



**TOWN OF FRONT ROYAL, VIRGINIA
TOWN COUNCIL MEETING
Monday, May 13, 2013 @ 7:00 p.m.
Warren County Government Center**

1. Pledge of Allegiance
 2. Moment of Silence
 3. Roll Call
 4. Approval of the Regular Council Meeting minutes of April 22, 2013 and Special Meeting minutes of April 29, 2013.
 5. Receipt of Petitions and/or Correspondence from the Public
 6. Reports:
 - a. Report of special committees or Town officials and Town Manager.
 1. Northern Shenandoah Valley Regional Commission (NSVRC) Report – Martha Shickle
 2. Financial Report – Finance Director Kim Gilkey-Breeden
 - b. Requests and inquiries of Council members.
 - c. Report of the Mayor
 - d. Proposals for addition/deletion of items to the Agenda.
 - *7. **CONSENT AGENDA ITEMS – (ROLL CALL VOTE REQUIRED)**
 - A. COUNCIL APPROVAL – Acceptance of Byrne Justice Assistance Grant – Police Dept
 - B. COUNCIL APPROVAL – Liaison Committee Meeting Items
 - C. COUNCIL APPROVAL – Bid – Vehicles for Police Department
 - D. COUNCIL APPROVAL – Bid - Pickup Truck for DES WWTP
 - E. COUNCIL APPROVAL - Bid - Relocation of Electric Facilities for VDOT South Fork Bridge Project
 - F. COUNCIL APPROVAL - Bid - Substation Equipment & Building
- *The nature of a consent agenda is such that discussion of individual items does not occur.*
8. **COUNCIL APPROVAL** – Rezoning Application from VFW Post 1860 (2nd Reading)
 9. **COUNCIL RECOMMENDATION** – Board of Zoning Appeals (BZA)
 10. **COUNCIL APPROVAL** - Donation of Fireworks Display Permit Fee for Annual Fireman's Carnival – Front Royal Volunteer Fire & Rescue Department
 11. **COUNCIL APPROVAL** - Donation of Electric Fees for Special Event Permit for "Gazebo Gatherings" – Blue Ridge Arts Council
 12. **COUNCIL APPROVAL** - Donation of Electric Fees for Special Event Permit for "Farmers Market" - Tony Tringale
 13. **CLOSED MEETING** – 1) Property Acquisition and 2) Consultation with Legal Counsel specific to Annexation.

Motion to Go Into Closed Meeting

I move that Council convene and go into Closed Meeting for the purpose of 1) discussion or consideration of the acquisition of real property for a public purpose or the disposition of publicly held real property, where discussion in an Open Meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711. A. 3. of the Code of Virginia and 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, specifically, Annexation, pursuant to Section 2.2-3711. A. 7. 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 Action 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.



**Town of Front Royal, Virginia
Council Agenda Statement**

Page 1
Item No. 7(A)

Meeting Date: May 13, 2013

Agenda Item: COUNCIL APPROVAL – Acceptance of Byrne Justice Assistance Grant – Police Department

Summary: Council is requested to approve the acceptance of a Byrne Justice Assistance Grant in the amount of \$3,182.00 (\$2,864.00 + \$318.00 matching) to be used to purchase police equipment.

Budget/Funding: 1000-3310012 - Revenue
3102-70001 – Equipment (Expense)

Attachments: Letter from Department of Criminal Justice Services and Memorandum from Captain Werner

Meetings: None

Staff Recommendation: Approval ☒ Denial ☐

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve the acceptance of a Byrne Justice Assistance Grant in the amount of \$3,182.00 (\$2,864.00 + \$318.00 matching) to be used for the purchase of police equipment.

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: JB



TOWN OF FRONT ROYAL

POLICE DEPARTMENT
24 WEST MAIN STREET
FRONT ROYAL, VIRGINIA 22630-1560

NORMAN A. SHIFLETT
Chief of Police
(540) 635-2111
(540) 635-6160 (Fax)

To: Tina Presley
From: Captain Mark Werner
Date: May 1, 2013
Subject: Byrne Justice Grant 13-O1037LO12 (\$3182.00)

The department will be using these funds to purchase police equipment. At this time we have several items that need to be purchased such as Taser's, handguns, and possibly a LIDAR unit.



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Garth L. Wheeler
Director

April 8, 2013

1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
TDD (804) 386-8732

Mr. Steven Burke
Town Manager
Town of Front Royal
P. O. Box 1560
Front Royal, VA 22630

Title: Byrne Justice Assistance Grant, 13-O1037LO12

Dear Mr. Burke:

The Byrne Justice Assistance Grant Program (JAG) makes federal funds available to localities to help support their efforts to reduce crime and improve public safety. The Department of Criminal Justice Services has been designated to administer a portion of the JAG funds reserved for Virginia and to make those funds available to local units of government. I am pleased to advise you that we are awarding your locality \$2,864.00 in federal funds. With the required local cash matching funds of \$318.00, your total award is \$3,182.00.

Enclosed you will find a **Statement of Grant Award and a Statement of Grant Award Special Conditions**. To indicate your acceptance of the award and conditions, please complete and sign the award acceptance and return it to Janice Waddy, General Administration Manager II, Office of Grants Management, at the Department of Criminal Justice Services (DCJS). Please review the conditions carefully; as they include specific requirements about how the grant funds must be managed once you receive them. We are required to provide the entire federal portion of your award in one distribution. Please refer to the enclosed "Post Award Instructions and Reporting Requirements" for details on how to request funds using our online Grants Management Information System (GMIS). **All financial reports and request for funds must be submitted through GMIS.**

In order to complete the award acceptance, you must also provide information on how your locality will use the awarded federal funds. Instructions are attached.

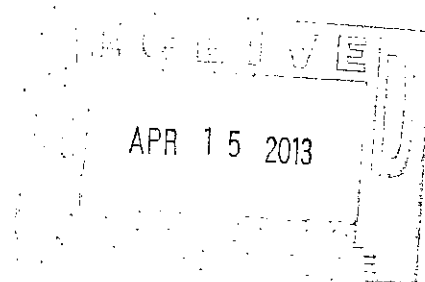
We appreciate your interest in this grant program and will be happy to assist you in any way we can to assure your project's success. If you have any questions, please contact Shelia Anderson at (804) 786-9469 or by email at shelia.anderson@dcjs.virginia.gov.

Sincerely,

Garth L. Wheeler

Enclosures

cc: Chief Richard H. Furr, Chief of Police
Mrs. Kim Gilkey-Breeden, Finance Director
Ms. Shelia Anderson, DCJS Monitor



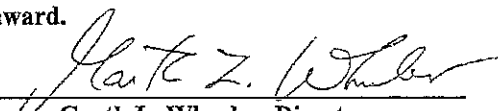
Department of Criminal Justice Services

1100 Bank Street, 12th Floor, Richmond, VA 23219

Byrne Justice Assistance Grant Statement of Award/Acceptance

Subgrantee: Front Royal, Town	Date: April 8, 2013 Grant No: 13-O1037LO12	Grant Period: 4/1/2013 – 12/31/2013
Project Director	Project Administrator	Finance Officer
Chief Richard H. Furr Chief of Police Front Royal Police Department 24 West Main Street Front Royal, VA 22630 E-Mail: rfurr@frontroyalva.com Phone No: (540) 635-2111	Mr. Steven Burke Town Manager Town of Front Royal P. O. Box 1560 Front Royal, VA 22630 E-Mail: Phone No: (540) 636-7475	Mrs. Kim Gilkey-Breeden Finance Director Town of Front Royal P. O. Box 1560 Front Royal, VA 22630 E-Mail: kgilkeybreeden@frontroyalva.com Phone No: (540) 635-7799
TOTAL PROJECT	Federal \$2,864	Subgrantee Cash Match \$ 318
	TOTAL \$3,182	

This grant is subject to all rules, regulations, and special conditions included in this award.


Garth L. Wheeler, Director

Please provide the information requested below. See attached instructions for completing the award acceptance. Enter the amount of Federal funds you plan to spend in each category below. The total of Federal funds entered must equal the total of Federal funds awarded in this grant. Please round to the nearest dollar.

Purpose Areas	Federal Amount	Category
1. Law Enforcement		
a. Hiring	\$	# Current Officers _____
b. Overtime	\$	# Officers to Hire _____
c. Equipment :		# Current Support Personnel _____
1. Traditional Law Enforcement Equipment	\$	# Support Personnel to Hire _____
2. Information Technology	\$	Sworn ☐ Civilian ☐
2. Prosecution & Courts	\$	
3. Prevention and Education	\$	
4. Corrections & Community Corrections	\$	
5. Drug Treatment	\$	
6. Planning, Education & Technology Improvement	\$	

The undersigned, having received the Statement of Grant Award/Acceptance and the Conditions attached thereto, does hereby accept this grant and agree to the conditions pertaining thereto, this _____ day of _____, 20____.

Signature of Project Administrator: _____ Title: _____

STATEMENT OF GRANT AWARD SPECIAL CONDITIONS

Department of Criminal Justice Services

1100 Bank Street, 12th Floor

Richmond, Virginia 23219

Byrne Justice Assistance Grant Program – Local Agencies

Subgrantee: Front Royal Town

Grant Number: 13-O1037LO12

Federal Catalog No.: 16.738

Title: Local L. E. Block Grant

Date: April 8, 2013

The following conditions are attached to and made a part of this grant award:

1. By signing the Statement of Grant Award/Acceptance, the grant recipient agrees:
 - to use the grant funds to carry out the activities subgrantee establishes in the Statement of Grant Award/Acceptance, as modified by the terms and conditions attached to this award or by subsequent amendments approved by DCJS;
 - to adhere to the approved budget contained in this award and amendments made to it in accord with these terms and conditions;
 - and, to comply with all terms, conditions, and assurances attached to this award.
2. The subgrantee agrees to submit such reports as requested by DCJS.
3. By accepting this grant, the recipient assures that funds made available through it will not be used to replace state or local funds that would, in the absence of this grant, be made available for the same purposes.
4. By accepting this grant, the recipient assures that a trust fund will be established in which to deposit grant funds. Any interest gained from the trust fund may be used to add to the Federal award amount. Any interest earned must be spent within the grant period, and on eligible program activities.
5. If these requirements can be met within the recipient's current financial management system, there is no need to establish a separate account.
6. Grant funds are not to be used to purchase, lease, rent, or acquire tanks or armored vehicles, fixed-wing aircraft, limousines, real estate, yachts, consultants, or any vehicle not used primarily for law enforcement.
7. The subgrantee agrees to forward a copy to the DCJS of the scheduled audit of this grant award.
8. All purchases for goods and services must comply with the Virginia Public Procurement Act. Procurement transactions, whether negotiated or advertised and without regard to dollar value, shall be conducted in a manner so as to provide maximum open and free competition. An exemption to this regulation requires the prior approval of the DCJS and is only given in unusual circumstances. Any request for exemption must be submitted in writing to the DCJS.
9. **PROJECT INCOME:** Any funds generated as a direct result of DCJS grant funded projects are deemed project income. Project income must be reported on forms provided by DCJS. The following are examples of project income: Service fees; Client fees; Usage or Rental fees; sales of materials; income received from sale of seized and forfeited assets (cash, personal or real property included).
10. The subgrantee agrees that it and all its contractors will comply with the following federal civil rights laws as applicable:
 - Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin in the delivery of services (42 U.S.C. § 2000d), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart C;
 - The Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of race, color, national origin, religion, or sex in the delivery of services and employment practices (42 U.S.C. § 3789d(c)(1)), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D;
 - Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart G;

- Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. Part 35;
 - Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs and activities (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. Part 54;
 - The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of services (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart I; and
 - The DOJ regulations on the Equal Treatment for Faith-Based Organizations, which prohibit discrimination on the basis of religion in the delivery of services and prohibit organizations from using DOJ funding for inherently religious activities (28 C.F.R. Part 38).
 - The Juvenile Justice and Delinquency Prevention Act of 1974, as amended, which prohibits discrimination in both employment and the delivery of services or benefits based on race, color, national origin, religion, and sex in JJDP-funded programs or activities (42 U.S.C. § 5672(b)).
 - Section 1407 of the Victims of Crime Act (VOCA), as amended, which prohibits discrimination in both employment and the delivery of services or benefits on the basis of race, color, national origin, religion, sex, and disability in VOCA-funded programs or activities. (42 U.S.C. § 10604).
11. The subgrantee agrees that in the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.
12. By accepting the accompanying grant award, you are agreeing to submit financial reports during the grant period, as well as a final report to close out the grant. **Financial reports are due no later than the close of business on the 12th working day after the end of the quarter.**
13. Grant funds, including match, must be expended and/or obligated during the grant period. All legal obligations must be liquidated no later than 90 days after the end of the grant period. The grant recipient agrees to supply a final grant financial report and return all unexpended grant funds to DCJS within 90 days of the end of the grant period.
14. **No extensions of the grant period for this award will be permitted.**
15. Prior to DCJS disbursing funds, the Grantee must comply with the following special conditions:
- (a) Submit a budget narrative outlining all expenditures.



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Garth L. Wheeler
Director

1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
TDD (804) 386-8732

NOTICE

To: Grants Project Administrator

From: Janice Waddy, DCJS Grants Administrator

Re: Post Award Instructions and Reporting Requirements
PLEASE READ VERY CAREFULLY

- **GRANT AWARD AND SPECIAL CONDITIONS:**

Please review your Award and Special Conditions very carefully. Pay attention to the last Special Condition listed. This Special Condition may require additional documentation from you before grant funds can be released. Sign and date the grant award acceptance and submit any Special Condition documentation to:

Office of Grants Management
Department of Criminal Justice Services
1100 Bank Street, 12th Floor
Richmond, Virginia 23219

- **REPORTING REQUIREMENTS**

By accepting the accompanying grant award, you are agreeing to submit quarterly financial reports for this grant throughout the grant period, as well as final reports to close the grant. **No eligible current recipient of funding will be considered for continuation funding if, as of the continuation application due date, any of the required Financial reports for the current grant are more than thirty (30) days overdue.** For good cause, submitted in writing by the grant recipient, DCJS may waive this provision.

Financial reports are due no later than the close of business on the 12th working day after the end of the quarter. Reports are required even if no expenditures have occurred during the quarter. **Requests for Funds will not be honored from grant recipients who do not fulfill this reporting obligation.** A schedule of due dates is attached for your reference. Please retain copies of the schedule for future use and reference.

- **FINANCIAL REPORTS**

Refer to our website for submitting financial reports through our online Grants Management Information System (GMIS). In order to use this web-based system, if you have not previously done so, you must obtain a user name and password set up by DCJS Grants Administration. The address is

<http://www.dcjs.virginia.gov/grantsAdministration/gmis/index.cfm?menuLevel=4>. **Paper copies of the financial reports are no longer accepted. You are required to use the on-line system in reporting your expenditures.**

- **REQUESTING GRANT FUNDS**

Refer to our website for requesting funds through our online Grants Management Information System (GMIS). In order to use this web-based system, if you have not previously done so, you must obtain a user name and password set up by DCJS Grants Administration. *Please note you can access this system using the same password assigned for the on-line financial reporting system.

The address is <http://www.dcjs.virginia.gov/grantsAdministration/gmis/index.cfm?menuLevel=4>. **You are required to use the on-line system for requesting funds. Paper copies of the Request for Funds will no longer be accepted.**

If you have any questions, please contact Beverly Johnson at (804) 786-9055 or by e-mail at beverly.johnson@dcjs.virginia.gov.

