



# **CITY OF EMPORIA**

## **PUBLIC HEARING**

### **1. Electronic Summons System Assessment – Request to Adopt Ordinance**

**AGENDA**  
**EMPORIA CITY COUNCIL**  
*Regular Meeting*  
**TUESDAY, AUGUST 18, 2015 - 6:30 P.M.**

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**OPENING PRAYER**

**ROLL CALL**

**APPROVAL OF MINUTES**

August 4, 2015 ~ Regular Meeting

**APPROVAL OF BILLS**

**REPORTS**

Financial and Tax Reports  
Commissioner of the Revenue Report  
Permit and Inspection Report  
Police Report  
Sheriff Report  
Fire Report  
City Attorney Report

**APPROVAL OF AGENDA**

### **UNFINISHED BUSINESS**

15-55. Zoning Code Amendments – Floodplain Ordinance

### **NEW BUSINESS**

15-67. Electronic Summons System Assessment – Request to Adopt Ordinance

15-68. Architectural Compatibility Review – 310 North Main Street

15-69. Fire Program Funds – Appropriation Ordinance

15-70. Renaming of IDA to EDA – Request to Conduct a Public Hearing

15-71. Planning Commission Membership – Request to Conduct a Public Hearing

PO BOX 511, 201 SOUTH MAIN ST., EMPORIA, VA 23847 TELEPHONE: (434) 634 3332 FAX: (434) 634 0003

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# **CITY OF EMPORIA**

**AGENDA CONTINUED  
EMPORIA CITY COUNCIL  
*Regular Meeting*  
TUESDAY, July 21, 2015 - 6:30 P.M.**

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15-72. Planning Commission - Unexpired Term (William C. Slate, Jr.)

**PUBLIC COMMENT**

**CLOSED SESSION**

Closed meeting pursuant to Virginia Code §2.2-3711 (A) (3) Acquisition of real property for a public purpose and disposition of publicly held real property pertaining to the location of the Social Services building where discussion in open session would adversely affect our negotiation strategy and (A) (7) Legal matter requiring the advice of counsel pertaining to the Training School property located on Ruffin Street.

**MINUTES  
EMPORIA CITY COUNCIL  
CITY OF EMPORIA MUNICIPAL BUILDING  
August 4, 2015**

*Note to Reader: Although the printed agenda document for this City Council meeting is not part of these minutes, the agenda document provides background information on the items discussed by City Council during the meeting. A copy of the agenda document for this meeting may be obtained by contacting the Office of the City Clerk.*

Emporia City Council held a regular meeting on Tuesday, August 4, 2015 at 6:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Mary L. Person presided over the meeting with Carolyn Carey, Council Member offering the invocation.

**ROLL CALL**

The following City Council members were present:

Councilman F. Woodrow Harris  
Councilman James E. Ewing, III  
Councilwoman Carolyn S. Carey  
Councilwoman Doris T. White  
Councilwoman L. Dale Temple  
Councilwoman Carol Mercer  
Councilwoman Deborah D. Lynch

Others present:

Mary L. Person, Mayor  
C. Butler Barrett, City Attorney  
Brian S. Thrower, City Manager  
Dr. Edwin C. Daley, Assistant City Manager  
Tessie S. Wilkins, City Clerk  
Ricky Pinksaw, Chief of Police

Absent:

**MINUTES APPROVAL**

Councilwoman Temple moved to approve the minutes from the Tuesday, July 21, 2015, Public Hearing and Regular meeting as presented, seconded by Councilwoman Mercer, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Doris T. White	aye

Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

## **AGENDA APPROVAL**

Councilwoman Lynch moved to approve the agenda with the deletion of Closed Session - Closed meeting pursuant to Virginia Code §2.2-3711 (A) (3) Acquisition of real property for a public purpose and disposition of publicly held real property pertaining to the location of the Social Services building where discussion in open session would adversely affect our negotiation strategy, seconded by Councilwoman Mercer, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

## **NEW BUSINESS**

### ***15-63. Strategic Goals and Priorities – Request for Direction Regarding Education Component***

Mr. Thrower stated that he was seeking Council guidance on whether Council would like to pursue holding regular meetings with school leaders and continue receiving information from school board appointees.

Mr. Thrower stated that Council adopted Goals and Priorities stating the following:

- Develop a strategy to meet regularly with school leaders in order to identify and address educational issues, needs, and solutions and to work together in partnership to further educational attainment
- Develop a strategy by which appointed School Board Member provide the City Council with information regarding educational policies and progress on a regular basis

Mr. Thrower inquired if Council would like to continue receiving updates from school board appointees on a quarterly basis at the City Council meetings. He also inquired if Council would like to hold separate meetings with school system staff and board appointees on a regular basis outside of City Council meetings to discuss issues previously identified.

Councilwoman Temple made a motion to continue receiving updates from school board appointees on a quarterly basis at the City Council meetings, seconded by Councilwoman Carey, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

***15-64. Police Officer Uniform Patches – Request to Approve New Patch Design***

Mr. Thrower stated that the Police Chief had been in discussions with the police officers regarding changing the design of the patches on police uniforms. He also stated that the current patch reflected the City seal. He further stated that all other City uniform patches utilize the City Seal. He advised that the new patch proposed by the Police Chief will reflect the downtown water tower and train depot. He also advised that approximately 50% of the police department employees responded to a survey giving input on the patch design. He further advised that of the 50%, employees chose the patch reflecting the water tower and train depot over the current City seal by a three to one margin. He reported that a patch reflecting the Greensville County Courthouse was previously rejected due to its similarity to the Greensville County seal.

Mr. Thrower stated that given the fact, there is no specific City policy regarding the design of patches on City uniforms or deviation from the City seal, he is seeking Council approval to move forward on the new patch design.

He recommended that Council authorize City staff to move forward with the new “Water Tower and Train Depot” Police Department patch design. He stated that he would also be bringing a policy regarding City uniform patch designs soon for Council consideration.

Councilman Harris made a motion to authorize City staff to move forward with the new “Water Town and Train Depot” Police Department patch design, seconded by Councilman Ewing, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

***15-65. Electronic Summons System Assessment – Request to Conduct a Public Hearing***

Mr. Thrower reported that the Virginia State Code Section 17.1-279.1 permits a locality’s governing body to adopt an ordinance that will assess up to an additional \$5.00 as part of the costs in each criminal or traffic case in the locality’s district or circuit courts. He also reported that the funds will be held for disbursement to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

Mr. Thrower stated that the Emporia Police Department promotes traffic safety and enforces violations of criminal law on a daily basis. He also stated that when motorists are

stopped by police, it adds an element of danger, as both the motorists and officers are exposed to passing traffic. He further stated that an electronic summons system would lessen the chance of accidents during traffic stops and would also provide the motorist with a faster and more efficient transaction.

Mr. Thrower stated that an electronic summons system would improve efficiency and accuracy in the processing of summons. He also stated that the "dated" mobile hardware systems can be replaced/upgraded with these funds. He further stated that it would allow electronic scanning of license information and immediate transmission to the State's electronic database. He stated that this would result in a more accurate data system and faster access to information by citizens and law enforcement. He also stated that the demand for additional police department records personnel to enter summons information will be eliminated.

Mr. Thrower stated that the accumulated funds would be held in a designated City account and will be utilized for the future purchase of an electronic summons system equipment.

He recommended that Council authorize conducting a public hearing on this matter at the August 18, 2015 meeting.

Police Chief Pinksaw stated that the Electronic Summons System would allow electronic scanning of license information and immediate transmission to the Clerk's office database. He also stated that this would result in a more accurate data system and faster access to information by citizens and law enforcement. He further stated that the demand for additional police department records personnel to enter summons information will be eliminated.

Councilman Harris made a motion to authorize conducting a public hearing, seconded by Councilwoman Temple, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

#### ***15-66. Justice Assistance (JAG) – Appropriation Ordinance***

Mr. Thrower reported that the City of Emporia was awarded an Edward Byrne Memorial Justice Assistance Grant (JAG) from the United States Department of Justice. He also reported that the \$8,526.00 grant would be used along with \$947.00 in matching funds from the current budget to purchase nine Body Camera Systems.

Mr. Thrower stated that these funds were not included in the FY16 operating budget, as the availability of grant funds changes each year. He also stated that Council would need to adopt the ordinance to appropriate those funds into the budget. He further stated that the Department of Justice would reimburse the City's General Revenue Account for \$8,526.00.

Councilwoman Lynch made a motion to adopt **Ordinance No. 15-28** to appropriate the sum of \$8,526.00 in DOJ Justice Assistance Grant (JAG) funds, seconded by Councilwoman Temple, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilman James E. Ewing	aye
Councilwoman Deborah D. Lynch	aye
Councilwoman Doris T. White	aye
Councilwoman Carol Mercer	aye
Councilwoman L. Dale Temple	aye
Councilwoman Carolyn S. Carey	aye

#### **PUBLIC COMMENT**

Mayor Person asked if anyone wished to bring a matter before City Council members adhering to the three-minute time limitation.

*Ms. Ashley Wall, Emporia Virginia* addressed Council introducing herself as the new General Registrar for the City of Emporia.

With there being no further comments to come before City Council, Mayor Person closed the public comment portion of the meeting.

#### **ADJOURNMENT**

With no further business to come before City Council, Mayor Person adjourned the meeting.

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Mary L. Person, Mayor

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Tessie S. Wilkins, CMC  
City Clerk

## Review of Bills August 18, 2015

### GENERAL FUND

#### LEGISLATIVE

B. W. Wilson Paper Company, Inc.	93.00
Bank of America	118.64
Carey, Carolyn S.	245.35
Ewing, III, James	525.00
IIMC	180.00
Independent Messenger	254.40
Mercer, Carol	75.00
Municipal Code Corporation	913.47
Person, Mary L.	75.00
Telpage, Inc.	159.80
Temple, L. Dale	245.35
Treasurer of Virginia - VITA	11.24
Verizon	21.20
Virginia Municipal League	4,180.00
VMCA	25.00
White, Doris T.	225.00
Xerox Corporation	165.89

#### EXECUTIVE

B. W. Wilson Paper Company, Inc.	186.00
Bank of America	1,888.38
Davenport & Company, LLC	5,332.11
Department of Motor Vehicles	10.00
FedEx	3.12
Independent Messenger	402.80
Lennie Turner - Richmond Times	22.00
Pembroke Occupational Health	966.00
Pitney Bowes	3,105.98
Telpage, Inc.	119.90
Treasurer of Virginia - VITA	17.86
United States Treasury	270.00
Verizon	289.01
VLGMA	288.80
VML Insurance Programs	36,257.87
Xerox Corporation	209.93

#### LAW

Barrett Law Office, PC	1,166.66
Troutman Sanders LLP	352.88

#### REGISTRAR

Treasurer of Virginia - VITA	1.17
Verizon	21.20
Xerox Corporation	0.13

#### VICTIM WITNESS

##### VJCCCA/FAMILY VIOLENCE PREVENTION

Marva Dunn	626.96
Nancy Turner	571.74
Telpage, Inc.	99.90
The UPS Store	2,000.00
Verizon	121.88
Verizon Wireless	128.34
VML Insurance Programs	371.25

##### SHARED SERVICES

Greensville County	955,322.94
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##### FINANCE

Anthem Blue Cross/Blue Shield	87,978.40
B. W. Wilson Paper Company, Inc.	186.00
Lincoln Financial Group	2,524.85
Sheila J. Cutrell	7.95
Treasurer of Virginia - VITA	3.43
Treasurer of Virginia - VRS	51,294.46
Verizon	63.35
VML Insurance Programs	25,532.00
Xerox Corporation	217.65

##### TREASURER

B. W. Wilson Paper Company, Inc.	93.00
BAI Treasurer's User Group	350.00
Independent Messenger	42.40
Karen Taylor	55.00
M & W Printers, Inc.	398.90
Treasurer of Virginia - VITA	202.17
Treasurers' Association of Virginia	175.00
University of Virginia	550.00
VALECO	50.00
Verizon	165.98
W. S. Harris, Jr.	327.61
Xerox Corporation	8.07

##### EMERGENCY SERVICES

Gaston Security, Inc.	270.00
Sadler Brothers Oil Company, Inc.	76.67
Treasurer of Virginia - VITA	2.48
Verizon	42.40
Verizon Wireless	49.82
Virginia Emergency Mgmt. Assoc.	75.00
VML Insurance Programs	282.50

## Review of Bills August 18, 2015

### COURTS

Andrew E. Weaver	240.00
Crater Youth Care Commission	14,634.75
Law Offices of Barbara G. Mason, Inc.	242.40
Southside Regional Jail	103,166.40
The Law Ofc. Of W. Wm. Robinson, III	108.00
Treasurer of Virginia	95,115.08
Treasurer of Virginia - VITA	8.01
Verizon	98.13

### COURT SERVICES UNIT

Emporia CNBB LP	2,337.50
Gaston Security, Inc.	160.00
Harris, F. Woodrow	372.00
Sadler Brothers Oil Company, Inc.	266.95
Treasurer of Virginia - VITA	69.21
Verizon	265.53
Verizon Wireless	336.49

### SHERIFF

Bank of America	41.98
Brevard Extraditions, Inc.	516.32
Emporia CNBB LP	650.00
Greene's Service Center, Inc.	16.00
Sadler Brothers Oil Company, Inc.	345.44
Sam C. Brown	253.50
Telpage, Inc.	79.98
Treasurer of Virginia - VITA	4.06
Verizon	110.79
Verizon Wireless	91.02
VML Insurance Programs	282.75

### FIRE

American Test Center	1,293.00
Bank of America	1,909.95
City of Emporia Utility Fund	585.97
Dominion Virginia Power	8.11
Emporia Volunteer Fire Department	32,334.50
Houchins Pest Control Service	18.50
Jerry's Professional Carpet Cleaning	450.00
Mecklenburg Electric Cooperative	75.83
MES - Virginia	31,369.83
Morris Refrigeration Company, Inc.	263.06
Parker Oil Company, Inc.	328.17
Sadler Brothers Oil Company, Inc.	171.30
Telpage, Inc.	119.98
Verizon	169.60
Verizon Wireless	30.34
VML Insurance Programs	4,659.50
William L. Whitman	425.00

### COMMISSIONER OF REVENUE/ASSESSOR

Amy W. Johnson, Deputy COR	105.00
B. W. Wilson Paper Company, Inc.	93.00
BAI COR User Group	400.00
Commissioners of the Rev. Assoc.	260.00
CRAV	300.00
Quill Corporation	415.09
Renaissance Portsmouth-Norfolk Hotel	423.30
Treasurer of Virginia - VITA	211.76
Verizon	94.03
Willis Property Assessment	3,531.25
Xerox Corporation	0.03

### NON-DEPARTMENTAL

Airfield 4-H Conference Center	2,000.00
Boys & Girls Club of Emporia-Greens.	15,000.00
Community Youth Center, Ltd.	5,000.00
District 19 Community Services Board	19,735.50
Emporia-Greens. Local Law Library	150.00
Emporia-Greens. Recreation Assoc.	25,500.00
Greens./Emporia Dept. of Soc. Serv.	189,184.00
Greensville Volunteer Rescue Squad	3,671.50
Greensville/Emporia CSA	62,920.50
Greensville/Emporia Health Dept.	15,424.75
Longwood University SBDC	2,500.00
Meherrin Regional Library	7,877.92
Southside Virginia Community College	1,179.00
Southside Virginia Education Center	16,694.50
The Improvement Association	7,897.00
VML Insurance Programs	1,501.50

### DEBT SERVICE

BB&T Governmental Finance	7,553.54
Carter Bank & Trust	3,172.01
First Citizens Bank	7,580.08
SunTrust Bank	169,612.25
The Bank of Hampton Roads	3,665.43
The Bank of Southside Virginia	2,258.48
USDA Rural Development	5,000.00

### ECONOMIC DEVELOPMENT

Bank of America	469.01
Independent Messenger	72.80
Michael Redman	150.00
Sadler Brothers Oil Company, Inc.	30.37
The Bank by Kahills	810.55
Treasurer of Virginia - VITA	8.53
Verizon	21.20
Verizon Wireless	49.82
Xerox Corporation	206.92

## Review of Bills August 18, 2015

### FACILITIES

Bank of America	199.43
Calvin E. Edwards	261.25
Cintas Corporation	344.45
City of Emporia Utility Fund	36.90
Dominion Virginia Power	81.41
Greensville County	1,625.16
Houchins Pest Control Service	175.75
Jerry's Professional Carpet Cleaning	679.94
Link's Electrical Service, LLC	492.75
Mecklenburg Electric Cooperative	924.64
Morris Refrigeration Company, Inc.	2,041.60
R & C Electric Service, Inc.	471.05

### ANIMAL CONTROL

Bank of America	601.96
Sadler Brothers Oil Company, Inc.	145.37
Verizon Wireless	54.88

### PARKS & RECREATION

Bank of America	49.97
Cintas Corporation	81.32
Sadler Brothers Oil Company, Inc.	180.82
William Gaskins	50.00

### POLICE

Bank of America	5,243.36
Chief Supply Corporation	1,336.00
Cobb Technologies	178.00
Gaston Security, Inc.	160.00
Geronimo Development Corporation	778.00
ID Networks, Inc.	15,856.00
Jasper Engines & Transmissions	3,573.00
MACE, Inc.	7,680.00
Meherrin Drug Task Force	2,202.25
Ricky A. Pinksaw	647.20
Sadler Brothers Oil Company, Inc.	6,174.17
Telpage, Inc.	119.90
Treasurer of Virginia - VITA	1,039.72
United Parcel Service	6.80
Verizon	1,527.49
Verizon Wireless	696.39
VML Insurance Programs	2,356.25
Wyndham Virginia Beach Oceanfront	204.60

### DEVELOPMENT SERVICES

American Housing Specialist	256.00
B. W. Wilson Paper Company, Inc.	186.00
Bank of America	913.40
CJMW Architecture	4,950.00
Community Planning Partners	3,000.00
Crater Planning District Commission	2,400.50
Dell Marketing, LP	1,248.36
Dewberry Engineers, Inc.	243.40
Ed Daley	375.20
Emporia IDA	150.00
Independent Messenger	127.20
Kyle Green	389.04
MAMaC RIFA	5,650.00
Rawlings Brothers Garage & Towing	885.00
Sadler Brothers Oil Company, Inc.	351.06
Stantec Consulting Services, Inc.	5,003.02
Summit Design & Engineering Serv.	6,420.00
Topping Enterprises, Inc.	2,862.56
Treasurer of Virginia - VITA	11.75
Verizon	67.60
Verizon Wireless	60.68
WorldView Solutions, Inc.	2,000.00
Xerox Corporation	269.33

### PUBLIC WORKS

Adolphus Adams	25.04
American Test Center, Inc.	450.00
Bank of America	10,931.32
Cintas Corporation	645.20
Dominion Virginia Power	6,822.83
Fuel Freedom Card	3,181.82
Greensville County Landfill	18,808.66
Hicks Tree Service, LLC	950.00
Holiday Ice	110.75
Independent Messenger	159.00
Mecklenburg Electric Cooperative	821.50
Rightmyer Machine Rentals, Inc.	176,553.96
Sadler Brothers Oil Company, Inc.	2,456.90
Safety-Kleen	256.53
Southside Regional Jail	1,002.60
Stantec Consulting Services, Inc.	6,244.22
Telpage, Inc.	91.98
Treasurer of Virginia - VITA	9.11
VEPGA	187.00
Verizon	238.89
Verizon Wireless	211.54

