is not being properly maintained. As applicable to the Building Code, means conditions which are in violation of the Building Code, as defined herein.

-----END

Editorial Notes: All language shown in yellow highlight is proposed new text. Text shown in [brackets] is a note to the editor. All language shown in ~~strikethrough~~ is existing language that is proposed to be removed. Regular text shown is existing language with no changes proposed.

Rough Draft 9/7/16 (JFC/dm); 9/9/16 (JFC/dm); (JFC/db); (JFC/dn)

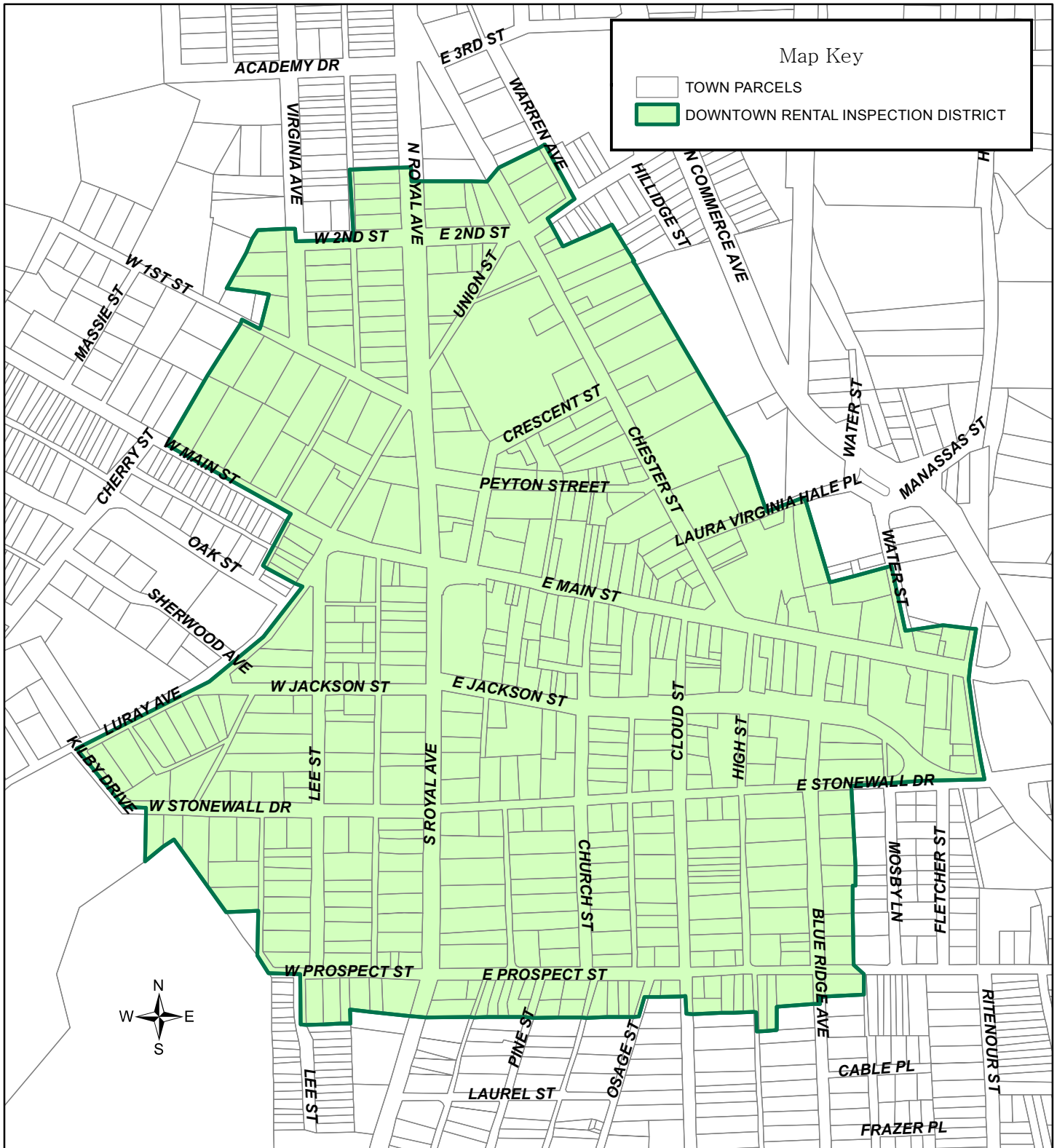
FOR REFERENCE PURPOSES ONLY - Virginia Code §36-3, Definitions.