**PROJECTED DUE DATES
FINANCIAL REPORTS**

*Reports are due by the 12th working day following the close of the quarter covered in the report.
Financial reports are required even if no expenditures have occurred.*

<i>QUARTER ENDING</i>	<i>DUE DATE</i>
6/30/2013	7/17/2013
9/30/2013	10/17/2013
12/31/2013	1/16/2014
3/31/2014	4/21/2014
6/30/2014	7/17/2014
9/30/2014	10/17/2014



**Town of Front Royal, Virginia
Council Agenda Statement**

Page 1
Item No. 7(B)

Meeting Date: May 13, 2013

Agenda Item: COUNCIL APPROVAL – Liaison Committee Meeting Agenda Items

Summary: Council is requested to approve the following items to be included on the May 16, 2013 Liaison Committee Agenda.

- 1) Catlett Mountain Landfill
- 2) Building Inspections Software
- 3) Leach Run Parkway RFP
- 4) Channel 16
- 5) McKay Property Historical Investigation
- 6) Town/County/EDA Park & Ride Locations
- 7) Rt 340/522 Corridor
- 8) FRLP Annexation
- 9) Hatch Act Designation
- 10) Front Royal Volunteer Fire & Rescue Department Funding
- 11) Request to use McKay Springs as a Trout Fishery
- 12) WWIP - Septage Receiving (Update Agreement)
- 13) South Fork Bridge Lighting (Develop Agreement)
- 14) Riverton Substation (WC Plan Review Update)

Budget/Funding: None

Attachments: None

Meetings: Work Session held May 6, 2013

Staff

Recommendation: Approval ☒ Denial ☐

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve the items to be included on the May 16, 2013 Liaison Committee Agenda as presented.

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: JB



**Town of Front Royal, Virginia
Council Agenda Statement**

Page 1
Item No. 7(C)

Meeting Date: May 13, 2013

Agenda Item: COUNCIL APPROVAL – Bid – Vehicles for Police Department

Summary: Council has received a request from the Purchasing Agent, seeking approval of a bid from Capital Chevrolet Buick GMC for the purchase of four (4) new 4-door passenger cars for the Investigations Division of the Police Department in the amount of \$70,884.00

Budget/Funding: FY13 Police Department budget line item 3102-47005 - \$45,353.90
1610-3310005 - \$25,530.10 – Asset Forfeiture
1610-70005 - \$25,530.10 – Vehicle Purchase

Attachments: Memorandum and Quotation Tabulation from Purchasing Agent

Meetings: None

Staff Recommendation: Approval ✓ Denial

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a bid from Capital Chevrolet Buick GMC for the purchase of four (4) new 4-door passenger cars for the Investigations Division of the Police Department in the amount of \$70,884.00.

ROLL CALL VOTE REQUIRED

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: JB



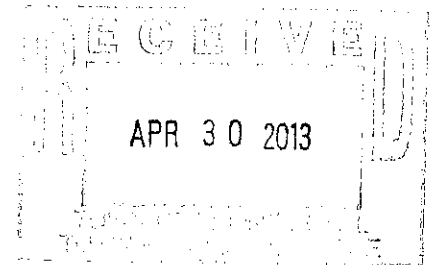
TOWN OF FRONT ROYAL

DEPARTMENT OF FINANCE
PURCHASING DIVISION
102 E. MAIN STREET
P.O. BOX 1560
FRONT ROYAL, VIRGINIA 22630-1560

CYNTHIA A. HARTMAN, CPPB
Purchasing Agent
(540) 636-6889
(540) 636-7473 fax
email: cahartman@frontroyalva.com

MEMORANDUM

Date: April 29, 2013
To: Tina Presley, Administrative Assistant
Jennifer Berry, Clerk of Council
From: Cindy Hartman, Purchasing Agent
RE: Agenda Item



On Thursday, April 18, 2013, I held a bid opening for the purchase of four (4) new 4-door passenger cars for the Investigations division of the Police Department. I directly solicited the four (4) local dealerships, receiving only one (1) response. Don McPaters, Superintendent of Vehicle/Equipment Maintenance, has reviewed the quotation for compliance with our specifications, and also to compare the cost of a similar vehicle if purchased off of the Virginia State Contract. Although the cutoff date for orders placed through the State Contract is past, I spoke with the salesperson at that dealership, Capital Chevrolet Buick GMC in Richmond, and they had ordered extra vehicles before the cutoff date which will be available for our purchase.

There will be four (4) vehicles pulled from the Police Department fleet, in order for these new ones to be added.

Due to the dollar amount, the bid award will need Town Council approval. Please add this item to the May 13, 2013 agenda for their action.

Funding for this vehicle is available in the FY13 Police Department budget line item 3102-47005 in the amount of \$45,353.90. The balance of funding will be drawn from the asset forfeiture account.

In the past, Council recommended purchases were to be from the local dealership if their quotation was no more than 5% above the cost of the same vehicle purchased through a Virginia State Contract. As the quotation received from Jack Evans Chevrolet is greater than 5% above the cost of purchasing the vehicle through State Contract, I recommend that we purchase these vehicles from Capital Chevrolet Buick GMC.

TOWN OF FRONT ROYAL, VIRGINIA

Quotation Tabulation

Item: CID VEHICLES

Quotation #6

Date: APRIL 18, 2013

Mailed: 4

Replied 1

	Vendor Quotation			
	JACK EVANS CHEVROLET	CAPITAL CHEVROLET BUICK GMC		
QUANTITY	FRONT ROYAL QUOTATION	RICHMOND QUOTATION	QUOTATION	QUOTATION
(4) EACH - FULL SIZE, 4-DOOR PASSENGER AUTOMOBILE NEW, UNUSED, CURRENT PRODUCTION MODEL YEAR	\$ 77,501.60 (2013 CHEVY IMPALA)	\$ 70,884.00 (2013 CHEVY IMPALA)		
TOTAL QUOTATION				

The above proposals verified to specifications and compliance with terms and conditions.

Witness

Witness


PURCHASING AGENT



**Town of Front Royal, Virginia
Council Agenda Statement**

Page 1
Item No. 7(D)

Meeting Date: May 13, 2013

Agenda Item: COUNCIL APPROVAL – Bid – Vehicle DES - WWTP

Summary: Council has received a request from the Purchasing Agent, seeking approval of a bid from Colonial Ford and Truck Sales for the purchase of a new $\frac{3}{4}$ ton, 4-wheel drive pickup truck for the Wastewater Treatment Plant in the amount of \$22,031.12.

Budget/Funding: FY13 Wastewater Treatment Plant budget line item 9801-47005

Attachments: Memorandum and Quotation Tabulation from Purchasing Agent

Meetings: None

Staff

Recommendation: Approval ✓ Denial

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a bid from Colonial Ford and Truck Sales for the purchase of a new $\frac{3}{4}$ ton, 4-wheel drive pickup truck for the Wastewater Treatment Plant in the amount of \$22,031.12.

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: JB



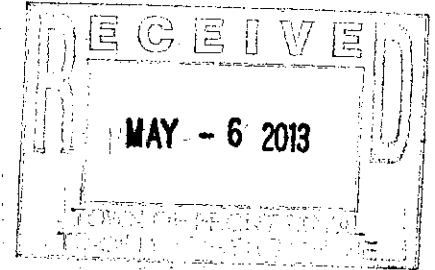
TOWN OF FRONT ROYAL

DEPARTMENT OF FINANCE
PURCHASING DIVISION
102 E. MAIN STREET
P.O. BOX 1560
FRONT ROYAL, VIRGINIA 22630-1560

CYNTHIA A. HARTMAN, CPPB
Purchasing Agent
(540) 636-6889
(540) 636-7473 fax
email: cahartman@frontroyalva.com

MEMORANDUM

Date: May 6, 2013
To: Tina Presley, Administrative Assistant
From: Cindy Hartman, Purchasing Agent
RE: Agenda Item



During FY12, I held a bid opening for the purchase of a 2012 regular cab, 4-wheel drive, ¾ ton pickup truck chassis for the Public Works Sign Shop. As all local quotations received were over 5% of the State Contract price, we purchased the chassis through the State Contract. The Wastewater Treatment plant would like to purchase a chassis through the State Contract, as in the past year the base price of the chassis has increased by only \$77.57.

The Contract base price for a 2013 F250 ¾ ton 4-wheel drive pickup truck chassis, regular cab with a long bed is \$21,907.12. To this cost, we would add a snow plow prep package for \$76.50, a brake controller for \$207.00, and estimated delivery at \$75.00. From that amount we would delete \$234.50 for a pickup box. The utility bed for the chassis will be bid at a later date.

As a chassis is "rolling stock", I will need Council approval before moving forward. Please add this item to the May 13 Town Council agenda for their action.

Staff recommends the purchase of a 2013 F250 truck chassis from Colonial Ford and Truck Sales, Richmond, VA, for a total purchase price of \$22,031.12.

Funding for this vehicle is available in the FY13 Wastewater Treatment Plant budget, line item 9801-47005.

Vehicle Configurator Contract #: E194-1214 eVA Commodity: 3/4 Ton pickup Truck, Regular Cab, Long bed, Gas 4x4 eVA Vendor: Colonial Ford and Truck Sales DESCRIPTION: PF-49800		UNIT PRICE		QUANTITY EA Base Vehicle and Unique Options #1		QUANTITY EA Base Vehicle and Unique Options #2		QUANTITY EA Base Vehicle and Unique Options #3		QUANTITY EA Base Vehicle and Unique Options #4	
Base Vehicle: 2013 Ford F250		\$ 21,907.12	1	\$ 21,907.12	1	\$ -	1	\$ -	1	\$ -	1
CNG/LPG-Fuel Capable Engine		\$ 283.50		\$ -		\$ -		\$ -		\$ -	
Add Power Windows, power locks and keyless remote entry		\$ 805.50		\$ -		\$ -		\$ -		\$ -	
Manual Sliding Rear Window		\$ 112.50		\$ -		\$ -		\$ -		\$ -	
Engine Block Heater		\$ 67.50		\$ -		\$ -		\$ -		\$ -	
Under the Rail, Drop in bed liner		\$ 200.00		\$ -		\$ -		\$ -		\$ -	
Pickup Box Delete (w/ 8ft. Box only)		\$ (234.50)	1	\$ (234.50)	1	\$ -		\$ -		\$ -	
HD Service Package for pickup box delete		\$ 112.50		\$ -		\$ -		\$ -		\$ -	
Snow Plow Prep Package		\$ 76.50	1	\$ 76.50	1	\$ -		\$ -		\$ -	
Brake Controller		\$ 207.00	1	\$ 207.00	1	\$ -		\$ -		\$ -	
Vinyl Bucket Seats		\$ 319.50		\$ -		\$ -		\$ -		\$ -	
Deduct for delivery less than 5 miles @ .60 per mile.		\$ (0.60)		\$ -		\$ -		\$ -		\$ -	
Additional Cost for Delivery Beyond Included miles at .60 per mile. Enter the Number of miles in excess of the included miles. Note: 5 Miles delivery are included in the base price of this vehicle.		\$ 0.60	125	\$ 75.00	125	\$ -		\$ -		\$ -	
Total Cost for Each Base Vehicle Plus Options:			1 ea	\$ 22,031.12	1 ea	\$ -	#DIV/0!	1 ea	#DIV/0!	1 ea	0
Total Cost for All Base Vehicles Plus Options:			1	\$ 22,031.12	0	\$ -	0	\$ -	0	\$ -	0
Additional Options Spreadsheet Link - For use only by Local Governments											
Enter Color and Other Information or Instructions in Yellow Block to the Right											
Use this spread sheet to configure your vehicle. You will only need to use a separate column if you are ordering multiple vehicles with different options. The only thing you need to enter into the spread sheet are the quantity numbers for the base vehicle and each option you want to order. This information is entered in the yellow column. The only time you need to use more than one column is when you are ordering multiple vehicles with different options. When you are done save the spreadsheet to your hard drive. Log into to eVA. When you get to the add items page click on the non-catalog tab. Enter your description as follows. Van(s) per contract <Enter Contract Number>. See attached spread sheet. When you get to the comments section of the requisition, check the attach comments box and select the attach file option and attach this spread sheet as your attached file.											
For Dealers: This spread sheet vehicles for your purchase order. allows an agency to order multiple											

MEMORANDUM

TO: Cindy Hartman, Purchasing Agent

FROM: Donald B McPaters, Manager of Vehicle Equipment Maint. *DBM*

SUBJECT: Purchase of a 2013 ¾ ton regular cab chassis four wheel drive.

DATE: April 12, 2013

The Sewer Plant has a pickup in the budget for the year 2012/13 and we have already bid this truck out for this year. The pickup will be the same as the Sign Crews new pickup. We purchased it from the state contract at a price of \$21829.55. Can we purchase this pickup chassis off of the same bid? The new price will be \$21,956.12

Pricing Schedule 2013 3/4 ton pickup, regular cab, long bed 4x4		
Option Description	Option Code	Contract Price
BASE VEHICLE PRICE:		
Price of Base Vehicle: 2013 F250: 3/4 ton pickup truck, regular cab, long bed 4x4	F2B	\$21,907.12
OPTIONAL EQUIPMENT:		
*CNG/LPG-Fuel Capable Engine	.98F	\$283.50
Add Power Windows, power locks and keyless remote entry	90L	\$805.50
Manual Sliding Rear Window	433	\$112.50
Engine Block Heater	41H	\$67.50
Snow Plow Prep Package	473	\$76.50
Under the Rail, Drop in bed liner	DLR-1	\$200.00
**Pickup Box Delete (w/ 8ft. Box only)	66D	(\$234.50)
HD Service Package for pickup box delete	63R	\$112.50
Brake Controller	52B	\$207.00
Vinyl Bucket Seats	JS	\$319.50
Additional Options:		
Contact Dealer		

21954.12

***Includes:**

- Hardened Engine Intake Valves and Valve Seats
- Bi-Fuel manifold
- Note: This package does not include CNG/LPG-fuel tanks, lines, etc. Vehicle will be equipped with the standard factory gasoline fuel system. Additional equipment combined with Certified calibration reflash is required, from an external upfitter, to convert the vehicle to a CNG/LPG-fueled vehicle.
- Ford Motor Company does not provide an exhaust or evaporative emissions certificate with this option when converted to use CNG or LPG-fuel. Ford does not represent that a vehicle converted to use CNG or LPG will comply with all applicable U.S. safety standards. It is the responsibility of the final stage manufacturer (body-builder, installer, alterer or subsequent stage manufacturer) to determine that any vehicle converted to use CNG or LPG complies with U.S. Federal exhaust and evaporative emission requirements, Federal fuel economy standards, U.S. safety standards, labeling and any other requirements.

****Includes:**

Includes spare tire and wheel (When the "Pickup Box Delete" option is selected, the spare tire and wheel are deleted. However, we have added a spare tire and wheel back into this option to comply with the specifications.)



