



AGENDA

REGULAR MEETING OF TOWN COUNCIL
CHRISTIANSBURG TOWN HALL
100 EAST MAIN STREET
SEPTEMBER 12, 2017 – 7:00 P.M.

REGULAR MEETING

I. CALL TO ORDER

- A. Moment of Reflection
- B. Pledge of Allegiance

II. ADJUSTMENT OF THE AGENDA

III. PUBLIC HEARINGS

IV. CONSENT AGENDA

- A. Schedule Public Hearing on October 24, 2017 for a Conditional Use Permit request by Robert Young for a Towing/Storage Facility at 375 Bell Road, N.E. in the I-2, General Industrial District.
- B. Schedule Public Hearing on October 24, 2017 for a Conditional Use Permit request by Elijah Bowen of Blue Ridge Motion LLC, agent for Kevin Carter, for a private recreational facility (gym) at 492 Reading Road, S.E., Unit D in the I-2 General Industrial District.
- C. Schedule Public Hearing on October 24, 2017 for a proposed ordinance to amend Chapter 42 "Zoning" of the Christiansburg Town Code to permit single-chair beauty parlors (hair salons) and barbershops as Major Home Occupations.
- D. Schedule Public Hearing on October 24, 2017, contingent on the above item, for a Conditional Use Permit request by April and Russell Collins for a Major Home Occupation (hair salon) at 315 Circle Drive, S.E. in the R-2, Two-Family Residential District.

V. CITIZEN COMMENTS

VI. INTRODUCTIONS AND PRESENTATIONS

- A. Christiansburg Aquatic Center Director Terry Caldwell, Aquatic Tournaments Coordinator Ian Dye, and Christiansburg, Susan Bricken to present on a plan to promote the Christiansburg Aquatic Center and increase attendance and interest in the sport of swimming.

VII. COMMITTEE REPORTS

VIII. DISCUSSION AND ACTION BY MAYOR AND COUNCIL

- A. A rezoning request by the Montgomery County Economic Development Authority, agent for Cox Family Farms LLC, for an approximately 64.114 acre property, Tax Map No. 558-A 24. The request is to rezone the property from the A Agricultural District to the I-2 General Industrial District. The Public Hearing was held on August 22, 2017.
- B. Proposed ordinance amending Chapter 42 – Zoning of the Town Code for the purpose of regulating the time, place, and manner of displaying signs in the Town of Christiansburg.
- C. Contingent on the above ordinance, proposed ordinance amending Chapter 4 -- Advertising related to striking signage regulations in this chapter and moving regulations to Chapter 42 -- Zoning.
- D. Resolution Supporting the Amendment of Chapter 638 of Virginia Acts of Assembly Relating to the New River Valley Emergency Communications Regional Authority.
- E. Resolution Amending an Agreement with the Department of Military Affairs Relating to the Maintenance and Use of the National Guard Readiness Center.
- F. Appointment of representative to attend the ACCE Parent/Student informational session at Christiansburg High School on September 25, 2017 at 6:30 p.m.

IX. STAFF REPORTS

- A. Town Manager
- B. Town Attorney
- C. Other Staff

X. COUNCIL REPORTS

XI. ADJOURNMENT

The next regular Town Council meeting will be held at Christiansburg Town Hall on Tuesday, September 26, 2017 at 7:00 P.M.



**TOWN OF CHRISTIANSBURG
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

DISCUSSION AND ACTION BY MAYOR AND COUNCIL

Meeting Date:

September 12, 2017

ITEM TITLE: Rezoning Request by the Montgomery County Economic Development Authority, Agent for Cox Family Farms LLC for a 57.114 acre portion of the 64.114 acre property, Tax Map No. 558-A 24

DESCRIPTION:

The Applicant requests that the Town Council take action to rezone only 57.114 acres of the total parcel acreage of 64.114. This would leave 7 acres of the parcel zoned as Agricultural which is planned to be subdivided and under the ownership of Cox Family Farms, LLC. This seven acres is closest to the Tanglewood Drive area and would create additional buffer between these residences. The Applicant has also provided the formal proffer statement as discussed at the public hearing.

POTENTIAL ACTION:

Consideration and action.

DEPARTMENT(S):

Planning/Town Attorney

Information Provided:

Draft Ordinance

Proffer Statement

Preliminary Plat showing 7 acres proposed to remain Agricultural

Proffer Exhibit

AN ORDINANCE
TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF
CHRISTIANBURG, VIRGINIA, TO REZONE A PORTION OF PROPERTY
IDENTIFIED AS TAX MAP NUMBER 558-((A))-24,
PARCEL NUMBER 030186, FROM A TO I-2 WITH PROFFERS

WHEREAS, Montgomery County Economic Development Authority, as Agent for Cox Family Farms, LLC, fee simple owner, has petitioned the Council of the Town of Christiansburg to rezone 57.114 acres of Tax Parcel 558-((A))-24, Parcel Number 030186, consisting of 64.114 acres from A - Agricultural to I-2 - General Industrial with proffered conditions in the Town of Christiansburg, Shawsville Magisterial District of Montgomery County, Virginia; and

WHEREAS, a public hearing before the Planning Commission of the Town of Christiansburg was held August 14, 2017, following advertisement (July 31, 2017 and August 6, 2017) in The Roanoke Times, a newspaper published in and having general circulation in the Town of Christiansburg, and written notice provided to property owners pursuant to Virginia Code § 15.2-2204; and

WHEREAS, the Planning Commission recommended that an ordinance granting the rezoning with proffers be adopted; and

WHEREAS, a public hearing before the Town Council was held August 22, 2017 following advertisement (August 5, 2017 and August 12, 2017) in The Roanoke Times; and

WHEREAS, the Council of the Town of Christiansburg, Virginia, having considered the request and citizen comments, both for and against the rezoning, hereby determines that the public necessity, convenience, general welfare, and good zoning practices supports the request for changing the zoning classification of a 57.114 acre portion of Tax Parcel 558-((A))-24, Parcel Number 030186, from A - Agricultural to I-2 - General Industrial with Proffers;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Christiansburg that a 57.1114 acre portion of Tax Parcel 558-((A))-24, Parcel Number 030186 as shown on the preliminary "SUBDIVISION PLAT OF TAX MAP 558-A-24 (TOWN) AND BOUNDARY SURVEY OF TAX MAP 94-A-8 (COUNTY) TOWN OF CHRISTIANSBURG & SHAWSVILLE MAGISTERIAL DISTRICT, MONTGOMERY COUNTY, VA", dated 21 Aug 17, prepared by Hurt & Proffitt is hereby changed from the zoning designation of A - Agricultural to I-2 - General Industrial subject to the Proffer Statement dated _____.

BE IT FURTHER ORDAINED that the Official Zoning Map of the Town be amended to reflect this rezoning, this the _____ day of _____ 2017.

This ordinance shall take effect upon adoption.

Upon a call for an aye and nay vote on the foregoing ordinance, the members of the Council of the Town of Christiansburg, Virginia, present throughout all deliberations on the foregoing and

voting or abstaining, stood as indicated opposite their names as follows:

Member

Aye

Nay

Abstain

Absent

Mayor D. Michael Barber*

Samuel M. Bishop

Harry Collins

Cord Hall

Steve Huppert

Henry Showalter

Bradford J. "Brad" Stipes

* The Mayor votes only in the event of a tie vote by Council.

A True Copy Test:

D. Michael Barber, Mayor

Michele M. Stipes, Clerk of Council

**COX FAMILY FARMS, LLC PROPERTY REZONING
MONTGOMERY COUNTY ECONOMIC DEVELOPMENT AUTHORITY,
AGENT FOR COX FAMILY FARMS, LLC
PROPERTY REZONING PROFFER STATEMENT**

September 5, 2017

Proffer Statement for a requested rezoning application of 57.114 acre portion of the 64.114 acre Tax Parcel 558-A-24 ("the Property") located north of Jones Street and east of the end of Parkway Drive as shown on the preliminary subdivision plat of Tax Map 558-A-24 prepared by Hurt & Proffitt dated August 21, 2017.