**TOTAL GENERAL FUND**

**\$2,391,705.52**

## Review of Bills August 18, 2015

### UTILITY FUND

Anthem Blue Cross/Blue Shield	19,830.72
B. W. Wilson Paper Company, Inc.	93.00
Baggett Metal Products, LLC	400.00
Bank of America	6,647.78
Brentwood Industries, Inc.	2,364.02
Carter Bank & Trust	251,191.24
Cintas Corporation	825.78
Comcast Communications	122.90
Consolidated Pipe & Supply	3,736.00
CSX Transportation	499.84
Dewberry Engineers, Inc.	10,727.50
Dominion Virginia Power	88.25
English Construction Company, Inc.	49,592.38
Fuel Freedom Card	347.29
Hampton Roads Sanitation District	369.60
Holiday Ice	12.30
Independent Messenger	667.80
James C. Page, Jr.	50.00
Jeffrey Roach	50.00
Lincoln Financial Group	505.47
M & W Printers, Inc.	930.61
Mecklenburg Electric Cooperative	6,960.88
Northrup Grumman Systems	1,159.26
Parker Oil Company, Inc.	976.10
Reliable Office Supplies	468.05
Riverside Hydraulics LLC	1,141.44
Ronald K. Brown	50.00
Sadler Brothers Oil Company, Inc.	1,029.67
Southern Corrosion, Inc.	42,323.00
SunTrust Bank	16,020.07
Telpage, Inc.	159.80
Treasurer of Virginia - VITA	17.73
Treasurer of Virginia - VRS	12,026.51
U S Postal Service	748.50
United Parcel Service	40.97
Univar USA, Inc.	6,201.39
USDA Rural Development	5,769.00
VDH - Waterworks Technical Assist.	1,942.58
Verizon	774.49
Verizon Wireless	240.48
VML Insurance Programs	17,251.00
VUPS	32.22

### **TOTAL UTILITY FUND**

**\$464,385.62**

**CITY OF EMPORIA  
CITY COUNCIL MEETING  
August 18, 2015  
AGENDA MEMORANDUM**

**SUBJECT: FINANCIAL STATEMENT  
COLLECTIONS 2015  
COLLECTIONS 2012-2014  
COLLECTIONS 2009-2011  
DELINQUENT TAX SUMMARY-ALL YEARS  
2015 PPTRA ALLOTMENT-COMPARISON  
SALES & USE TAX COMPARISON  
MONTHLY UTILITY DEPT. COMPARISON  
CUT OFFS FOR UTILITY CUSTOMERS  
UNCOLLECTED UTILITY BILLS**

**W. S. HARRIS, JR., TREASURER**

# Financial Statement

July 31, 2015

## CHECKING / DAILY INVESTMENT

General Fund

Utility Fund

471,165.82

741,618.12

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## CERTIFICATES OF DEPOSIT / INVESTMENTS

FIRST COMMUNITY BANK	\$635,296.46	MMF @ .10%	NA	GF
CARTER BANK & TRUST	\$1,520,844.58	12 Mos @ .80%	1/8/2016	GF
CARTER BANK & TRUST	\$1,016,871.74	12 Mos @ .80%	2/2/2016	GF
CARTER BANK & TRUST	\$1,016,871.74	12 Mos @ .80%	2/2/2016	GF
CARTER BANK & TRUST	\$781,228.31	12 Mos @ .80%	2/6/2016	GF
CARTER BANK & TRUST	\$1,009,591.67	12 Mos @ .80%	2/6/2016	GF
CARTER BANK & TRUST	\$1,009,591.67	12 Mos @ .80%	2/6/2016	GF
CARTER BANK & TRUST	\$758,279.55	12 Mos @1.00%	6/30/2016	GF
FIRST COMMUNITY BANK	\$605,337.35	MMF @ .08%	NA	UT
CARTER BANK & TRUST	\$506,948.20	12 Mos @ .80%	1/8/2016	UT
CARTER BANK & TRUST	\$508,183.11	12 Mos @ .60%	2/2/2016	UT

Jul-15

**RECAP OF 2015 TAXES**

<b>TYPE OF TAX</b>	<b>BAL. FWD. (A)</b>	<b>SUPPLEMENTS (B)</b>	<b>ABATEMENTS (C)</b>	<b>ADJUSTED LEVY (Cols. A+B-C) (D)</b>	<b>COLLECTIONS TO DATE (E)</b>	<b>BALANCE DUE (F)</b>
Real Estate	0.00	0.00	0.00	0.00	0.00	0.00
Personal Property	1,448,229.94	29,346.85	20,922.96	1,456,653.83	988,612.02	468,041.81
Decals	105,828.50	225.00	1,106.50	104,947.00	47,755.00	57,192.00
Personal Property Relief	557,649.30	2,864.75	18,584.51	543,929.54	265,558.99	278,370.55
Public Service	0.00	0.00	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>2,111,707.74</b>	<b>32,436.60</b>	<b>38,613.97</b>	<b>2,105,530.37</b>	<b>1,301,926.01</b>	<b>803,604.36</b>

2015 Real Estate Tax Collections

0.00%

2015 Personal Property Tax Relief

49.82%

2015 Personal Property Tax Collections

67.87%

2015 Public Service Tax Collection

0.00%

Jul-15

## RECAP OF 2014 TAXES

TYPE OF TAX	BAL. FWD.	SUPPLEMENTS	ABATEMENTS	ADJUSTED LEVY	COLLECTIONS	BALANCE DUE
	(A)	(B)	(C)	(Cols. A+B-C) (D)	TO DATE (E)	
Real Estate	3,115,570.28	2,882.31	7,666.45	3,110,786.14	3,040,759.71	70,026.43
Personal Property	1,296,854.59	60,820.78	30,067.58	1,327,607.79	1,307,973.68	19,634.11
Decals	106,527.00	6,275.00	2,528.36	110,273.64	101,421.86	8,851.78
Personal Property Relief	553,560.55	31,441.05	10,304.82	574,696.78	548,640.32	26,056.46
Public Service	188,396.69	0.00	0.00	188,396.69	188,396.69	0.00
<b>TOTAL</b>	<b>5,260,909.11</b>	<b>101,419.14</b>	<b>50,567.21</b>	<b>5,311,761.04</b>	<b>5,187,192.26</b>	<b>124,568.78</b>
<a href="#">2014 Real Estate Tax Collections</a>		<a href="#">97.74%</a>	<a href="#">2014 Personal Property Tax Relief</a>		<a href="#">95.46%</a>	
<a href="#">2014 Personal Property Tax Collections</a>		<a href="#">98.52%</a>	<a href="#">2014 Public Service Tax Collection</a>		<a href="#">100.00%</a>	

## RECAP OF 2013 TAXES

TYPE OF TAX	BAL. FWD.	SUPPLEMENTS	ABATEMENTS	ADJUSTED LEVY	COLLECTIONS	BALANCE DUE
	(A)	(B)	(C)	(Cols. A+B-C) (D)	TO DATE (E)	
Real Estate	3,098,844.15	3,059.50	4,211.40	3,097,692.25	3,072,064.69	25,627.56
Personal Property	1,269,263.24	22,706.50	25,476.79	1,266,492.40	1,255,170.58	11,052.41
Decals	106,188.00	1,982.50	2,775.87	105,394.63	99,833.77	5,560.86
Personal Property Relief	561,632.25	10,214.96	24,011.99	547,835.22	533,615.50	14,219.72
Public Service	200,213.60	0.00	0.00	200,213.60	200,213.60	0.00
<b>TOTAL</b>	<b>5,236,141.24</b>	<b>37,963.46</b>	<b>56,476.05</b>	<b>5,217,628.10</b>	<b>5,160,898.14</b>	<b>56,460.55</b>
<a href="#">2013 Real Estate Tax Collections</a>		<a href="#">99.17%</a>	<a href="#">2013 Personal Property Tax Relief</a>		<a href="#">97.40%</a>	
<a href="#">2013 Personal Property Tax Collections</a>		<a href="#">99.10%</a>	<a href="#">2013 Public Service Tax Collection</a>		<a href="#">100.00%</a>	

## RECAP OF 2012 TAXES

TYPE OF TAX	BAL. FWD.	SUPPLEMENTS	ABATEMENTS	ADJUSTED LEVY	COLLECTIONS	BALANCE DUE
	(A)	(B)	(C)	(Cols. A+B-C) (D)	TO DATE (E)	
Real Estate	3,019,463.59	1,020.90	3,404.63	3,017,079.86	3,009,633.32	7,446.54
Personal Property	1,224,318.90	68,794.39	33,027.82	1,260,085.47	1,252,091.30	7,994.17
Decals	104,243.00	9,600.50	4,170.00	109,673.50	104,404.20	5,209.30
Personal Property Relief	560,183.75	63,406.00	42,878.85	580,710.90	568,907.28	11,803.62
Public Service	173,064.34	0.00	0.00	173,064.34	173,064.34	0.00
<b>TOTAL</b>	<b>5,081,273.58</b>	<b>142,821.79</b>	<b>83,481.30</b>	<b>5,140,614.07</b>	<b>5,108,160.44</b>	<b>32,453.63</b>
<a href="#">2012 Real Estate Tax Collections</a>		<a href="#">99.75%</a>	<a href="#">2012 Personal Property Tax Relief</a>		<a href="#">97.97%</a>	
<a href="#">2012 Personal Property Tax Collections</a>		<a href="#">99.36%</a>	<a href="#">2012 Public Service Tax Collection</a>		<a href="#">100.00%</a>	

Jul-15

## RECAP OF 2009 TAXES

TYPE OF TAX	BAL. FWD. (A)	SUPPLEMENTS (B)	ABATEMENTS (C)	ADJUSTED LEVY (Cols. A+B-C) (D)	COLLECTIONS TO DATE (E)	BALANCE DUE (F)
Real Estate	2,942,633.61	3,808.18	6,400.94	2,940,040.85	2,938,579.61	1,461.24
Personal Property	1,214,926.66	219,679.72	219,483.52	1,215,122.86	1,210,750.06	4,372.80
Decals	110,991.50	7,026.00	7,526.50	110,491.00	106,419.44	4,071.56
Personal Property Relief	524,152.89	38,891.54	17,349.89	545,694.54	538,568.59	7,125.95
Public Service	121,797.85	0.00	0.00	121,797.85	121,797.85	0.00
<b>TOTAL</b>	<b>4,914,502.51</b>	<b>269,405.44</b>	<b>250,760.85</b>	<b>4,933,147.10</b>	<b>4,916,115.55</b>	<b>17,031.55</b>
<a href="#">2009 Real Estate Tax Collections</a>		<a href="#">99.95%</a>	<a href="#">2009 Personal Property Tax Relief</a>		<a href="#">99.69%</a>	
<a href="#">2009 Personal Property Tax Collection</a>		<a href="#">99.64%</a>	<a href="#">2009 Public Service Tax Collection</a>		<a href="#">100.00%</a>	

## RECAP OF 2010 TAXES

TYPE OF TAX	BAL. FWD. (A)	SUPPLEMENTS (B)	ABATEMENTS (C)	ADJUSTED LEVY (Cols. A+B-C) (D)	COLLECTIONS TO DATE (E)	BALANCE DUE (F)
Real Estate	2,976,993.81	0.00	3,696.75	2,973,297.06	2,971,690.83	1,606.23
Personal Property	1,141,435.34	99,940.97	57,127.23	1,184,249.08	1,177,590.60	6,658.48
Decals	107,658.50	9,563.00	5,519.15	111,702.35	108,783.49	2,918.86
Personal Property Relief	578,916.57	34,959.61	29,395.11	584,481.07	577,742.80	6,738.27
Public Service	165,731.98	0.00	8,167.59	157,564.39	157,564.39	0.00
<b>TOTAL</b>	<b>4,970,736.20</b>	<b>144,463.58</b>	<b>103,905.83</b>	<b>5,011,293.95</b>	<b>4,993,372.11</b>	<b>17,921.84</b>
<a href="#">2010 Real Estate Tax Collections</a>		<a href="#">99.95%</a>	<a href="#">2010 Personal Property Tax Relief</a>		<a href="#">98.84%</a>	
<a href="#">2010 Personal Property Tax Collections</a>		<a href="#">99.43%</a>	<a href="#">2010 Public Service Tax Collection</a>		<a href="#">100.00%</a>	

## RECAP OF 2011 TAXES

TYPE OF TAX	BAL. FWD. (A)	SUPPLEMENTS (B)	ABATEMENTS (C)	ADJUSTED LEVY (Cols. A+B-C) (D)	COLLECTIONS TO DATE (E)	BALANCE DUE (F)
Real Estate	2,984,406.93	0.00	3,831.30	2,980,575.63	2,977,939.06	2,636.52
Personal Property	1,244,373.63	26,690.75	33,638.35	1,237,426.03	1,233,538.46	3,887.57
Decals	111,029.00	8,475.00	6,009.93	113,494.07	109,548.44	3,945.63
Personal Property Relief	557,964.29	30,384.27	29,883.36	558,465.20	551,812.48	6,652.74
Public Service	156,479.42	0.00	0.00	156,479.42	156,479.42	0.00
<b>TOTAL</b>	<b>5,054,253.27</b>	<b>65,550.02</b>	<b>73,262.94</b>	<b>5,046,440.35</b>	<b>5,029,317.84</b>	<b>17,122.51</b>
<a href="#">2011 Real Estate Tax Collections</a>		<a href="#">99.91%</a>	<a href="#">2011 Personal Property Tax Relief</a>		<a href="#">98.80%</a>	
<a href="#">2011 Personal Property Tax Collection</a>		<a href="#">99.68%</a>	<a href="#">2011 Public Service Tax Collection</a>		<a href="#">100.00%</a>	

DELINQUENT TAX SUMMARY - FY 2014-2015

July-15

**REAL ESTATE TAXES**

Tax Year	Balance	Supplements	Abatements	Bankruptcy	Credit	Collected To This Month	Collected This Month	Balance
	July 1	Added		Charge-Offs	Card Collections			
2008	\$2,970.20	\$0.00	\$0.00	\$0.00	\$0.00	\$1,633.76	\$0.00	\$1,336.44
2007	\$2,057.83	\$0.00	\$92.96	\$0.00	\$0.00	\$674.79	\$370.44	\$919.64
2006	\$1,749.32	\$0.00	\$92.96	\$0.00	\$0.00	\$639.61	\$0.00	\$1,016.75
2005	\$1,583.14	\$0.00	\$0.00	\$0.00	\$0.00	\$503.31	\$0.00	\$1,079.83
2004	\$978.57	\$0.00	\$0.00	\$0.00	\$0.00	\$92.96	\$0.00	\$885.61
2003	\$749.28	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$749.28
2002	\$315.84	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$315.84
1994-2001	\$2,565.36	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,565.36
<b>TOTAL</b>	<b>\$12,969.54</b>	<b>\$0.00</b>	<b>\$185.92</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$3,544.43</b>	<b>\$370.44</b>	<b>\$8,868.75</b>

**PERSONAL PROPERTY TAX**

Tax Year	Balance	Supplements	Abatements	Bankruptcy	Credit	Collected To This Month	Collected This Month	Balance
	July 1	Tx Relief		Charge-Offs	Card Collections			
2008 Net Tax	\$5,830.16	\$0.00	\$0.00	\$0.00	\$0.00	\$153.80	\$6.62	\$5,669.74
2007 Net Tax	\$3,955.82	\$0.00	\$0.00	\$0.00	\$0.00	\$74.90	\$0.00	\$3,880.92
2006 Net Tax	\$4,244.94	\$0.00	\$0.00	\$0.00	\$0.00	\$26.18	\$0.00	\$4,218.76
2002-2005	\$13,469.45	\$0.00	\$0.00	\$0.00	\$0.00	\$155.76	\$0.00	\$13,313.69
<b>TOTAL</b>	<b>\$27,500.37</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$410.64</b>	<b>\$6.62</b>	<b>\$27,083.11</b>

<b>Grand Total of All Delinquent</b>	<b>\$40,469.91</b>	<b>\$0.00</b>	<b>\$185.92</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$3,955.07</b>	<b>\$377.06</b>	<b>\$35,951.86</b>
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# **2015 PPTRA ALLOTMENT - COMPARISON**

**TOTAL ALLOTMENT FROM STATE - \$570,316.00**

**TOTAL PPTRA ASSESSED - 60.00%** **\$557,649.30**

**COLLECTIONS THRU PAID BILLS**

**Jun-15** **\$89,054.67**

**Jul-15** **\$176,504.32**

**ABATEMENTS** **-\$16,584.51**

**SUPPLEMENTS** **\$2,864.75**

**TOTAL REMAINING FROM UNPAID BILLS** **\$278,370.55**

## **Local Sales & Use Tax Collection Comparison**

### **Local Sales & Use Tax**

Month	2012 Calendar Year	2013 Calendar Year	2014 Calendar Year	2015 Calendar Year
	Collected	Collected	Collected	Collected
January	\$127,062.93	\$108,278.56	\$114,486.19	\$143,795.72
February	\$126,296.95	\$127,189.75	\$134,859.04	\$132,892.26
March	\$102,337.33	\$99,674.97	\$113,809.08	\$102,665.33
April	\$137,369.57	\$104,585.97	\$109,251.63	\$137,912.68
May	\$135,414.13	\$119,461.45	\$126,207.82	\$129,217.54
June	\$110,435.22	\$117,580.07	\$115,773.26	\$154,911.96
July	\$116,536.54	\$107,486.36	\$121,522.13	\$141,277.90
August	\$117,795.21	\$117,641.94	\$127,326.00	
September	\$125,411.89	\$118,116.99	\$123,169.48	
October	\$111,125.40	\$105,496.08	\$172,694.83	
November	\$106,691.83	\$100,495.50	\$105,542.20	
December	\$102,684.77	\$105,977.72	\$144,830.30	
<b>Yearly Total</b>	<b>\$1,419,161.77</b>	<b>\$1,331,985.36</b>	<b>\$1,509,471.96</b>	<b>\$942,673.39</b>

## **State Sales & Use Tax Collection Comparison**

### **State Sales & Use Tax**

Month	2012 Calendar Year	2013 Calendar Year	2014 Calendar Year	2015 Calendar Year
	Collected	Collected	Collected	Collected
January	\$81,464.16	\$80,957.08	\$81,625.86	\$84,984.24
February	\$91,897.24	\$95,365.10	\$89,390.50	\$105,606.76
March	\$72,512.86	\$73,527.62	\$73,783.14	\$75,678.18
April	\$70,609.86	\$76,942.78	\$72,753.54	\$74,428.58
May	\$85,665.32	\$87,608.38	\$82,071.08	\$91,664.86
June	\$85,637.98	\$90,121.30	\$86,973.60	\$92,171.62
July	\$78,791.66	\$78,471.52	\$85,613.20	\$93,429.72
August	\$89,692.72	\$87,181.40	\$94,634.72	
September	\$80,905.18	\$76,334.64	\$87,019.92	
October	\$83,390.34	\$79,978.88	\$88,182.16	
November	\$82,935.18	\$81,448.88	\$88,136.74	
December	\$77,980.08	\$83,144.42	\$88,409.40	
<b>Yearly Total</b>	<b>\$981,482.58</b>	<b>\$991,082.00</b>	<b>\$1,018,593.86</b>	<b>\$617,963.96</b>

**Monthly Comparison of  
Collected Utility Fund Revenue & Completed Service Orders  
FY 2014 - 2015**

	July	August	September	October	November	December
Water	148,901.72					
Sewer	110,291.28					
Meter Charge	4,368.88					
Water Taps	0.00					
Sewer Taps	0.00					
Sale of Materials	0.00					
Penalties	8,176.75					
Cut on/off Fees	1,650.00					
Water Sales-Bulk Water	0.00					
Sewer Services	595.75					
Miscellaneous	0.00					
<b>Total Revenue For the Month</b>	<b>273,984.38</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