**Town of Front Royal, Virginia
Council Agenda Statement**

Page 1
Item No. 7(E)

Meeting Date: May 13, 2013

Agenda Item: COUNCIL APPROVAL – Bid – Relocation of Electric Facilities

Summary: Council has received a request from the Purchasing Agent, seeking approval of a bid from Lee Electrical Construction, Inc. for the relocation of the electric facilities associated with the VDOT South Fork Bridge Reconstruction Project in the amount of \$172,425.05 plus an additional \$25,000 for contingencies for a total amount of \$197,42.05. Funding for this project shall be reimbursed by VDOT

Budget/Funding: Funding not to exceed \$280,000 is due from the Commonwealth of Virginia Department of Transportation (10000-3410209) for this project. FY13 Department of Energy Services budget line item 9401-47926

Attachments: Memorandum and Quotation Tabulation from Purchasing Agent, the Director of Energy Services, and our Consultant

Meetings: None

Staff Recommendation: Approval ✓ Denial _____

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council accept reimbursement due from the Commonwealth of Virginia Department of Transportation in the amount not to exceed \$280,000 for this project. I further move that Council approve a bid from Lee Electrical Construction, Inc. for the relocation of the electric facilities associated with the VDOT South Fork Bridge Reconstruction Project in the amount of \$172,425.05 plus an additional \$25,000 for contingencies for a total amount of \$197,42.05.

ROLL CALL VOTE REQUIRED

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: JP

Town of Front Royal
Energy Services
P.O. Box 1560
Front Royal, Virginia 22630-1560
(540) 635-3027 Fax: (540) 635-5497



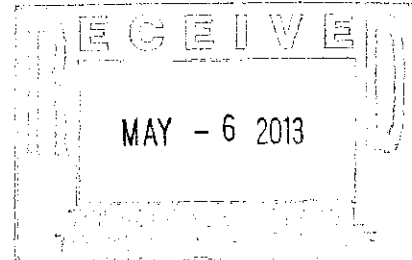
Memo

To: Cindy Hartman, Purchasing Manager

From: Joseph Waltz, Director of Energy Services

Date: May 6, 2013

Re: Council approval of contract to relocate utilities for the construction of VDOT South Fork Bridge project



Staff has reviewed the Southeastern Consulting Engineers (SCE) bids and recommendation for electric utility relocation for the construction of the VDOT South Fork Bridge Project. Lee Electrical Construction bid was slightly under what was submitted and approved by VDOT for reimbursement.

Staff recommends that Council approve the contract with the lowest bidder, Lee Electrical Construction, Inc. for the sum of \$ 197,425.05. Attached is the letter of recommendation from SCE.

If you have any questions, please let me know.

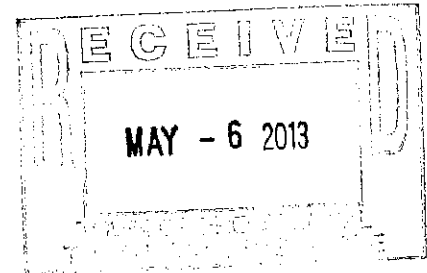


TOWN OF FRONT ROYAL

DEPARTMENT OF FINANCE
PURCHASING DIVISION
102 E. MAIN STREET
P.O. BOX 1560
FRONT ROYAL, VIRGINIA 22630-1560

CYNTHIA A. HARTMAN, CPPB
Purchasing Agent
(540) 636-6889
(540) 636-7473 fax
email: cahartman@frontroyalva.com

MEMORANDUM



Date: May 6, 2013
To: Tina Presley, Administrative Assistant
Jennifer Berry, Clerk of Council
From: Cindy Hartman, Purchasing Agent
RE: Agenda Item

On Tuesday, April 23, 2013, I opened bids for the construction of line relocations in conjunction with the VDOT South Fork Bridge Project. I received three (3) responses (see attached tabulation). The quotations were passed on to Southeastern Consulting Engineers, Inc. for review to ensure compliance with the bid specifications. I have received the attached letter of recommendation from Southeastern.

Due to the dollar amount, the bid award will need Council approval. Please add this item to the May 16 Town Council agenda for their action.

Southeastern Consulting Engineers, along with Town staff, recommend the award for line relocation construction in conjunction with the VDOT South Fork Bridge Project be awarded to Lee Electrical Construction, located in Aberdeen, North Carolina, for a total cost of \$197,425.05. This dollar amount includes a bid amount of \$172,425.05, and an additional \$25,000.00 allowance for any change orders.

Funding is available in the FY13 Department of Environmental Services budget, line items 9401-47926.

BID TABULATION
Electrical Distribution System Relocation
VDOT Project 0340-093-127

Town of Front Royal
Front Royal, Virginia

Date: April 23, 2013
Time: 2:00 PM, EDST

Bidder
Lee Electrical
Aberdeen, NC

C.W. Wright
Chester, VA

Richardson-Wayland
Roanoke, VA

Installation Units

Pole Units	\$25,712.50	\$37,067.00	\$41,304.11
7.2/12.5 KV Pole Top Units	14,070.00	14,054.00	21,161.04
Conductor Units	38,883.00	44,299.00	52,939.60
Transformer Units	9,728.00	14,057.00	11,245.42
Miscellaneous Units	27,248.00	37,809.00	44,918.36
Underground Units	24,665.75	31,417.00	60,051.10
Change Order Allowance	25,000.00	25,000.00	25,000.00
Total, Installation Units	\$165,307.25	\$203,703.00	\$256,619.63

Removal Units

Pole Units	\$2,750.00	\$2,895.00	\$4,341.55
7.2/12.5 KV Pole Top Units	2,630.00	2,510.00	1,302.50
Conductor Units	12,962.50	8,322.00	16,977.00
Transformer Units	4,000.10	3,595.00	6,157.22
Miscellaneous Units	3,700.00	5,682.00	4,641.15
Underground Units	3,675.20	1,926.00	2,499.73
Streetlights Units	2,400.00	2,304.00	3,704.80
Total, Removal Units	\$32,117.80	\$27,234.00	\$39,623.95

TOTAL BID

\$197,425.05

\$230,937.00

\$296,243.58

Bid Bond

5%

5%

5%



Southeastern Consulting Engineers, Inc.

May 2, 2013

Mr. Joe Waltz
Town of Front Royal
P. O. Box 1560
Front Royal, Virginia 22630

Ref.: South Fork Bridge Line Relocation

Dear Joe:

Three proposals were received from contractors solicited for the construction of the line relocations in conjunction with the VDOT South Fork Bridge Project. A tabulation of the bids received and checked for mathematical errors is enclosed.

The lowest proposal was submitted by Lee Electrical Construction, Inc. of Aberdeen, North Carolina. Their bid was slightly under what we submitted and was approved by VDOT, so reimbursement should not be a problem.

VDOT has not been able to confirm funding for the bridge construction is imminent, therefore we recommend the contractor does not remove the decorative lights south of the bridge to the National Counseling Group Building. VDOT has told us that it would be fine for the Town forces to remove the decorative lights later, just before construction begins. Our plans did include installation of a temporary fixture that will keep this area well lit during construction (cut sheet enclosed) and we would suggest these are still installed but not energized so they will be ready when the bridge construction eventually begins.

We have also enclosed an aerial photo which shows the general impact of the recommended electric construction to each area.

We recommend that you accept the proposal submitted by Lee Electrical Construction, Inc., in the amount of \$197,425.05, which includes a \$25,000.00 change order fund.

If you have any questions, please call.

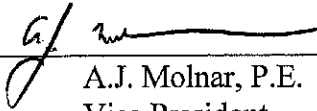
Town of Front Royal
Front Royal, Virginia

May 2, 2013
Page 2

Very truly yours,

SOUTHEASTERN CONSULTING ENGINEERS, INC.

By


A.J. Molnar, P.E.
Vice President

AJM/lc

Enclosures

cc: Cindy Hartman



**Town of Front Royal, Virginia
Council Agenda Statement**

Page 1
Item No. 7(F)

Meeting Date: May 13, 2013

Agenda Item: COUNCIL APPROVAL – Bid – Acquisition of Electrical Equipment and Equipment Building

Summary: Council has received a request from the Purchasing Agent, seeking approval of three (3) bids for materials and equipment necessary for improvements to the Manassas and Sprint Substations. The bids are as follows:

<u>Equipment</u>	<u>Vendor</u>	<u>Cost</u>
Manassas - Equipment House	VFP, Inc.	\$38,666.00
Sprint - Relay Panel & Other Equipment	Electric Power Products	\$15,805.03
Sprint - Six (6) Slipover Current Transformers	Hamby Young (WESCO)	<u>\$17,054.34</u>
		\$71,525.37

Budget/Funding: FY13 Department of Energy Services budget line items 9401-47937 (Manassas Substation - \$38,666.00) and 9401-47939 (Sprint Substation - \$32,859.37)

Attachments: Memorandum and Quotation Tabulation from Purchasing Agent and our Consultant

Meetings: None

Staff

Recommendation: Approval ☒ Denial ☐

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a bid from VFP, Inc. for the Manassas Substation Equipment House in the amount of \$38,666.00, a bid from Electric Power Products for the Sprint Substation Relaying and Miscellaneous Equipment in the amount of \$15,805.03, and a bid from Hamby Young for the Sprint Substation Slipover Current Transformers in the amount of \$17,054.34 as presented.

ROLL CALL VOTE REQUIRED

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: SB



TOWN OF FRONT ROYAL

DEPARTMENT OF FINANCE
PURCHASING DIVISION
102 E. MAIN STREET
P.O. BOX 1560
FRONT ROYAL, VIRGINIA 22630-1560

CYNTHIA A. HARTMAN, CPPB
Purchasing Agent
(540) 636-6889
(540) 636-7473 fax
email: cahartman@frontroyalva.com

MEMORANDUM

Date: May 6, 2013
To: Tina Presley, Administrative Assistant
Jennifer Berry, Clerk of Council
From: Cindy Hartman, Purchasing Agent
RE: Agenda Item

On Tuesday, April 23, 2013, I opened bids for electrical materials to be purchased for modifications to the Sprint Substation and an equipment building for the Manassas Substation. I received four (4) responses (see attached tabulation). The quotations were passed on to Southeastern Consulting Engineers, Inc. for review to ensure compliance with the bid specifications. I received the attached letter of recommendation from Southeastern.

Due to the dollar amount, the bid awards will need Council approval. Please add these items to the May 16 Town Council agenda for their action.

Schedule I – Manassas Substation Equipment House VFP, Inc., Roanoke, Virginia	\$38,666.00
Schedule II – Relaying and Miscellaneous Equipment Electric Power Products, Des Moines, Iowa	\$15,805.03
Schedule III – Six (6) Slipover Current Transformers Hamby Young, Aurora, Ohio	\$17,054.34

Funding is available in the FY13 Department of Environmental Services budget, line items 9401-47937 and 9401-47939.



Southeastern Consulting Engineers, Inc.

May 6, 2013

Mr. Joe Waltz
Town of Front Royal
P. o. Box 1560
Front Royal, Virginia 22630

Ref.: Material Bid Recommendations
Sprint Substation

Dear Joe:

The Town received proposals on April 23, 2013, from four suppliers and representatives solicited for providing electrical material necessary for modifications to the Sprint Substation and an Equipment Building for the Manassas Substation.

A tabulation of the bids received for the project is enclosed.

We have evaluated each item quoted based on compliance with the specifications, cost, and delivery. We recommend that the Town accept the proposal from the following vendors and authorize us to prepare the necessary contract documents.

	<u>Recommended Bidder</u>	<u>Proposal Price w/o Taxes</u>
Schedule I - Manassas Equipment House	VFP, Inc.	\$38,666.00
Schedule II - Spring Relay Panel Upgrade	Electric Power Products	\$15,805.03
Schedule III - Spring Current Transformers	Hamby Young (WESCO)	<u>\$17,054.34</u>
	Total All Schedules	\$71,525.37

Please let us know if you have any questions.

Very truly yours,

SOUTHEASTERN CONSULTING ENGINEERS, INC.

By 
A.J. Molnar, P.E.
Vice President

AJM/lc
Enclosure
cc: Mrs. Cindy Hartman

Town of Front Royal
Front Royal, Virginia

Date: April 23, 2013
 Time: 2:00 PM, EDST

BID TABULATION
Substation Equipment and Materials

<u>Bidder</u>	VFP, Inc. <u>Roanoke, VA</u>	Power Electronics <u>Millington, MD</u>	Hamby Young <u>Aurora, OH</u>	Electric Power Products <u>Des Moines, IA</u>
<u>Schedule I:</u> Equipment House Delivery: Manufacturer:	\$38,666.00 10-12 Weeks VFP	\$81,493.03 14-16 Weeks Power Electronics	\$73,933.70 16-18 Weeks Trechte	NQ
<u>Schedule II:</u> Relaying & Miscellaneous Equipment Delivery: Manufacturer:	NQ	\$16,117.76 5 Weeks Various	\$18,243.77 5-7 Weeks Various	\$15,805.03 6 Weeks Various
<u>Schedule III:</u> Six Slipover Current Transformers Delivery: Manufacturer:	NQ	\$17,898.06 8-10 Weeks ABB	\$17,054.34 9-11 Weeks ABB	
Price Terms	5%	Check	5%	5%



Town of Front Royal, Virginia Council Agenda Statement

Page 1
Item No. 8

Meeting Date: May 13, 2013

Agenda Item: PUBLIC HEARING – Rezoning Application from VFW Post 1860 (*2nd Reading*)

Summary: Council is requested to approve on its second and final reading a rezoning application (REZ12-07-68) submitted by Col. Samuel R. Millar, VFW Post 1860, requesting that the Town downzone 10.66 acres from the I-1 District to the A-1 District, including all of Parcel A and a portion of Parcel B. Proffers are submitted that would restrict manufactured housing and tenant housing.

Budget/Funding: None

Attachments: Memo from Fire Marshall, Application, Proffer Statement, Sit Plan Review Comments, Letter from Building Official, Code Sections and Staff Report

Meetings: Work Session held April 15, 2013. Public Hearing held April 22, 2013

Staff Recommendation: Approval ✓ Denial _____

Proposed Motion: I move that Council approve on its second and final reading a rezoning application (REZ12-07-68) submitted by Col. Samuel R. Millar, VFW Post 1860, to downzone 10.66 acres from the I-1 District to the A-1 District, including all of Parcel A and a portion of Parcel B, with proffers that would restrict manufactured housing and tenant housing.

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance
*To be clear and concise, motions should be made in the positive

Approved By: JS

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



**STAFF REPORT FOR THE TOWN COUNCIL WORK SESSION ON APRIL 15, 2013, APRIL
22, 2013 PUBLIC HEARING/1st READING & 2nd READING IN MAY**

APPLICATION #:

REZ12-07-68

APPLICANT:

Veterans Of Foreign Wars Col Samuel R
Millar Post 1860

APPLICATION SUMMARY:

The applicant has requested that the Town conditionally rezone 10.66 acres from the I-1 District to the A-1 District. The rezoning application, zoning plat, and proffer statement is included with this report as **Exhibit A**.