Pursuant to Section 42-12(b) of the Town of Christiansburg Zoning Ordinance, the owner hereby voluntarily proffers that this property will be developed in accordance with the following conditions, if and only if, approval of the proposed rezoning from Agricultural (A) to Industrial, general (I-2) is granted. These proffers shall be included in all future transactions of the Property to all owners, their successors and assigns.

We hereby proffer the development of the subject Property of this application shall be in strict accordance with the conditions set forth in this submission.

- 1) There shall be a two-hundred (200) foot wide buffer area that extends along a portion of the southern boundary of the Property starting from the Property's eastern boundary with a Proposed new lot not part of the rezoning near Jones Street extending east to the Town Corporate line ("Buffer Area"), the said Buffer Area is shown more particularly on the attached preliminary subdivision plat "SUBDIVISION PLAT OF TAX MAP 558-A-24 (TOWN) AND BOUNDARY SURVEY OF TAX MAP 94-A-8 (COUNTY) TOWN OF CHRISTIANSBURG & SHAWSVILLE MAGISTERIAL DISTRICT, MONTGOMERY COUNTY, VA", dated 21 Aug 17, prepared by Hurt & Proffitt.
- 2) There shall be no structures or other development constructed within the "Buffer Area" other than underground utilities, stormwater facilities, public right-of-ways or other access facilities.
- 3) There shall be no industrial use related vehicular access from the Property to Jones Street or Tanglewood Drive SE.

OWNER:

COX FAMILY FARMS, LLC
A Virginia Limited Liability Company

By: _____
David Jackson Cox, Member

By: _____
Jennifer Spain, Member

AGENT:
ECONOMIC DEVELOPMENT AUTHORITY
OF MONTGOMERY, VIRGINIA

By: _____
Thomas Loflin, Chair

STATE OF _____

CITY/COUNTY OF _____, to-wit:

The foregoing instrument bearing date of August 17, 2017, was acknowledged before me this _____ day of _____, 2017, by David Jackson Cox, Member of Cox Family Farms, LLC, a Virginia limited liability company.

My commission expires:
Registration number:

Notary Public

STATE OF _____

CITY/COUNTY OF _____, to-wit:

The foregoing instrument bearing date of August 17, 2017, was acknowledged before me this _____ day of _____, 2017, by Jennifer Spain, Member of Cox Family Farms, LLC, a Virginia limited liability company.

My commission expires:
Registration number:

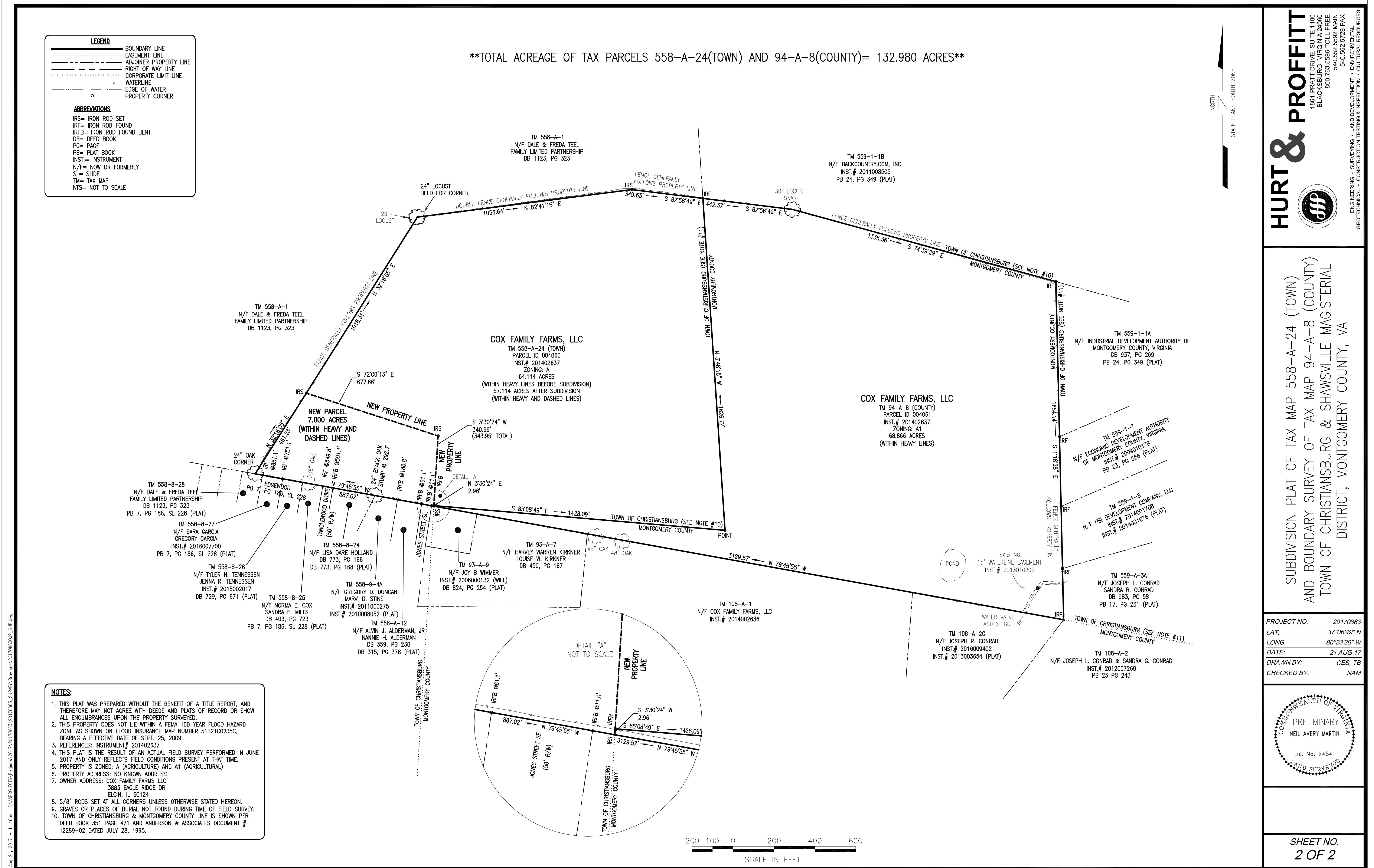
Notary Public

STATE OF VIRGINIA,
CITY/COUNTY OF MONTGOMERY, to-wit:

The foregoing instrument bearing date of August 17, 2017, was acknowledged before me this _____ day of _____, by Thomas Loflin, Chair, Economic Development Authority of Montgomery, Virginia.

My commission expires:
Registration number:

Notary Public



AN ORDINANCE AMENDING CHAPTER 42 – ZONING, BY ADOPTING ARTICLE XXIV. – SIGNS, FOR THE PURPOSE OF REGULATING THE TIME, PLACE, AND MANNER FOR DISPLAYING SIGNS IN THE TOWN OF CHRISTIANSBURG; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation; and

WHEREAS, the Town Council determines that it is in the best interest of the Town and its citizenry to amend its zoning ordinance to regulate the time, place, and manner for displaying signs in the Town of Christiansburg for the purpose of protecting property values; protecting motorists and pedestrians from the hazards of distracting signage; protect the character of the Town and its neighborhoods; while allowing for adequate communication through signs; and

WHEREAS, notice of public hearings concerning the proposed changes were advertised pursuant to Virginia Code § 15.2-2204 and the public hearings were held on _____ and _____; public comments having been considered by the Planning Commission and Town Council;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Christiansburg that Chapter 42 – Zoning, Article XXIV is hereby adopted and enacted, regulating the time, place, and manner of displaying signs within the Town of Christiansburg as follows:

Chapter 42 – ZONING

* * *

ARTICLE XXIV. - SIGNS

Sec. 42-700. - Findings, purpose, and intent; interpretation.