	January	February	March	April	May	June	YTD Category Tot
Water							148,901.72
Sewer							110,291.28
Meter Charge							4,368.88
Water Taps							0.00
Sewer Taps							0.00
Sale of Materials							0.00
Penalties							8,176.75
Cut on/off Fees							1,650.00
Water Sales-Bulk Water							0.00
Sewer Services							595.75
Miscellaneous							0.00
<b>Total Revenue for the Month</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	

	July	August	September	October	November	December
<b>Service Orders</b>						
Ttl Off/On Requests	71					
Ttl Leak Inquiries	57					
<b>Ttl Service Orders For the Month</b>	<b>128</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

	January	February	March	April	May	June	YTD Order Totals
<b>Service Orders</b>							
Ttl Off/On Requests							71
Ttl Leak Inquiries							57
<b>Ttl Service Orders For the Month</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

YTD Revenue Total All Depts. **273,984.38**      YTD Service Order **128**

**REPORT OF CUT OFFS TO UTILITY ACCOUNTS SINCE  
EXTENSION OF PAYMENTS TO NEXT MONTH**

**JULY 06 STARTED CHANGE-DID NOT CUT WATER OFF THIS MONTH**

<b>AUGUST</b>	<b>24</b>
<b>SEPTEMBER</b>	<b>55</b>
<b>OCTOBER</b>	<b>45</b>
<b>NOVEMBER</b>	<b>27</b>
<b>DECEMBER</b>	<b>77</b>

	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>JANUARY</b>	<b>58</b>	<b>45</b>	<b>62</b>	<b>103</b>	<b>86</b>	<b>68</b>	<b>80</b>
<b>FEBRUARY</b>	<b>32</b>	<b>63</b>	<b>56</b>	<b>44</b>	<b>30</b>	<b>45</b>	<b>68</b>
<b>MARCH</b>	<b>35</b>	<b>71</b>	<b>74</b>	<b>46</b>	<b>31</b>	<b>48</b>	<b>58</b>
<b>APRIL</b>	<b>49</b>	<b>44</b>	<b>28</b>	<b>63</b>	<b>48</b>	<b>70</b>	<b>92</b>
<b>MAY</b>	<b>63</b>	<b>71</b>	<b>56</b>	<b>86</b>	<b>83</b>	<b>43</b>	<b>64</b>
<b>JUNE</b>	<b>66</b>	<b>82</b>	<b>86</b>	<b>58</b>	<b>281</b>	<b>79</b>	<b>83</b>
<b>JULY</b>	<b>76</b>	<b>67</b>	<b>53</b>	<b>74</b>	<b>130</b>	<b>80</b>	<b>88</b>
<b>AUGUST</b>	<b>67</b>	<b>86</b>	<b>90</b>	<b>78</b>	<b>85</b>	<b>75</b>	<b>57</b>
<b>SEPTEMBER</b>	<b>75</b>	<b>94</b>	<b>49</b>	<b>66</b>	<b>83</b>	<b>63</b>	<b>0 started changed(180 door hangers)</b>
<b>OCTOBER</b>	<b>93</b>	<b>43</b>	<b>72</b>	<b>86</b>	<b>66</b>	<b>68</b>	<b>16 (39 door hangers)</b>
<b>NOVEMBER</b>	<b>51</b>	<b>39</b>	<b>46</b>	<b>54</b>	<b>86</b>	<b>90</b>	<b>31 (48 door hangers)</b>
<b>DECEMBER</b>	<b>71</b>	<b>71</b>	<b>130</b>	<b>44</b>	<b>61</b>	<b>53</b>	<b>55 (149 door hangers)</b>

**2014**

<b>JANUARY</b>	<b>68</b>	<b>(114 door hangers)</b>
<b>FEBRUARY</b>	<b>27</b>	<b>(33 door hangers)</b>
<b>MARCH</b>	<b>42</b>	<b>(48 door hangers)</b>
<b>APRIL</b>	<b>31</b>	<b>(32 door hangers)</b>
<b>MAY</b>	<b>36</b>	<b>(42 door hangers)</b>
<b>JUNE</b>	<b>35</b>	<b>(38 door hangers)</b>
<b>JULY</b>	<b>51</b>	<b>(56 door hangers)</b>
<b>AUGUST</b>	<b>19</b>	<b>(63 door hangers)</b>
<b>SEPTEMBER</b>	<b>44</b>	<b>(64 door hangers)</b>
<b>OCTOBER</b>	<b>62</b>	<b>(66 door hangers)</b>
<b>NOVEMBER</b>	<b>28</b>	<b>(84 door hangers)</b>
<b>DECEMBER</b>	<b>60</b>	<b>(79 door hangers)</b>

**2015**

<b>JANUARY</b>	<b>69</b>	<b>(85 door hangers)</b>
<b>FEBRUARY</b>	<b>21</b>	<b>(53 door hangers)</b>
<b>MARCH</b>	<b>40</b>	<b>(63 door hangers)</b>
<b>APRIL</b>	<b>46</b>	<b>(75 door hangers)</b>
<b>MAY</b>	<b>64</b>	<b>(100 door hangers)</b>
<b>JUNE</b>	<b>29</b>	<b>(91 door hangers)</b>
<b>JULY</b>	<b>35</b>	<b>(90 door hangers)</b>
<b>AUGUST</b>		
<b>SEPTEMBER</b>		
<b>OCTOBER</b>		
<b>NOVEMBER</b>		
<b>DECEMBER</b>		

**UNCOLLECTED UTILITY BILLS**

<b>BEGINNING BALANCE JULY 2006</b>	<b>54043.62</b>	<b>54043.62</b>
<b>BALANCE ADDED AFTER 2 MONTHS EXT</b>	<b>31012.65</b>	<b>85056.27</b>
<b>BALANCES ADDED FOR 2009</b>	<b>10028.85</b>	<b>95085.12</b>
<b>COLLECTIONS 2009</b>	<b>-4577.96</b>	<b>90507.16</b>
<b>BALANCES ADDED FOR 2010</b>	<b>56074.78</b>	<b>146601.94</b>
<b>COLLECTIONS 2010</b>	<b>-21349.82</b>	<b>125252.12</b>
<b>BALANCES ADDED FOR 2011</b>	<b>43729.33</b>	<b>168981.45</b>
<b>COLLECTIONS 2011</b>	<b>-30063.76</b>	<b>138917.69</b>
<b>BALANCES ADDED FOR 2012</b>	<b>30144.85</b>	<b>169062.54</b>
<b>COLLECTIONS 2012</b>	<b>-26675.91</b>	<b>142386.43</b>
<b>BALANCES ADDED FOR 2013</b>	<b>39039.11</b>	<b>181425.54</b>
<b>COLLECTIONS 2013</b>	<b>-23560.98</b>	<b>157864.56</b>
<b>BALANCES ADDED FOR 2014</b>	<b>66977.11</b>	<b>224841.67</b>
<b>COLLECTIONS FOR 2014</b>	<b>-29925.79</b>	<b>194915.88</b>
<b>BALANCES ADDED FOR JAN 2015</b>	<b>4613.64</b>	<b>199529.52</b>
<b>COLLECTIONS JANUARY 2015</b>	<b>-257.23</b>	<b>199272.29</b>
<b>BALANCES ADDED FOR FEB 2015</b>	<b>3619.95</b>	<b>202892.24</b>
<b>COLLECTIONS FEBRUARY 2015</b>	<b>-11425.80</b>	<b>191466.44</b>
<b>BALANCES ADDED FOR MAR 2015</b>	<b>7251.50</b>	<b>198717.94</b>
<b>COLLECTIONS MARCH 2015</b>	<b>-4482.55</b>	<b>194235.39</b>
<b>BALANCES ADDED APRIL 2015</b>	<b>2881.98</b>	<b>197117.37</b>
<b>COLLECTIONS APRIL 2015</b>	<b>-5045.98</b>	<b>192071.39</b>
<b>BALANCES ADDED MAY 2015</b>	<b>9959.15</b>	<b>202030.54</b>
<b>COLLECTIONS MAY 2015</b>	<b>-5784.25</b>	<b>196246.29</b>
<b>BALANCES ADDED JUNE 2015</b>	<b>3550.92</b>	<b>199797.21</b>
<b>COLLECTIONS JUNE 2015</b>	<b>-3093.46</b>	<b>196703.75</b>
<b>BALANCES ADDED JULY 2015</b>	<b>9124.32</b>	<b>205828.07</b>
<b>COLLECTIONS JULY 2015</b>	<b>-6332.25</b>	<b>199495.82</b>

# City of Emporia



Commissioner of the Revenue  
P. O. Box 956  
Emporia, Virginia 23847  
TELEPHONE (434) 634-5405

August 5, 2015

JOYCE E. PRINCE  
COMMISSIONER

LISA D. COUNCIL  
DEPUTY COMMISSIONER

The Honorable Mayor  
City Council Members  
City Manager

Dear Members of Council:

During the month of July a total of \$1,866.45 was processed for City Business Licenses.

Transient tax totaled \$111,697.14 for the month of June and processed during July.

Meal tax processed during the month of July totaled \$156,058.50 with an additional \$1,834.19 for prior months.

The usual comparison of meal and transient tax processed during June to the same time period last year is as follows:

	<u>June 2014</u>	<u>June 2015</u>
Meal Tax	\$158,102.99	\$156,058.50
Transient Tax	\$ 89,536.48	\$111,697.14

Respectfully,

Joyce E. Prince



CITY OF EMPORIA

DEPARTMENT OF INSPECTIONS

**July -2015  
Code Enforcement Monthly Report**

**Notices Issued**

**Resolved**

**Inoperable Vehicles - 1**

**1- By Owner**

**Weeds / Grass - 2**

**4- By Owner  
11- By City Contractor**

**Property Maintenance - 3**

**5- By Owner**

**Zoning - 0**

**0- By Owner**

**Cases Turned Over To City Attorney – 15**

**Total Notices Issued – 6**

**Invoiced Notices- 11**

**Weeds / Grass – 11  
Inoperable Vehicle- 0  
Demolition- 0**

**Total- Weeds/ Grass- 6 recuts / 5 new- Total 11  
Inoperable Vehicles- 0  
Demolition- 0**

**Total Amount- \$2862.56**

**Signature :**

A handwritten signature in black ink, appearing to be "M. Stahl", written over a horizontal line.

**Supervisor :**

A handwritten signature in black ink, appearing to be "M. Stahl", written over a horizontal line.

**Emporia Police Department Statistics**  
**Arrests by Race**

**July 2015**

	<b>Black</b>	<b>%</b>	<b>White</b>	<b>%</b>	<b>Other</b>	<b>%</b>
<b>Criminal Arrests</b>	<b>61</b>	<b>85%</b>	<b>6</b>	<b>8%</b>	<b>5</b>	<b>7%</b>
<b>Selective Tickets</b>	<b>422</b>	<b>37%</b>	<b>593</b>	<b>52%</b>	<b>131</b>	<b>11%</b>
<b>Regular Tickets</b>	<b>61</b>	<b>80%</b>	<b>8</b>	<b>11%</b>	<b>7</b>	<b>9%</b>

IBR Offense Counts 7/1/2015-7/31/2015 Emporia Police Department

3	13A-Aggravated Assault
15	13B-Simple Assault
2	13C-Intimidation
1	220-Burglary/Breaking & Entering
11	23C-Shoplifting
2	23D-Theft From Building
7	23H-All Other Larceny
1	250-Counterfeiting/Forgery
1	26A-False Pretenses/Swindle/Confidence Game
1	26B-Credit Card/Automatic Teller Machine Fraud
2	26E-Wire Fraud
15	290-Destruction/Damage/Vandalism of Property
17	35A-Drug/Narcotic Violations
4	520-Weapon Law Violations
2	90B-Curfew/Loitering/Vagrancy
3	90C-Disorderly Conduct
7	90D-Driving Under the Influence
4	90E-Drunkenness
1	90F-Family Offenses, Nonviolent
2	90J-Trespass of Real Property
71	90Z-All Other Offenses
	71           Unclassified 90Z

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172	Total Offenses Reported
156	Total Incidents Reported

## **Criminal Arrestees**

**July 2015**

Resident – 42

Non-resident - 30

**Noise complaints  
July 2015**

<b>Loud Music/Noise from Building – 5</b>	<b>no summons</b>
<b>Loud Music from Vehicle – 3</b>	<b>no summons</b>
<b>Fireworks – 1</b>	<b>no summons</b>

**CONSENT SEARCHES**

<b>DATE</b>	<b>RACE</b>	<b>REASON</b>	<b>RESULTS</b>	<b>ARREST</b>
<b>7/21/15</b>	<b>w/m</b>	<b>Traffic Violation</b>	<b>Smoking device</b>	<b>no</b>

## Schools

July 2015

E. Hicks and J. Turner took an on-line course through Crater: Effective Leadership on July 1.

All officers and animal control took Legal Update on-line through Crater in the month of July.

K. Prince took Law Enforcement In-Service training on-line through Crater July 1.

S. Allen, D. Shidell, and D. Seaborn attended Intoxilyzer Recert. in Blackstone July 20. T. Hawkins, B. Osborn, and W. King took it July 21.

B. Osborn, L. Carter, D. Shidell, and S. Allen attended Law Enforcement Supervisor II at Crater July 27-31.

## Emporia Animal Control Monthly Report

July 2015

**Dogs**

On Hand	<u>6</u>
Stray	<u>20</u>
Seized	<u>0</u>
Bite Cases	<u>1</u>
Surrendered by Owner	<u>4</u>
Transferred In	<u>0</u>
Born in Facility	<u>0</u>
DOA	<u>3</u>
Claimed by Owner	<u>2</u>
Adopted	<u>12</u>
Transferred Out	<u>7</u>
Died in Facility	<u>0</u>
Euthanized	<u>1</u>
Remain	<u>9</u>
<b><u>Wildlife</u></b>	
Wild or Fowl	<u>5</u>
DOA	<u>3</u>
Relocate	<u>2</u>
On-Hand	<u>0</u>
Euthanize	<u>0</u>

**Cats**

On Hand	<u>24</u>
Stray	<u>10</u>
Seized	<u>0</u>
Bite Cases	<u>0</u>
Surrendered by Owner	<u>0</u>
Transferred In	<u>0</u>
Born in Facility	<u>0</u>
DOA	<u>0</u>
Claimed by Owner	<u>0</u>
Adopted	<u>13</u>
Transferred Out	<u>11</u>
Died in Facility	<u>1</u>
Euthanized	<u>1</u>
Remain	<u>8</u>
<b><u>General</u></b>	
Calls Answered	<u>133</u>
Hours	<u>—</u>
Mileage	<u>—</u>
Verbal Warning	<u>3</u>
Summons Issued	<u>0</u>
Court Cases	<u>0</u>

Remarks \_\_\_\_\_

Prepared by: Joey Turner

2014-2015	HOURS	SUMMONS	COLLECTED*	2015-2016	HOURS	SUMMONS	COLLECTED*
JULY	530	1036	84,235.96	JULY	577	1146	31,405.29
AUGUST	635	1373	114,215.60	AUGUST			
SEPTEMBER	507	976	89,330.57	SEPTEMBER			
OCTOBER	684	1373	99,069.42	OCTOBER			
NOVEMBER	556	1113	107,202.91	NOVEMBER			
DECEMBER	547	1066	92,593.30	DECEMBER			
JANUARY	503	986	82,373.78	JANUARY			
FEBRUARY	405	791	119,876.58	FEBRUARY			
MARCH	521	1037	82,363.33	MARCH			
APRIL	655	1272	74,165.17	APRIL			
MAY	521	1050	105,062.60	MAY			
JUNE	519	1029	75,670.75	JUNE			
TOTAL	6583	13102	1,126,159.97	TOTAL	577	1146	31,405.29

\*\*\*The ticket numbers reflect overtime (selective enforcement) tickets for each month. Tickets written during regular duty are not included with these numbers.



## City of Emporia Sheriff's Office

201 South Main Street  
P. O. Box 511  
Emporia, VA 23847  
Phone: (434) 634-4671



From the Office of:

**Sheriff Sam C. Brown**

August 3, 2015

The Honorable Mayor  
City Manager  
Honorable Members of City Council

Dear Members of City Council:

The Emporia Sheriff's Office spent approximately 134 hours in General District and Juvenile & Domestic Relations Court in July, 2015. We served a total of 242 civil papers. These are broken down as follows:

<i>Capias</i>	1
<i>Detention Order</i>	1
<i>Debt</i>	18
<i>Detinue</i>	6
<i>Garnishments</i>	18
<i>Misdemeanor Warrants</i>	32
<i>Notice</i>	6
<i>Protective Order</i>	3
<i>Subpoena Duces Tecum</i>	1
<i>Show Cause</i>	17
<i>Support Order</i>	2
<i>Summons</i>	105
<i>Transportations</i>	10
<i>Unlawful detainer</i>	17
<i>Writ of FI FA</i>	1
<i>Writ of Possession</i>	1
<i>Writ of Possession and Fi Fa</i>	4

We collected \$0 Sheriff Fees for the month of July, 2015. We had 10 transports for the month.

Sincerely,

A handwritten signature in black ink, appearing to read "S. C. Brown".

Sam C. Brown, Sheriff  
City of Emporia

# **Data Inventory by FDID**

## **Report Parameters:**

**Report Period:** From 07/01/2015 to 07/31/2015

**Sort by:** Fire Dept ID

**State:** VA

**Report FDIDs\*:** 59500

\*Data from deactivated fire depts within the list was not included in the report.

# Data Inventory by FDID

Report Period: From 07/01/2015 to 07/31/2015

FDID: 59500

FD Name: Emporia Fire Dept.

	4.1	5.0	Valid	Invalid	No Act.	Released	Unreleased	Total
Number Of Incidents	0	32	32	0	0	0	32	32
Number Of Fires	0	2	2	0	0	0	0	2
Number Of Structure Fires	0	0	0	0	0	0	0	0
Number Of Civilian Casualties	0	0	0	0	0	0	0	0
Number Of Fire Serv Cas	0	0	0	0	0	0	0	0
Number Of EMS Incidents	0	14	14	0	0	0	14	14
Number Of HazMat Incidents	0	0	0	0	0	0	0	0
Number Of Wildland Incidents	0	0	0	0	0	0	0	0
Number Of Arson Incidents	0	0	0	0	0	0	0	0
Number Of Apparatus Records	0	0	0	0	0	0	0	0
Number Of Personnel Records	0	0	0	0	0	0	0	0

Numbers in the above grid (with the exception of Number of incidents) reflect counts of the data modules attached to the incidents selected for the report.

Exposure Incidents	0	0	0	0	0	0	0	0
Mutual Aid Given Incidents	0	3	3	0	0	0	3	3

# Data Inventory by FDID

Report Period: From 07/01/2015 to 07/31/2015

## REPORT GROUP TOTALS:

	4.1	5.0	Valid	Invalid	No Act.	Released	Unreleased	Total
Number Of Incidents	0	32	32	0	0	0	32	32
Number Of Fires	0	2	2	0	0	0	0	2
Number Of Structure Fires	0	0	0	0	0	0	0	0
Number Of Civilian Casualties	0	0	0	0	0	0	0	0
Number Of Fire Serv Cas	0	0	0	0	0	0	0	0
Number Of EMS Incidents	0	14	14	0	0	0	14	14
Number Of HazMat Incidents	0	0	0	0	0	0	0	0
Number Of Wildland Incidents	0	0	0	0	0	0	0	0
Number Of Arson Incidents	0	0	0	0	0	0	0	0
Number Of Apparatus Records	0	0	0	0	0	0	0	0
Number Of Personnel Records	0	0	0	0	0	0	0	0

Numbers in the above grid (with the exception of Number of incidents) reflect counts of the data modules attached to the incidents selected for the report.