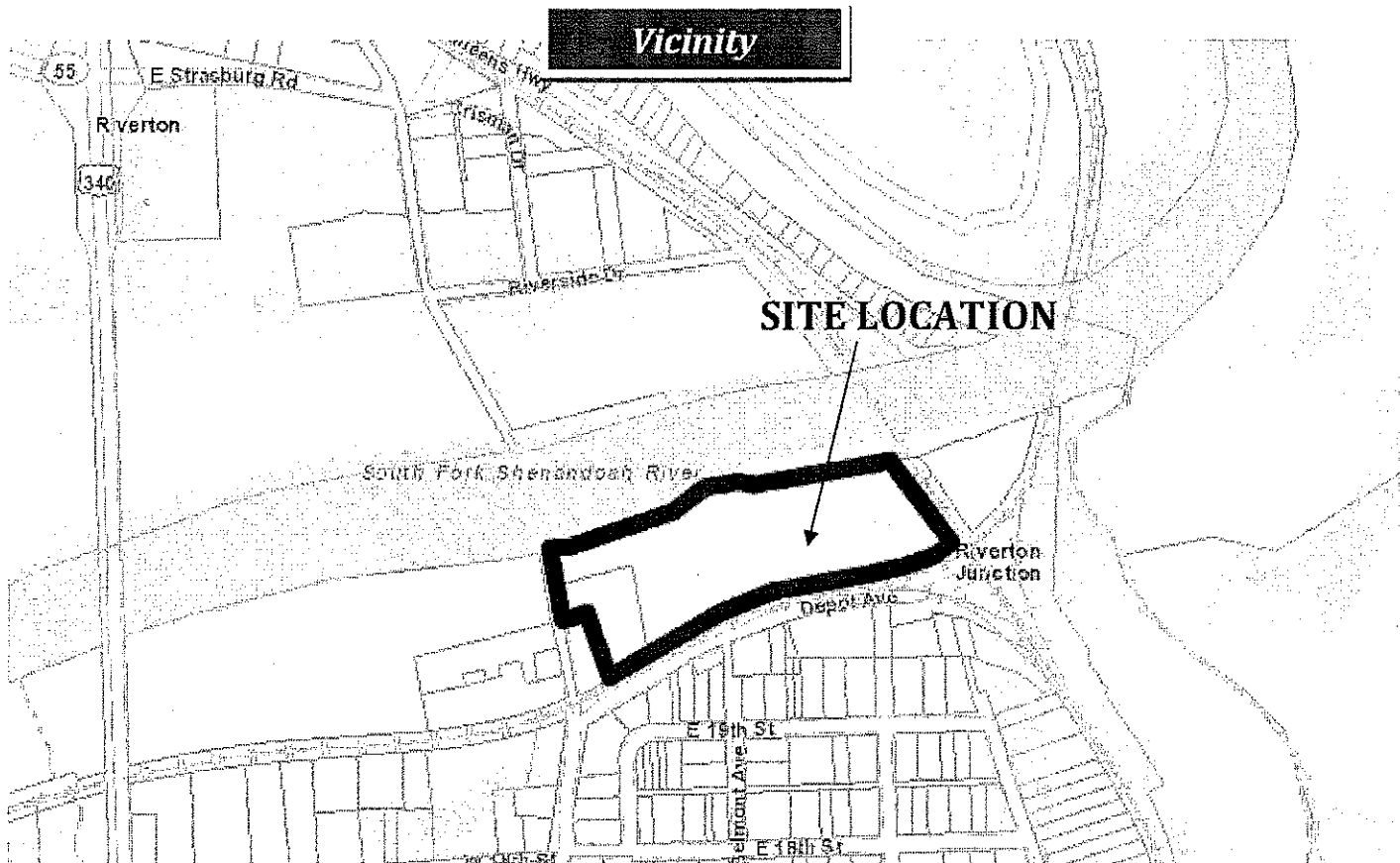
GENERAL INFORMATION:

Site Address	1847 North Royal Avenue (2 lots)		
Existing Zoning	I-1 District (entire 11.44 acres)		
Existing Use	VFW Lodge and accompanying grounds including picnic pavilion		
Overlay Districts	Historic Area - NO	Floodplain - YES	Entrance Corridor - NO
Tax Identification	Tax Parcel 20A3-1-1 (parcel A) and a portion of Tax Parcel 20A3-1-2 (parcel B)		
Location	The site is located at the end of North Royal Avenue, adjacent to the Shenandoah River.		

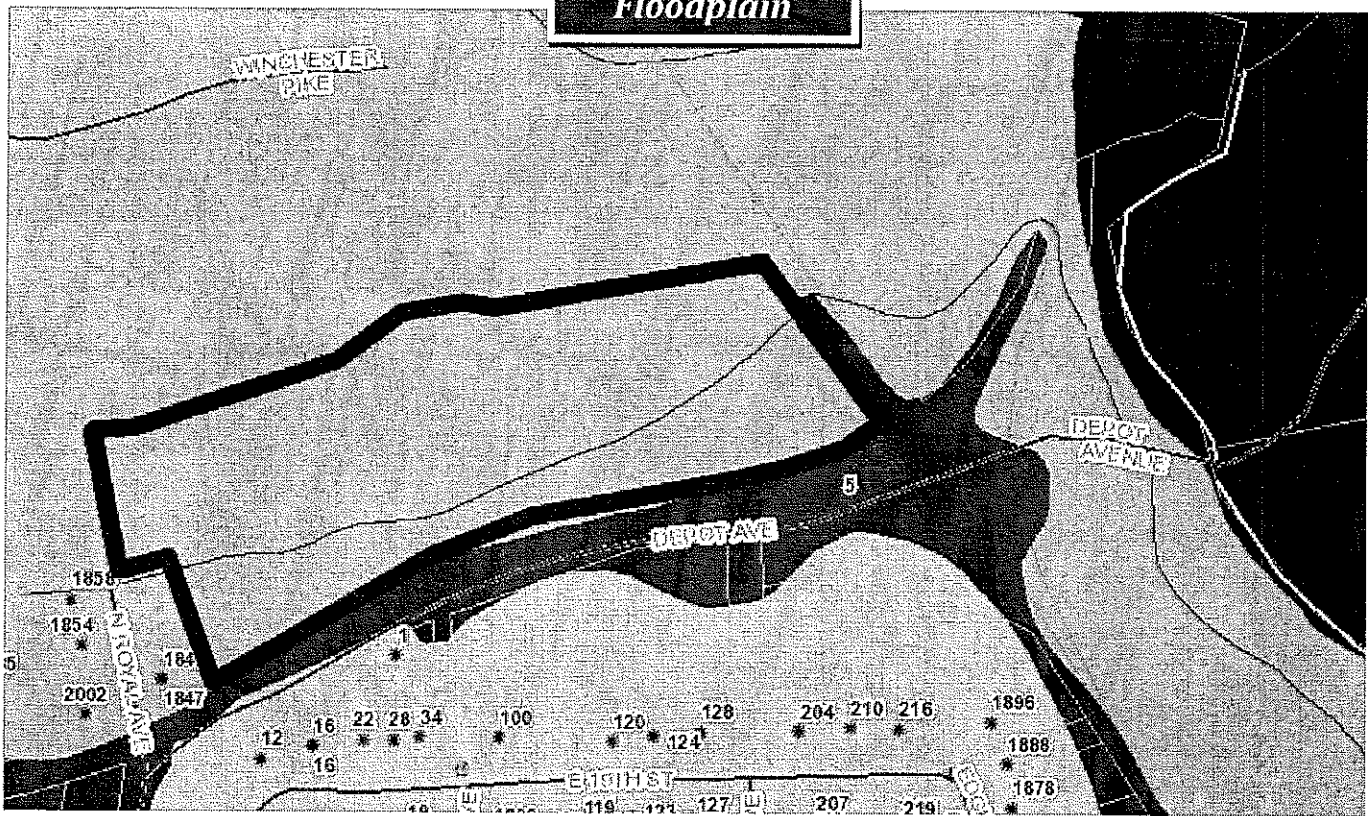
Proposed Zoning	A-1 District (excluding .78)
Intended Use(s)	Continuation of existing VFW Lodge and a Flea Market.

ILLUSTRATIONS

See following 3 pages. The accompanying Special Use Permit also includes a site plan for a flea market, subject to review and recommendation by the Planning Commission following action on the rezoning application.



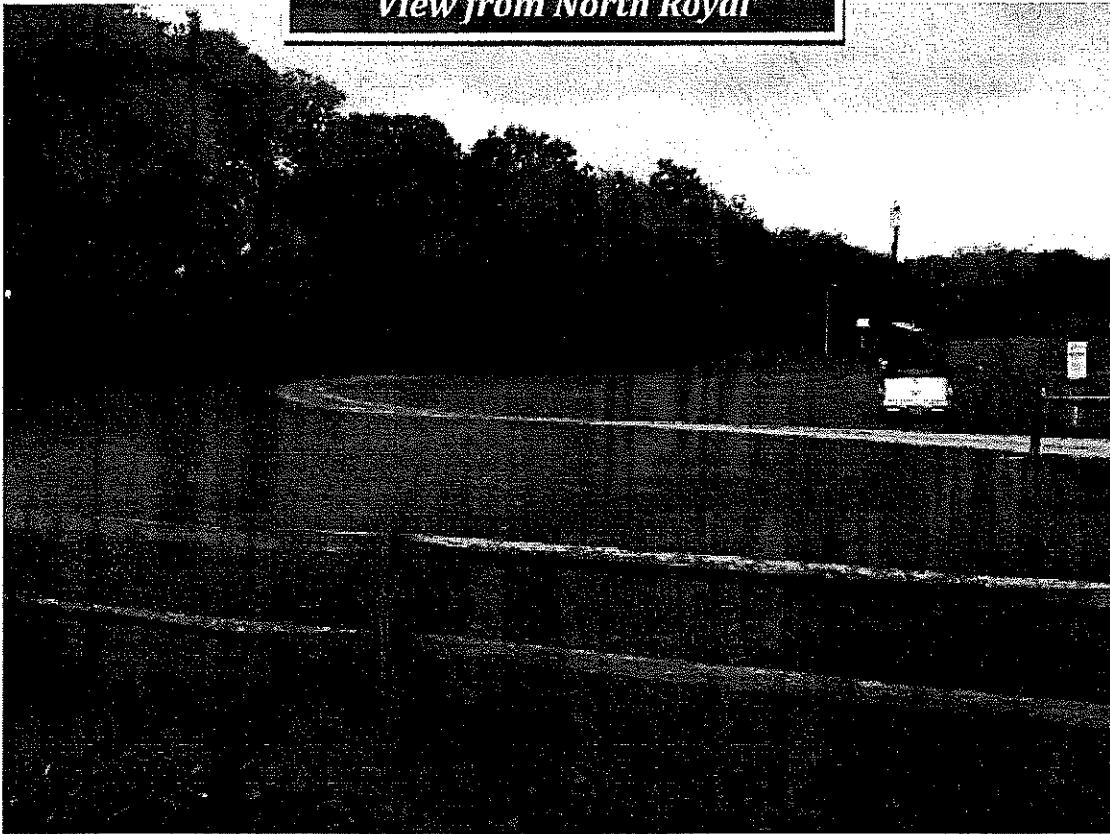
Floodplain



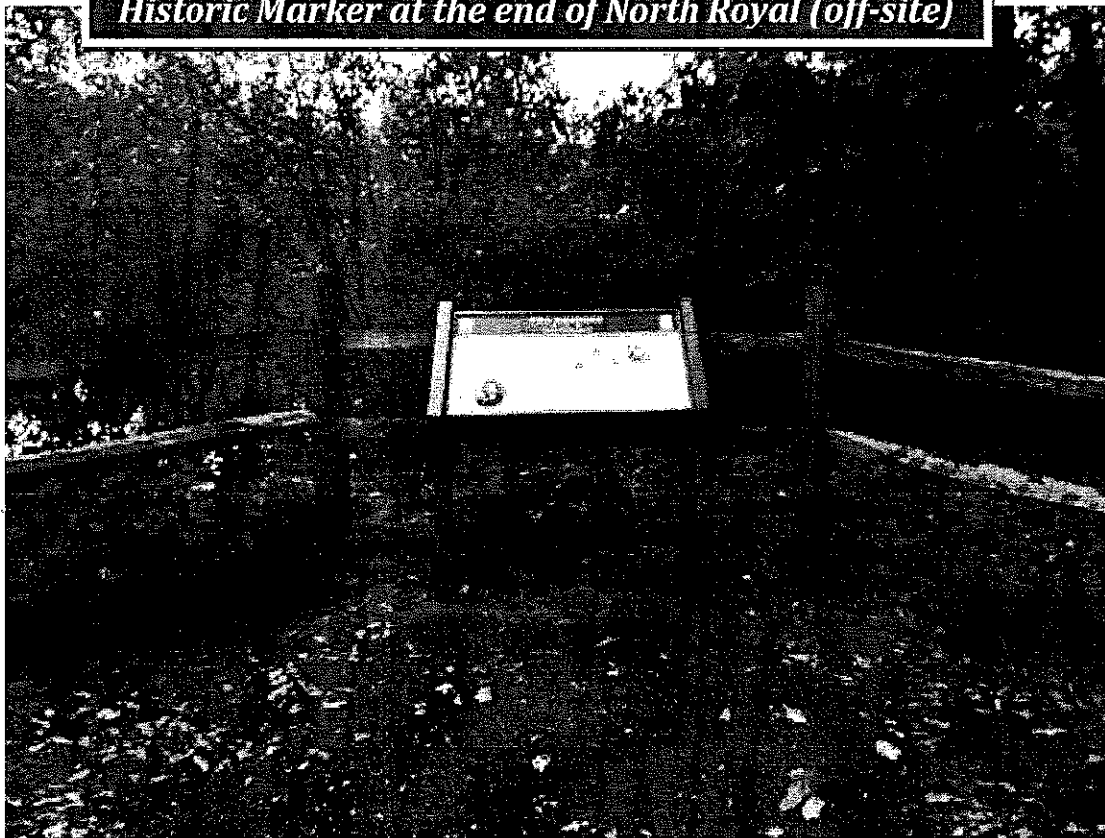
Aerial



View from North Royal



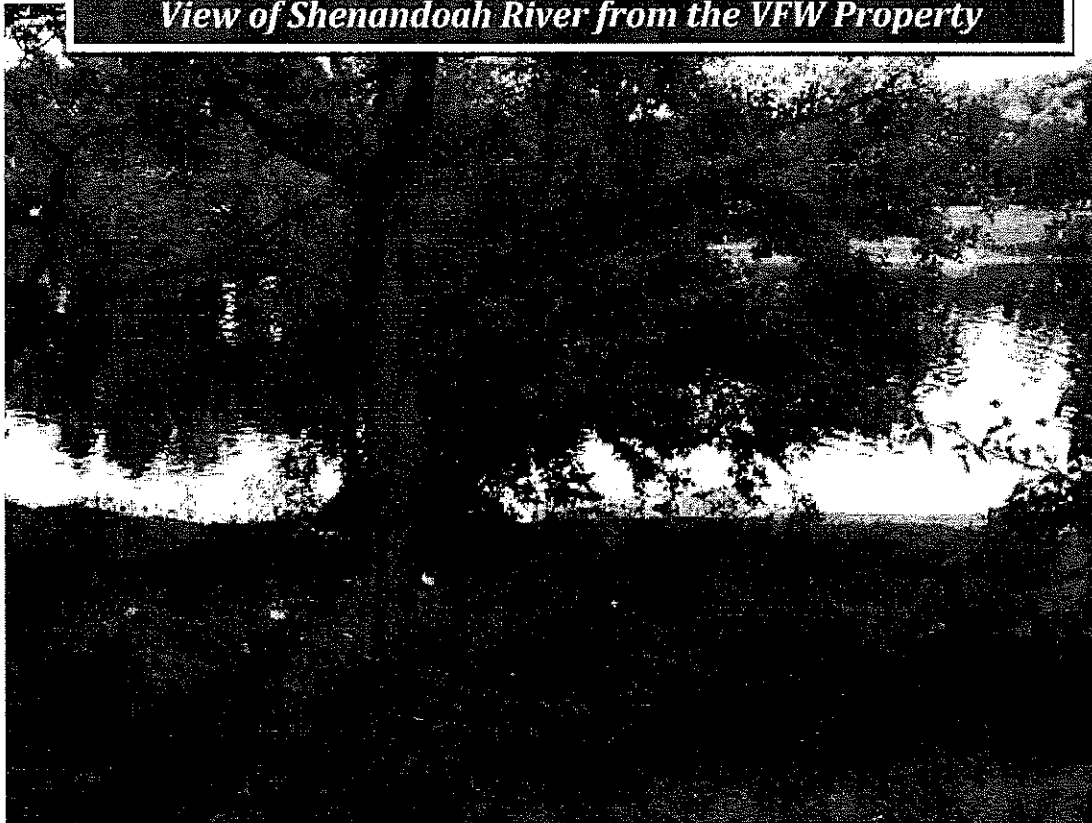
Historic Marker at the end of North Royal (off-site)



Existing picnic pavilion taken beside bathroom building



View of Shenandoah River from the VFW Property



ADDITIONAL INFORMATION:

Background

The property is owned by VFW Post 1860. VFW Post 1860 would like to establish a flea market on the property for profit to assist with funding of their organization. An ordinance amendment was previously prepared by the Planning Commission after VFW submitted a formal request for the Town to consider allowing a flea market on the property. Rather than allowing flea markets in the existing zoning district, the I-1 District, the Planning Commission, and Town Council approved an ordinance amendment to allow flea markets with a Special Use Permit in the A-1 District. Therefore, without guarantee to VFW, the ordinance was amended to allow VFW to apply for a flea market if their property was rezoned to the A-1 District, subject to the minimum standards of Section 175-10.10.B., in addition to the regular ordinance requirements of the Town Code and any other conditions added by Town Council upon review of the special use permit application. Below are the standards found under Section 175-10.10.B. of the Town Code.