(a) Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this article is to regulate the size, color, illumination, movement, materials, location, height, and condition of all signs placed on private property for exterior observation to: protect property values and the character of neighborhoods; create a convenient, attractive and harmonious community; protect against the destruction of or encroachment upon areas of historic significance; and ensuring the safety and welfare of pedestrians and wheeled traffic while providing convenience to citizens and encouraging economic development. This article allows adequate communication through signage while encouraging aesthetic quality in the design, location, size, and purpose of all signs. This article shall be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this article which shall be given effect without the invalid provision.

- (b) Signs not expressly permitted as being allowed by right or by conditional use permit under this article, by specific reference in another provision of this chapter or the town's code, or otherwise expressly allowed by law, the Virginia Constitution, or the Constitution of the United States, are forbidden.
- (c) A sign placed on land or on a building for the purpose of identification, protection, or directing persons to a use conducted therein shall be deemed to be an integral but accessory and subordinate part of the principal use of land or building. Therefore, the intent of this article is to establish limitations on signs in order to ensure they are appropriate to the land, the building, or the use to which they are appurtenant, and are adequate for their intended purpose while balancing the individual and community interests identified in subsection (a) of this section.
- (d) These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant and the landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
- (e) These regulations distinguish between portions of the town designed for primarily vehicular access and portions of the town designed for primarily pedestrian access.
- (f) These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

Sec. 42-701. - Definitions.

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

Animated sign means a sign or part of a sign that is designed to rotate, move or appear to rotate or move. Such a sign is sometimes referred to as a "moving sign."

Banner means a temporary sign of flexible material designed to be installed with attachments at each of four corners. Banner signs also include feather-type signs.

Changeable copy sign means a sign or part of a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign. This includes electronic messaging signage.

Combined area sign means a sign used by more than one (1) tenant or property owner located on the same property on which the sign is erected or on a contiguous property that shares a common drive.

Comprehensive sign plan means a plan approved as a conditional use for the signage of a property or properties that in most instances includes multiple tenants or owners with shared parking or other facilities.

Directional sign means a sign which provides onsite directional information for the convenience of the public.

Flag means a piece of cloth or similar material, typically oblong or square, attached by one edge to a pole or rope and used as a national, state, local, or other symbol or decoration.

Flashing sign means a sign that includes lights that flash, blink, or turn on and off intermittently.

Freestanding sign means any non-portable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building.

Ground mounted sign means a sign that is supported by structures or supports in or upon the ground and independent of any support from any building or wall.

Height means the maximum vertical distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the existing grade at the time of the installation of the sign, exclusive of any filling, berming, mounding or excavating primarily for the purpose of mounting or elevating the sign.

Home Occupation sign means a sign directing attention to a home occupation on the premises upon which the sign is located.

Illegal sign means any sign erected without a required permit or which otherwise does not comply with any provisions of this article.

Illuminated sign means a sign that is backlit, internally lighted, or indirectly lighted.

Marquee means a structure generally designed and constructed to provide protection against the weather projecting from and supported by the building and extending beyond the building wall, building line, or street line. It includes an attached awning or canopy or a freestanding covering structure such as a gas station, drive-thru, or carwash canopy.

Marquee sign means a sign attached to and made a part of a marquee from a building, with changeable, fixed, or both types of lettering in use.

Minor sign means a permanent wall or freestanding sign not exceeding two square feet in area, not exceeding four feet in height, and not illuminated.

Neon sign means a sign containing exposed tubes filled with light-emitting gas.

Nonconforming sign. Any sign which was lawfully erected in compliance with applicable regulations of the town and maintained prior to the effective date of this article which fails to conform to standards and restrictions set forth herein.

Off-premises sign means a sign that directs attention to a location other than the premises on which the sign is erected.

On-premises sign means a sign that is an accessory use to the primary use of the property.

Portable sign means any sign that may be displayed more than ninety (90) days in a twelve (12) month period that is typically a rigid material such as metal or wood, and not permanently affixed to a building, structure, vehicle, or the ground. It includes, but is not limited to, A-frame signs (or sandwich boards), wall signs that are removed periodically, and removable ground mounted signs.

Projecting sign means any sign, other than a wall or marquee (including awning or canopy) sign, affixed to a building and supported only by the wall on which it is mounted.

Roof sign means a sign erected or constructed, in whole or in part, upon or above the highest point of a building with a flat roof, or the lowest portion of a roof for any building with a pitched roof.

Sign means any object, device, display, or structure, or part thereof, visible to the public from a public right-of-way which is designed and used to attract attention by means involving words, letters, figures, designs, symbols, fixtures, logos, colors, illumination, or projected images. The term "sign" does not include flags as defined herein.

Sign face means the portion of a sign structure bearing the words or images designed to attract attention.

Sign structure means any structure bearing a sign face.

Temporary sign means a sign neither permanently installed in the ground nor permanently affixed to a building or structure that is displayed no more than ninety (90) days in a twelve (12) month period. Examples include paper or corrugated plastic yard signs and banners.

Vehicle or trailer sign means any sign attached to or displayed on a vehicle, if the vehicle or trailer is used for the primary purpose of displaying the sign. Any such vehicle or trailer shall, without limitation, be considered to be used for the primary purpose of displaying signage if it fails to display current license plates, inspection sticker, or municipal decal, if the vehicle is inoperable, if evidence of paid-to-date local taxes cannot be made available, or if the sign alters the standard design of such vehicle or trailer.

Wall means an entire outside wall of a structure, including wall faces, parapets, fascia, windows, and doors, of one complete elevation.

Wall Sign means any sign attached to a wall or painted on or against a flat vertical surface of a structure. A marquee (including an awning or canopy) and projecting sign shall be counted as a wall sign for the wall of the structure for which it is attached, unless otherwise provided herein.

Sec. 42-703. - Permit required.

(a) *In general.* A sign permit is required prior to the display and erection of any sign except as provided in section 42-704 of this article.

(b) *Application for permit.*

- (1) An application for a sign permit shall be filed with the town's planning department on forms furnished by the department. The applicant shall provide sufficient information to determine if the proposed sign is permitted under this article or other applicable law, regulation, or ordinance.
- (2) The zoning administrator or designee shall promptly process the sign permit application and approve the application, reject the application, or notify the applicant of deficiencies in the application within ten (10) business days after receipt. Any application that complies with all provisions of this zoning ordinance, the building code, and other applicable laws, regulations, and ordinances shall be approved.
- (3) If the application is rejected, the town shall provide the reason(s) for the rejection in writing. An application shall be rejected for non-compliance with the terms of this article, building code, or other applicable law, regulation, or ordinance.

(c) *Permit fee.* A nonrefundable fee as set forth in the fee schedule adopted by the town council shall be paid upon submittal of the sign permit application for permanent signs.

(d) *Duration and revocation of permit.* If a sign is not installed within six (6) months following the issuance of a sign permit, the permit shall be void. The town may revoke a sign permit under any of the following circumstances:

- (1) The town determines that information in the application was materially false or misleading;
- (2) The sign as installed does not conform to the sign permit application; or
- (3) The sign violates this article, the building code, or other applicable law, regulation, or ordinance.

(e) *Comprehensive sign plans.* Comprehensive sign plans may be approved by conditional use permit in the MU-1, MU-2, B-1, B-2, B-3, I-1, and I-2 districts. The comprehensive sign plan shall establish the time, manner, and placement of signs, frequency of display changes, construction materials, the hours of lighting, height of signs, the total number of square feet of sign surface, and the number of signs to be placed on a site.