Exposure Incidents	0	0	0	0	0	0	0	0
Mutual Aid Given Incidents	0	3	3	0	0	0	3	3



# CITY OF EMPORIA

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## Memorandum

August 14, 2015

**TO:** The Honorable Mayor and City Council

**FROM:** Brian S. Thrower, City Manager *BST*

**SUBJECT:** Zoning Code Amendments – Floodplain Ordinance

**ITEM #:** 15-55

I have been working with Virginia Department of Conservation and Recreation (DCR) staff to update the City's Floodplain Ordinance in accordance with Federal Emergency Management Agency (FEMA) regulations. Attached is the revised ordinance that meets current FEMA requirements. At your July 21, 2015 meeting you tabled this item. Charles Kline, Floodplain Program Planner, with DCR is in attendance to provide you with a brief overview of the amendments.

### Recommendation

I recommend you adopt the attached ordinance amending the City's floodplain regulations. At its August 11, 2015 meeting the Planning Commission also voted (7 to 1) to recommend approval of this request.

### Attachment

Revised Floodplain Ordinance

**Ordinance**

**AN ORDINANCE TO AMEND CHAPTER 90, ARTICLE VI  
OF THE CODE OF THE CITY OF EMPORIA, VIRGINIA**

**BE IT ORDAINED** by the City Council of the City of Emporia, Virginia, in regular assembly that:

Chapter 90, Article VI of the Code be amended and re-enacted to read as follows:

**ARTICLE VI. - FLOODPLAIN ZONING REGULATIONS**

**FOOTNOTE(S):**

--- (3) ---

**Editor's note**— Ord. No. 09-44, adopted July 21, 2009, amended Art. VI in its entirety, in effect deleting Art. VI and enacting a new Art. VI to read as set out herein Former Art. VI pertained to similar subject matter and derived from Ord. No. 09-16, adopted June 2, 2009.

**Cross reference**— Buildings and building regulations, ch. 14; conformity of subdivision to floodplain regulations, § 66-110.

**State Law reference**— Flood protection and dam safety, Code of Virginia, § 10.1-600 et seq.

**Sec. 90-181. — Authorization and Purpose of article.**

This ordinance is adopted pursuant to the authority granted to localities by Va. Code § 10.1 – 600.

- (a) The purpose of this article is to prevent the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base by:
- (1) Regulating uses, activities, and development which, alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities and frequencies.
  - (2) Restricting or prohibiting certain uses, activities and development from locating within areas subject to flooding.
  - (3) Requiring all those uses, activities and developments that do occur in floodprone areas to be protected and/or floodproofed against flooding and flood damage.
  - (4) Protecting individuals from buying lands and structures which are unsuited for intended purposes because of flood hazards.
- (b) *Definitions.*

Appurtenant or accessory structure. Accessory structures not to exceed 200 sq. ft.

*Base flood.* The flood having a one percent chance of being equaled or exceeded in any given year.

Base flood elevation. The water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year. The water surface elevation of the base

flood in relation to the datum specified on the community's Flood Insurance Rate Map. For the purposes of this ordinance, the base flood is the 1% annual chance flood. The Federal Emergency Management Agency designated 100-year water surface elevation.

*Basement.* Any area of the building having its floor sub-grade (below ground level) on all sides.

*Board of zoning appeals.* The board appointed to review appeals made by individuals with regard to decisions of the zoning administrator in the interpretation of this article.

*Development.* Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

*Elevated building.* A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, or columns (posts and piers).

*Encroachment.* The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

*Existing construction.* Structures for which the "start of construction" commenced before the effective date of the city's initial FIRM, February 2, 1989. "Existing construction" may also be referred to as "existing structures."

*Existing manufactured home park or subdivision.* A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

*Expansion to an existing manufactured home park or subdivision.* The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

*Flood or flooding.*

- (1) A general and temporary condition of partial or complete inundation of normally dry land areas from:
  - a. The overflow of inland or tidal waters; or,
  - b. The unusual and rapid accumulation or runoff of surface waters from any source.
- (2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in subsection (1)a of this definition.
- (3) Mudflows which are proximately caused by flooding as defined in subsection (2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current. Flood insurance rate map (FIRM). An official map of a community on which the administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.

*Flood Insurance Rate Map (FIRM).* An official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

**Flood insurance study (FIS).** An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudflow and/or flood-related erosion hazards.

**Floodplain or flood-prone area.** Any land area susceptible to being inundated by water from any source.

**Floodproofing.** Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**Floodway.** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [CBK1]

**Freeboard.** A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed.

**Highest adjacent grade.** The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**Historic structure.** Any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - a. By an approved state program as determined by the Secretary of the Interior; or
  - b. Directly by the Secretary of the Interior in states without approved programs.

Hydrologic and Hydraulic Engineering Analysis. Analyses performed by a licensed professional engineer, in accordance with standard engineering practices that are accepted by the Virginia Department of Conservation and Recreation and FEMA, used to determine the base flood, other frequency floods, flood elevations, floodway information and boundaries, and flood profiles.

Letters of Map Change (LOMC). A Letter of Map Change is an official FEMA determination, by letter, that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

Letter of Map Amendment (LOMA). An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a Land as defined by meets and bounds or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR). A revision based on technical data that may show changes to flood zones, flood elevations, floodplain and floodway delineations, and

planimetric features. A Letter of Map Revision Based on Fill (LOMR-F), is a determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer exposed to flooding associated with the base flood. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Conditional Letter of Map Revision (CLOMR). A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study.

Lowest adjacent grade. The lowest natural elevation of the ground surface next to the walls of a structure.

**Lowest floor.** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR § 60.3.

**Manufactured home.** A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term manufactured home also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

**Manufactured home park or subdivision.** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**New construction.** For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of ~~an initial flood insurance rate map on or after December 31, 1974, whichever is later~~ February 2<sup>nd</sup>, 1989, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

**New manufactured home park or subdivision.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Post-FIRM structures. A structure for which construction or substantial improvement occurred after February 2<sup>nd</sup>, 1989 whichever is later.

Pre-FIRM structures. A structure for which construction or substantial improvement occurred on or before February 2<sup>nd</sup>, 1989.

**Recreational vehicle.** A vehicle which is:

- (1) Built on a single chassis;
- (2) Four hundred square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light duty truck; and

- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.

Repetitive Loss Structure. A building covered by a contract for flood insurance that has incurred flood-related damages on two occasions, in which the cost of the repair, on the average, equaled or exceeded 25 percent of the market value of the structure at the time of each such flood event; and at the time of the second incidence of flood-related damage, the contract for flood insurance contains increased cost of compliance coverage.

Severe repetitive loss structure. A structure that: (a) Is covered under a contract for flood insurance made available under the NFIP; and (b) Has incurred flood related damage – (i) For which 4 or more separate claims payments have been made under flood insurance coverage with the amount of each such claim exceeding \$5,000, and with the cumulative amount of such claims payments exceeding \$20,000, or (ii) For which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the market value of the insured structure.

Special flood hazard area. The land in the floodplain subject to a one percent or greater chance of being flooded in any given year as determined in section 90-186(2).

Start of construction. The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure. For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Structure, for insurance rating purposes, means a walled and roofed building, other than a gas or liquid storage tank, that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

Substantial damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
- (2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.
- (3) Historic structures undergoing repair or rehabilitation, that would constitute a substantial improvement as defined above, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic

Places on the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

Violation. Means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

*Watercourse.* A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

~~Violation. Means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.~~

(Ord. No. 09-44, 7-21-09)

#### Sec. 90-182. - Applicability of article.

This article shall apply to all lands within the jurisdiction of the city and identified as being in the ~~100-year floodplain~~ Special Flood Hazard Area by the Federal Emergency Management Agency.

(Ord. No. 09-44, 7-21-09)

#### Sec. 90-183. - Compliance with article and liability of city.

- (a) After the effective date of this article, no land shall be developed, and no structure shall be located, relocated, constructed, reconstructed, enlarged or structurally altered except in full compliance with the terms and provisions of this article and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this article.
- (b) The degree of flood protection sought by the provisions of this article is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This article does not imply that areas outside the floodplain districts, or that land uses permitted within such districts, will be free from flooding or flood damages.
- (c) This article shall not create liability on the part of the city or any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made under this article.
- (d) Records of actions associated with administering this article shall be kept on file and maintained by the City of Emporia.

(Ord. No. 09-44, 7-21-09)

#### Sec. 90-184. - Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this article shall be declared invalid for any reason whatever, such decision shall not affect the remaining portions of this article. The remaining portions shall remain in full force and effect; and for this purpose, the provisions of this article are hereby declared to be severable.

(Ord. No. 09-44, 7-21-09)

#### Sec. 90-185. - Abrogation and greater restrictions.

This article supersedes any ordinance currently in effect in ~~100-year one-percent annual chance~~ floodplain areas. However, any underlying ordinance shall remain in full force and effect to the extent that its provisions are more restrictive than this article.

(Ord. No. 09-44, 7-21-09)

Sec. 90-186. - Description of districts.

- (a) *Basis of districts.* The various floodplain districts shall include areas subject to inundation by waters of the ~~100-year one-percent annual chance~~ flood. The basis for the delineation of these districts shall be the "Flood Insurance Study and Flood Insurance Rate Map for the City of Emporia," prepared by the Federal Emergency Management Agency, dated July 7, 2009, and any subsequent revisions or amendments thereto. On this map, the ~~100-year one-percent annual chance~~ floodplain boundary corresponds to the boundary of the areas of special flood hazards (zones A and AE).

The city may identify and regulate local flood hazard or ponding areas that are not delineated on the FIRM. These areas may be delineated on a "Local Flood Hazard Map" using best available topographic data and locally derived information such as flood of record, historic high water marks or approximate study methodologies.

The boundaries of the SFHA Districts are established as shown on the FIRM which is declared to be a part of this ordinance and which shall be kept on file at the city offices.

- (1) The floodway district is delineated, for purposes of this article, using the criterion that certain areas within the floodplain must be capable of carrying the waters of the ~~100-year flood one-percent annual chance flood~~ without increasing the water surface elevation of that flood more than one foot at any point. The areas included in this district are specifically defined in Table 1 of the above-referenced flood insurance study and shown on the accompanying flood insurance rate map.
  - (2) The special floodplain district shall be those areas identified as an AE zone on the maps accompanying the flood insurance study for which ~~100-year flood one-percent annual chance~~ elevations have been provided.
  - (3) The approximated floodplain district shall be those areas identified as an A or A99 zone on the maps accompanying the flood insurance study. In these zones, no detailed flood profiles or elevations are provided, but the ~~100-year flood plain one-percent annual chance floodplain~~ boundary has been approximated.
- (b) *Overlay concept.* The overlay concept is as follows:
- (1) The floodplain districts described above shall be overlays to the existing underlying districts as shown on the official zoning map, and, as such, the provisions for the floodplain district shall serve as a supplement to the underlying district provisions.
  - (2) If any conflict exists between the provisions or requirements of the floodplain districts and those of any underlying district, the more restrictive provisions and/or those pertaining to the floodplain districts shall apply.

(Ord. No. 09-44, 7-21-09)

Sec. 90-187. - District boundary changes.

The delineation of any floodplain districts may be revised by the city council where natural or manmade changes have occurred and/or where more detailed studies have been conducted or undertaken by the U.S. Army Corps of Engineers, or other qualified agency or individual documents the need or possibility for such change. However, prior to any such change, approval must be obtained from the Federal Insurance Administration.

(Ord. No. 09-44, 7-21-09)

Sec. 90-188. - Submitting technical data.

A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.

(Ord. No. 09-44, 7-21-09)

**Sec. 90-189. - Interpretation of district boundaries.**

Initial interpretations of the boundaries of the floodplain districts shall be made by the zoning administrator. Should a dispute arise concerning the boundaries of any of the districts, the board of zoning appeals shall make the necessary determination. The person questioning or contesting the location of the district boundary shall be given a reasonable opportunity to present his case to the board and to submit his own technical evidence if he so desires.

(Ord. No. 09-44, 7-21-09)

**Sec. 90-190. - District provisions.**

- (a) All uses, activities and development occurring within any floodplain district shall be undertaken only with the issuance of a zoning permit. Such development shall be undertaken only in strict compliance with the provisions of this article and with all other applicable codes and ordinances, such as chapter 66 and the Virginia Uniform Statewide Building Code. Prior to the issuance of any such permit, the zoning administrator shall require all applications to include compliance with all applicable state and federal laws and shall review all sites to assure they are reasonably safe from flooding. Under no circumstances shall any use, activity and/or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch or any other drainage facility or system.
- (b) Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this city, approval shall be obtained from the division of dam safety and floodplain management (department of conservation and recreation). A permit from the U.S. Army Corps of Engineers and the Marine Resources Commission and certification from the state water control board may be necessary (a joint permit application is available from any one of these three organizations). Further notification of the proposal shall be given to all affected adjacent municipalities. Copies of such notification shall be provided to the division of dam safety and floodplain management (department of conservation and recreation) and the Federal Emergency Management Agency.
- (c) All applications for development in the floodplain district and all building permits issued for the floodplain shall incorporate the following information:
  - (1) For structures that have been elevated, the elevation of the lowest floor, including the basement.
  - (2) For structures that have been floodproofed (nonresidential only), the elevation to which the structure has been floodproofed.
  - (3) The elevation of the 100-year flood. Base Flood at the site.
  - (4) Topographic information showing existing and proposed ground elevations.
- (d) All manufactured homes to be placed or substantially improved within the floodplain district shall be placed on a permanent foundation and elevated and anchored in accordance with the Virginia Uniform Statewide Building Code.
- (e) New construction and substantial improvements shall be according to this ordinance and the VA USBC, and anchored to prevent flotation, collapse or lateral movement of the structure.
- (f) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

- (g) New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (h) Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (i) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (j) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (k) The flood carrying capacity within an altered or relocated portion of any watercourse shall be maintained.

(Ord. No. 09-44, 7-21-09)

**State law reference**— State water control board, Code of Virginia, § 62.1-44.7 et seq.

**Sec. 90-191. - Floodway district.**

- (a) *Generally.* In the floodway district, no development shall be permitted except where the effect of such development on flood heights is fully offset by accompanying improvements which have been approved by all appropriate local and/or state authorities, as required in this article.
- (b) *Permitted uses.* In the floodway district, the following uses and activities are permitted, provided that they are in compliance with the provisions of the underlying district and are not prohibited by any other ordinance, and provided that they do not require structures, fill or storage of materials and equipment:
  - (1) Agricultural uses, such as general farming, pasture, grazing, outdoor-plant nurseries, horticulture, truck farming, forestry, sod farming and wild crop harvesting.
  - (2) Public and private recreational uses and activities, such as parks, day camps, picnic grounds, golf courses, boat launching and swimming area, horseback riding and hiking trails, wildlife and nature preserves and hunting and fishing areas.
  - (3) Accessory residential uses, such as yard areas, gardens, play areas and parking areas.
  - (4) Accessory industrial and commercial uses, such as yard areas, previous parking and loading areas, etc.

(Ord. No. 09-44, 7-21-09)

**Sec. 90-192. - Standards for the special floodplain district.**

The following provisions shall apply within the special floodplain district:

- (1) Until a regulatory floodway is designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within the areas of special flood hazard, designated as zones A and AE on the flood rate insurance map, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the city.
- (2) Development activities in zones A and AE on the city's flood insurance rate map which increase the water surface elevation of the base flood by more than one foot may be allowed, provided that the applicant first applies — with the city's endorsement — for a conditional flood insurance rate map revision, and receives the approval of the Federal Emergency Management Agency.
- (3) The approximated floodplain district shall be that floodplain area for which no detailed flood profiles or elevations are provided, but where a ~~100-year~~one-percent annual chance floodplain

boundary has been approximated. Such areas are shown as zone A on the maps accompanying the flood insurance study. For these areas, the 100-year one-percent annual chance flood elevations and floodway information from federal, state, and other acceptable sources shall be used, when available. Where the specific 100-year one-percent annual chance flood elevation cannot be determined for this area using other sources of data, such as the U. S. Army Corps of Engineers Floodplain Information Reports, U. S. Geological Survey Flood-Prone Quadrangles, etc., then the applicant for the proposed use, development and/or activity shall determine this elevation in accordance with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently-accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the zoning administrator.

- (4) When such base flood elevation data is utilized, the lowest floor shall be two feet above the base flood elevation. During the permitting process, the zoning administrator shall obtain:
- a. The elevation of the lowest floor (including the basement) of all new and substantially improved structures; and,
  - b. If the structure has been flood-proofed in accordance with the requirements of this article, the elevation to which the structure has been floodproofed. All floodproofing must be certified by a professional engineer.

(Ord. No. 09-44, 7-21-09)

**Sec. 90-193. - Design criteria for utilities and facilities.**

- (a) *Sanitary sewer facilities.* All new or replacement sanitary sewer facilities and private package sewage treatment plants (including all pumping stations and collector systems) shall be designed to minimize or eliminate the infiltration of floodwaters into the systems and discharges from the systems into the floodwaters. In addition, they shall be located and constructed to minimize or eliminate flood damage and impairment.
- (b) *Water facilities.* All new or replacement water facilities shall be designed to minimize or eliminate the infiltration of floodwaters into the system and be located and constructed to minimize or eliminate flood damages.
- (c) *Drainage facilities.* All storm drainage facilities shall be designed to convey the flow or surface waters without damage to persons or property. The systems shall ensure drainage away from buildings and onsite waste disposal sites. The city council may require a primarily underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.
- (d) *Utilities.* All utilities, such as gas lines, electrical and telephone systems, being placed in 100-year one-percent annual chance floodplain areas shall be located, elevated (where possible), and constructed to minimize the chance of impairment during a flood occurrence.
- (e) *Streets and sidewalks.* Streets and sidewalks shall be designed to minimize their potential for increasing and aggravating the levels of flood flow. Drainage openings shall be required to sufficiently discharge flood flows without unduly increasing flood heights.

(Ord. No. 09-44, 7-21-09)

**Sec. 90-194. - Base flood elevation determined.**

In all special flood hazard areas where base flood elevations have been provided in the flood insurance study or generated according to section 90-192(c), the following provisions shall apply:

- (1) *Residential construction.* New construction or substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor, including basement, elevated no lower than two feet above the base flood elevation.
- (2) *Non-residential construction.* New construction or substantial improvement of any commercial, industrial, or non-residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than two feet above the base flood elevation. Buildings located in all A and AE zones may be floodproofed in lieu of being elevated provided that all areas of the building components below the elevation corresponding to the BFE plus one foot are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied.
- (3) *Elevated buildings.* Enclosed areas, of new construction or substantially improved structures, which are below-the regulatory flood protection elevation shall:
  - a. Not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator).
  - b. Be constructed entirely of flood resistant materials below the regulatory flood protection elevation;
  - c. Include, in zones A and AE, measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet the following minimum design criteria:
    1. Provide a minimum of two openings on different sides of each enclosed area subject to flooding.
    2. The total net area of all openings must be at least one square inch for each square foot of enclosed area subject to flooding.
    3. If a building has more than one enclosed area, each area must have openings to allow floodwaters to automatically enter and exit.
    4. The bottom of all required openings shall be no higher than one foot above the adjacent grade.
    5. Openings may be equipped with screens, louvers, or other opening coverings or devices, provided they permit the automatic flow of floodwaters in both directions.
    6. Foundation enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires openings as outlined above.

(Ord. No. 09-44, 7-21-09)

Sec. 90-195. - Variances; factors to be considered.