175-10.10. B - Flea Markets. *Where flea markets are permitted by approval of a Special Use Permit, the following standards shall be complied with, in addition to any conditions placed on the Special Use Permit, and Section 98-46 of the Town Code.*

- 1. Adequate water and sanitary facilities shall be provided if found necessary based on the size, frequency and duration of the market.*
- 2. A minimum fifty (50) foot setback shall be maintained from all property lines.*
- 3. No adverse effect on adjoining properties, including but not limited to excessive or untimely noise or lighting, overflow parking, or visual problems potentially affecting property values or marketability, is found.*
- 4. No manufactured buildings shall be permitted.*
- 5. All tables, facilities and structures shall be maintained in a well-kept and attractive manner.*
- 6. All temporary structures or facilities, including but not limited to canopy frames, except as provided in sub-section B.5. above, table extensions and display shelving, shall be removed during the hours that the market is not in operation.*
- 7. Operation of the market shall be confined to Saturday, Sunday, and Holidays, unless other dates are specifically approved by the Town Council in conjunction with the Special Permit. The hours of operation shall be posted on the property.*
- 8. Open air markets shall only be conducted during the months of April through October. During the period from November 15 to March 15, all tables and other temporary fixtures shall be removed. Such fixtures may be stored on the site, provided they are located within a completely enclosed building or otherwise screened from public view.*

Comp. Plan

Rezoning the property to the A-1 District is consistent with the Comprehensive Plan for the Town of Front Royal, which designates the subject property for future conservation and open space. The A-1 District, also referred to as the Agriculture and Open Space Preservation District, includes uses, either allowed by-right, or by Special Use Permit, that are more consistent with the Comprehensive Plan than the current zoning designation of I-1 (Industrial) Zoning District.

Proffers

A proffer is a voluntary offer by a landowner that is submitted with a rezoning application to perform an act or donate money, a product, or service with the intent of justifying the appropriateness of the proposed rezoning application. The rezoning of land with proffers is referred to in the Virginia Code 15.2-2296 as conditional zoning. Under conditional zoning, there are reasonable conditions (proffers) governing the use of the property. Proffers are voluntary for applicants, and are for the purpose of providing additional regulations, not as a means to reduce regulations. *Jefferson Green Unit Owners Association, Inc. v. Gwinn*, 262 Va. 449 (2001) established that when a locality accepts proffers, they become part of the zoning ordinance.

The Town of Front Royal is authorized to accept cash and non-cash proffers (or not accept them if they chose) under the authority provided under the Virginia Code 15.2-2298. However, proffers must be reasonably related to the rezoning application and consistent with the Comprehensive Plan before they can be accepted. In addition, numerous complex rules and regulations apply to the acceptance and use of cash proffers, such as, but not limited to, the rule that cash proffers can only be used for projects identified within a localities Capital Improvement Plan (CIP).

Exhibit A includes a proffer statement submitted by the applicant in association with the rezoning application that was submitted. The proffer statement offers the voluntary restriction of manufactured homes and tenant housing, which would otherwise be permitted within the A-1 District.

**Review
Comments**

The Town Engineer, Town Department of Environmental Services, Town Energy Services Department, the Warren County Building Official, the Warren County Fire Marshal and the Warren County Development Review Committee have reviewed the development proposal. Exhibit B is attached to this report, which is a copy of the initial review comment letter sent to VFW which summarizes all review comments received. Exhibit C is a letter from the Fire Marshal that was received separately. No major issues were identified with the future plans of the property, and not opposition to the rezoning of the property was received.

Since the rezoning of the property is not specific to any particular use, person, business or organization, no recommendations for the intended flea market use are offered as part of this rezoning application.

Staff did request that the applicant consider proffering an easement, or reservation of an easement, to the Town for a future trail along the Shenandoah River. The applicant did not include this in their proffer statement, but did include the recommendation to restrict manufactured homes and tenant housing. The applicant also modified the proposed zoning boundary, as recommended by Staff, so the proposed zoning matched the location of the future and existing uses.

PLANNING COMMISSION RECOMMENDATION:

On March 20, 2013, the Planning Commission **recommended approval** of VFW's rezoning application for the conditional rezoning of 10.66 acres from the I-1 District to the A-1 District, including proffers that restrict the use of manufactured homes and tenant housing on the property. The Planning Commission agreed at the meeting that the rezoning of the property conformed to the Town Comprehensive Plan.

ATTACHMENTS: Attachment 1: Rezoning Application, Attachment 2: Initial Review Comment Letter, and Attachment 3: Fire Marshal Review Comments



COUNTY OF WARREN

Department of Fire & Rescue Services
220 North Commerce Avenue, Suite 300
Front Royal, Virginia 22630

Phone: (540) 636-3830
FAX: (540) 636-9986
Email: rmabic@warrencountyfire.com

Richard E. Mabie
Fire Chief

BOARD OF SUPERVISORS

CHAIRMAN
Archie A. Fox
Fork
District

VICE-CHAIRMAN
Linda P. Glavis
South River
District

Tony F. Carter
Happy Creek
District

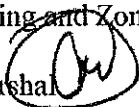
Daniel J. Murray, Jr.
North River
District

Richard H. Traczyk
Shenandoah
District

Douglas P. Stanley
County Administrator

Memorandum

TO: Jeremy Camp, Director
Town of Front Royal Planning and Zoning

FROM: Gerry R. Maiatico, Fire Marshal 

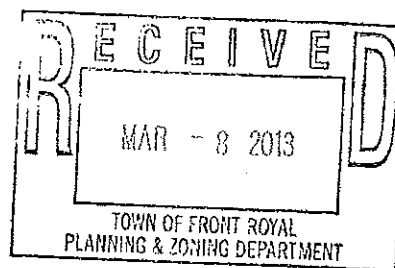
DATE: March 1, 2013

SUBJECT: Proposed Flea Market Site Plan Review

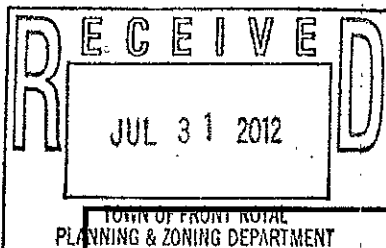
After review of the site plan and a physical review of the proposed site at the Col. Samuel Millar Post 1860, VFW proposed Flea Market; the Department of Fire and Rescue Services will have *adequate* access for fire and emergency response vehicles.

Properly designated "fire lane" and/or no parking areas at this site shall be considered to ensure fire and emergency vehicle access.

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



Front Royal-Warren County
Rivers of Opportunity-Mountains of Success

RZ 12-07-68REQUEST FOR REZONING
TOWN OF FRONT ROYAL

APPLICANT

Name Col. Samuel R. Miller
VFW Post 1860 Phone 540-635-8134
Address 1847 N. Royal Ave
E-mail Kohrt0702@yahoo.com

PROPERTY OWNER (if different from applicant)

Name VFW Same As Above Phone _____
Address _____

PROPERTY DESCRIPTION

Property Location/Address 1847 N. Royal Ave
20A3-2
Tax Map 20A3 Section 1 Block _____ Lot #1 Acreage 10.937
20A3 1 #2 2.07
Subdivision Name (if applicable) _____

per modification ge
10.66
.78

REQUEST

Present Zoning I-1 Zoning Requested A-1
Proposed Use of Property Flea Market
Statement of Justification (Why should this property be rezoned?)

The current zoning does not allow
for operation of a flea market
It is recommended by the Planning
Commission to rezone to Agriculture

(Attach additional sheets if necessary)

ADJACENT PROPERTY OWNERS - List the names and mailing addresses of all owners of property abutting or across the road from this property.

Archie FOX
1858 W. Royal Ave
Helen Truhart
1854 W. Royal Ave
Archie Fox -
Wayne's Auto Repair - Davis Auto & Equipment
1868A, 1868B, ~~1854A~~, 1854B W. Royal Ave

(Attach additional sheets if needed)

ATTACHMENTS - The following should be submitted with the application. Additional information may be required depending on the nature of the request.

1. Application Fee - \$450.00. (Checks payable to Town of Front Royal)
2. Survey/Plat of property showing all existing improvements. (8 copies)
3. Environmental Site Assessment Phase I and Phase II.
4. Written proffers. (If any)

CERTIFICATION

I certify that the information provided with this application is correct to the best of my knowledge. The proffering system has been explained to me and I have read Sections 175-149 and 175-150 of the Town of Front Royal Zoning Ordinance pertaining to conditional zoning and proffering.

VFW Post 1860 Michael Kohl Sr. Vice Commander

Signature of Property Owner

Michael Kohl

Signature of Applicant (if different)

Dated at _____, Virginia, the 31 day of July, 2012

By submitting this application, the applicant grants permission to Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.

OFFICE USE ONLY

\$450.00 Fee Receipt # 226493 Date Paid 7-31-12

Planning Commission

Hearing Date: _____ Recommendation: _____

Town Council

Hearing Date: _____ Date Sent to Clerk: _____

December 30, 2008

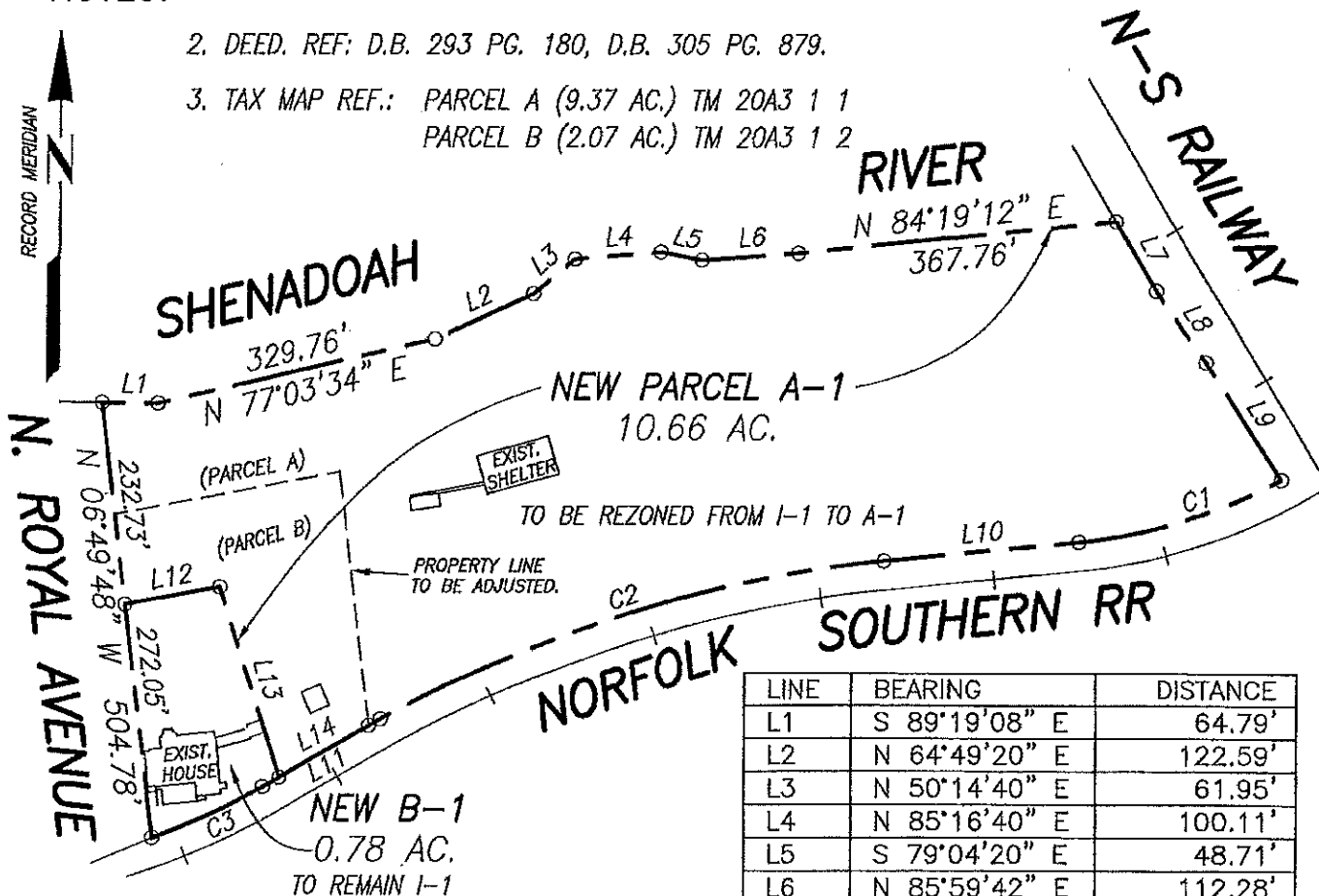
A 400.00
Down Zoning

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	604.27'	244.22'	242.56'	S 72°51'30" W	23°09'23"
C2	1465.69'	613.95'	609.47'	S 72°26'56" W	24°00'00"
C3	848.95'	139.79'	139.64'	S 65°09'06" W	09°26'05"

NOTES: 1. PLAT REF.: D.B. 336 PG. 46

2. DEED. REF: D.B. 293 PG. 180, D.B. 305 PG. 879.

3. TAX MAP REF.: PARCEL A (9.37 AC.) TM 20A3 1 1
PARCEL B (2.07 AC.) TM 20A3 1 2



METES AND BOUNDS SHOWN HEREON
BASED ON DEEDS OF RECORD AND IS
NOT THE RESULT OF A CURRENT
BOUNDARY SURVEY.