"Blighted area" means any area that endangers the public health, safety or welfare; or any area that is detrimental to the public health, safety, or welfare because commercial, industrial, or residential structures or improvements are dilapidated, or deteriorated or because such structures or improvements violate minimum health and safety standards. This definition includes, without limitation, areas previously designated as blighted areas pursuant to the provisions of Chapter 1 (§36-1 et seq.) of this title.

"Blighted property" means any individual commercial, industrial, or residential structure or improvement that endangers the public's health, safety, or welfare because the structure or improvement upon the property is dilapidated, deteriorated, or violates minimum health and safety standards, or any structure or improvement previously designated as blighted pursuant to §36-49.1:1, under the process for determination of "spot blight."

DRAFT

FRONT ROYAL DOWNTOWN RENTAL INSPECTION DISTRICT



DRAFT

400 200 0 400 Feet

NOVEMBER 2016

PREPARED BY THE TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING

D.G. Merchant, Cartographer

Virginia Maintenance Code Requirements

Town of Front Royal, Virginia

NOVEMBER 2016

THE VIRGINIA MAINTENANCE CODE

The Town of Front Royal has adopted and enforces the Virginia Maintenance Code (VMC) on all existing structures located in the Town. This code is used in enforcement of the city's Rental Inspection Program and also used to address other structures that are not being adequately maintained. The VMC is part of the Virginia Uniform Statewide Building Code (USBC) and is based on the ICC International Property Maintenance Code, but with amendments made by the state.

Most of the requirements of the VMC are common sense, and a close look at a building usually will tell where repairs or maintenance are needed. This booklet contains a list of items based on the VMC that a Code inspector is likely to check when inspecting an existing building. This simple list is meant to be informative and help the owner or occupant get an idea whether a building meets the VMC requirements.

All buildings must be maintained to meet VMC requirements. However, some buildings constructed many years ago may be well maintained yet still not meet current VMC requirements because of the way they were designed. If the Property Maintenance Code official decides those conditions do not endanger life or health, the code official may choose not to require modifications to bring the building to current Code standards. There are, however, some design or construction features that are considered unsafe and will have to be changed. Some of these features are identified in the description of VMC requirements in this booklet. Some of the more common conditions where alterations or changes may be required are:

- Smoke Detectors
- Electrical service
- Number of electrical outlets required per room
- Windows and means of emergency exit
- Ceiling clearance (mainly in basement or attic spaces) used as living space
- Fire separation between units

In these instances, either the conditions must be corrected or the occupants must leave for their own safety. Depending on the circumstances, the occupants may be allowed to stay for a short period of time, ranging from a few hours to a few days, while repairs are made.

PROVISIONS OF THE VIRGINIA MAINTENANCE CODE

Exterior of Building

The exterior of all buildings must be kept in good repair and the building must be structurally sound and sanitary. Even vacant buildings must meet the provisions of the Maintenance Code, particularly with regard to exterior maintenance.

- **Street Numbers** – Each building should have the street numbers visible so they can be read easily from the street. The numbers should be at least 4 inches tall, placed on the front of the building, and contrast with the background. All units must be identified.
- **Yards** should be free from trash, garbage or inoperable vehicles, and graded so that rainwater drains away from the building and not directly onto adjoining properties.
- **Sidewalks and Driveways** should be kept in good repair, and maintained free from hazardous conditions that could cause someone to trip or fall. Damaged or uneven stair treads may need to be repaired or replaced.