Sec. 42-704 Permit not required

The following are allowed but do not require a permit:

- (a) Signs owned or erected by a governmental body or required by law. Such signs are exempt from the regulations of this article.
- (b) Flags.
- (c) One or more temporary signs per tax map parcel with a total area not exceeding twelve (12) square feet in size in the A, R1-A, R-1, R-2, R-3, and MU-1 zoning districts and twenty (20) square feet in size in the B-1, B-2, B-3, MU-2, I-1, and I-2 zoning districts removed within ninety (90) days after being erected.
- (d) Not more than two (2) minor signs per parcel.
- (e) One or more portable signs per tax map parcel not exceeding twelve (12) square feet in size in the A, R1-A, R-1, R-2, R-3, and MU-1 zoning districts and twenty (20) square feet in size in the B-1, B-2, B-3, MU-2, I-1, and I-2 zoning districts.
- (f) Signs on the inside of store windows, except those signs specified as "Prohibited Signs" in this article.

Sec. 42-705. - Prohibited signs

In addition to signs prohibited elsewhere in the town code or by applicable state or federal law, the following signs are prohibited:

- (a) General prohibitions:
 - (1) Signs that violate any law of the Commonwealth of Virginia relating to outdoor advertising.
 - (2) Signs attached to natural vegetation.
 - (3) Signs simulating, or which are likely to be confused with, a traffic control sign or any other sign displayed by a public authority. Any such sign is subject to immediate removal and disposal by an authorized Town official as a nuisance.
 - (4) Vehicle or trailer signs as defined herein.
 - (5) Any sign displayed without complying with all applicable regulations of this chapter.
- (b) Prohibitions based on materials:
 - (1) Animated signs. This subsection does not apply to flags expressly permitted under this article or the changing of the message content no more often than once every four (4) seconds.
 - (2) Flashing signs or other signs displaying flashing, scrolling or intermittent lights or lights of changing degrees of intensity, except where such signs are expressly permitted within this article.

(3) Signs that emit smoke, flame, scent, mist, aerosol, liquid, or gas.

(4) Signs that emit sound.

(5) Any electronic sign except as expressly permitted herein.

(c) Prohibitions based on location:

(1) Off-premises signs unless specifically permitted by this chapter.

(2) Signs erected on public land or within the public right-of-way unless approved by an authorized town official in writing. Any sign not so authorized is subject to immediate removal and disposal by any authorized official. Removal of the sign under this provision does not preclude prosecution of the person responsible for the sign.

(3) Roof signs unless approved as part of a comprehensive sign plan by conditional use permit.

(4) Any sign located in the vision triangle formed by any two (2) intersecting streets, as regulated by the provisions of Section 30-14.

(5) Signs at or near any curve in a street in such a manner as to obstruct the clear vision of traffic from any one point on such curve to any other point on such curve or to any other point not more than 400 feet apart, as measured between each point from the nearest edge of the pavement.

(6) Side and rear wall signs facing and within 100 feet of a residential district.

Sec. 42-706. – Measurement/calculation of sign area.

(a) Supports, uprights, or structure on which any sign is supported shall not be included in determining the sign area unless such supports, uprights or structure are designed in such a way as to form an integral background of the display. When a sign is placed on a fence, wall, planter, or other similar structure that is designed to serve a separate purpose other than to support the sign, the entire area of such structure shall not be computed. In such cases, the sign area shall be computed in accordance with other provisions of this section.

(b) Allowable wall sign area.

(1) The area of the wall is calculated by multiplying the width by height of the wall. The height shall be measured by calculating the vertical distance from grade to the top of the wall of a flat roof, or to the eave line of a gable, hip, or gambrel roof.

(2) In cases where the height of the building cannot be determined the average height shall be twelve (12) feet per story.

(3) In instances where there are multiple tenants or users in a building, the measurement of wall area shall be determined for each individual establishment.

(c) Sign area.

(1) Sign area is calculated under the following principles:

- a. With signs that are regular polygons or circles the area can be calculated by the mathematical formula for that polygon or circle. With signs that are not regular polygons or circles, the sign area is calculated using all that area within a maximum of three abutting or overlapping rectangles that enclose the sign face.
- b. The support for the sign face, whether it is columns, a pylon, or a building, or part thereof, shall not be included in the sign area.
- c. The area of a cylindrical or spherical sign shall be computed by multiplying one-half of the circumference by the height of the sign.
- d. For a marquee sign, only the area of the message shall be used in sign area computation.
- e. The permitted area of a double-faced sign shall be considered to be the area on one side only. If one face contains a larger sign area than the other, the larger face shall be used in calculating the sign area. A double-faced sign must have an internal angle between its two faces of no more than 45 degrees.
- f. For projecting signs with a thickness of four inches or more, the sign area also includes the area of the visible sides of the sign, calculated as a rectangle enclosing each entire side view.
- g. A combined area sign may have up to four faces, joined at the corners at 90 degree or less angles with no face exceeding the area normally allocated a single ground/freestanding sign face.

Sec. 42-707. - Maintenance and removal.

- (a) All signs shall be constructed and mounted in compliance with the Virginia Uniform Statewide Building Code.
- (b) All signs and components thereof shall be maintained in good repair and in a safe, neat, and clean condition. Signs showing visible signs of wear, fading, chipped paint, rotting or rusting structure, or non-working components, must be repaired or be subject to code enforcement as a nuisance.

(c) The building official may cause to have removed or repaired immediately without written notice any sign which, in his opinion, has become insecure, in danger of falling, or otherwise unsafe, and, as such, presents an immediate threat to the safety of the public. If such action is necessary to render a sign safe, the cost of such emergency removal or repair shall be at the expense of the owner or lessee thereof.

(d) The owner of any commercial sign advertising a use or business that has ceased operating shall, within 60 days of the cessation of use or business operation, replace the sign face with a blank face until such time as a use or business has resumed operating on the property.

(e) Nuisance abatement.

(1) Any sign requiring maintenance or removal shall be repaired or removed within thirty (30) days of a written notice to the owner and/or permit holder.

(2) Any sign which constitutes a nuisance may be abated by the town under the applicable provisions of the town code or Virginia Code §§ 15.2-900, 15.2-906, and/or 15.2-1115.

Sec. 42-708. - Nonconforming signs.

(a) Signs lawfully existing on the effective date of this article or prior ordinances, which do not conform to the provisions of this article, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain except as qualified below. The burden of establishing nonconforming status of signs and of the physical characteristics/location of such signs shall be that of the owner of the property. Upon notice from the zoning administrator, a property owner shall submit verification that sign(s) were lawfully existing at time of erection. Failure to provide such verification shall be cause for order to remove sign(s) or bring sign(s) into compliance with the current ordinance.

(b) No nonconforming sign shall be enlarged nor shall any feature of a nonconforming sign, such as illumination, be increased.

(c) Nothing in this section shall be deemed to prevent keeping in good repair a nonconforming sign. Nonconforming signs shall not be extended or structurally reconstructed or altered in any manner, except a sign face may be changed so long as the new face is equal to or reduced in height and/or sign area.

(d) No nonconforming sign shall be moved for any distance on the same lot or to any other lot unless such change in location will make the sign conform in all respects to the provisions of this article.

(e) A nonconforming sign that is destroyed or damaged by any casualty shall be subject to Section 42-475.

(f) A nonconforming sign which is changed to becoming conforming or is replaced by a conforming sign shall no longer be deemed nonconforming, and thereafter such sign shall be in accordance with the provisions of this article.

(g) A nonconforming sign structure shall be subject to the removal provisions of Section 42-707.

(h) A nonconforming sign structure shall be removed if the use to which it is accessory has not been in operation for a period of two years or more. Such sign shall be removed by the owner or lessee of the property. If the owner or lessee fails to remove the sign structure, the zoning administrator or designee shall give the owner fifteen (15) days written notice to remove it. Upon failure to comply with this notice, the zoning administrator or designee may enter the property upon which the sign is located and remove any such sign or may initiate such action as may be necessary to gain compliance with this provision. The cost of such removal shall be chargeable to the owner of the property.