LINE	BEARING	DISTANCE
L1	S 89°19'08" E	64.79'
L2	N 64°49'20" E	122.59'
L3	N 50°14'40" E	61.95'
L4	N 85°16'40" E	100.11'
L5	S 79°04'20" E	48.71'
L6	N 85°59'42" E	112.28'
L7	S 30°50'48" E	92.21'
L8	S 35°08'10" E	100.28'
L9	S 32°33'54" E	158.99'
L10	S 84°26'10" W	224.00'
L11	N 60°26'10" E	143.28'
L12	N 79°37'12" E	110.10'
L13	S 17°34'38" E	231.26'
L14	N 60°26'10" E	121.35'

ZONING PLAT

COL. SAMUEL R. MILLAR
POST 1860, INC., VFW

TOWN OF FRONT ROYAL
WARREN COUNTY, VIRGINIA

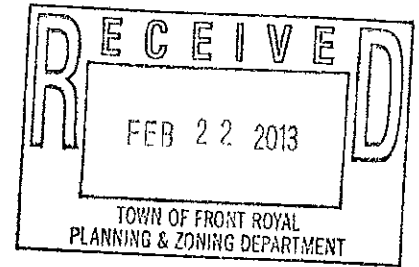
DATE: 20 FEBRUARY 2013 SCALE: 1" = 200'

0' 200' 400' 600'



M DARRYL G. MERCHANT
CONSULTING LAND SURVEYOR
P.O. BOX 1508
FRONT ROYAL, VA 22630
540-636-4949

PROFFER STATEMENT



REZONING: RZ# 12-07-68
Industrial Employment District (I-2) District to
Agricultural (A-1) District

PROPERTY: 11.44 acres +/-;
Tax Parcel #20A3-1-1 and Tax Parcel 20A3-1-2

RECORD OWNER: Veterans Of Foreign Wars Col Samuel R Millar Post 1860

APPLICANT: Col. Samuel R. Millar VFW Post 1860

CONTACT: Michael Kohrt

PROJECT NAME: VFW Post 1860

ORIGINAL DATE
OF PROFFERS: February 22, 2013

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 proffers that in the event the Town Council of Front Royal, Warren County, Virginia, shall approve Rezoning Application #12-07-68 for the rezoning of approximately 11.44 acres from the Industrial Employment (I-2) District to the Agriculture (A-1) District, development of the subject property shall be done in general conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the Applicant and such be approved by the Front Royal Town Council in accordance with the said Code and Zoning Ordinance. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and have no effect whatsoever. In the event this application is denied by the Front Royal Town Council (the "Council"), such denial is appealed to a court of competent jurisdiction, and this rezoning application is thereafter remanded to the Council for reconsideration, then the Applicant may elect to readopt all or any portion hereof, in a writing specifically for that purpose; if no such election is made, these proffers shall be withdrawn and shall be invalid. These proffers shall be binding upon the Applicant and its legal successors, heirs, or assigns.

The subject property, identified as the VFW Post 1860, being all of Tax Map Parcels #20A3-1-1 and Tax Parcel 20A3-1-2, by deeds recorded among the land records of the Warren County Circuit Court Clerk's Office as Deed Book 1293, Page 180 and Deed Book 305, Page 879.

Terms and Conditions

1. **Restriction of Uses.** The property owner hereby agrees to restrict the following uses from the property which would otherwise be permitted in the A-1 District.
- a. Manufactured Homes.
 - b. Tenant Housing.

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 Code.

SIGNATURE: _____

Michael Kohrt
Print Signature Name

TITLE: _____

Senior Vice Commander

COMPANY: _____

VFW 1860

ADDRESS: _____

Front Royal, VA

WITNESS: _____

Jeremy F. Camp
Signature

Jeremy F. Camp

Print Signature Name

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN, TO-WIT:

SUBSCRIBED AND SWORN TO BEFORE ME THIS 22nd DAY OF February, 2013, BY Michael Kohrt, WHOSE SIGNATURE IS EXECUTED ABOVE TO THE FOREGOING INSTRUMENT AND WHO HAS APPEARED THIS DAY BEFORE ME, Connie L. Potter, NOTARY PUBLIC IN AND FOR THE COMMONWEALTH OF VIRGINIA AT LARGE.

MY COMMISSION EXPIRES ON THE 31st DAY OF August, 2015.



Registration Number: _____

7076929

Connie L. Potter
NOTARY PUBLIC

[SIGNATURES AND ACKNOWLEDGMENT CONTINUED NEXT PAGE, IF NEEDED]

SIGNATURE: _____

Print Signature Name

TITLE: _____

COMPANY: _____

ADDRESS: _____

WITNESS: _____

Signature



DEPARTMENT OF PLANNING & ZONING

T: (540) 635-4236
F: (540) 631-2727

Town Hall at 16 North Royal Avenue
P.O. Box 1560, Front Royal, VA 22630-1560

COPY

October 30, 2012

VFW Post 1860, Col. Samuel R. Millar
Attn: Michael Kohrt
1847 N. Royal Avenue
Front Royal, VA 22630

Re: DEV12-06-206/SUP12-07-258/RZ12-07-68
Site Plan Review Comments – Planning & Zoning
Proposed Flea Market at 1847 North Royal Avenue (TM # 20A3-1, parcels 1 and 2)

Dear Mr. Kohrt:

The primary purpose of this letter is to provide you with review comments of the site plan, received on October 15, 2012, for the above-referenced project and property. Below you will find comments from the Town of Front Royal Departments of Planning & Zoning, Environmental Services, Energy Services, and the Warren County Department of Building Inspections. Under the comments from the Department of Planning & Zoning, I have also included recommendations regarding your rezoning and special use permit applications.

A. PLANNING & ZONING REVIEW COMMENTS (10/30/2012).

1. ***Land Surveyor's Signature.*** The final submission of the site plan will need to include the signature of the Land Surveyor.
2. ***Proposed Zoning and Proposed Zoning District Boundary Line.*** Please show and label the proposed zoning and zoning district boundary line, including the bearings and distances.
3. ***Utility lines.*** Please show all existing water lines and the sewer line that connects to the existing shelter.
4. ***Landscaping.*** Please include a landscaping plan that meets the requirements of Section 148-48.D-F.

5. **Signs.** Please show all proposed signs and demonstrate compliance with Section 175-106 of the Town Code.
6. **Dumpsters.** Please show all existing and proposed dumpsters and proposed trash receptacles.
7. **Lighting.** Please show all existing and proposed lighting. New lighting should be designed to minimize off-site glare.
8. **Vehicles of Vendors.** Please show where vendor vehicles and trailers will be kept on the property when the flea market is open for business.
9. **Required parking spaces.** Please label on the site plan the number of parking spaces required by Code, as found under Section 175-104.H (Flea Markets), as well as Section 175-104.Q (Assembly Building). The standards for a flea market are 1 space for every 100 square feet of the flea market. Based on the typical table detail, plus a sales area, a minimum display and sales area would be 12' x 12'.
10. **Handicap parking.** Please include handicap parking spaces.
11. **Proposed parking spaces.** It appears that you have incorrectly calculated the number of proposed parking spaces shown because three of the existing parking spaces are proposed to be removed with the connection between the existing parking lot and the new parking lot.
12. **Parking Tabulation.** Please also demonstrate on the site plan how the existing assembly building and proposed flea market will comply with the parking requirements. Based on the required number of parking spaces proposed, and the required number of parking spaces, there does not appear to be enough parking for eighty (80) tables. Seventy (70) tables appear to be the maximum number of tables, based on the parking proposed. See the table below for reference:

	Code Requirement	# Required	# Proposed
Assembly Building	1 space per 4 seats [68 seats/4=]	17.00	17
Flea Market	1 space per 100 s.f. [(70x144 s.f.) /100=]	100.8	101
TOTAL	-----	117.68	118

13. **Phasing.** Please show a phasing plan that correlates between the number of tables and the required site improvements, such as the asphalt parking area and landscaping. Based on the number of seats shown for the existing Assembly Building, there appears to be thirty-three (33) spaces that are

currently available on the property that could be used for the flea market. Here is an example of a possible phasing plan scenario:

Phases		# of Parking Spaces by Phase	# of Tables by Phase
Phase 1	Existing Parking Lot only	50 (17/33)	22
Phase 2	Existing Parking Lot + ½ of New Parking Lot	81 (17/64)	56
Phase 3	Existing Parking Lot + entire New Parking Lot	118 (17/101)	70

14. Recommendations and information.

- a. *Proffer Statement.* Attached is a draft proffer statement that staff recommends VFW consider submitting with the consideration of their rezoning application.
- b. *Emergency Services Comments Regarding Access.* Please submit information from the appropriate emergency services personnel regarding concerns or issues related to accessing the site from North Royal Avenue under the Norfolk and Southern Railroad Bridge.
- c. *SUP Conditions.* Staff is evaluating the proposed use and may be recommending conditions for the Special Use Permit to the Planning Commission. This may include the conditions that the use is limited to a fewer number of tables initially, and that the use is reevaluated after one year of operation. Other conditions may also be placed on the Special Use Permit.

You will find attached copies of Sections 175-10.10 and Section 98-61 of the Town Code, which include relevant standards for Flea Markets that would need to be complied with, in addition to any special conditions placed on the Special Use Permit, if approved by the Town.

B. ENVIRONMENTAL SERVICES REVIEW COMMENTS (10/26/2012).

"Based upon the subject development plans submitted October 23rd, the following comments are provided.

1. *Based upon 80 vendor tables, only 41 parking spaces are provided. Available patron parking should be evaluated.*
2. *Screening from the residence on the west side of the property should be included in the site plan.*
3. *It appears that the proposed connection to the new parking lot will remove three to four spaces. Is this included in the calculations?*

No bond for public improvements or connection fees appears to be associated with the proposed development."

C. DEPT. OF ENERGY SERVICES REVIEW COMMENTS (10/23/2012).

"I have reviewed the plans for this new flea market. I don't see anything that would affect the Electric Department. If you have any questions, please let me know."

D. WARREN COUNTY DEPARTMENT OF BUILDING INSPECTIONS (10/31/2012).

See attached letter.

You may reach me at (540)635-4236. I would be glad to discuss any of the comments in as much detail as needed to assist you.

Sincerely,



Jeremy F. Camp, Director
Department of Planning & Zoning

ATTACHMENTS

Cc: Steve Burke, Town Manager
Darryl Merchant

COUNTY OF WARREN



Building Inspections Office
Warren County Government Center
220 North Commerce Avenue, Suite 400
Front Royal, Virginia 22630

Phone: (540) 636-9973

FAX: (540) 636-4698

Email: dbeahm@warrencountyva.net

David C. Beahm
Building Official

October 31, 2012

BOARD OF SUPERVISORS

CHAIRMAN
Archile A. Fox
Fork
District

VICE-CHAIRMAN
Linda P. Glavis
South River
District

Tony F. Carter
Happy Creek
District

Daniel J. Murray Jr.
North River
District

Richard H. Traczyk
Shenandoah
District

Douglas P. Stanley
County
Administrator

Jeremy F. Camp, Director of Planning & Zoning
Front Royal Department of Planning & Zoning
The Town of Front Royal
P.O. Box 1560
16 North Royal Avenue
Front Royal, Virginia 22630-1560

RE: DEV 12-06-206, Col. Samuel R. Millar, VFW Post 1860, Site Plan

Dear Mr. Camp:

I received the application for DEV 12-06-206 by mail on Thursday October 18, 2012. After reviewing the information, here are the items that will need to be addressed for the Warren County Building Inspections to proceed with the request:

1. The current site plan shows work being completed that will require a Land Disturbance Permit.
 - o This will require a full Erosion and Sediment Control Plan Review package being completed. This information is available on the web site or at our office.
 - o There are two parts to this process, the Plan Review and Permit application which are required to be completed at the same time and would be issued at the same time.
2. The site indicates vendor tables to be installed. These would not require any permits, unless they were to be covered with an actual permanent structure. Temporary canopies or tents that are not more than 900 square feet would not require a permit.
3. The site plan does not indicate any electric to be installed, but if electric is installed a permit would be required.
4. It appears that restrooms currently exist and that they are part of the same ownership. Once a value is set for the public area capacity the existing facilities will need to be determined to be adequate to meet the need.
5. All permits would be required to be issued before any work was to begin.

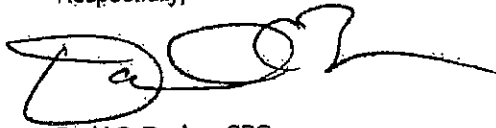
If you should have any further questions with regards to this information, please do not hesitate to contact me. Thank you for providing this information so that my department could provide comment prior to this meeting.

Front Royal-Warren County
Rivers of Opportunity-Mountains of Success

• Page 2

October 31, 2012

Respectfully,

A handwritten signature in black ink, appearing to read 'D. Beahm', with a long horizontal flourish extending to the right.

David C. Beahm, CBO
Building Official

Attachments:

Cc: file

DRAFT
*For Discussion
Purposes Only*

PROFFER STATEMENT

REZONING: RZ# 12-07-68
Industrial Employment District (I-2) District to
Agricultural (A-1) District

PROPERTY: 11.44 acres +/-;
Tax Parcel #20A3-1-1 and Tax Parcel 20A3-1-2

RECORD OWNER: Veterans Of Foreign Wars Col Samuel R Millar Post 1860

APPLICANT: Col. Samuel R. Millar VFW Post 1860

CONTACT: Michael Kohrt

PROJECT NAME: VFW Post 1860

ORIGINAL DATE
OF PROFFERS: October 30, 2012

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 proffers that in the event the Town Council of Front Royal, Warren County, Virginia, shall approve Rezoning Application #12-07-68 for the rezoning of approximately 11.44 acres from the Industrial Employment (I-2) District to the Agriculture (A-1) District, development of the subject property shall be done in general conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the Applicant and such be approved by the Front Royal Town Council in accordance with the said Code and Zoning Ordinance. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and have no effect whatsoever. In the event this application is denied by the Front Royal Town Council (the "Council"), such denial is appealed to a court of competent jurisdiction, and this rezoning application is thereafter remanded to the Council for reconsideration, then the Applicant may elect to readopt all or any portion hereof, in a writing specifically for that purpose; if no such election is made, these proffers shall be withdrawn and shall be invalid. These proffers shall be binding upon the Applicant and its legal successors, heirs, or assigns.

The subject property, identified as the VFW Post 1860, being all of Tax Map Parcels #20A3-1-1 and Tax Parcel 20A3-1-2, by virtue of a deed dated _____ and recorded among the land records of the Warren County Circuit Court Clerk's Office as Instrument No. _____.

Terms and Conditions

1. **Access Easement.** The property owner hereby agrees to provide the Town of Front Royal, without charge, an access easement for a future public trail that traverses the property from North Royal Avenue, near the northern boundary of the property, then approximately parallel to the Shenandoah River to a location on the eastern boundary of the property to be selected in the future by the Town of Front Royal, provided, however, that such location selected by the Town does not unreasonably interfere with the property owner's lawful use of the property.
2. **Restriction of Uses.** The property owner hereby agrees to restrict the following uses from the property which would otherwise be permitted in the A-1 District.
 - a. Manufactured Homes.
 - b. Tenant Housing.

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 Code.