- (a) In passing upon applications for variances, the board of zoning appeals shall satisfy all relevant factors and procedures specified in other sections of this chapter and consider the following additional factors:
  - (1) The danger to life and property due to increased flood heights or velocities caused by encroachments. No variance shall be granted for any proposed use, development or activity within the floodway district that will cause any increase in flood levels during the 100-year-one-percent annual chance flood.

- (2) The danger that materials may be swept onto other lands or downstream to the injury of others.
  - (3) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
  - (4) The susceptibility of the proposed facility and its contents to flood damage, and the effect of such damage on the individual owners.
  - (5) The importance of the services provided by the proposed facility to the community.
  - (6) The requirements of the facility for a waterfront location.
  - (7) The availability of alternative locations not subject to flooding for the proposed use.
  - (8) The compatibility of the proposed use with existing development, and development anticipated in the foreseeable future.
  - (9) The relationship of the proposed use to the comprehensive plan, and the floodplain management program for the area.
  - (10) The safety of access by ordinary and emergency vehicles to the property in time of flood.
  - (11) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters expected at the site.
  - (12) The repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
  - (13) Such other factors which are relevant to the purposes of this article.
- (b) The board of zoning appeals may refer any application and accompanying documentation pertaining to any request for a variance to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities, and the adequacy of the plans for flood protection and other related matters.
- (c) Variances shall be issued only after the board of zoning appeals has determined that the granting of such will not result in:
- (1) Unacceptable or prohibited increases in flood heights;
  - (2) Additional threats to public safety;
  - (3) Extraordinary public expense; and will not:
    - a. Create nuisances, cause fraud or victimization of the public; or
    - b. Conflict with local laws or ordinances.
- (d) Variances shall be issued only after the board of zoning appeals has determined that the variance will be the minimum required to provide relief from hardship.
- (e) The board of zoning appeals shall notify the applicant for a variance, in writing, that the issuance of a variance to construct a structure below the 100-year floodbase flood elevation:
- (1) Increases the risks to life and property; and
  - (2) Will result in increased premium rates for flood insurance.
- (f) A record shall be maintained of the notification contained in subsection (e) of this section, as well as all variance actions, including justification for the issuance of the variances. Any variances which are issued shall be stated in the annual or biennial report submitted to the Federal Insurance Administration.

(Ord. No. 09-44, 7-21-09)

Sec. 90-196. - Existing structures in floodplain districts.

A structure or use of a structure or premises which lawfully existed before the enactment of this ordinance, but which is not in conformity with this article, may be continued, subject to the following conditions:

- (1) Existing structures and/or uses located in the floodway district shall not be expanded or enlarged, unless the effect of the proposed expansion or enlargement on flood heights is fully offset by accompanying improvements.
- (2) Any modification, alteration, repair, reconstruction or improvement of any kind to a structure, and/or use located in any floodplain district to an extent or amount of less than 50 percent of its market value, shall be elevated and/or floodproofed to the greatest extent possible.
- (3) The modification, alteration, repair, reconstruction or improvement of any kind to a structure and/or use, regardless of its location in a floodplain district, to an extent or amount of 50 percent or more of its market value shall be undertaken only in full compliance with the provisions of the Virginia Uniform Statewide Building Code.
- (4) Uses or adjuncts thereof which are or become nuisances shall not be permitted to continue.

(Ord. No. 09-44, 7-21-09)

Sec. 90-197. - Standards for manufactured homes and recreational vehicles.

- (a) All manufactured homes placed, or substantially improved, on individual lots or parcels, in expansions to existing manufactured home parks or subdivisions, in a new manufactured home park or subdivision or in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as the result of a flood, must meet all the requirements for new construction, including the elevation and anchoring requirements.
- (b) All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision in which a manufactured home has not incurred substantial damage as the result of a flood shall be elevated so that ~~either (1)~~ the lowest floor of the manufactured home is elevated no lower than two feet above the base flood elevation and be securely anchored to the adequately anchored foundation system to resist flotation, collapse and lateral movement ~~-or~~
  - ~~(1) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade. [CBK3]~~
  - ~~(2) And be securely anchored to the adequately anchored foundation system to resist flotation, collapse and lateral movement.~~
- (c) All recreational vehicles placed on sites must either:
  - (1) Be on the site for fewer than 180 consecutive days;
  - (2) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions); or,
  - (3) Meet all the requirements for manufactured homes.

(Ord. No. 09-44, 7-21-09)

Sec. 90-198. - Standards for subdivision proposals.

- (a) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- (c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (d) Base flood elevation data shall be obtained from other sources or developed using detailed methodologies, hydraulic and hydrologic analysis, comparable to those contained in a Flood Insurance

Study for subdivision proposals and other proposed development proposals (including manufactured home parks and subdivisions) that exceed fifty lots or five acres, whichever is the lesser.

(Ord. No. 09-44, 7-21-09)

**Sec. 90-199. - Penalty for violation.**

- (a) Any person who fails to comply with any of the requirements or provisions of this article or directions of the director of planning or any authorized employee of the city shall be guilty of a violation in accordance with section 90-5
- (b) In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this article. The imposition of a fine or penalty for any violation of, or noncompliance with, this article shall not excuse the violation or noncompliance or permit it to continue; and all such persons shall be required to correct or remedy such violations or noncompliance within a reasonable time. Any structure constructed, reconstructed, enlarged, altered or relocated in noncompliance with this article may be declared by the city [to] be a public nuisance and abatable as such. Flood insurance may be withheld from structures constructed in violation of this article.

(Ord. No. 09-44, 7-21-09)

**Sec. 90-200 – Administration.**

**(a) Designation of the Floodplain Administrator [44 CFR 59.22(b)]**

The Zoning Administrator is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator. The Floodplain Administrator may:

(1) Do the work themselves.

(2) Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees.

(3) Enter into a written agreement or written contract with another community or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.

**(b) Duties and Responsibilities of the Floodplain Administrator [44 CFR 60.3]**

The duties and responsibilities of the Floodplain Administrator shall include but are not limited to:

(1) Review applications for permits to determine whether proposed activities will be located in the Special Flood Hazard Area (SFHA).

(2) Interpret floodplain boundaries and provide available base flood elevation and flood hazard information.

(3) Review applications to determine whether proposed activities will be reasonably safe from flooding and require new construction and substantial improvements to meet the requirements of these regulations.

(4) Review applications to determine whether all necessary permits have been obtained from the Federal, State or local agencies from which prior or concurrent approval is required; in particular, permits from state agencies for any construction, reconstruction, repair, or alteration of a dam, reservoir, or waterway obstruction (including bridges, culverts, structures), any alteration of a watercourse, or any change of the course, current, or cross section of a stream or body of water, including any change to the one-percent annual chance floodplain of free-flowing non-tidal waters of the State.

(5) Verify that applicants proposing an alteration of a watercourse have notified adjacent communities, the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), and other appropriate agencies (VADEQ, USACE) and have submitted copies of such notifications to FEMA.

(6) Advise applicants for new construction or substantial improvement of structures that are located within an area of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act that Federal flood insurance is not available on such structures; areas subject to this limitation are shown on Flood Insurance Rate Maps as Coastal Barrier Resource System Areas (CBRS) or Otherwise Protected Areas (OPA).

(7) Approve applications and issue permits to develop in flood hazard areas if the provisions of these regulations have been met, or disapprove applications if the provisions of these regulations have not been met.

(8) Inspect or cause to be inspected, buildings, structures, and other development for which permits have been issued to determine compliance with these regulations or to determine if non-compliance has occurred or violations have been committed.

(9) Review Elevation Certificates and require incomplete or deficient certificates to be corrected.

(10) Submit to FEMA, or require applicants to submit to FEMA, data and information necessary to maintain FIRMs, including hydrologic and hydraulic engineering analyses prepared by or for the city within six months after such data and information becomes available if the analyses indicate changes in base flood elevations.

(11) Maintain and permanently keep records that are necessary for the administration of these regulations, including:

a. Flood Insurance Studies, Flood Insurance Rate Maps (including historic studies and maps and current effective studies and maps) and Letters of Map Change; and

b. Documentation supporting issuance and denial of permits, Elevation Certificates, documentation of the elevation (in relation to the datum on the FIRM) to which structures have been floodproofed, other required design certifications, variances, and records of enforcement actions taken to correct violations of these regulations.

(12) Enforce the provisions of these regulations, investigate violations, issue notices of violations or stop work orders, and require permit holders to take corrective action.

(13) Advise the Board of Zoning Appeals regarding the intent of these regulations and, for each application for a variance, prepare a staff report and recommendation.

(14) Administer the requirements related to proposed work on existing buildings:

a. Make determinations as to whether buildings and structures that are located in flood hazard areas and that are damaged by any cause have been substantially damaged.

b. Make reasonable efforts to notify owners of substantially damaged structures of the need to obtain a permit to repair, rehabilitate, or reconstruct, and prohibit the non-compliant repair of substantially damaged buildings except for temporary emergency protective measures necessary to secure a property or stabilize a building or structure to prevent additional damage.

(15) Undertake, as determined appropriate by the Floodplain Administrator due to the circumstances, other actions which may include but are not limited to: issuing press releases, public service announcements, and other public information materials related to permit requests and repair of damaged structures; coordinating with other Federal, State, and local agencies to assist with substantial damage determinations; providing owners of damaged structures information related to the proper repair of damaged structures in special flood hazard areas; and assisting property owners with documentation necessary to file claims for Increased Cost of Compliance coverage under NFIP flood insurance policies.

(16) Notify the Federal Emergency Management Agency when the corporate boundaries of the city have been modified and:

a. Provide a map that clearly delineates the new corporate boundaries or the new area for which the authority to regulate pursuant to these regulations has either been assumed or relinquished through annexation; and

b. If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.

(17) Upon the request of FEMA, complete and submit a report concerning participation in the NFIP which may request information regarding the number of buildings in the SFHA, number of permits issued for development in the SFHA, and number of variances issued for development in the SFHA.

(18) It is the duty of the Community Floodplain Administrator to take into account flood, mudslide and flood-related erosion hazards, to the extent that they are known, in all official actions relating to land management and use throughout the entire jurisdictional area of the Community, whether or not those hazards have been specifically delineated geographically (e.g. via mapping or surveying).

(c) Use and Interpretation of FIRMs [44 CFR 60.3]

The Floodplain Administrator shall make interpretations, where needed, as to the exact location of special flood hazard areas, floodplain boundaries, and floodway boundaries. The following shall apply to the use and interpretation of FIRMs and data:

(1) Where field surveyed topography indicates that adjacent ground elevations:

a. Are below the base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as special flood hazard area and subject to the requirements of these regulations;

b. Are above the base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the SFHA.

(2) In FEMA-identified special flood hazard areas where base flood elevation and floodway data have not been identified and in areas where FEMA has not identified SFHAs, any other flood hazard data available from a Federal, State, or other source shall be reviewed and reasonably used.

(3) Base flood elevations and designated floodway boundaries on FIRMs and in FISs shall take precedence over base flood elevations and floodway boundaries by any other sources if such sources show reduced floodway widths and/or lower base flood elevations.

(4) Other sources of data shall be reasonably used if such sources show increased base flood elevations and/or larger floodway areas than are shown on FIRMs and in FISs.

(5) If a Preliminary Flood Insurance Rate Map and/or a Preliminary Flood Insurance Study has been provided by FEMA:

a. Upon the issuance of a Letter of Final Determination by FEMA, the preliminary flood hazard data shall be used and shall replace the flood hazard data previously provided from FEMA for the purposes of administering these regulations.

b. Prior to the issuance of a Letter of Final Determination by FEMA by FEMA, the use of preliminary flood hazard data shall be deemed the best available data pursuant to Section 3.1.A.3. and used where no base flood elevations and/or floodway areas are provided on the effective FIRM.

c. Prior to issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data is permitted where the preliminary base flood elevations or floodway areas exceed the

base flood elevations and/or designated floodway widths in existing flood hazard data provided by FEMA. Such preliminary data may be subject to change and/or appeal to FEMA.

(d) Jurisdictional Boundary Changes [44 CFR 59.22, 65.3]

The County floodplain ordinance in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements for participation in the National Flood Insurance Program. Municipalities with existing floodplain ordinances shall pass a resolution acknowledging and accepting responsibility for enforcing floodplain ordinance standards prior to annexation of any area containing identified flood hazards. If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.

In accordance with the Code of Federal Regulations, Title 44 Subpart (B) Section 59.22 (a) (9) (v) all NFIP participating communities must notify the Federal Insurance Administration and optionally the State Coordinating Office in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area.

In order that all Flood Insurance Rate Maps accurately represent the community's boundaries, a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority must be included with the notification.

(e) Letters of Map Revision

When development in the floodplain will cause or causes a change in the base flood elevation, the applicant, including state agencies, must notify FEMA by applying for a Conditional Letter of Map Revision and then a Letter of Map Revision.

Example cases:

- Any development that causes a rise in the base flood elevations within the floodway.
- Any development occurring in Zones A1-30 and AE without a designated floodway, which will cause a rise of more than one foot in the base flood elevation.
- Alteration or relocation of a stream (including but not limited to installing culverts and bridges) 44 Code of Federal Regulations §65.3 and §65.6(a)(12)

Secs. 90-~~200~~201—90-220. - Reserved.

Adopted: August 18, 2015

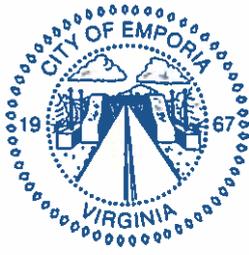
By \_\_\_\_\_  
Mary L. Person  
Mayor

Attest:

Form Approved:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney



# CITY OF EMPORIA

## Memorandum

August 14, 2015

**TO:** The Honorable Mayor and City Council  
**FROM:** Brian S. Thrower, City Manager *BST*  
**SUBJECT:** Electronic Summons System Assessment – Request to Adopt Ordinance  
**ITEM #:** 15-67

Virginia State Code Section 17.1-279.1 permits a locality's governing body to adopt an ordinance that will assess up to an additional \$5.00 as part of the costs in each criminal or traffic case in the locality's district or circuit courts. The funds shall be held for disbursement to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

The Emporia Police Department promotes traffic safety and enforces violations of criminal law on a daily basis. When motorists are stopped by police it adds an element of danger, as both the motorists and officers are exposed to passing traffic. An electronic summons system would lessen the chance of accidents during the course of traffic stops and would also provide the motorist with a faster and more efficient transaction.

An electronic summons system will improve efficiency and accuracy in the processing of summons. Our "dated" mobile hardware systems can be replaced/upgraded with these funds. It will allow electronic scanning of license information and immediate transmission to the State's electronic database. This will result in a more accurate data system and faster access to information by citizens and law enforcement. The demand for additional police department records personnel to enter summons information will be eliminated.

The accumulated funds will be held in a designated City account and will be utilized for the future purchase of electronic summons system equipment.

### Recommendation

I recommend that you adopt the attached ordinance.

### Attachments

Proposed Ordinance  
State Code Section 17.1-279.1

Ordinance No. \_\_\_\_\_

**AN ORDINANCE TO ENACT A CERTAIN SECTION OF THE CODE OF  
ORDINANCES OF THE CITY OF EMPORIA, VIRGINIA**

**AN ENACTMENT**

**BE IT ORDAINED** by the City Council of the City of Emporia, Virginia in regular session that the following section be enacted as follows:

**Chapter 26 Courts**

**Sec. 26-9. Assessment for Electronic Summons System**

There is hereby assessed an electronic summons system fee of Five dollars (\$5.00) as part of the costs in each criminal or traffic case in the city general district or circuit court in which the defendant is charged with a violation of any statute or ordinance. The assessment shall be collected by the clerk of the court in which the action is filed, remitted to the city treasurer, and held by such treasurer subject to appropriation by the city council to a local law-enforcement agency solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

**State law reference** – Additional assessment for electronic summons system. Code of Virginia, §17.1-279.1

This ordinance shall be in effect on and after its adoption.

Adopted: August 18, 2015

City of Emporia, Virginia

By \_\_\_\_\_  
Mary L. Person  
Mayor

Attest:

Form Approved:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

## § 17.1-279.1. Additional assessment for electronic summons system

Any county, city, or town, through its governing body, may assess an additional sum not in excess of \$5 as part of the costs in each criminal or traffic case in the district or circuit courts located where such cases are brought in which the defendant is charged with a violation of any statute or ordinance, which violation in the case of towns arose within the town. The imposition of such assessment shall be by ordinance of the governing body, which may provide for different sums in circuit courts and district courts. The assessment shall be collected by the clerk of the court in which the action is filed, remitted to the treasurer of the appropriate county, city, or town, and held by such treasurer subject to disbursements by the governing body to a local law-enforcement agency solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. The imposition of a town assessment shall replace any county fee that would otherwise apply.

2014, c. 325;2015, cc. 546, 643.



# **CITY OF EMPORIA**

## **Memorandum**

August 14, 2015

**TO:** The Honorable Mayor and City Council

**FROM:** Brian S. Thrower, City Manager *BST*

**SUBJECT:** Architectural Compatibility Review – 310 North Main Street

**ITEM #:** 15-68

Billy Soles seeks architectural compatibility review approval to construct a 9,544 square foot addition onto the rear of Calvary Baptist Church located at 310 North Main Street. This portion of the building was previously destroyed by a fire. According to the plans, the proposed addition will have a brick veneer which will match the existing sanctuary and annex. All other exterior building components appear to be compatible with the existing buildings on the property and in the area.

Section 90-80 (k) of the City's Zoning Code requires the Planning Commission to review the proposal for architectural compatibility and forward its recommendation to City Council. City Council is vested with final decision making authority.

### **Recommendation**

I recommend you approve this request. At its August 11, 2015 meeting the Planning Commission also voted (8 to 0) to recommend approval of this request.

### **Attachments**

Application  
Site and Addition Plans  
Photos of Existing Property  
Zoning and Aerial Maps  
Tax Map Information  
Sec. 90-80 (k) Dt Downtown District – Architectural Compatibility



City of Emporia  
Zoning Compliance  
201 South Main Street  
Emporia, VA 23847  
(434) 634-6315(O) (434) 634-0003 (F)

Permit Number 15-0000229  
Date 7/9/15  
Tax Map # 142-A-0-133-13  
Zoning District D7  
Enterprise Zone Yes No

**APPLICATION FOR A ZONING COMPLIANCE PERMIT**

Zoning permits are granted on the basis of specific applications or plans, and shall authorize only the construction, arrangement or use set forth by such approved applications or plans. Any construction, arrangement or use not in compliance with that which is specifically authorized by approval of this application shall be considered a zoning violation.

If you have any questions regarding the zoning ordinance or processes, please contact the Zoning Administrator at 434-634-3332.

**Application Type:**

- Zoning Compliance
- Zoning compliance for existing building
- Home occupation
- Plat Review
- Subdivision review
- Site plan review
- Vacation of right of way
- Erosion and sediment control plan review

Description of Request: SITE PLAN REVIEW

**Applicant/Agent Information :**

Is the applicant:  Property Owner (if property owner skip to next section)  Contract Purchaser  Other: \_\_\_\_\_

Agent(s): BILLY SOLES

Phone # (434) 634-6260

Address: 1700 SATTERFIELD DRIVE  
EMPORIA, VA 23847

Email Address: bsoles@lifseyinsurance.com

**Property Owner Information:**

Property Owner (s): CALVARY BAPTIST CHURCH

Phone # (434) 634-5009

Address: 300/310 NORTH MAIN STREET  
EMPORIA, VA 23847

Property owners mailing address (if this is different from that listed in the Assessor's Office)

Subject Parcel Information

Property Tax Parcel Number: TM 142A-133 Thru 138

Property Information 1.69 Ac.