Sec. 42-709. – Electronic messaging permitted as changeable copy sign.

(a) Electronic messaging signage (including the primary message and any and all secondary messages, backgrounds, etc.) is required to remain static for at least four (4) seconds and may not flash or change intensity by pulsing or pulsating.

(b) Electronic messaging signage shall require conditional use permit approval within historic districts as designated by the Virginia Landmarks Register or within the B-2, Central Business zoning district. Within the B-2 zoning district, this shall not apply to electronic monochromatic, static numerals for uses such as but not limited to a gas price display or time and temperature information.

Sec. 42-710. – General requirements.

(a) *Placement.*

- a. Except as otherwise permitted, permanent freestanding signs shall be set back a minimum of ten (10) feet from any public right-of-way and a minimum of three (3) feet from all other property lines.
- b. Second and all additional permanent ground/freestanding signs on any premises must either: (1) have a separation of 150 linear feet from any other permanent ground/freestanding sign; or (2) meet the front yard setback requirements of the zoning district in which the premises is located.
- c. Except as otherwise permitted, freestanding temporary and portable signs shall be set back a minimum of five (5) feet from any public right-of-way and a minimum of three (3) feet from all other property lines.
- d. Home occupation signs in residential districts, if permitted, shall be wall-mounted in close proximity to the front door.

(b) *Illumination. All permitted signs may be backlit, internally lighted, or indirectly lighted, unless such lighting is specifically prohibited in this article.*

(1) *In the case of indirect lighting, the source shall be shielded so that it illuminates only the face of the sign. However, projecting signs shall be indirectly illuminated or have shielded direct lighting, unless otherwise prohibited within this chapter. Indirect lighting shall consist of full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light shall be substantially confined to the sign to minimize glare and light trespass. The beam width shall not be wider than that needed to light the sign.*

(2) *The illumination from any sign resulting in any internal or external artificial light source that adversely affects surrounding properties, causes offensive glare, or creates a traffic hazard shall be prohibited. Furthermore, no sign shall be permitted to affect highway safety or shine directly into a residential dwelling unit.*

(c) *The following tables set forth the sign type, number, sign area, and maximum sign height allowed in each zoning district. In lieu of the following, a comprehensive sign plan may be submitted for a tax map parcel subject to approval by conditional use permit.*

<u>Zoning District</u>	<u>Sign Type</u>	<u>Maximum Number of Signs Permitted</u>	<u>Maximum Area</u>	<u>Max. Height</u>
<u>Agricultural/Residential Districts(A, R1-A, R-1, R-2, R-3, R-MS)</u>	<u><i>Ground/Freestanding (on-premises)</i></u>	<u><i>One (1) sign as an accessory use to a permitted use.</i></u>	<u><i>32 sq. ft.</i></u>	<u><i>15 ft.</i></u>
	<u><i>Changeable copy (on-premises)</i></u>	<u><i>One (1) sign as part or whole of one (1) ground/freestanding sign or wall sign (not exceeding allowed wall signage).</i></u>	<u><i>18 sq. ft.</i></u>	<u><i>15 ft.</i></u>
	<u><i>Wall</i></u>	<u><i>Not limited except side and rear wall signs facing and within 100 feet of a residential use are prohibited.</i></u>	<u><i>5% of wall area to a maximum of 50 sq. ft.</i></u>	<u><i>May not project above roof line.</i></u>

	<u>Combined (on-premises)</u>	<u>Not Permitted</u>	<u>Not Permitted</u>	<u>Not Permitted</u>
	<u>Portable</u>	<u>Not limited</u>	<u>12 sq. ft.</u>	<u>6 ft.</u>
	<u>Minor</u>	<u>Two</u>	<u>2 sq. ft.</u>	<u>4 ft.</u>
	<u>Temporary</u>	<u>Not limited</u>	<u>12 sq. ft.</u>	<u>6 ft.</u>

<u>Zoning District</u>	<u>Sign Type</u>	<u>Maximum Number of Signs Permitted</u>	<u>Maximum Area</u>	<u>Max. Height</u>
	<u>Ground/Freestanding (on-premises)</u>	<u>One (1) sign with less than 200' of frontage.</u> <u>One (1) sign per 200' of additional frontage.</u>	<u>50 sq. ft.</u>	<u>20 ft.</u>
	<u>Changeable copy (on-premises)</u>	<u>One (1) sign as part or whole of one (1) ground/freestanding sign or wall sign (not exceeding allowed wall signage).</u>	<u>18 sq. ft.</u>	<u>20 ft.</u> <u>Wall sign may not project above roof line.</u>
MU-1, Mixed Use: Residential/Limited Business	<u>Wall</u>	<u>Not limited.</u>	<u>10% of wall area to a maximum of 200 sq. ft.</u>	<u>May not project above roof line.</u>
	<u>Combined (on-premises)</u>	<u>One, if there is no other ground/freestanding sign</u>	<u>100 sq. ft.</u>	<u>20 ft.</u>
	<u>Portable</u>	<u>Not limited</u>	<u>12 sq. ft.</u>	<u>6 ft.</u>
	<u>Minor</u>	<u>Two</u>	<u>2 sq. ft.</u>	<u>6 ft.</u>

	<u>Directional (on-premises)</u>	<u>Two (2) signs per entrance or exit</u>	<u>6 sq. ft.</u>	<u>7 ft.</u>
	<u>Temporary</u>	<u>Not limited.</u>	<u>50 sq. ft.</u>	<u>20 ft.</u>

<u>Zoning District</u>	<u>Sign Type</u>	<u>Maximum Number of Signs Permitted</u>	<u>Maximum Area</u>	<u>Max. Height</u>
MU-2, Mixed Use: Residential/Limited Business/Limited Industrial	<u>Ground/Freestanding (on-premises)</u>	<u>One (1) sign with less than 200' of frontage. One (1) sign per 200' of additional frontage.</u>	<u>50 sq. ft.</u>	<u>20 ft.</u>
	<u>Changeable copy (on-premises)</u>	<u>One (1) sign as part or whole of one (1) permitted ground/freestanding sign or a wall sign (not exceeding allowed wall signage).</u>	<u>18 sq. ft.</u>	<u>20 ft.</u>
	<u>Wall</u>	<u>Not limited except side and rear wall signs facing and within 100 feet of a residential use are prohibited.</u>	<u>10% of wall area to a maximum of 200 sq. ft.</u>	<u>May not project above roof line.</u>
	<u>Combined (on-premises)</u>	<u>One, if there is no other ground/freestanding sign</u>	<u>100 sq. ft.</u>	<u>20 ft.</u>
	<u>Portable</u>	<u>Not limited</u>	<u>20 sq. ft.</u>	<u>8 ft.</u>
	<u>Minor</u>	<u>Two</u>	<u>4 sq. ft.</u>	<u>6 ft.</u>
	<u>Directional (on-premises)</u>	<u>Two (2) signs per entrance or exit</u>	<u>6 sq. ft.</u>	<u>7 ft.</u>
	<u>Temporary</u>	<u>Not limited</u>	<u>100 sq. ft.</u>	<u>20 ft.</u>

			<u>Max. 50 sq. ft. per sign</u>	<u>(freestanding)</u> <u>Wall sign may not project above roof line.</u>
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<u>Zoning District</u>	<u>Sign Type</u>	<u>Maximum Number of Signs Permitted</u>	<u>Maximum Area</u>	<u>Max. Height</u>
	<u>Ground/Freestanding (on-premises)</u>	<u>One (1) sign with less than 200' of frontage.</u> <u>One (1) sign per 200' of additional frontage.</u>	<u>50 sq. ft.</u>	<u>35 ft.</u>
	<u>Changeable copy (on-premises)</u>	<u>One (1) sign as part or whole of one (1) permitted ground/freestanding sign or wall sign (not exceeding allowed wall signage).</u>	<u>18 sq. ft.</u>	<u>35 ft.</u> <u>Wall sign may not project above roof line.</u>
<u>B-1, Limited Business</u>	<u>Marquee (on-premises)</u>	<u>One per side.</u>	<u>Length of marquee times one foot, to a maximum of 200 sq. ft.</u>	<u>May not project above marquee or below 8 ft.</u>
	<u>Combined (on-premises)</u>	<u>One, if there is no other ground/freestanding sign</u>	<u>150 sq. ft. (100 sq. ft. if only 2 businesses)</u>	<u>35 ft.</u>
	<u>Portable</u>	<u>Not limited</u>	<u>20 sq. ft.</u>	<u>8 ft.</u>
	<u>Minor</u>	<u>2</u>	<u>4 sq. ft.</u>	<u>6 ft.</u>