SIGNATURE: _____
Print Signature Name

TITLE: _____ COMPANY: _____
ADDRESS: _____

WITNESS: _____
Signature

Print Signature Name

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN, TO-WIT:

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, 20____, BY _____, WHOSE SIGNATURE IS EXECUTED ABOVE TO THE FOREGOING INSTRUMENT AND WHO HAS APPEARED THIS DAY BEFORE ME, _____, A NOTARY PUBLIC IN AND FOR THE COMMONWEALTH OF VIRGINIA AT LARGE.

MY COMMISSION EXPIRES ON THE ____ DAY OF _____, _____.

NOTARY PUBLIC

Registration Number: _____

[SIGNATURES AND ACKNOWLEDGMENT CONTINUED NEXT PAGE, IF NEEDED]

SIGNATURE: _____
Print Signature Name

TITLE: _____ COMPANY: _____
ADDRESS: _____

WITNESS: _____
Signature

Print Signature Name

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN, TO-WIT:

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, 20____, BY _____, WHOSE SIGNATURE IS EXECUTED ABOVE TO THE FOREGOING INSTRUMENT AND WHO HAS APPEARED THIS DAY BEFORE ME, _____, A NOTARY PUBLIC IN AND FOR THE COMMONWEALTH OF VIRGINIA AT LARGE,

MY COMMISSION EXPIRES ON THE ____ DAY OF _____.

NOTARY PUBLIC

Registration Number: _____

Chapter 175 ZONING.

Section 175-10.10 STANDARDS

A. Slaughtering Activities. All slaughtering activities in the A-1 District shall comply with the following standards:

1. Such activity shall not be conducted within one hundred fifty (150) feet of the property boundary.
2. No frequent or repetitive emission of noises or odors of such intensity and character as to interfere with the health, welfare and comfort of the public or neighboring land owners at or beyond the property line shall be permitted.

B. Flea Markets. Where flea markets are permitted by approval of a special use permit, the following standards shall be complied with, in addition to any conditions placed on the special use permit, and Section 98-46 of the Town Code.

1. Adequate water and sanitary facilities shall be provided if found necessary based on the size, frequency and duration of the market.
2. A minimum fifty (50) foot setback shall be maintained from all property lines.
3. No adverse effect on adjoining properties, including but not limited to excessive or untimely noise or lighting, overflow parking, or visual problems potentially affecting property values or marketability, is found.
4. No manufactured buildings shall be permitted.
5. All tables, facilities and structures shall be maintained in a well-kept and attractive manner.
6. All temporary structures or facilities, including but not limited to canopy frames, except as provided in subsection B.5 above, table extensions and display shelving, shall be removed during the hours that the market is not in operation.
7. Operation of the market shall be confined to Saturday, Sunday and Holidays, unless other dates are specifically approved by the Town Council in conjunction with the special permit. The hours of operation shall be posted on the property.
8. Open air markets shall only be conducted during the months of April through October. During the period from November 15 to March 15, all tables and other temporary fixtures shall be removed. Such fixtures may be stored on the site, provided they are located within a completely enclosed building or otherwise screened from public view.

C. Manufactured Housing. Manufactured housing shall be permitted on individual parcels or lots in the A-1 District, provided the following standards are met:

1. The manufactured housing unit shall have a minimum width of nineteen (19) or more feet.
2. The manufactured housing unit shall be attached to a permanent foundation in the ground.
3. The manufactured housing unit shall have the appearance and character of conventional, site-built single-family housing.
4. Such manufactured housing units shall meet all applicable Building Code requirements.

D. Commercial Outdoor Recreation, Hospitals, Schools and Churches. Where commercial outdoor recreation, hospitals, schools and/or churches are permitted by special use permit the following standards shall be complied with, in addition to any conditions placed on the special use permit.

1. A minimum of 50% of the lot area shall be designated as open space.
2. Buildings and structures used in association with outdoor recreation, hospital, school and churches shall be setback from adjoining property lines by a distance of 200 feet, except that the setback specified under Section 175-10.6 shall apply along property lines abutting a public road or the Shenandoah River.
3. Amphitheaters, stadiums and other similar activities that involve the outdoor gathering of large groups of people shall submit a traffic impact study for evaluation by the Town during the special use permit application process if the

total number of attendees is anticipated to exceed 2,500 persons. Gatherings of people above 2,500 may only be permitted by the Town on a temporary basis.

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

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

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

(Ord. No. Z-6-91 Added Entire Section 2-25-91-Effective Upon Passage)

(Amended Entire Section (changed title to STANDARDS) 7-23-12-Effective Upon Passage)

Chapter 98 BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSING.

Section 98-46 FLEA MARKETS.

A. As used in this section, the following terms shall have the meanings indicated:

FLEA MARKET - An assembly of vendors, selling new or used goods in the open air or within temporary structures, who display and sell their wares on the lands of another for a consideration.

B. Every vendor who is engaged in the sale or display of goods at a flea market shall be required to purchase a license and display the license in a prominent place visible to the public. For every license to sell or display antiques or used or second-hand goods at a flea market, there shall be paid a license tax of ten dollars (\$10.) per year or one dollar (\$1.) per day. Every vendor of new goods at the flea market shall be deemed a peddler or itinerant merchant and shall pay such license tax as is applicable to peddlers under the provisions of Section 98-61. Such license taxes shall not be prorated. Upon application to and approval by the Town Council, no license shall be required of a nonprofit organization that sells or displays goods at a flea market so long as the proceeds of sale are retained by the nonprofit organization and not shared with other persons, businesses or organizations. The following regulations shall govern the conduct of flea markets:

(Ord. No. 12-86 Added "Peddler" 7-28-86-Effective Upon Passage)
(Ord. No. 13-96 Added "Itinerant Merchant" 12-16-96-Effective Upon Passage)

1. Goods and wares may be left on premises on Saturday nights only and on Sunday night if Monday is a holiday.
2. A night watchman may be allowed on weekends.
3. No overnight trailers are allowed.
4. The owner or lessee of the premises shall keep the flea market grounds clean and free of refuse and shall provide trash containers in sufficient numbers to serve the customers and vendors on the flea market site.
5. The owner or lessee of the premises shall rent no space to any flea market vendor, except those representing nonprofit organizations, unless the vendor first produces a valid and current license issued by the Town of Front Royal or a daily license permit for the sale and display of goods at a flea market.

Chapter 98 BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSING.**Section 98-61 PEDDLERS****A. Peddlers defined.**

(Ord. No. 4-98 Amended Title 2-9-98-Effective Upon Passage)

1. Any person who shall carry from place to place any goods, wares, or merchandise and offers to sell or barter the same, or actually sells or barter the same, shall be deemed to be a peddler.

2. Persons who do not keep a regular place of business, whether it is a house, vehicle, vacant lot or elsewhere, open at all times in regular business hours and at the same place, who shall offer for sale goods, wares and merchandise, may be deemed peddlers under this Article. Persons who keep a regular place of business, open at all times in regular business hours and at the same place, who shall, elsewhere than at such regular place of business, personally or through their agents, offer for sale or sell and, at the time of such offering for sale, deliver goods, wares and merchandise, may also be deemed peddlers as above, except for sidewalk sales adjacent to a regular place of business, but this section shall not apply to those who sell or offer for sale, in person or by their employees, ice, wood, charcoal, meat, milk, butter, eggs, poultry, fish, oysters, 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, but a dairyman who uses upon the streets of the town one (1) or more wagons may sell and deliver from his wagons, milk, butter, cream and eggs without procuring a peddler's license.

3. All persons who do not keep a regular place of business, whether it is a house, vehicle, vacant lot or elsewhere, open at all times in regular business hours at the same place, who shall offer for sale rugs, furniture, appliances or clothing which is delivered at the time of sale shall be deemed peddlers and shall not be licensed under any separate section.

(Ord. No. 11-86 Amended (3) 7-28-86-Effective Upon Passage)

4. Those vendors of secondhand merchandise who sell their goods and wares as part of an approved or permitted flea market or yard sale and are licensed as such shall not be deemed peddlers. Those vendors of new merchandise at flea markets shall be deemed peddlers.

(Ord. No. 11-86 Amended (4) 7-28-86-Effective Upon Passage)

5. a. All persons vending Christmas trees or fireworks who do not keep a regular place of business, whether it is a house, vehicle, vacant lot or elsewhere, open at all times during regular business hours at the same place, but who offer said items for sale during a portion of the year on or about the season of a celebrated holiday shall not be deemed peddlers except for purposes a license tax imposed pursuant to Virginia Code Section 58.1-3717.

b. Christmas trees are defined as decorative bushes, trees, wreaths and like foliage associated with the celebration of a recognized holiday occurring on December 25 of each year. The term "Christmas" shall have no religious connotation under this ordinance.

c. All vendors of Christmas trees and fireworks who do not keep a regular place of business as defined herein shall pay a license tax of one hundred dollars (\$100.). Any nonprofit civic, charitable or educational organization may receive a waiver of this license tax upon application to and approval of the Front Royal Town Council.

(Ord. No. 8-92 Added (5) 7-27-92-Effective Upon Passage)

B. Place of sale. (Ord. No. 3-84 Added 4-23-84-Effective Upon Passage)

1. It shall be unlawful for any peddler to occupy or partially occupy while selling, or sell from, the private property of another without written permission of the private property owner in the possession of the peddler while selling or peddling.

(Ord. No. 2-96 Amended (1) 2-12-96-Effective Upon Passage)

2. All peddlers shall be required to sell or offer for sale their goods, wares or merchandise only:

a. along the following streets: Royal and Shenandoah Avenues. Provided, however, that it shall be unlawful to occupy or partially occupy, while selling or to sell from, any portion of the street right of way.

b. upon the property of a shopping center as set forth in Section 175-111.

c. at all flea market sites in the Town of Front Royal operating as flea markets by special permit or otherwise operating as flea markets in accordance with the town's Zoning Ordinance.

(Ord. No. 11-86 Amended (c as e) 7-28-86-Effective Upon Passage)

(Ord. No. 2-96 Amended (2) 2-12-96-Effective Upon Passage)

3. This subsection shall not apply to persons who sell or offer for sale, in person or by their employees, ice, wood, charcoal, meat, milk, butter, eggs, poultry, fish, oysters, game, vegetables, fruits or other supplies or farm products of a perishable nature.

C. Delivery of goods on day of sale. For the purpose of this section, any delivery made on the day of sale shall be construed as equivalent to delivery at the time of sale. Any person claiming exemption from the provisions of this section on the ground that he is delivering goods, wares or merchandise previously sold to the customer shall, upon request of any police, tax or revenue officer, or assessing official, furnish evidence of his claim other than his mere statement, which evidence may be an invoice or signed order describing the goods, wares or merchandise involved and the amount and price thereof. Failure to furnish such evidence shall be sufficient ground for charging the person making such delivery with a violation of this section, and, in any prosecution for a violation of this section, the claim aforesaid must be corroborated by satisfactory evidence.

(Ord. No. 13-96 Amended 12-16-96-Effective Upon Passage)

D. Levy of license tax on retail peddlers.

1. There is hereby imposed upon peddlers license taxes in accordance with the following schedules:

a. Peddlers of meat, milk, butter, eggs, poultry, fish, oysters, games, vegetables, fruits or other family supplies of a perishable nature not grown or produced by the peddler: fifty dollars (\$50.00). There shall also be imposed a license tax of fifty dollars (\$50.00) per vehicle for every vehicle over one used to peddle the above-stated products.

b. All other peddlers shall pay a license tax of five hundred dollars (\$500.00).

(Ord. No. 11-86 Amended (D) 7-28-86-Effective Upon Passage)

2. The license tax authorized by this subsection shall not apply to a peddler who sells to licensed dealers or retailers only; a regular wholesaler dealer who shall at the same time sell or deliver merchandise to retail merchants; a distributor or vendor of motor fuels and petroleum products or seafood; a farmer; a farmers' cooperative association; a producer of agricultural products; a manufacturer who is subject to Virginia tax on intangible personal property and who peddles only the

goods, wares or merchandise manufactured by him at a plant whose intangible personal property is taxed by the Commonwealth of Virginia.

3. Any peddler who shall peddle for sale or sell or barter without a license shall be guilty of a misdemeanor and shall be fined not less than fifty dollars (\$50.) nor more than five hundred dollars (\$500.) for each offense and, in addition, shall be required to purchase the appropriate peddler's license from the Town of Front Royal.

E. Exemption as to certain dealers in ice, etc. No peddler's license shall be required, under the provisions of this section, of dealers in ice, wood or coal, who peddle same from vehicles, provided that such dealers have taken out a merchant's license in the town.

F. Exemption as to person selling farm or domestic products. Nothing contained in this section shall be construed as imposing any tax upon a person selling farm or domestic products within the town when the products to be sold are grown or produced by such person, but proof shall be shown that such products are so raised by the party offering them for sale. Before any exemption certificate shall be issued to any person as a grower, producer or manufacturer, the applicant for such exemption certificate shall first file with the Assessor a written statement, duly sworn to and attested to by a notary public or Justice of the Peace to his community, setting out in full and in detail the facts claimed to make such applicant a grower, producer or manufacturer, and no exemption certificate shall be issued by the Assessor until such statement, duly sworn to, shall have been produced and filed. The notary public or Justice of the Peace executing such written statement shall be given in full.

G. Enforcement of section. It shall be the duty of the police officers and other officers of the town to enforce the provisions of this section and to have warrants issued against any person committing a violation.



**Town of Front Royal, Virginia
Council Agenda Statement**

Page 1
Item No. 9

Meeting Date: May 13, 2013

Agenda Item: COUNCIL RECOMMENDATION – Board of Zoning Appeals (BZA)

Summary: Council is requested to consider a recommendation to the Judge of the Warren County Circuit Court for appointment to the Front Royal Board of Zoning Appeals (BZA) to fill a five-year term ending May 1, 2018.

Budget/Funding: None

Attachments: None

Meetings: Work Sessions held April 15, April 29, May 6, 2013

Staff Recommendation: Approval ☒ Denial ☐

Proposed Motion: I move that Council recommend _____ to the Judge of the Warren County Circuit Court for appointment to the Front Royal Board of Zoning Appeals (BZA) to fill a five-year term ending May 1, 2018.

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance
*To be clear and concise, motions should be made in the positive

Approved By: JB



**Town of Front Royal, Virginia
Council Agenda Statement**

Page 1
Item No. 10

Meeting Date: May 13, 2013

Agenda Item: COUNCIL APPROVAL – Donation of Fireworks Display Permit Fee for Annual Fireman's Carnival –Front Royal Volunteer Fire & Rescue Department

Summary: Council has received a request from the Front Royal Volunteer Fire & Rescue Department seeking a donation of a \$50.00 Fireworks Display Permit Fee for their Fireworks Display scheduled for Thursday, July 18, 2013 at the Walter M. Duncan Public Works Center and Property Yard. The Special Event Permit for the Carnival is approved by the Town Manager. Per Front Royal Town Code 80-3, a Fireworks Display Permit requires Council approval.

Budget/Funding: 1000-3130306 – Zoning Income

Attachments: Letter from the Front Royal Volunteer Fire & Rescue Department, Special Event Application and Town Code Section

Meetings: None

Staff

Recommendation: Approval ☒ Denial ☐

Proposed Motions: I move that Council approve a donation of \$50.00 for a Fireworks Display Permit Fee for the Front Royal Volunteer Fire & Rescue Department's Annual Fireworks Display scheduled for Thursday, July 18, 2013 at the Walter M. Duncan Public Works Center and Property Yard.

ROLL CALL VOTE REQUIRED

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance
*To be clear and concise, motions should be made in the positive

Approved By: SB

Front Royal Vol. Fire & Rescue Dept., Inc.