Street Address of Property 306 N. MAIN STREET

Existing Use of Property CHURCH

Is the property located in a flood plain?  Yes  No If so, at what elevation? \_\_\_\_\_

Building Height(s) with Proposed Change NEW = 26' ±, EX. = 35' ±

Number of Dwelling Units/Density Calculations N/A

Number of Parking Spaces or Loading Berths Existing

Site Plan, Plot Plan or Reports Required by Zoning Ordinance Attached?  Yes  No

Zoning District:  R-1  R-2  R-3  C-1  C-2  I-1  I-2  DT  Other

List any deed restrictions, restrictive covenants, or other considerations involving the property. (If none, state "none")

This zoning application is accompanied by 2 copies of site plan/plot plan drawn to scale, showing the following:

- the actual dimensions of the parcel of land to be built upon;
- survey plat attached;
- the size and location of existing buildings on the lot;
- the size and location of proposed building(s) or alterations with required setbacks annotated;
- off-street parking to be provided;
- and such other information as may be deemed necessary by the zoning administrator;

Applicant(s) Remarks:

Please see siteplans, sheets 01 & 2 of 2.  
Dated April 30, 2015.

Application Fee: An application fee per the City of Emporia fee schedule (Sec.90-14 & Sec. 66-8) of the Emporia City Code must be paid upon submission of this application. All fees due the City must be paid before any action is taken. The fees are non-refundable.

In making this application, the Applicant requests that the City of Emporia approve the location, modifications, or construction of the above proposed special use on the property described above.

Property Owner Signature

Date

Agent Signature

Date

 7-8-15

3/4

*For Office Use by the City of Emporia Community Development & Planning*

Zoning/Subdivision Code (90-14 or 66-8): Fee Paid:

Copy of Receipt attached

Action Taken:

\_\_\_\_\_  
Zoning Administrator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Council

\_\_\_\_\_  
Date

Permit Fees

ZONING COMPLIANCE PERMIT	\$25.00
ZONING COMPLIANCE FOR EXISTING BUILDING	\$25.00
HOME OCCUPATION	\$25.00
PLAT APPROVAL	\$50.00
SITE PLAN REVIEW	\$200 + 25/acre or portion thereof
SUBDIVISION REVIEW - UNDER 5 LOTS (1-4)	\$25.00 each
SUBDIVISION REVIEW - OVER 5 LOTS	\$100 + 40/lot
VACATION OR RIGHT OF WAY, PLATS, EASEMENTS	\$50.00
EROSION AND SEDIMENT CONTROL PLAN REVIEW	Charged to developer - private review

(1.69 AC)(25) = 42.25  
 200  
 -----  
 \$242.25

CITY OF EMPORIA  
BUILDING PERMIT APPLICATION PLOT PLAN

Approval of plans is based on information submitted by the applicant. Any approval found to be procured by misrepresentation of facts or conditions, misstatements, or error in any or all application materials shall be deemed to void the building permit.

PROPOSED USE: Church

PLOT PLAN

Please see site plan sheets C1 & 2 of 2 dated April 30, 2015,

Front Yard Setbacks are measured from: \_\_\_\_\_ Street Centerline \_\_\_\_\_ Street Right-of-Way

I certify the above information is true and correct.

Signature of Applicant: [Signature] Date: 7-8-15

For Office Use Only

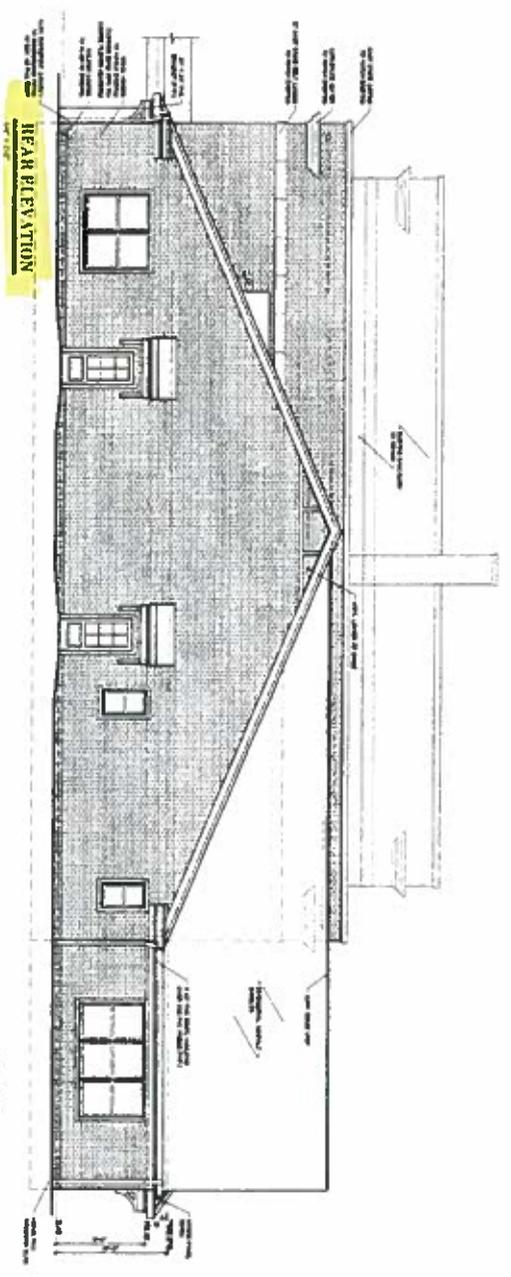
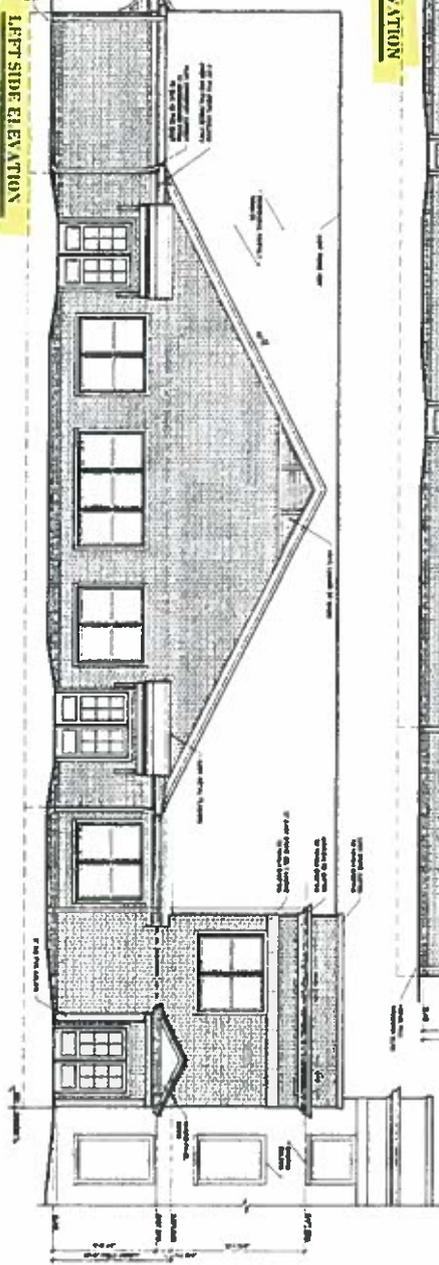
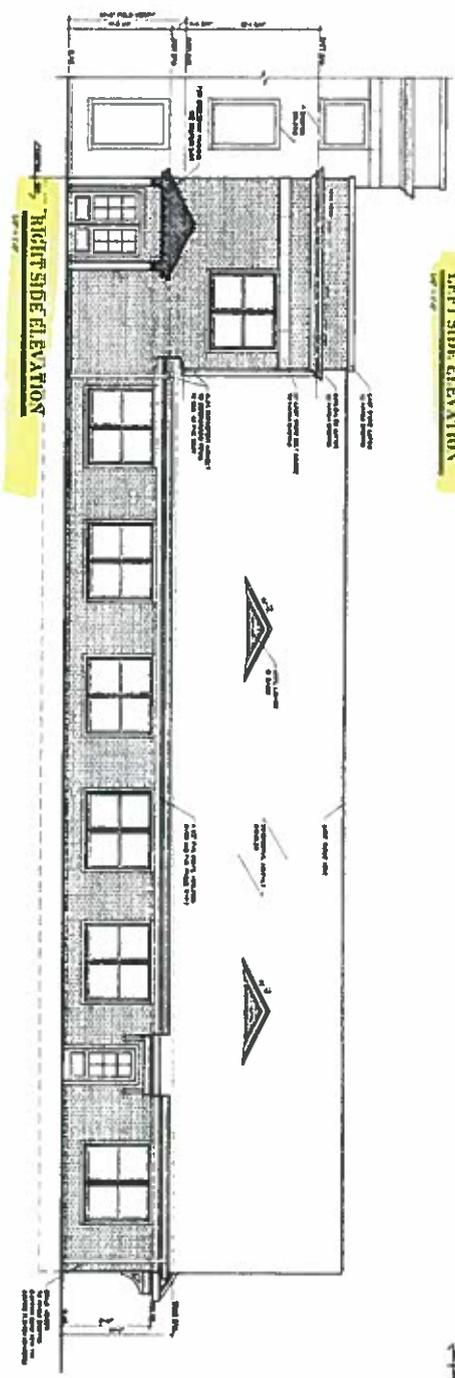
Departmental Approvals

Planning  Approved  Denied \_\_\_\_\_ Date \_\_\_\_\_

Building:  Approved  Denied \_\_\_\_\_ Date \_\_\_\_\_

E911 Street Address (new): \_\_\_\_\_



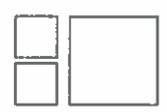


A4

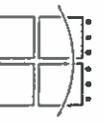
© 2014 The Architects  
 1000 North 10th Street  
 Arlington, VA 22201  
 Tel: 703.241.1234  
 Fax: 703.241.1235  
 www.mullinerandfoltz.com

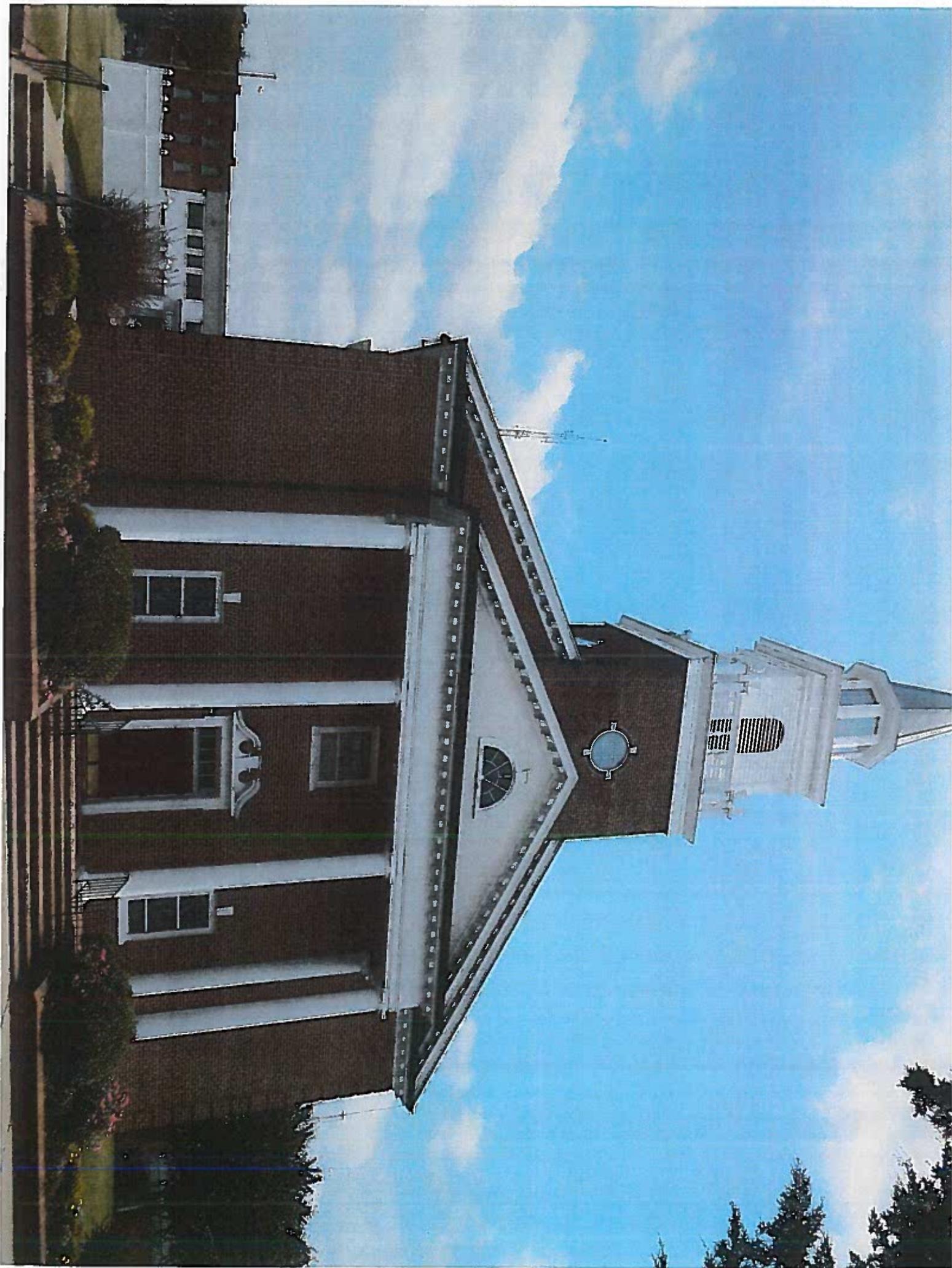
DATE	DESCRIPTION

**Calvary Baptist Church Addition**  
 506 North New Street  
 Empress, Virginia



Mulliner + Foltz  
 Architects, P.C.  
 1000 North 10th Street  
 Arlington, VA 22201  
 Tel: 703.241.1234











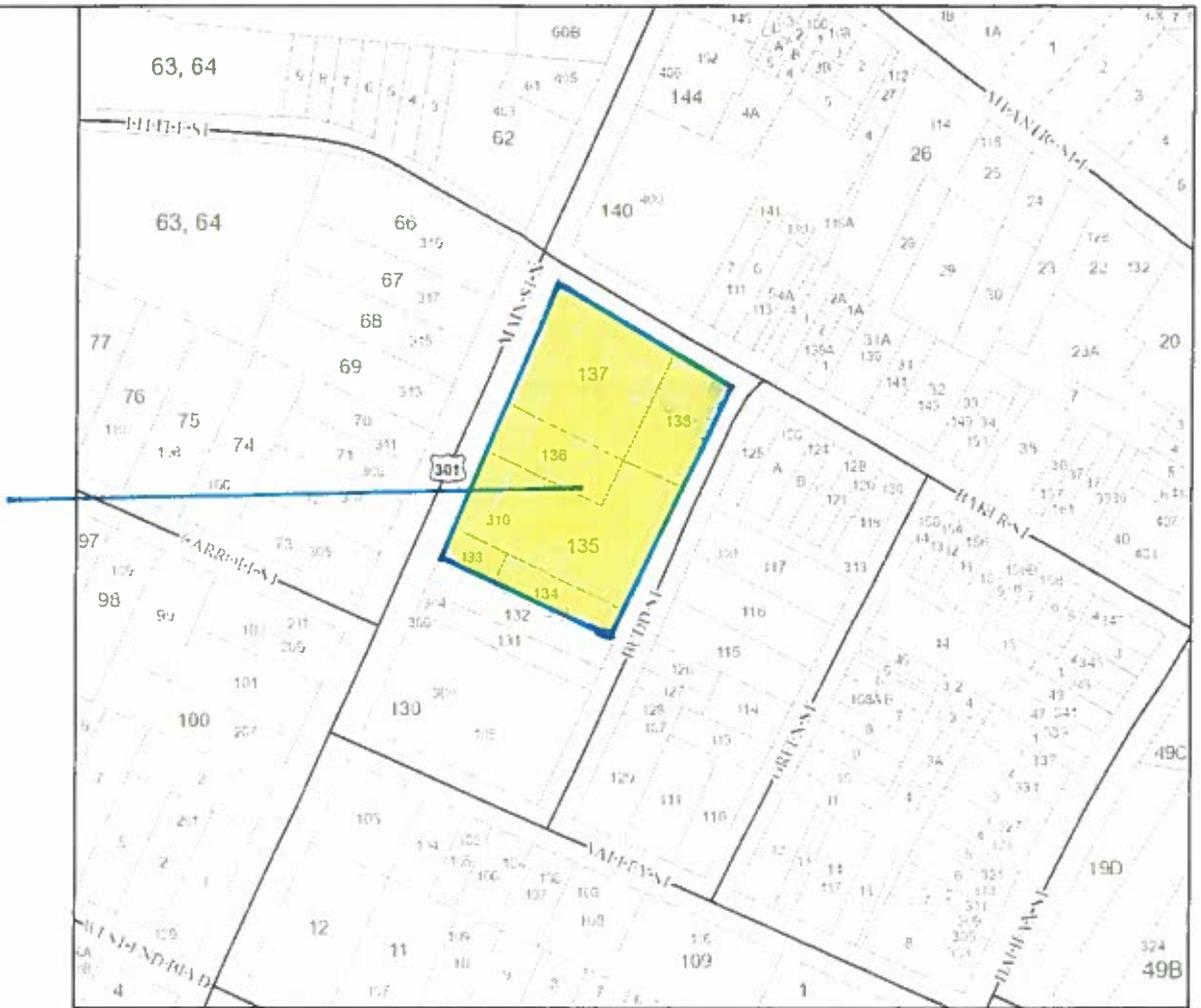




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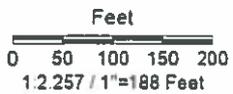
-  City Boundary
-  Parcels
-  Site Addresses
-  Road Centerlines
-  Water Bodies