• **Accessory Buildings** like garages, fences and utility buildings should be securable and kept in good repair, free from peeling paint and roof leaks.

• **Foundation Walls** should be straight; corners should be tied in with the rest of the foundation, not cracked and separated. Small cracks are common on old houses and are acceptable. Wide cracks should be sealed to block the entry of water, wind, insects and rodents. Foundations that do not properly support the house load may cause the entire building to be condemned.

• **Exterior Walls and Trim** should be weather tight. Wood surfaces should be painted or stained or have other protective covering or treatment. Brick walls should have no wide cracks that allow rain or wind to pass inside. Aluminum or vinyl siding, shingles or other protective coverings or treatment should not be missing pieces that would allow water to get in the wall or behind the siding.

• **Soffits and Fascia** (or overhangs) should be rot-free and prevent the nesting of birds and insects. Trim or decorative pieces should be securely fastened. As with siding and other trim, bare wood should be painted or stained.

• **Roofs** - The obvious function of the roof is to keep water out of the inside of the building. Roof problems are usually spotted from inside the house. Water stains on ceilings are a good indication that a roof might be leaking (if there is not a leak in the plumbing). Leaks usually occur first in valleys or around flashing. All roofs should be weather tight, properly flashed and maintained in good condition.

• **Chimneys** - Many roofs leak around a chimney. Close attention should be given to the flashing in this area. Older chimneys frequently have loose bricks, which could fall off the roof or inside the chimney, or even cause the chimney to collapse. Chimneys should be maintained with no loose bricks or mortar, free from obstructions, and operate as intended.

• **Gutters and Downspouts** - If gutters are in place they should be securely fastened and work properly. Gutters need to catch the roof water and channel it to a downspout, which then releases the water away from the house. They should not drain directly against the foundation. Rain water from the roof should be diverted away from any exterior entry door.

• **Stairs** of more than 4 steps should have handrails between 34 and 38 inches high and guardrails not less than 36 inches high, that are strong and secure enough to support a person. Treads and risers should be intact and firmly attached. Installation of new stairs, rails or guards may require a building permit.

• **Porches** - Porch roofs must be maintained just like the main roof. Columns should be rot-free and standing straight. Wood columns should be painted or stained. If the porch is more than 30 inches above the ground, it should have railings or guardrails at least 36 inches high that are strong enough to keep a person from falling. Decking and ceiling boards should not be loose, rotten or missing.

• **Exterior Doors** should close tightly so that the weather, rain, snow and wind cannot pass through. The door hardware should latch securely, lock and unlock from the inside easily. They should be strong enough to secure the building. Exterior doors may not have double keyed (key required on both sides) deadbolts. Interior deadbolts must have thumb latches or other hardware for the door. Interior grade doors may not be used for entrances from the exterior.

• **Windows** are for light, ventilation, and emergency escape. They should keep out the weather and be securable. All windows shall be easily operable and capable of being held open by

window hardware. Habitable rooms (bedroom, living room, eating area, bathroom, and kitchen) should have a window that opens, however mechanical ventilation to the exterior is allowed as an alternative in bathrooms. Any window that is required for ventilation or escape must be operable. A small tight crack in the glass might not be cited as a violation, but an exposed broken edge would. Storm windows are not required but if present should be in a safe condition and operate as designed. Windows that have been nailed or screwed shut or painted and caulked, such that the window no longer operates as intended must be returned to a working condition.

- **Insect Screens** - Every window or door required for ventilation is also required to have an insect screen in place from April 1 through December 1. The screens should be small mesh to keep out insects. Full window screens or adjustable sliders meet code. Screen doors must be self-closing.

- **Vacant Buildings** must be kept secure from entry and kept in good repair with no exterior violations of the code.

- **Swimming Pools, Spas and Hot Tubs** - Swimming pools shall be maintained in a clean and sanitary condition, and in good repair. Swimming pools, hot tubs and spas containing more than 24 inches of water must be completely surrounded by a fence or barrier at least 48 inches in height. Gates or doors in such barriers shall be self-closing and self-latching.