<u>Wall</u>	<u>Not limited</u>	<u>10% of wall area to a maximum of 200 sq. ft.</u>	<u>May not project above roof line.</u>
<u>Directional (on-premises)</u>	<u>Two (2) signs per entrance or exit</u>	<u>6 sq. ft.</u>	<u>7 ft.</u>
<u>Temporary</u>	<u>Not limited</u>	<u>100 sq. ft. (freestanding)</u> <u>Max. 50 sq. ft. per sign</u>	<u>20 ft.</u> <u>Wall sign may not project above roof line.</u>

<u>Zoning District</u>	<u>Sign Type</u>	<u>Maximum Number of Signs Permitted</u>	<u>Maximum Area</u>	<u>Max. Height</u>
<u>B-2, Central Business</u>	<u>Ground/Freestanding (on-premises/off-premises)</u>	<u>One (1) sign with less than 200' of frontage.</u> <u>One (1) sign per 200' of additional frontage.</u>	<u>50 sq. ft.</u>	<u>35 ft.</u>
	<u>Wall</u>	<u>Not limited.</u>	<u>10% of wall area to a maximum of 200 sq. ft.</u>	<u>May not project above roof line.</u>
	<u>Changeable copy (on-premises)</u>	<u>One (1) sign as part or whole of one (1) ground/freestanding sign or wall sign (not exceeding allowed wall signage).</u>	<u>18 sq. ft.</u>	<u>35 ft.</u> <u>Wall sign may not project above roof line.</u>
	<u>Marquee (on-premises)</u>	<u>One (1) per side.</u>	<u>Length of marquee times one</u>	<u>May not project above marquee or</u>

		<u>foot, up to a maximum of 200 sq. ft.</u>	<u>below 8 ft.</u>
<u>Combined (on-premises)</u>	<u>One, if there is no other ground/freestanding sign</u>	<u>150 sq. ft. (100 sq. ft. if only 2 businesses)</u>	<u>35 ft.</u>
<u>Portable</u>	<u>Not limited</u>	<u>20 sq. ft.</u>	<u>8 ft.</u>
<u>Minor</u>	<u>2</u>	<u>4 sq. ft.</u>	<u>6 ft.</u>
<u>Directional (on-premises)</u>	<u>Two (2) signs per entrance or exit</u>	<u>6 sq. ft.</u>	<u>7 ft.</u>
<u>Temporary</u>	<u>Not limited</u>	<u>100 sq. ft. Max. 50 sq. ft. per sign</u>	<u>20 ft. (freestanding) Wall sign may not project above roof line.</u>

<u>Zoning District</u>	<u>Sign Type</u>	<u>Maximum Number of Signs Permitted</u>	<u>Maximum Area</u>	<u>Max. Height</u>
<u>B-3, General Business</u>	<u>Ground/Freestanding (on-premises/off-premises)</u>	<u>One (1) sign with less than 200' of frontage. One (1) sign per 200' of additional frontage.</u>	<u>75 sq. ft.</u>	<u>35 ft.</u>
	<u>Changeable copy (on-premises)</u>	<u>One (1) sign as part or whole of a ground/freestanding sign or wall sign (not exceeding allowed)</u>	<u>32 sq. ft.</u>	<u>35 ft. (freestanding) Wall sign may not project above roof</u>

	<u>wall signage).</u>		<u>line.</u>
<u>Marquee (on-premises)</u>	<u>One (1) per side.</u>	<u>Length of marquee times 1 foot, up to a maximum of 200 sq. ft.</u>	<u>May not project above marquee or below 8 ft.</u>
<u>Wall</u>	<u>Not limited</u>	<u>10% of wall area to a maximum of 200 sq. ft.</u>	<u>May not project above roof line.</u>
<u>Combined (on-premises)</u>	<u>One, if there is no other ground/freestanding sign</u> <u>Max. of one (1) additional combined area sign as replacement for one (1) additional ground/freestanding sign as permitted.</u>	<u>200 sq. ft.</u> <u>(150 sq. ft. if only 2 businesses)</u>	<u>35 ft.</u>
<u>Interstate Exit Ground Sign</u>	<u>Max of one (1) ground/freestanding sign located within a 1000 foot radius from the center of the interchange at I-81 Exit 114 and Exit 118C.</u>	<u>150 sq. ft.</u>	<u>75 ft.</u>
<u>Portable</u>	<u>Not limited</u>	<u>20 sq. ft.</u>	<u>8 ft.</u>
<u>Minor</u>	<u>2</u>	<u>4 sq. ft.</u>	<u>6 ft.</u>
<u>Directional (on-</u>	<u>Two (2) signs per</u>	<u>6 sq. ft.</u>	<u>7 ft.</u>

	<u>premises)</u>	<u>entrance or exit</u>		
	<u>Temporary</u>	<u>Not limited</u>	<u>100 sq. ft.</u> <u>Max. 50 sq.</u> <u>ft. per sign</u> <u>for a</u> <u>freestanding</u> <u>/ground sign</u>	<u>35 ft.</u> <u>(freestanding)</u> <u>Wall sign may</u> <u>not project</u> <u>above roof</u> <u>line.</u>

<u>Zoning District</u>	<u>Sign Type</u>	<u>Maximum Number of Signs Permitted</u>	<u>Maximum Area</u>	<u>Max. Height</u>
<u>I-1, Limited Industrial</u>	<u>Ground/Freestanding</u> <u>(on-premises or off-</u> <u>premises)</u>	<u>One (1)</u>	<u>50 sq. ft.</u>	<u>15 ft.</u>
	<u>Changeable copy (on-</u> <u>premises)</u>	<u>One (1) sign as part or</u> <u>whole of one (1)</u> <u>permitted</u> <u>ground/freestanding</u> <u>sign or wall sign (not</u> <u>exceeding allowed</u> <u>wall signage)</u>	<u>32 sq. ft.</u>	<u>15 ft.</u> <u>Wall sign may</u> <u>not project</u> <u>above roof</u> <u>line.</u>
	<u>Wall</u>	<u>Not limited</u>	<u>10% of wall</u> <u>area up to a</u> <u>maximum</u> <u>of 200 sq. ft.</u>	<u>May not</u> <u>project above</u> <u>roof line.</u>
	<u>Combined (on-</u> <u>premises)</u>	<u>One, if there is no</u> <u>other</u> <u>ground/freestanding</u> <u>sign</u>	<u>150 sq. ft.</u> <u>(100 sq. ft.</u> <u>if only 2</u> <u>businesses)</u>	<u>15 ft.</u>

<u>Marquee (on-premises)</u>	<u>One per side.</u>	<u>Length of marquee times 1 foot, up to a maximum of 200 sq. ft.</u>	<u>May not project above marquee or below 8 ft.</u>
<u>Portable</u>	<u>Not limited</u>	<u>20 sq. ft.</u>	<u>8 ft.</u>
<u>Minor</u>	<u>2</u>	<u>4 sq. ft.</u>	<u>6 ft.</u>
<u>Directional (on-premises)</u>	<u>Two (2) signs per entrance or exit</u>	<u>6 sq. ft.</u>	<u>7 ft.</u>
<u>Temporary</u>	<u>Not limited</u>	<u>100 sq. ft. Max. 50 sq. ft. per ground/freestanding sign</u>	<u>15 ft. (freestanding) Wall sign may not project above roof line.</u>