Church  
Property



**Title:**

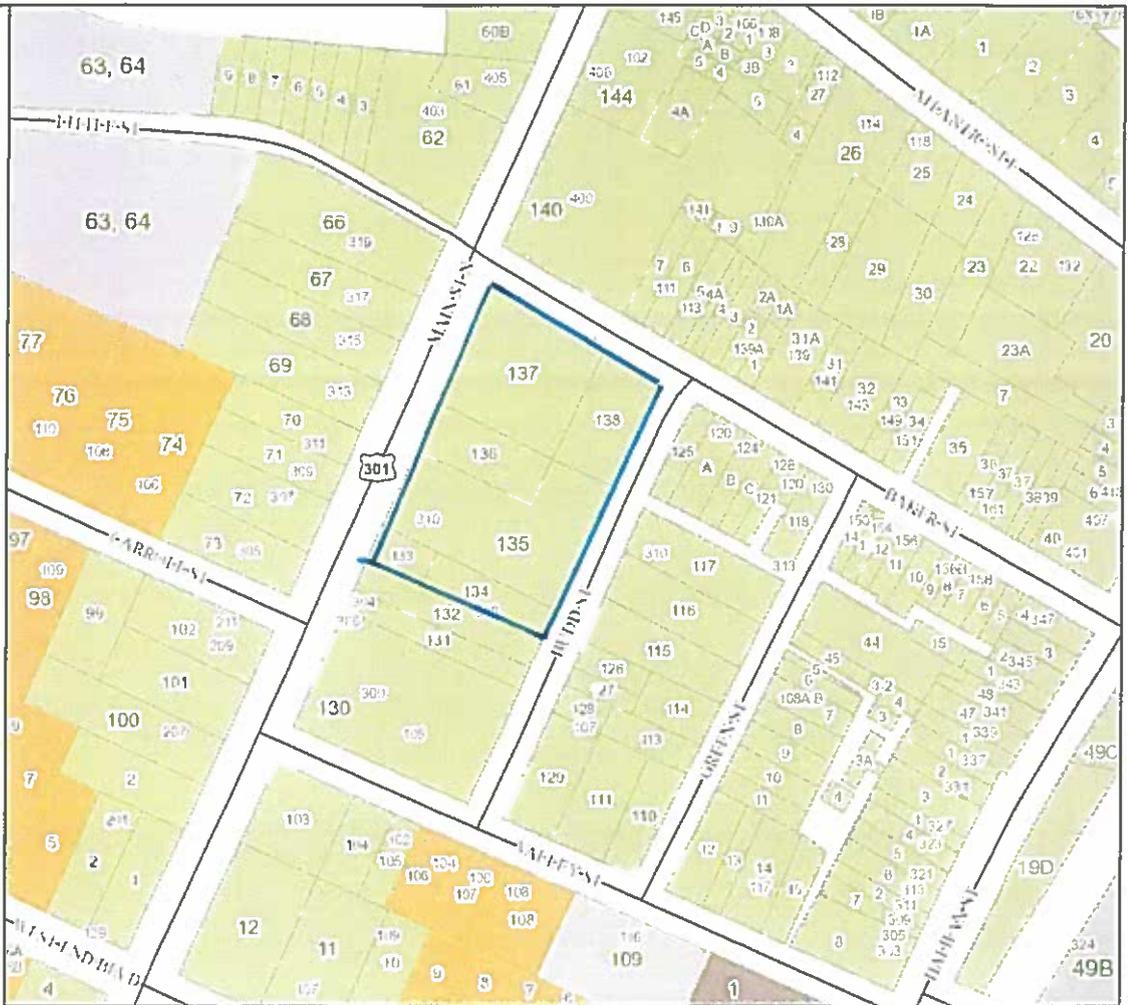
**Date: 8/5/2015**



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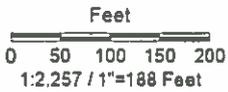
**Legend**

-  City Boundary
-  Parcels
-  Site Addresses
-  Road Centerlines
-  DT DOWNTOWN
-  C-1 GENERAL COMMERCIAL
-  C-2 AUTO COMMERCIAL
-  I-1 INDUSTRIAL
-  I-2 INDUSTRIAL
-  R-1 SINGLE FAMILY
-  R-2 SINGLE FAMILY
-  R-3 MULTI-FAMILY
-  Streams and Rivers
-  Water Bodies



**Title:**

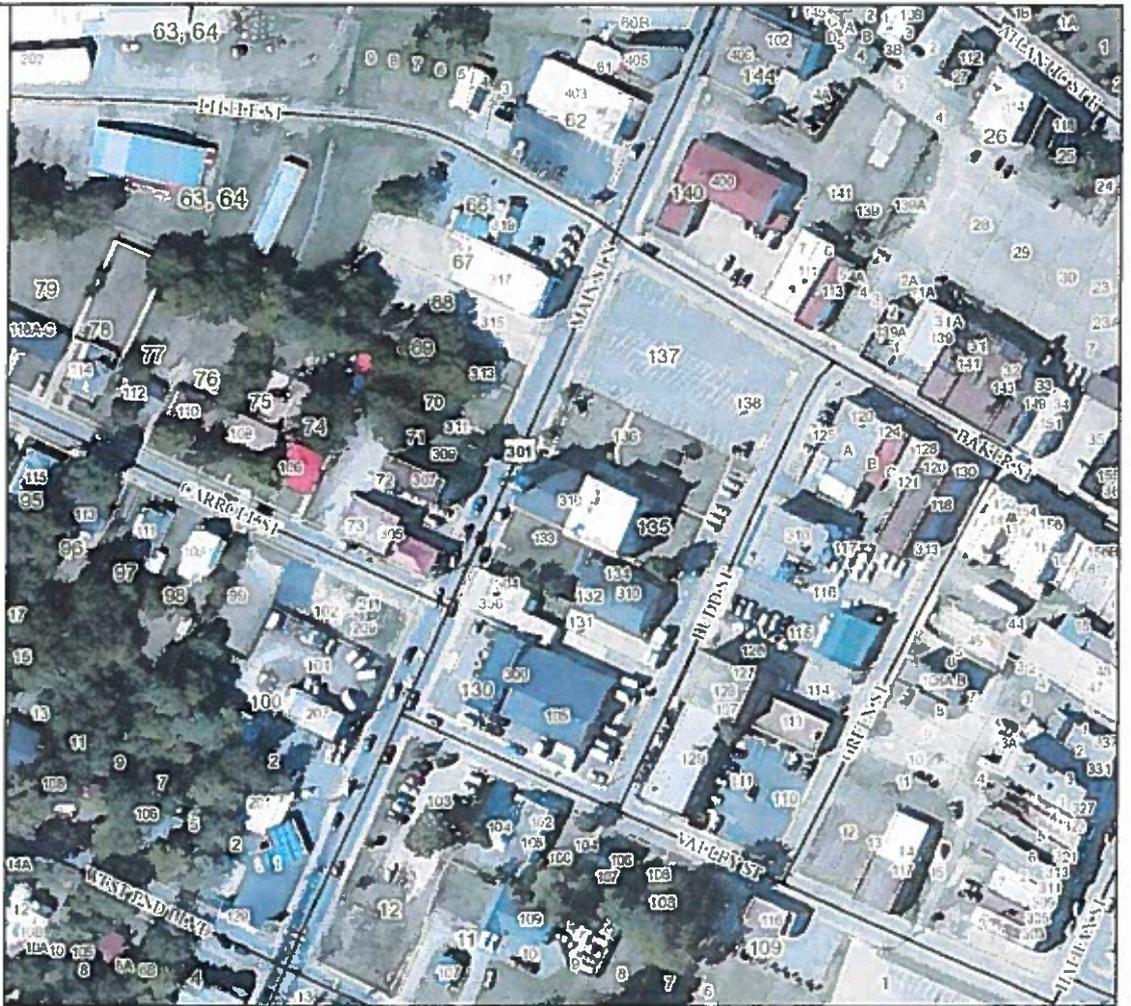
**Date: 8/5/2015**



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**Legend**

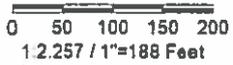
- City Boundary
- Parcels
- Site Addresses
- Road Centerlines
- Streams and Rivers
- Water Bodies



**Title:**

**Date:** 8/5/2015

Feet



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# Emporia, Virginia

Map Pin	Tax Map Number	Address	Deed Book Reference
142-A-135	142-A -0 -133-135	310 NORTH MAIN STREET Emporia, Va 23847	DB80 P62

Owner Information	
Owner	CALVARY BAPTIST CHURCH
Owner's Address:	310 N MAIN ST EMPORIA VA 23847

## Summary

Property Information			
Residential	No Data	Well	No Data
Commercial	Y	Spring	No Data
Class	16	Paved Road	Y
Zone	DT DOWNTOWN DIST	Improvement Value	1371800
Property Use	CHURCH-NONTAXABLE	Land Value	56200
Description Land Area	SITE	Sale Price	No Data
Size Main Land Area	0	Sale Date	No Data
Computed Main Land Area	140	Account Number	543100
Public Water	Y	Dirt Road	No Data
Public Sewer	Y	Road	No Data
Septic System	No Data	Sidewalk	Y
Underground Utility	No Data	Topography	LEVEL
Gutter	Y		

Improvement Information			
Year Built	1965	Split Foyer	No Data
Year Remodeled	1990	Central Heat	Y
Year Assessed	2014	Central Air	Y
Number Stories	0 0	Roof Type	COMP SH
Number Rooms	0	Exterior Type	BRICK
Number Bedrooms	0	Basement Type	FULL
Number Bathrooms	0	Exterior Condition	A/G
Number Fireplaces	0	Foundation Type	BRICK
Number Chimneys	0	Floor Type	CAR/VIN
Split Level	No Data	Wall Type	PLASTER
Building Description	CALVARY BAPTIST	Heat Fuel Type	HTPUMP
Square Footage	7360	Subdivision	MAIN STREET NORTH

DISCLAIMER: This data is provided without warranty of any kind, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as City of Hampton expressly disclaims any liability for loss or damage arising from the use of said information by any third party.

Previous Owner	
<b>Previous Owner 1</b>	
Previous Owner	TRUSTEES OF CALVARY BAPTIST
Datebase Reference	No Data
Previous Owner's Address	No Data
Date of Transfer	No Data
Sale Price	No Data
<b>Previous Owner 2</b>	
Previous Owner	No Data
Datebase Reference	No Data
Previous Owner's Address	No Data
Sale Price	No Data

DISCLAIMER: This data is provided without warranty of any kind, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as City of Hampton expressly disclaims any liability for loss or damage arising from the use of said information by any third party.

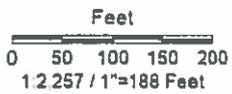
**Legend**

-  City Boundary
-  Parcels
-  Site Addresses
-  Road Centerlines
-  Streams and Rivers
-  Water Bodies



**Title: 142-A-135**

**Date: 8/5/2015**



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height without prior approval of the city planning commission.

- (d) *Area regulations.* None.
- (e) *Lot coverage.* Lot coverage in a DT downtown district may be up to 100 percent if yard and other regulations are met.
- (f) *Setback regulations.* Building or structure in a DT downtown district may have a zero setback; however such building or structure shall be placed such that the front is generally "in-line" with other existing buildings.
- (g) *Width regulations.* Width regulations in a DT downtown district are not applicable.
- (h) *Yard regulations.* For permitted uses in a DT downtown district, the minimum side or rear yard adjoining or adjacent to a residential district shall be 25 feet.
- (i) *Parking.* Due to the centralized nature of the DT downtown district, parking shall be provided as is practically possible to conform with the requirements of article V of this chapter and shall be subject to subsection (k) of this section.
- (j) *Signs.* The following signs shall be permitted in a DT downtown district and shall conform to all other applicable requirements of article V of this chapter. All permitted signs shall be subject to subsection (k) of this section.
  - (1) All signs permitted in R districts.
  - (2) Business signs not to exceed a total area of two square feet for each foot of frontage of the business provided they are attached to the building and not projecting more than four feet therefrom and shall not extend above the roofline. For buildings with more than one business, the total area allowed may be divided among those businesses.
  - (3) One freestanding or monolithic business sign not to exceed 50 square feet in area and no higher than six feet tall, for each lot with a lot frontage of 75 feet or more, provided such signs do not create a visual obstruction or safety hazard. In the case of shopping or business centers where more than one business resides within a single building, each business may have an additional ten square feet of sign area, so long as it is located on the same pole or poles of the freestanding or monolithic sign, but in no case shall such sign extend over the street right-of-way line. Freestanding signs shall not be permitted on lots where the building has a setback of 25 feet or less.
- (k) *Architectural compatibility.*
  - (1) All buildings and structures shall be constructed, erected, and altered to blend with the general character of the DT downtown district. To facilitate this requirement, the zoning administrator shall submit all plans and specifications involving the construction or erection of new buildings and structures and major alterations to existing buildings and structures to the planning commission for review. For the purposes of this section, major alteration means any physical modification to a structure that involves a major portion of the structure or has a substantial visual impact on the structure or surroundings. Major alterations include, but are not limited to, changes in building massing, cladding the exterior walls in a new material, and extensive replacement of windows and doors with a new or unoriginal design in a structure. The planning commission shall make architectural compatibility recommendations to city council. Final decision making authority shall be vested in city council. This review shall in no way require the use of specific materials.
  - (2) Minor alterations shall be subject to review and approval by the zoning administrator. For the purposes of this section, minor alteration means any physical modification to a structure that is



# **CITY OF EMPORIA**

## **Memorandum**

August 14, 2015

**TO:** The Honorable Mayor and City Council  
**FROM:** Brian S. Thrower, City Manager *BST*  
**SUBJECT:** Fire Program Funds – Appropriation Ordinance  
**ITEM #:** 15-69

As you are aware, the City receives grant funds from the Virginia Department of Fire Program (VDFP) on an annual basis. The VDFP allows the City to carry the unspent funds over from one fiscal year to the next. We have \$157,010.75 in carry over funds remaining. Therefore, you will need to re-appropriate these funds into the FY16 Budget so that the Emporia Volunteer Fire Department can utilize these grant funds.

### **Recommendation**

I recommend that you adopt the attached appropriation ordinance.

### **Attachment**

Ordinance

Ordinance No. \_\_\_\_\_

**Ordinance**

An Ordinance To Appropriate The Sum Of  
\$157,010.75 In Previously Received Grant Funds  
From The Virginia Department of Fire Programs  
From The Unappropriated Fund Balance Of The  
General Fund For Fire Programs

**BE IT ORDAINED** by the Council of the City of Emporia, Virginia as follows:

1. That the sum of \$157,010.75 in previously received grant funds from the Virginia Department of Fire Programs be, and the same hereby is, appropriated from the Unappropriated Fund Balance of the General Fund into the City's Operating Budget for Fiscal Year 2015-2016.
2. Said appropriation shall be reflected in the 2015-2016 Operating Budget as the sum of \$157,010.75 appropriated to General Fund Expenditures, Account Number 32100-6020 Fire Program Funds Purchases.
3. The City Manager is hereby authorized to do all things necessary to implement this grant and appropriation.
4. This ordinance shall be in effect on and after its adoption.

Adopted: August 18, 2015

City of Emporia, Virginia

By \_\_\_\_\_  
Mary L. Person  
Mayor

Attest:

Form Approved:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney



# CITY OF EMPORIA

## Memorandum

August 14, 2015

**TO:** The Honorable Mayor and City Council

**FROM:** Brian S. Thrower, City Manager *BST*

**SUBJECT:** Renaming of IDA to EDA – Request to Conduct a Public Hearing

**ITEM #:** 15-70

As discussed at previous City Council Retreats, I am requesting you change the name of the Industrial Development Authority (IDA) to the Economic Development Authority (EDA), as authorized by State Code Section 15.2-4903. The purpose of changing the name is to reflect the holistic makeup of Emporia's economy with a focus on all business sectors. This proposed change was discussed with the IDA at its meeting on Tuesday, January 27, 2015. The IDA did not express any concerns with changing the name to the EDA at that time.

I have also made some amendments clarifying appointment requirements and terms consistent with state code. The proposed changes do not grant any additional powers to or take any powers away from the Authority.

### Recommendation

I recommend you authorize conducting a public hearing on this matter at your September 1, 2015 meeting.

### Attachments

#### Revised Ordinance

State Code Section 15.2-4900. Short Title (Industrial Development and Revenue Bond Act)

State Code Section 15.2-4902. Definitions

State Code Section 15.2-4903. Creation of industrial development authorities

State Code Section 15.2-4904. Directors; qualifications; terms; vacancies; compensation and expenses; quorum; records; certification and distribution of report concerning bond issuance

**Ordinance**

AN ORDINANCE TO AMEND CHAPTER 22, ARTICLE II  
OF THE CODE OF THE CITY OF EMPORIA, VIRGINIA

**BE IT ORDAINED** by the City Council of the City of Emporia, Virginia, in regular assembly that:

Chapter 22, Article II of the Code be amended and re-enacted to read as follows:

ARTICLE II. - ~~INDUSTRIAL~~ ECONOMIC DEVELOPMENT AUTHORITY

Sec. 22-31. - Definitions.

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

The authority means the ~~industrial~~ Economic ~~d~~Development ~~a~~Authority of the City of Emporia, Virginia.

(Code 1972, § 2-146)

~~Cross-State Law reference— Definitions generally, § 1-2. Code of Virginia, §15.2-4902. Definitions.~~

Sec. 22-32. - Created.

- (a) There is hereby created a political subdivision of the commonwealth with such public and corporate powers as are set forth in the ~~state industrial development law~~ Industrial Development and Revenue Bond Act, including such powers as may be set forth from time to time in the state law.
- (b) The name of the political subdivision created hereby shall be the ~~industrial~~ Economic ~~d~~Development ~~a~~Authority of the ~~e~~City of Emporia, Virginia.

(Code 1972, § 2-146)

~~State Law reference— Industrial Development and Revenue Bond Act. Code of Virginia, § 15.1-1373 et seq.; creation of industrial development authorities. Code of Virginia, § 15.1-1376. Code of Virginia, Chapter 49. Industrial Development and Revenue Bond Act, §15.2-4903. Creation of industrial development authorities.~~

Sec. 22-33. - Governed by board of directors; composition of board; appointment and terms of members.

- (a) The authority shall be governed by a board of directors of seven members to be appointed by the city council.

- (b) ~~The terms~~Appointments of the directors shall be for terms of four years ~~effective March 1 in the year of appointment, except appointments to fill vacancies which shall be to fill vacancies shall be for the unexpired terms. All terms of office shall be deemed to commence upon the date of the initial appointment to the authority.~~
- (c) Each director shall, before entering upon his or her duties, take and subscribe the oath prescribed by state law and shall serve until their successors are appointed and qualified.
- (d) No director shall be an officer or employee of the City of Emporia, Virginia. Every director shall, at the time of his or her appointment and thereafter, be a resident of Emporia or Greensville County. When a director ceases to be a resident of Emporia or Greensville County, the director's office shall be vacant and a new director may be appointed for the remainder of the term.

(Code 1972, § 2-147)

**State Law reference**— ~~Similar provisions, Code of Virginia, § 15.1-1377; form of general oath required of officers, Code of Virginia, § 49-1. Code of Virginia, §15.2-4904. Directors: qualifications; terms; vacancies; compensation and expenses; quorum; records; certification and distribution of report concerning bond issuance.~~

Adopted: September 1, 2015

By \_\_\_\_\_  
Mary L. Person  
Mayor

Attest:

Form Approved:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

Code of Virginia

Title 15.2. Counties, Cities and Towns

Chapter 49. Industrial Development and Revenue Bond Act

## § 15.2-4900. Short title

This chapter shall be known and may be cited as the "Industrial Development and Revenue Bond Act."

1966, c. 651, § 15.1-1373; 1997, c. 587.

## § 15.2-4902. Definitions

Wherever used in this chapter, unless a different meaning clearly appears in the context:

"Authority" means any political subdivision, a body politic and corporate, created, organized and operated pursuant to the provisions of this chapter, or if the authority is abolished, the board, body, commission, department or officer succeeding to the principal functions thereof or to whom the powers given by this chapter are given by law.