Basic Systems

Every living unit must have water, electricity and heat. Absence of any of these may cause the unit to be condemned.

- **Water System** - Every resident must have access to a bathtub or shower and sink supplied with hot and cold water of enough volume and pressure for the fixtures to operate properly and a working toilet. All plumbing fixtures must work properly and be securely anchored. Drains should drain freely. Water heaters should have a pressure relief valve and discharge pipe, and supply adequate hot water of at least 110 degrees Fahrenheit to every required faucet. Gas water heaters must be installed properly, including the gas supply line and exhaust vent, and should not be located in any bathroom, bedroom or any other occupied room that is normally closed.

- **Electrical System** - This is probably the most potentially dangerous part of a dwelling and deserves close attention. Each dwelling unit or apartment must be served by electrical service of at least 60 amperes, three wires (120/240 volt), and possibly more if the electrical load requires it. Any service of less than 60 amps per unit is considered unsafe and unacceptable. The size of all wires must be adequate to safely carry the current that may be demanded. Insulation on all wires, including service entrance cables, should be intact. Use of extension cords should be avoided and in some cases may be so dangerous as to be prohibited. Every bedroom, living room, dining room and kitchen must have at least two working electrical outlets. Bathrooms must have one outlet. Laundry areas should have one grounded outlet. Fuse panels should not be over-fused, and fuse stats may be required. Tenant access to fuse or breaker panels is encouraged but not required if 24- hour maintenance service is available. All GFCI (ground fault circuit interrupter) receptacles must test and reset properly. Receptacles should not be painted over, covers must be intact, and should be firmly attached to structure.

Heating is required from October 15 to May 1. In normal winter conditions the heating system must be able to maintain a temperature of at least 65 degrees within the unit. When the temperature is below the designated outdoor design temperature requirements for our area, requirements may be lowered, provided the heating system is operating at full capacity. The ability of the heating system to keep the unit warm will also be affected by the building's

insulation and weather-tightness of windows and doors. Fuel supply lines must be safely installed and free of leaks. Furnace exhaust must be safely vented without leaks. Space heaters may not be used as the sole means of heat for a unit or apartment.

- **Cooling** if supplied, must operate as designed from May 15 to October 1.
- **Changes** in materials or design features of buildings may be prohibited in Historic Districts.

Interior of Building

The interior of a building must be kept sound, sanitary and in good repair. The occupant of each living unit is responsible for keeping it clean, sanitary and free of garbage and trash.

- **Interior Doors** are for privacy and should close and latch properly. Bathrooms and bedrooms require doors with working hardware. Double keyed deadbolts are not allowed. There should be no hasps or padlocks on interior doors.
- **Interior Walls and Ceilings** should be free of holes, wide cracks, loose or falling plaster, and flaking or peeling paint. Settlement cracks in older houses are common and acceptable. All repairs/patches must be painted.
- **Floors** must be solid, intact, sanitary and free of holes. Large cracks, uneven surfaces and decayed areas must be repaired. Floors must be capable of bearing normal loads.
- **Clearances** - Ceiling heights of kitchens, bedrooms, bathrooms and hallways should be at least 7 feet or the originally built height. Kitchens should have at least 3 feet of passageway between cabinets. All other rooms should be at least 7 feet wide.
- **Bedrooms** need a door for privacy, at least two electrical outlets, and a window that opens for ventilation and light. Each bedroom should be at least 70 square feet for one occupant, or 50 square feet for each occupant if more than one. Bedrooms should be arranged so that occupants do not pass through one bedroom to get to another bedroom, bathroom, or living space.
- **Bathrooms** should have a door for privacy, an electrical outlet (newly installed outlets must be a ground fault circuit interrupter), toilet, sink and tub or shower with hot and cold water, and an operable window or mechanical ventilation to exhaust moisture.
- **Kitchens** should have two electrical outlets, a sink and a window that can be opened for ventilation or an exhaust fan. Any appliances such as a stove, refrigerator, or garbage disposal unit must be installed correctly and work properly, including the gas line to a gas stove. A kitchen may not be used for sleeping.
- **Pest Extermination** - The owner of any structure is responsible for extermination within the structure prior to renting or leasing a unit and all common areas. The occupant of any structure is responsible for the *continued* rodent and pest-free condition of the structure. If the infestation was caused by defects in the structure, the owner is responsible for pest extermination. In multifamily properties, both the owner and the tenant may be responsible.
- **Common Areas** like public hallways and stairs should be properly lighted for safety and security. The owner is responsible for the condition of the common areas. Common areas should be kept free of excessive clutter or storage that might block emergency egress.