P.O. BOX 567
FRONT ROYAL, VIRGINIA 22630

April 17, 2013

Town of Front Royal
Town Manager
P.O. Box 1560
Front Royal, VA 22630

Re: Annual Fireman's Carnival and Parade

Dear Sir and Council Members:

We will again be holding our annual carnival starting Wednesday, July 10, 2013 and continuing through July 20, 2013 (closed Sunday). For our parade on Wednesday, July 17th, we will be using the same streets for line up (Jackson and Blue Ridge area) and ask that they be blocked off as in the past. The parade route will be the same as in previous years. Lineup will start at 5:00 p.m. with parade starting at 6:00p.m. We are also requesting the use of the Youth Center parking lot for our judges' stand.

In addition, we would like to request that the grass area at the corner of Crosby Road and 8th Street be blocked off.

Our fireworks event will be held on Thursdays, July 18th and would like to request the use of the Town Shop area, as in the past and that all fees which may pertain to this function be waived. We are also asking that Warren County waive all fees associated with the building permit fees.

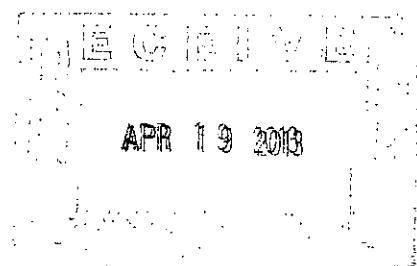
I have enclosed two Special Event Applications with the special requests/waivers listed. Also enclosed is the Certificate of Liability Insurance from Stoneburner-Carter Insurance Agency.

If you should have any questions or concerns, please contact the office at 635-2540.

Sincerely,


David Santmyers
President, FRVFD

Cc: Parks & Rec.
Front Royal Police Department
Warren County Sheriff's Department
Public Works Department
Warren County Administrator





TOWN OF FRONT ROYAL SPECIAL EVENTS APPLICATION

The Town of Front Royal requires a Special Events Permit for any gathering of fifty (50) or more people for listening to or participating in entertainment and/or commemorative festivals or parades conducted in open spaces with or without music, the use of microphones and amplifiers, requiring closing of public streets and/or utilizing public sidewalks or travel portions of public streets. Applications must be submitted a minimum of ten (10) days before the event and no more than (6) months before the event, with the exception of larger events that require the closing of (3) blocks and lasting more than (2) days have a minimum of (60) days before the event. Events may not exceed twelve (12) hours in a 24-hr. period. The complete Ordinance pertaining to Special events can be found in the Town Code under Chapter 72 on the Town's website (www.frontroyalva.com).

Name of Event: Front Royal Volunteer Fire Department Carnival

Event Date/Hours: July 10-20, 2013 (closed Sunday) Event Hours: 3:00pm to 11:00pm

Event Location: Carnival Lot (Bing Crosby)

Expected Attendance: Unknown

Contact Person: David Santmyers

Contact Address: 221 N. Commerce Ave., Front Royal VA 22630

Contact Phone: 540-408-3907 or Sue (Fire Department) 635-2450 ext 223

Contact e-mail: frvfdoffice@comcast.net

Detailed Event Description to include names of performers and activities (Attach additional sheets if necessary)

85th Annual Fireman's Carnival/Fireworks (July 18th)

Request to close the grassy area at 8th Street and Crosby Road;

waiver of Fireworks fee; ~~waiver of the \$25.00 electric service fee for all but one night;~~

request to utilize Town Shop lot for fireworks display.

All Permit Applications must include the following plans as applicable:

- | | |
|--|--|
| ☒ Provision for Sanitation Facilities/Garbage Disposal | ☒ Provision of Food/Drink |
| ☐ Provision for crowd, noise, parking & traffic control | ☐ Provision for inclusion or exclusion of pets |
| ☐ ADA compliance | ☐ Onsite/Offsite Signage (Requires Separate Permit) |
| ☒ Certificate of Liability Insurance naming the Town of Front Royal as Additional Insured (Event on Town Property) | |
| ☐ Electric Service \$25.00 non-refundable fee per day payable to the Town of Front Royal (Town Code: 72-2.E.1.) | |
- (The electric service already in FRVFD Name)*

* By signing this application, applicant represents that no music copyrights will be infringed during this event

Applicant Signature: _____

Date: _____

If approved, this Application will serve as your Permit.

Town Manager Signature: _____

Date: _____

80-3 PERMITS FOR FIREWORKS DISPLAY

The Town Council of Front Royal shall have the power to provide for the issuance of permits, upon application in writing, for the display of fireworks by fair associations, amusement parks or by any organization or group of individuals under such terms and conditions as the Town Council may prescribe and upon payment of an application fee of fifty dollars (\$50.) After such permit has been issued, sale, storage, use and possession of fireworks may be made for use under such permit.



**Town of Front Royal, Virginia
Council Agenda Statement**

Page 1
Item No. 11

Meeting Date: May 13, 2013

Agenda Item: COUNCIL APPROVAL – Donation of Electric Fees for Special Event Permit for “Gazebo Gatherings” – Blue Ridge Arts Council (BRAC)

Summary: The Blue Ridge Arts Council (BRAC) is seeking a donation for the electric fees in the amount of \$275.00 (\$25.00/concert) associated with the use of electric for the Gazebo Gatherings Concerts scheduled to be held every Friday evening from June 14 – August 23.

Budget/Funding: 9401-3161901 – Sale of Services

Attachments: Letter from Executive Director of BRAC, Schedule of Events and Special Events Application.

Meetings: None

Staff

Recommendation: Approval ☒ Denial ☐

Proposed Motion: I move that Council approve a donation for electric fees in the amount of \$275.00 to Blue Ridge Arts Council (BRAC) for the use of electric for the Gazebo Gatherings Concerts scheduled to be held every Friday evening from June 14 – August 23.

ROLL CALL VOTE REQUIRED

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: JB



Blue Ridge Arts Council, Inc

305 East Main Street
Front Royal, Virginia 22630
540.635.9909 (Main) 540.635.9908 (Fax)
www.blueridgearts.org

VIA E-Mail

April 24, 2013

Mr. Steve Burke, Town Manager
Town of Front Royal
104 E Main Street
Front Royal, Virginia 22630

Dear Steve,

On behalf of the Board of Directors of the Blue Ridge Arts Council, I am submitting the Special Events Application for the 2013 Gazebo Gatherings Concert Series (11 concerts in total), which will run every Friday June 14-August 23, at the Gazebo in the Village Commons.

We are excited to bring this very popular series back to our residents and tourists alike, and wish to thank the Town of Front Royal for their support and funding of this program for the past 24 seasons. We are requesting a waiver of the new fee, Electric Service \$25/per day, payable to the Town of Front Royal. This would be an additional expense of \$275 for our series, and is essentially the average cost of entertainment for one week of concert programming. We have already committed \$4600 in performer fees alone for the season, and have not started to expense for printing, advertising and management of the series. We have always viewed this concert series as a great partnership with the Town and as a real win-win for all parties.

If you have any questions or concerns, please feel free to contact me at 540.635.9909.

Very Truly Yours,

Kym Crump
Executive Director



TOWN OF FRONT ROYAL SPECIAL EVENTS APPLICATION

The Town of Front Royal requires a Special Events Permit for any gathering of fifty (50) or more people for listening to or participating in entertainment and/or commemorative festivals or parades conducted in open spaces with or without music, the use of microphones and amplifiers, requiring closing of public streets and/or utilizing public sidewalks or travel portions of public streets. Applications must be submitted a minimum of ten (10) days before the event and no more than (6) months before the event, with the exception of larger events that require the closing of (3) blocks and lasting more than (2) days have a minimum of (60) days before the event. Events may not exceed twelve (12) hours in a 24-hr. period. The complete Ordinance pertaining to Special events can be found in the Town Code under Chapter 72 on the Town's website (www.frontroyalva.com).

Name of Event: Gazebo Gatherings Summer Concert Series

Event Date/Hours: Each Friday, June 14 - August 23, 2013 (total 11 concerts)

Event Location: Gazebo/Village Commons

Expected Attendance: 200-400 perc concert

Contact Person: Kym Crump

Contact Address: 305 East Main Street, Front Royal, VA 22630

Contact Phone: 540-635-9909 (O); 540-671-3482 (C); 540-635-9908 (F)

Contact e-mail: kcrump@blueridgearts.org

Detailed Event Description to include names of performers and activities (Attach additional sheets if necessary)

See attached

All Permit Applications must include the following plans as applicable:

- | | |
|--|--|
| ☐ Provision for Sanitation Facilities/Garbage Disposal | ☐ Provision of Food/Drink |
| ☐ Provision for crowd, noise, parking & traffic control | ☐ Provision for inclusion or exclusion of pets |
| ☐ ADA compliance | ☐ Onsite/Offsite Signage (Requires Separate Permit) |
| ☒ Certificate of Liability Insurance naming the Town of Front Royal as Additional Insured (Event on Town Property) | |
| ☐ Electric Service \$25.00 non-refundable fee per day payable to the Town of Front Royal (Town Code: 72-2.E.1.) | |

* By signing this application, applicant represents that no music copyrights will be infringed during this event

Applicant Signature:  Date: April 24, 2013

If approved, this Application will serve as your Permit.

Town Manager Signature: _____ Date: _____



Blue Ridge Arts Council

Gazebo Gatherings

Friday Evenings June-August
Concerts at the Gazebo Downtown Front Royal

Concert Time 7 pm—No Admission Charge
Town Commons, Main & Chester Streets, Front Royal, Virginia
 Concert weather updates can be found on Facebook @ www.facebook.com/BlueRidgeArts
 Concert series presented by Blue Ridge Arts Council, 305 East Main Street, 540.635.9909 or www.blueridgearts.org

June 14—Chordwood

Acoustic favorites from Country to Rock

June 21—American Legion Community Band

A songbook of an evening—Big Bands to Broadway; Marches to Modern

June 28—Catfish Hodge

A funky old blues man—Fish returns to familiar waters

July 5—Rich Follett

Feel good folk

July 12—Vinyl Tracks

Old friends, new name—masterful mix of 60s, 70s and 80s music (formerly Glass Onion, The 8 Tracks)

July 19—Intrepid Jazz

Contemporary, yet timeless acoustical jazz

July 26—The Moonlighters

Traditional American music—swing, jazz, blues and oldies

August 2—Fiery Run

Harmony-driven, folk rock transforming well loved songs of today and yesterday

August 9—Troy and Paula Haag (Magik Kat)

Great song writing, mighty fine acoustic picking, and close, tight harmony singing

August 16—Sweet T (Con Burch and Mark T)

Eclectic, acoustic duo—refreshingly different

August 23—Vinyl Tracks

Encore—all Beatles Tribute Show

Gazebo Gatherings Summer Concert Series presented by Blue Ridge Arts Council, and sponsored in partnership with the County of Warren, the Town of Front Royal, and the Virginia Commission for the Arts





**Town of Front Royal, Virginia
Council Agenda Statement**

Page 1
Item No. 12

Meeting Date: May 13, 2013

Agenda Item: COUNCIL APPROVAL – Donation of Electric Fees for Special Event Permit for “Farmers Market” – Linda Allen (DFR) & Tony Tringale

Summary: The Downtown Front Royal (DFR) is seeking a donation for the electric fees in the amount of \$575.00 (\$25.00/Saturday) associated with the use of electric for the Farmers Market scheduled to be held every Saturday morning from May 18 to October 26.

Budget/Funding: 9401-3161901 – Sale of Services

Attachments: Letter from Linda Allen (DFR) and email from Tony Tringale

Meetings: None

Staff

Recommendation: Approval ☒ Denial ☐

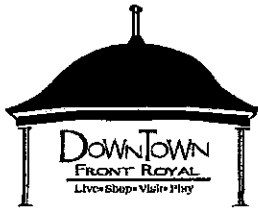
Proposed Motion: I move that Council approve a donation for electric fees in the amount of \$575.00 to Downtown Front Royal (DFR) for the use of electric for the Farmers Market scheduled to be held every Saturday morning from May 18 to October 26.

ROLL CALL VOTE REQUIRED

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: SB



Downtown Front Royal, Inc. (DFR)
P. O. Box 707
119 Chester St.
Front Royal, VA 22630

May 6, 2013

Mr. Steve Burke
Manager, Town of Front Royal
E. Main St.
Front Royal, VA 2013

Dear Mr. Burke:

The Farmers Market, sponsored by DFR, has an opportunity to add an exceptionally high quality vendor, Moonshine Mountain Farm, located in Marshall, VA. The owner, Nicole Stinson, offers pasture fed, chemically free, beef, lamb, goat, chicken, rabbit, and turkey. The addition of this vendor would enlarge the market and its clientele. It can contribute to tourism, given the curiosity of visitors for everything within in sight. And, we are adjacent to the Visitors Center and behind the Gazebo, on E. Main St. where the visitors start.

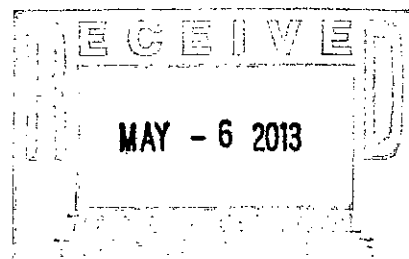
Nicole and Dan Stinson have such high standards in transporting the meat that we have a problem for which I am requesting your help. Nicole will not refreeze meat and keeps the exposure of the meat to air at a minimum. Thus, she would need the electrical hook up yet the cost per half-day of hooking up is tiny compared to the fee that is charged.

We are asking consideration from the Town Council for waiving the fee for electrical hook up.

I appreciate your assistance to date with the Farmers Market. We are discovering that town and county residents are glad that it has returned. I look forward to hearing from you soon about this request.

Yours truly,

Linda J. Allen,
President, DFR
ljallen1125@embarqmail.com or 540-550-0110



Tuesday, May 7, 2013 3:54:18 PM Eastern Daylight Time

Subject: Electricity at Framers Market

Date: Monday, May 6, 2013 3:36:52 PM Eastern Daylight Time

From: Tony T

To: Steve Burke

CC: ljallen1125@embarqmail.com, Maggie Sill

Dear Steve.....First, "Thank You" to you and the Town Council for the support in helping to return the Front Royal Farmers Market to downtown Front Royal. Citizens as well as downtown merchants have been enthusiastic because they are aware of the market "draw" to our area.

As a consultant, coordinator and vendor of the Farmers Market, I respectfully request that the Town waive the current \$25 electric fee for the Saturdays of the 2013 Farmers Market which is scheduled for every Saturday, 8AM-1PM, May thru October, (except for the three "Event" Saturdays that have been pre-scheduled by other groups).

The Front Royal Farmers Market (FRFM) is a "draw" that brings many town and county residents as well as tourists into town. Waiving this fee also would give us a vendor-advantage over other market locations where electricity is not available.

Waiving this fee for the FRFM would also demonstrate further the Town support for the entire "grown local, shop local, buy local" themes.

We do not anticipate a large electrical use, but we are negotiating with a few vendors who may need electricity but do not have the "profit margins" to absorb the current \$25 daily electrical fee. We would need only the electrical "posts" in the grassy areas to be activated.

If you or Council have any questions, please do not hesitate to contact me. (622-2612)

Thanking you and the Council in advance for your consideration of approving this request, I remain

Respectfully,

Tony Tringale