<u>Zoning District</u>	<u>Sign Type</u>	<u>Maximum Number of Signs Permitted</u>	<u>Maximum Area</u>	<u>Max. Height</u>
<u>I-2, General Industrial</u>	<u>Ground/Freestanding (on-premises or off-premises)</u>	<u>One (1) sign with less than 200' of frontage. One (1) sign per 200' of additional frontage.</u>	<u>50 sq. ft.</u>	<u>35 ft.</u>
	<u>Changeable copy (on-premises)</u>	<u>One (1) sign as part or whole of one (1) permitted ground/freestanding sign or wall sign (not exceeding allowed wall signage).</u>	<u>32 sq. ft.</u>	<u>35 ft.</u>

<u>Marquee (on-premises)</u>	<u>One per side.</u>	<u>Length of marquee times 1 foot, up to a maximum of 200 sq. ft.</u>	<u>May not project above marquee or below 8 ft.</u>
<u>Wall</u>	<u>Not limited</u>	<u>10% of wall area up to a maximum of 200 sq. ft.</u>	<u>May not project above roof line.</u>
<u>Combined (on-premises)</u>	<u>One, if there is no other ground/freestanding sign</u>	<u>150 sq. ft. (100 sq. ft. if only 2 businesses)</u>	<u>35 ft.</u>
<u>Portable</u>	<u>Not limited</u>	<u>20 sq. ft.</u>	<u>8 ft.</u>
<u>Minor</u>	<u>2</u>	<u>4 sq. ft.</u>	<u>6 ft.</u>
<u>Directional (on-premises)</u>	<u>Two (2) signs per entrance or exit</u>	<u>6 sq. ft.</u>	<u>7 ft.</u>
<u>Temporary</u>	<u>Not limited</u>	<u>100 sq. ft. Max. 50 sq. ft. per ground/free standing sign</u>	<u>20 ft. (freestanding) Wall sign may not project above roof line.</u>

This ordinance shall become effective upon adoption. If any part of this ordinance is deemed unlawful by a court of competent jurisdiction all remaining parts shall be deemed valid.

Upon a call for an aye and nay vote on the foregoing ordinance at a regular meeting of the Council of the Town of Christiansburg, Virginia held _____, the members of the Council of the Town of Christiansburg, Virginia, present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

Aye	Nay	Abstain	Absent
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Mayor D. Michael Barber*

Samuel M. Bishop

Harry Collins

Cord Hall

Steve Huppert

Henry Showalter

Bradford J. Stipes

*Votes only in the event of a tie vote by Council.

SEAL:

Michele M. Stipes, Town Clerk

D. Michael Barber, Mayor

**AN ORDINANCE
REPEALING CHAPTER 4, "ADVERTISING,"
OF THE *CHRISTIANSBURG TOWN CODE*;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town Council has approved and enacted a new sign ordinance designed to be content neutral and comply with the First Amendment to the United States Constitution; and

WHEREAS, the new sign ordinance will be a part of the Town's Zoning Code; and

WHEREAS, the Town Council now desires to repeal the former sign ordinance and other similar provisions contained in Chapter 4, "Advertising," of the Town Code;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Christiansburg that Chapter 4, "Advertising," of the *Christiansburg Town Code* is hereby repealed in its entirety as follows:

Chapter 4 – ADVERTISING RESERVED.

ARTICLE I. IN GENERAL

Sec. 4.1. Policy.

~~In order to promote the safety, convenience and enjoyment of travel on and protection of the public investment in streets within the town, to attract tourists and promote the prosperity, economic well being and general welfare of the town and to preserve and enhance the natural scenic beauty or aesthetic features of the streets and adjacent areas, the town council declares it to be the policy of this town that the erection and maintenance of outdoor advertising in areas adjacent to the rights of way of the streets and otherwise visible within this town shall be regulated in accordance with the terms of this chapter.~~

Sec. 4.2. Definitions.

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

~~*Advertisement* means any writing, printing, picture, painting, display, emblem, flag, pennant, drawing, sign or similar device which is posted or displayed outdoors on real property and is intended to invite or to draw the attention or to solicit the patronage or support of the public to any goods, merchandise, property, real or personal, business, services, entertainment or amusement manufactured, produced, bought, sold, conducted, furnished or dealt in by any person or for any political party or for the candidacy of any individual for any nomination or office. The term "advertisement" shall also include any part of an advertisement recognizable as such.~~

~~*Advertising structure* means any rigid or semirigid material, with or without any advertisement displayed thereon, situated upon or attached to real property outdoors, primarily or principally for the purpose of furnishing a background or base or support upon which an advertisement may be posted or displayed.~~

~~*Business of outdoor advertising* means the erection, use or maintenance of advertising structures or the posting or display of outdoor advertisements by any person who receives profit~~

~~gained from rentals or any other compensation from any other person for the use or maintenance of such advertising structures or the posting or display of such advertisements, except reasonable compensation for materials and labor used or furnished in the actual erection of advertising structures or the actual posting of advertisements. The business of outdoor advertising shall not include the leasing or rental of advertising structures or advertisements used to advertise products, services or entertainment sold or provided on the premises where the advertising structures or advertisement is located.~~

Centerline of the street means a line equidistant from the edges of the median separating the main traveled ways of a divided street, or the centerline of the main traveled way of a nondivided street.

Distance from edge of a right of way means the horizontal distance measured along a line normal or perpendicular to the right of way line.

Handbill means any leaflet, flier, handout or other such advertisement or informational sheet posted or otherwise intended for distribution to the general public.

Legible means capable of being read without visual aid by a person of normal visual acuity.

Maintain means to allow to exist.

Main traveled way means the traveled way of a street on which through traffic is carried. In the case of a divided street, the traveled way of each of the separated roadways for traffic in opposite directions is a main traveled way. The term "main traveled way" does not include such facilities as frontage roads, turning roadways or parking areas.

Post means to post, display, print, paint, burn, nail, paste or otherwise attach.

Primary roof means a roof which is erected or constructed to cover an enclosed main or primary portion of a building.

Real property means any property physically attached or annexed to real property in any manner whatsoever.

Road frontage means the width of a lot or parcel of land along the street upon which it abuts.

Secondary roof means a roof which is erected or constructed to cover an enclosed portion of a building which is at a lower elevation than the highest point of the primary building roof (such as may cover an entranceway, addition or annex) and does not exceed 20 feet in height.

Sign means any outdoor sign, display, device, figure, flag, pennant, painting, drawing, message, placard, poster, billboard or other thing which is designed, intended or used to advertise or inform, any part of the advertising or informative contents of which is visible from any street or from any nearby or adjacent property.

Sign, accessory, means a sign relating only to uses of the premises on which the sign is located, or products sold on the premises on which the sign is located, or indicating the name or address of a building or the occupants or management of a building on the premises where the sign is located; a business sign.

Sign, business, means a sign which directs attention to a product, commodity or service which is available on the premises upon which the sign is erected; an accessory sign.

Sign, changeable copy, means a sign, exclusive of flags, designed so that characters or letters can be changed or rearranged without altering the face or size of the sign as with 'reader or menu boards.'

Sign, combined area, means a sign advertising the products, commodities or services of three or more businesses located on the same premises on which the sign is erected.

Sign, construction, means a sign intended to be maintained for a short duration located on a construction site and which sign is intended to explain the nature of the construction project.

Sign, development, means a sign located within a subdivision or housing development, farm or estate which displays the name of the development, farm or estate.

Sign, directional, means a traffic directional sign, including regulatory, warning and street name signs.

Sign, double faced, means a sign with two parallel, or nearly parallel, faces, back to back, and located not more than 24 inches from each other.