• **Emergency Exits** – Every story above the second story should be provided with at least two different exits to the ground unless third story rooms are part of a second story unit. Any bedroom in a basement must either have an operable window large enough to get through, or have easy access to two independent exits out of the building. If locked, exit doors should be easy to open without keys in an emergency. Dead bolts keyed from both sides are not allowed. Doors cannot have hasps capable of being padlocked. Exits should not lead through other apartments or bathrooms. Exit paths should not be restricted by anything that could prevent a person from escaping during an emergency.

• **Smoke Detectors** must be operable and are required on every floor level including basements, in each bedroom, and in the immediate area of the bedrooms. Battery-powered smoke detectors are acceptable. The property owner is responsible for providing functioning smoke detectors at the beginning of a tenancy, and the resident generally is responsible for their continue operation by replacing old batteries. Visual alarms should be provided for the hearing-impaired. Hard wired smoke detectors, if installed, must be maintained in working order.

• **Fire Hazards** – the area around water heaters, furnaces and other heat producing devices should be free from storage or accumulations of flammable materials.

ITEMS NOT REQUIRED or covered by the Virginia Maintenance Code include cable television, telephones, intercoms, microwave ovens, antennas, window blinds or draperies, or the color of ceilings, walls, carpet or floors.

The preceding is a summary of the Code and is offered only for general guidance. If you need more detailed information the Department of Planning and Zoning staff will gladly explain or elaborate on any Code requirement.

You may also wish to get your own copy of the VMC. This Code is based on the ICC International Property Maintenance Code and is available at their web site (www.iccsafe.org) or booksellers.

RENTAL CERTIFICATE OF COMPLIANCE PROGRAM

The Rental Inspection program is designed to protect and enhance the quality of the town's housing stock and eliminate dangerous living conditions. The VMC provides the standards for these inspections. Inspections are intended to:

- Help protect the health, safety and welfare of the occupants through identifying conditions that could be dangerous or injurious.
- Help prevent decaying rental properties and the resulting negative impact they have on neighborhoods through identifying conditions that are damaging to the building.
- Provide for compliance with the VMC.

Once notified, residential rental property owners are required to inform the city of any units they own that are within the rental inspection districts.

RENTAL INSPECTION

During the inspection, the inspector will do a thorough check of the building. It will not always be possible to verify that every item is installed and working properly. (For example, a vacant unit in the summer may not have fuel for the heating system to be tested. However, water and electricity must be available for the unit to be inspected.) The inspector will identify conditions that must be corrected and the owner will be given a reasonable amount of time to make necessary repairs.

When the inspection is completed, the inspector will do one of three things:

- Issue a Certificate of Exemption, meaning no violations of the VMC were found. The owner will also be given a copy of the Certificate of Exemption. However, if the unit becomes in violation of the Maintenance Code during the exemption period the certificate may be revoked.
- Issue a Notice of Violation which will give a period of time to correct the violations. The length of time given will depend on several factors, such as extent of the repairs, seriousness of the conditions, and time of year.
- Issue a Notice of Unsafe/Unfit Structure. The time given to make repairs or vacate the unit may range from a matter of hours to several days, depending on the seriousness or danger of the code violations.

When the owner has made the needed repairs, the owner will notify the inspector and the unit will be re-inspected to verify that violations have been corrected. Note: Many repairs require a building permit. Not getting a building permit when required is against the law. If the conditions cited aren't corrected in the time given, the owner may be summoned to General District Court.