"Authority facilities" or "facilities" means any or all (i) medical (including, but not limited to, office and treatment facilities), pollution control or industrial facilities; (ii) facilities for the residence or care of the aged; (iii) multi-state regional or national headquarters offices or operations centers; (iv) facilities for private, accredited and nonprofit institutions of collegiate, elementary, or secondary education in the Commonwealth whose primary purpose is to provide collegiate, elementary, secondary, or graduate education and not to provide religious training or theological education, such facilities being for use as academic or administration buildings or any other structure or application usual and customary to a college, elementary or secondary school campus other than chapels and their like; (v) parking facilities, including parking structures; (vi) facilities for use as office space by nonprofit, nonreligious organizations; (vii) facilities for museums and historical education, demonstration and interpretation, together with buildings, structures or other facilities necessary or desirable in connection with the foregoing, for use by nonprofit organizations; (viii) facilities for use by an organization (other than an organization organized and operated exclusively for religious purposes) which is described in § 501(c) (3) of the Internal Revenue Code of 1986, as amended, and which is exempt from federal income taxation pursuant to § 501 (a) of such Internal Revenue Code; (ix) facilities for use by a locality, the Commonwealth and its agencies, or other governmental organizations, provided that any such facilities owned by a locality, the Commonwealth or its agencies or other public bodies subject to the Virginia Public Procurement Act (§ 2.2-4300 et seq.) shall not be exempt from competitive procurement requirements, under the exception granted in subsection B of § 2.2-4344; (x) facilities devoted to the staging of equine events and activities (other than racing events); however, such facilities must be owned by a governmental or nonprofit, nonreligious organization and operated by any such governmental or nonprofit, nonreligious organization; (xi) facilities for commercial enterprises that are not enterprise zone facilities (as defined in § 1394 (b) of the Internal Revenue Code of 1986, as amended) now existing or hereafter acquired, constructed or installed by or for the authority pursuant to the terms of this chapter; however, facilities for commercial enterprise that are not enterprise zone facilities but which are taxable authority facilities shall constitute authority facilities only if the interest on any bonds issued to finance such facilities is not exempt from federal income taxation; (xii) enterprise zone facilities; and (xiii) facilities used primarily for single or multi-family residences. Clause (xiii) applies only to industrial development authorities created by one or more localities whose housing authorities have not been activated as provided by §§ 36-4 and 36-4.1. Any facility may be located within or outside or partly within or outside the locality creating the authority. Any facility may consist of or include any or all buildings, improvements, additions, extensions, replacements, machinery or equipment, and may also include appurtenances, lands, rights in land, water rights, franchises, furnishings, landscaping, utilities, approaches, roadways and other

facilities necessary or desirable in connection therewith or incidental thereto, acquired, constructed, or installed by or on behalf of the authority. A pollution control facility shall include any facility acquired, constructed or installed or any expenditure made, including the reconstruction, modernization or modification of any existing building, improvement, addition, extension, replacement, machinery or equipment, and which is designed to further the control or abatement of land, sewer, water, air, noise or general environmental pollution derived from the operation of any industrial or medical facility. Any facility may be constructed on or installed in or upon lands, structures, rights-of-way, easements, air rights, franchises or other property rights or interests whether owned by the authority or others.

"Bonds" or "revenue bonds" embraces notes, bonds and other obligations authorized to be issued by the authority pursuant to the provisions of this chapter.

"Cost" means, as applied to authority facilities, the cost of construction; the cost of acquisition of all lands, structures, rights-of-way, franchises, easements and other property rights and interests; the cost of demolishing, removing or relocating any buildings or structures on lands acquired, including the cost of acquiring any lands to which such buildings or structures may be moved or relocated; the cost of all labor, materials, machinery and equipment; financing charges and interest on all bonds prior to and during construction and, if deemed advisable by the authority, for a period not exceeding one year after completion of such construction; cost of engineering, financial and legal services, plans, specifications, studies, surveys, estimates of cost and of revenues, and other expenses necessary or incident to determining the feasibility or practicability of constructing the authority facilities; administrative expenses, provisions for working capital, reserves for interest and for extensions, enlargements, additions and improvements; and such other expenses as may be necessary or incident to the construction of the authority facilities, the financing of such construction and the placing of the authority facilities in operation. Any obligation or expense incurred by the Commonwealth or any agency thereof, with the approval of the authority, for studies, surveys, borings, preparation of plans and specifications or other work or materials in connection with the construction of the authority facilities may be regarded as a part of the cost of the authority facilities and may be reimbursed to the Commonwealth or any agency thereof out of the proceeds of the bonds issued for such authority facilities as hereinafter authorized.

"Enterprise" means any industry for manufacturing, processing, assembling, storing, warehousing, distributing, or selling any products of agriculture, mining, or industry and for research and development or scientific laboratories, including, but not limited to, the practice of medicine and all other activities related thereto or for such other businesses or activities as will be in the furtherance of the public purposes of this chapter.

"Loans" means any loans made by the authority in furtherance of the purposes of this chapter from the proceeds of the issuance and sale of the authority's bonds and from any of its revenues or other moneys available to it as provided herein.

"Revenues" means any or all fees, rates, rentals and receipts collected by, payable to or otherwise derived by the authority from, and all other moneys and income of whatsoever kind or character collected by, payable to or otherwise derived by the authority in connection with the ownership, leasing or sale of the authority facilities or in connection with any loans made by the authority under this chapter.

"Taxable authority facilities" means any private or commercial golf course, country club, massage

parlor, tennis club, skating facility (including roller skating, skateboard and ice skating), racquet sports facility, suntan facility, race track, or facility the primary purpose of which is one of the following: (i) retail food and beverage services (excluding grocery stores), (ii) automobile sales and service, (iii) recreation or entertainment, or (iv) banks, savings and loan institutions or mortgage loan companies. The foregoing sentence notwithstanding, no facility financed as an enterprise zone facility using tax-exempt "enterprise zone facility bonds" (as such term is used in § 1394 of the Internal Revenue Code ) shall constitute a taxable authority facility.

"Trust indenture" means any trust agreement or mortgage under which bonds authorized pursuant to this chapter may be secured.

1966, c. 651, § 15.1-1374; 1968, c. 687; 1970, c. 725; 1972, c. 783; 1973, c. 528; 1977, cc. 238, 619, 673; 1978, c. 526; 1980, c. 372; 1983, c. 514; 1984, c. 700; 1986, c. 473; 1988, c. 211; 1990, cc. 312, 469; 1991, c. 6; 1994, c. 737; 1997, cc. 587, 758, 763; 1999, c. 379; 2005, c. 928; 2006, c. 324.

## § 15.2-4903. Creation of industrial development authorities

A. The governing body of any locality in this Commonwealth is hereby authorized to create by ordinance a political subdivision of the Commonwealth, with such public and corporate powers as are set forth in this chapter. Any such ordinance may limit the type and number of facilities that the authority may otherwise finance under this chapter, which ordinance of limitation may, from time to time, be amended. In the absence of any such limitation, an authority shall have all powers granted under this chapter.

B. The name of the authority shall be the Industrial Development Authority of \_\_\_\_\_ (the blank spaces to be filled in with the name of the locality which created the authority, including the proper designation thereof as a county, city or town).

C. Notwithstanding subsection B, for any authority authorized by this section, the name of the authority may be the Economic Development Authority of \_\_\_\_\_ (the blank space to be filled in with the name of the locality that created the authority), if the governing body of such locality so chooses.

D. The authority jointly created by the Town of South Boston and Halifax County pursuant to § 15.2-4916 may be named the Economic Development Authority of Halifax, Virginia, or such other name as the governing bodies of the Town of South Boston and Halifax County shall choose in the concurrent resolutions creating such authority. The authority jointly created by the City of Bedford and Bedford County pursuant to § 15.2-4916 may be named the Bedford Joint Economic Development Authority, or such other name as the governing bodies of the City of Bedford and Bedford County shall choose in the concurrent resolutions creating such authority.

1966, c. 651, § 15.1-1376; 1975, c. 254; 1997, c. 587; 1999, c. 157; 2000, c. 398; 2001, cc. 5, 6, 730; 2002, cc. 169, 680, 725; 2003, cc. 159, 343, 345, 350, 357; 2004, cc. 292, 782, 933.

## § 15.2-4904. Directors; qualifications; terms; vacancies; compensation and expenses; quorum; records; certification and distribution of report concerning bond issuance

A. The authority shall be governed by a board of directors in which all powers of the authority shall be vested and which board shall be composed of seven directors, appointed by the governing body of the locality. The seven directors shall be appointed initially for terms of one, two, three and four years; two being appointed for one-year terms; two being appointed for two-year terms; two being appointed for three-year terms and one being appointed for a four-year term. Subsequent appointments shall be for terms of four years, except appointments to fill vacancies which shall be for the unexpired terms. All terms of office shall be deemed to commence upon the date of the initial appointment to the authority, and thereafter, in accordance with the provisions of the immediately preceding sentence. If at the end of any term of office of any director a successor thereto has not been appointed, then the director whose term of office has expired shall continue to hold office until his successor is appointed and qualified.

Notwithstanding the provisions of this subsection, the board of supervisors of Wise County may appoint eight members to serve on the board of the authority, with terms staggered as agreed upon by the board of supervisors, the board of supervisors of Henrico County may appoint 10 members to serve on the board of the authority, two from each magisterial district, with terms staggered as agreed upon by the board of supervisors, the board of supervisors of Roanoke County may appoint 10 members to serve on the board of the authority, two from each magisterial district, with terms staggered as agreed upon by the board of supervisors, the town council of the Town of Saint Paul may appoint 10 members to serve on the board of the authority, with terms staggered as agreed upon by the town council, however, the town council may at its option return to a seven member board by removing the last three members appointed, the board of supervisors of Russell County may appoint nine members, two of whom shall come from a town that has used its borrowing capacity to borrow \$2 million or more for industrial development, with terms staggered as agreed upon by the board of supervisors and the town council of the Town of South Boston shall appoint two at-large members, Page County may appoint nine members, with one member from each incorporated town, one member from each magisterial district, and one at-large, with terms staggered as agreed upon by the board of supervisors, Halifax County shall appoint five at-large members to serve on the board of the authority jointly created by the Town of South Boston and Halifax County pursuant to § 15.2-4916, with terms staggered as agreed upon by the governing bodies of the Town of South Boston and Halifax County in the concurrent resolutions creating such authority, the town council of the Town of Coeburn may appoint five members to serve on the board of the authority, with terms staggered as agreed upon by the town council, the city council of Suffolk may appoint eight members to serve on the board of the authority, with one member from each of the boroughs, and one at-large member, with terms staggered as agreed upon by the city council, the City of Chesapeake may appoint nine members, with terms staggered as agreed upon by the city council, and the city council of the City of Norfolk may appoint 11 members, with terms staggered as agreed upon by the city council.

A member of the board of directors of the authority may be removed from office by the local governing body without limitation in the event that the board member is absent from any three consecutive meetings of the authority, or is absent from any four meetings of the authority within any 12-month period. In either such event, a successor shall be appointed by the governing body for the unexpired portion of the term of the member who has been removed.

B. Each director shall, upon appointment or reappointment, before entering upon his duties take and subscribe the oath prescribed by § 49-1.

C. No director shall be an officer or employee of the locality except (i) in a town with a population of less than 3,500 where members of the town governing body may serve as directors provided they do not constitute a majority of the board, (ii) in Buchanan County where a constitutional officer who has previously served on the board of directors may serve as a director provided the governing body of such county approves, and (iii) in Frederick County where the board of supervisors may appoint one of its members to the Economic Development Authority of the County of Frederick, Virginia. Every director shall, at the time of his appointment and thereafter, reside in a locality within which the authority operates or in an adjoining locality. When a director ceases to be a resident of such locality, the director's office shall be vacant and a new director may be appointed for the remainder of the term.

D. The directors shall elect from their membership a chairman, a vice-chairman, and from their membership or not, as they desire, a secretary and a treasurer, or a secretary-treasurer, who shall continue to hold such office until their respective successors are elected. The directors shall receive no salary but may be compensated such amount per regular, special, or committee meeting or per each official representation as may be approved by the appointing authority, not to exceed \$200 per meeting or official representation, and shall be reimbursed for necessary traveling and other expenses incurred in the performance of their duties.

E. Four members of the board of directors shall constitute a quorum of the board for the purposes of conducting its business and exercising its powers and for all other purposes, except that no facilities owned by the authority shall be leased or disposed of in any manner without a majority vote of the members of the board of directors. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the powers and perform all the duties of the board.

F. The board shall keep detailed minutes of its proceedings, which shall be open to public inspection at all times. It shall keep suitable records of its financial transactions and, unless exempted by § 30-140, it shall arrange to have the records audited annually. Copies of each such audit shall be furnished to the governing body of the locality and shall be open to public inspection.

Two copies of the report concerning issuance of bonds required to be filed with the United States Internal Revenue Service shall be certified as true and correct copies by the secretary or assistant secretary of the authority. One copy shall be furnished to the governing body of the locality and the other copy mailed to the Department of Small Business and Supplier Diversity.

1966, c. 651, § 15.1-1377; 1979, c. 35; 1980, c. 304; 1982, c. 463; 1983, c. 514; 1984, c. 750; 1987, c. 368; 1990, c. 87; 1993, c. 896; 1996, cc. 589, 599; 1997, c. 587; 1999, cc. 337, 408, 414; 2000, c. 963; 2001, c. 121; 2003, cc. 347, 357; 2006, c. 687; 2007, cc. 283, 338; 2008, c. 619; 2009, cc. 199, 200, 460, 597; 2012, cc. 337, 352; 2013, c. 482; 2014, cc. 381, 382.



# CITY OF EMPORIA

## Memorandum

August 14, 2015

**TO:** The Honorable Mayor and City Council

**FROM:** Brian S. Thrower, City Manager *BST*

**SUBJECT:** Planning Commission Membership – Request to Conduct a Public Hearing

**ITEM #:** 15-71

Attached are proposed amendments to City Code Section 54-31 pertaining to the composition of the Planning Commission. In particular, I have amended the ordinance to reflect the current number of members (*nine*) on the Planning Commission, as opposed to *ten*. I have also amended the ordinance to state that one member of the administrative branch of City government (staff) *may* be appointed to the Planning Commission, as opposed to *shall* be appointed. This amendment also reflects the current composition of the Planning Commission and is consistent with state code.

### Recommendation

I recommend you authorize conducting a public hearing on this matter at your September 1, 2015 meeting.

### Attachments

#### Revised Ordinance

State Code Section 15.2-2210. Creation of local planning commissions; participation in planning district commissions or joint local commissions.

State Code Section 15.2-2212. Qualifications, appointment, removal, terms and compensation of members of local planning commissions.

**Ordinance**

**AN ORDINANCE TO AMEND CHAPTER 54, ARTICLE II  
OF THE CODE OF THE CITY OF EMPORIA, VIRGINIA**

**BE IT ORDAINED** by the City Council of the City of Emporia, Virginia, in regular assembly that:

Chapter 54, Article II of the Code be amended and re-enacted to read as follows:

Sec. 54-31. - Creation; composition; appointment and terms of members.

- (a) There is hereby created a city planning commission, consisting of ~~ten~~nine members, appointed by the council, all of whom shall be residents of the city, and who shall be qualified by knowledge and experience to make decisions on questions of community growth and development. At least one-half of such members shall be owners of real property.
- (b) One member of the planning commission may be a member of the council, and one member ~~shall~~may be a member of the administrative branch of government of the city. The term of each of these two members shall be co-extensive with the term of office to which he has been elected or appointed, unless the city council, at the first regular meeting each year, appoints others to serve as their representatives. The remaining members, called "citizen members" of the planning commission shall serve ~~for staggered~~ terms of four years each.

(Code 1972, § 2-103)

**State Law reference—** ~~Similar provisions. Code of Virginia, § 15.1-437. Code of Virginia, §15.2210. Creation of local planning commissions: participation in planning district commissions or joint local commissions. §15.2-2212. Qualifications, appointment, removal, terms and compensation of members of local planning commissions.~~

Adopted: September 1, 2015

By \_\_\_\_\_  
Mary L. Person  
Mayor

Attest:

Form Approved:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

8/12/2015

Code of Virginia  
Title 15.2. Counties, Cities and Towns  
Chapter 22. Planning, Subdivision of Land and Zoning

### § 15.2-2210. Creation of local planning commissions; participation in planning district commissions or joint local commissions.

Every locality shall by resolution or ordinance create a local planning commission in order to promote the orderly development of the locality and its environs. In accomplishing the objectives of § 15.2-2200 the local planning commissions shall serve primarily in an advisory capacity to the governing bodies.

Any locality may participate in a planning district commission in accordance with Chapter 42 (§ 15.2-4200 et seq.) of this title or a joint local commission in accordance with § 15.2-2219.

1975, c. 641, § 15.1-427.1; 1997, c. 587.

8/12/2015

Code of Virginia  
Title 15.2. Counties, Cities and Towns  
Chapter 22. Planning, Subdivision of Land and Zoning

## § 15.2-2212. Qualifications, appointment, removal, terms and compensation of members of local planning commissions.

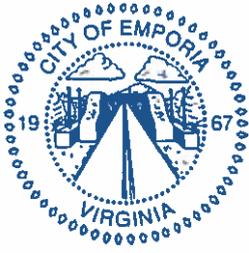
A local planning commission shall consist of not less than five nor more than fifteen members, appointed by the governing body, all of whom shall be residents of the locality, qualified by knowledge and experience to make decisions on questions of community growth and development; provided, that at least one-half of the members so appointed shall be owners of real property. The local governing body may require each member of the commission to take an oath of office.

One member of the commission may be a member of the governing body of the locality, and one member may be a member of the administrative branch of government of the locality. The term of each of these two members shall be coextensive with the term of office to which he has been elected or appointed, unless the governing body, at the first regular meeting each year, appoints others to serve as their representatives. The remaining members of the commission first appointed shall serve respectively for terms of one year, two years, three years, and four years, divided equally or as nearly equal as possible between the membership. Subsequent appointments shall be for terms of four years each. The local governing bodies may establish different terms of office for initial and subsequent appointments including terms of office that are concurrent with those of the appointing governing body. Vacancies shall be filled by appointment for the unexpired term only.

Members may be removed for malfeasance in office. Notwithstanding the foregoing provision, a member of a local planning commission may be removed from office by the local governing body without limitation in the event that the commission member is absent from any three consecutive meetings of the commission, or is absent from any four meetings of the commission within any 12-month period. In either such event, a successor shall be appointed by the governing body for the unexpired portion of the term of the member who has been removed.

The local governing body may provide for compensation to commission members for their services, reimbursement for actual expenses incurred, or both.

Code 1950, §§ 15-901, 15-916, 15-963; 1956, cc. 282, 497; 1960, c. 309; 1962, c. 407, § 15.1-437; 1973, c. 160; 1974, c. 521; 1986, c. 208; 1988, c. 256; 1997, c. 587; 2006, c. 687.



# **CITY OF EMPORIA**

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## **Memorandum**

August 14, 2015

**TO:** The Honorable Mayor and City Council

**FROM:** Brian S. Thrower, City Manager

**SUBJECT:** Planning Commission – Unexpired Term (William C. Slate, Jr.)

**ITEM:** 15-72

William C. Slate, Jr., has submitted his letter of resignation from the Planning Commission effective August 12, 2015. His unexpired four (4) year term on the Planning Commission has an expiration date of June 30, 2016. As a result, City Council needs to make a nomination(s) to fill the vacant seat.

**Recommendation:**

This information is provided to City Council for consideration.

**Attachment:**

*Current Planning Commission Roster*

*BST/tsw*

## PLANNING COMMISSION

Term of Office: 4 Years

Woodrow L. Bryant, Jr. 604 South Oak Hill Drive Emporia, Virginia 23847 (H) 434/634-4791	06/30/2018
William S. Newsome 503 Jefferson Street Emporia, Virginia 23847 (H) 434/634-3641 (W) 434/634-5141	06/30/2018
James Ewing 221 East York Drive Emporia, Virginia 23847 (H) 434/634-0919	06/30/2016
William C. Slate, Jr. 1501 Walnut Drive Emporia, Virginia 23847 (H) 434/634-5075 (W) 434/634-3045	06/30/2016
Chris Thompson 1400 Wiggins Road Emporia, Virginia 23847 (H) 434/634-9407 (C) 434/594-6394 (W) 434/634-3217 ext 3044	06/30/2019

## PLANNING COMMISSION (Continued)

Thomas L. Vaughan 301 E York Drive Emporia, Virginia 23847 (H) 252/398-2360	06/30/2018
Richard Short 205 Tall Oaks Drive Emporia, Virginia 23847 (H) 434/634-5369	06/30/2017
Edward V. Lankford, IV 104 Beech Tree Lane Emporia, Virginia	06/30/2019

(H) 434/348-7254  
(W) 434/634-6131

Clifton Threat  
3711 Davis Street  
Emporia, Virginia 23847  
(H) 434/634-2408

01/06/2017