BUILDING PERMITS

There are several types of permits – building, electrical, plumbing and mechanical are the most common. In this booklet, all of these types are referred to as “building permits” unless stated otherwise. A permit authorizes specific work to be performed as provided by the USBG and are issued by the Warren County Building Inspections Department. A Zoning Permit issued by the Town of Front Royal is also required for most building permits.

When Permits are Required

Building permits are required before most major work to a building can be carried out but not usually for “ordinary repairs.”

Examples of major work that requires a permit include:

- Removing any part of a wall
- Cutting any structural support
- Altering or replacing a water supply, sewer line, gas line, furnace, electrical wiring or venting
- Work affecting public health or general safety
- Change of use
- Adding dwelling units or rooms
- Changing fuel supply type for comfort heat or water heaters
- Moving or demolishing a structure

Examples of ordinary work that would not require a permit include:

- Painting
- Roof patching or replacement (except in a historic district)
- Replacement of plumbing or electrical appliances or fixtures with similar equipment, including water heaters (Gas appliances require a permit)
- Repair or replacement of doors and windows of similar size in the same location (except in a historic district)
- Siding repairs or vinyl siding (except in a historic district)

Who May Get a Permit

A building permit may be obtained by the property owner or a licensed contractor qualified to do the work.

Who May do the Work Under a Permit

A property owner or qualified contractor may perform the work.

If you have any questions, please contact:

Building Permits

Code Enforcement

Planning & Zoning

Locality	Population	Prop Maint Code	Rental Insp Code	Bldg Insp Department	Total Staff/ Inspectors	Fees ³ Initial/Reinsp
Culpeper¹	17,145	No	No	No	N/A	N/A
Winchester	26,203	Yes	Yes	Yes	6/4 ²	35/0/50
South Boston	7,989	Yes	Yes	No	1 /1	50/0/0
Williamsburg	14,068	Yes	Yes	Yes	6/1	50/0/0
Blacksburg	42,620	Yes	Yes	Yes	5/1	0/0/100
Herndon	23,292	Yes	Yes	Yes	6/3	70/30/60
Pulaski	8,948	Yes	Yes	Yes	3/1	0/0/100

1. The Town of Culpeper did not adopt the full property maintenance code, opting to only adopt the dilapidated structure portion of Part III of the PMC. Building permits and inspection are handled by Culpeper County.
2. The City of Winchester is divided into 4 Rental Inspection areas, each with its own inspector.
3. Rental Inspection Fees are shown for: Initial Inspection/1st Reinspection/ 2nd Reinspection.

AUGUST 28, 2017

PUBLIC HEARING TO RECEIVE PUBLIC INPUT on Proposed Establishment of a Property Maintenance Code and Rental Inspection Program within the Town

Summary: Council is requested to receive public input on the proposed establishment of a Property Maintenance Code and Rental Inspection Program within the Town.

Mayor Tharpe opened the public hearing.

Linda Allen, of 416 Salem Avenue, noted that the proposed ordinance is simple, is not as unrestricted as it could be, and should not restrict realtors for the most part. She added that this Code is critical to the residents with low paying jobs and those tenants with rentals with lead base paint. Ms. Allen stated that tenants are being manipulated and some landlords are refusing to help those in run down structures. She listed health and safety violations in the community for some families.

William Huck, of 409 E. Main Street, stated that when he moved into his commercial location on Main Street and they have put into over \$60,000 to bring matters to Code and to living standards. He asked for a property maintenance code in place because he cares about the community and because tenants should have their living places taken care of. Mr. Huck noted that more landlords should care about the housing they provide to residents in Front Royal.

Joan Harding, 218 Lee Street, stated that she had served almost ten years on the Board of Architectural Review. She stated that many apartments along Main Street are some of the sketchiest places she has ever seen. Ms. Harding noted that the rental units need to be maintained, as do other structure in the community.

As no one else came forward to speak, the public hearing was closed.

Council takes no action.

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