Sign, electronic changeable copy, means a sign, or portion thereof, that displays electronic, non pictorial, text information in which each alphanumeric character, graphic or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays.

Sign, electronic graphic display, means a sign, or portion thereof, that displays electronic, static images, static graphics or static pictures, with or without information, defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, pixelation, repixelation or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.

Sign, electronic messaging means an electronic changeable copy sign, an electronic graphic display sign or video display sign.

Sign, freestanding, means a sign supported by uprights or braces in or upon the ground surface and the term "freestanding sign" shall include and have the same meaning as a 'ground sign'; a portable sign on its own support or a sign attached to a flat surface such as a fence or wall which fence or wall is not a part of a building shall be considered as a freestanding sign.

Sign, general advertising, means a sign which is not an accessory sign or which directs attention to a product, commodity or service not necessarily available on the premises upon which the sign is erected; a billboard not related to a use conducted on the premises is a general advertising sign.

Sign, ground, means a sign supported by uprights or braces in or upon the ground surface and the term "ground sign" shall include and have the same meaning as a 'freestanding sign'; a portable sign on its own support or a sign attached to a flat surface such as a fence or wall which fence or wall is not a part of a building shall be considered as a ground sign.

Sign height means the vertical distance from the street grade or the average lot grade at the front setback line, whichever produces the greater vertical distance, to the highest point of the sign.

Sign, home occupation, means a sign either single faced or double faced directing attention to products, commodities or services available on the premises upon which the sign is located, but the provision or sale of such products, commodities or services is a secondary use of the premises upon which the sign is erected.

Sign, location, means an off premises sign which directs attention to the approximate location of an establishment on other premises from which an advertised product, or products, may be obtained.

Sign, marquee, means a sign attached to, hung from or part of a marquee, awning, canopy or other such structure, projecting from and supported by the building and extending beyond the building wall, building line or street line (but not covering an enclosed structure) or a freestanding covering structure such as a gas station, drive thru or carwash canopy.

Sign, multiple, means a ground/freestanding sign structure on which more than one single-faced or more than one double faced sign may be mounted within an overall frame.

Sign, nonconforming, nonconforming advertisement or nonconforming advertising structure means one which was lawfully erected, but which does not comply with the provisions of this chapter or which later fails to comply with an ordinance or ordinances adopted by the council.

Sign, off premises, means a sign which is not an accessory sign or which directs attention to a product, commodity or service not available on the premises upon which the sign is erected; any sign not related to a use conducted on the premises is an off premises sign.

Sign, on premises, means a sign which is an accessory sign or which directs attention to a product, commodity or service available on the premises upon which the sign is erected.

Sign, portable, means a sign not permanently anchored to the ground or to a building or structure and which is constructed in such a manner as to permit its easy removal, as for example a sign mounted upon a carriage or fixed supports or on an axle and wheels.

Sign, projecting, means a sign which is attached directly to a building wall and extends more than 18 inches outward from such wall.

Sign, roof, means a sign which is erected or constructed and maintained from the roof of a building, but shall not include secondary roof signs.

Sign, secondary roof, means a sign which is erected or constructed and maintained from a roof of a building which is at a lower elevation than the highest point of the primary roof and which secondary roof does not exceed 20 feet in height.

Sign, single faced, means a sign on which a message is displayed on one side thereof only.

Sign, temporary, means a sign constructed of light material, with or without a frame, the use of which sign is intended for a limited period of display and the term "temporary sign" shall apply to a sign advertising a seasonal or activity such as holiday displays, special sales events and auction sales.

Sign, video display, means a sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include

~~text, and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including, but not limited to, the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.~~

~~Sign, wall, means a sign which is painted on or attached directly to an outside building wall, the face of which is parallel to and extends not more than 18 inches from the wall.~~

~~Street means every way or place of whatever nature open to the use of the public for purposes of vehicular travel in this town.~~

~~Tourist attraction means a business or activity destination with specific cultural, recreational, or other potential draw due to unique appeal for travelers from other localities such as museums, art galleries, antique malls and wineries. Such destinations shall have a substantial portion of its products or services being of substantial interest to tourists and derive its major portion of income or visitors during the normal business season from road users not residing in the area of the facility defined as within 15 miles.~~

~~Traveled way means the portion of a roadway for the movement of vehicles, exclusive of shoulders.~~

~~Turning roadway means a connecting roadway for traffic turning between two intersection legs of an interchange.~~

~~Visible means capable of being seen (whether or not legible) without visual aid by a person of normal visual acuity.~~

~~Secs. 4 3 - 4 22. Reserved.~~

~~ARTICLE II. HANDBILLS, POSTERS AND BANNERS~~

~~Sec. 4 23. Posting advertisements, etc.~~

~~It shall be unlawful for any person to post, stick or fasten any card, poster or advertisement upon any building, premises, wall, fence, post or pole without having first secured the permission of the owner of such building, premises, wall, fence, post or pole.~~

~~Sec. 4 24. Tearing down authorized advertisements or posters.~~

~~It shall be unlawful for any person to tear down any advertisement or poster put up without the consent of the owner of the property whereupon the same is posted or to alter or mutilate the same.~~

~~Sec. 4 25. Painting signs on sidewalks.~~

~~It shall be unlawful for any person to paint signs on sidewalks.~~

~~Sec. 4 26. Placing advertising sign or banner across street or alley.~~

~~It shall be unlawful for any person to place any advertising sign or banner across any street or alley of the town; provided, however, that the town manager may grant temporary permission to~~

~~so place any such banner advertising an event for charitable purposes or county or town affairs or occurrences of a similar nature.~~

~~Sec. 4-27. Handbills—Permit prerequisite to distribution.~~

~~It shall be unlawful for any person to distribute or hand out any handbills, circulars or other advertising matter in the town without first having secured a permit therefor from the town manager. This section shall not be construed to apply to handbills, circulars or other advertising matter relative to judicial sales or religious or political expression.~~

~~Sec. 4-28. Same—Deposit on private residences.~~

~~It shall be unlawful for any person to distribute, or cause to be distributed, handbills, dodgers, circulars, cards or other advertising matter by depositing or casting the same on the porches, in the vestibules or in the yards of private residences in the town.~~

~~Sec. 4-29. Same—Deposit in or upon motor vehicles.~~

~~It shall be unlawful for any person to place any handbill, dodger, circular, card or other advertising material in or upon any automobile or other motor vehicle.~~

~~Secs. 4-30—4-46. Reserved.~~

~~ARTICLE III. OUTDOOR ADVERTISING IN SIGHT OF PUBLIC STREETS~~

~~DIVISION 1. GENERALLY~~

~~Sec. 4-47. Enforcement of provisions by town manager.~~

~~The town manager shall administer and enforce the provisions of this article. He may, in the performance of his duties, hereunder assign to other town employees such duties other than discretionary powers as he may think appropriate.~~

~~Sec. 4-48. Territory to which article applies.~~

- ~~(a) The territory under the jurisdiction of the town manager for the purposes of this article shall include all areas within the corporate limits of the town.~~
- ~~(b) The town manager and all employees under his direction may enter upon such lands as may be necessary in the performance of their functions and duties, as prescribed by this article. Any person who shall hinder or obstruct the town manager or any assistant or agent of the town manager in carrying out such functions and duties shall be guilty of a Class 4 misdemeanor.~~

~~Sec. 4-49. Construction of article.~~

~~This article shall be liberally construed with a view to the effective accomplishment of its purposes.~~

~~Sec. 4-50. Excepted signs, advertisements and advertising structures.~~

~~The following signs and advertisements, if securely attached to real property or advertising structures, and the advertising structures, or parts thereof, upon which they are posted or displayed, are excepted from all the provisions of this article, except those enumerated in sections 4-54 and 4-60:~~

- (1) ~~Signs limited in area to 32 square feet erected or maintained, or caused to be erected or maintained, on any farm by the owner or lessee of such farm and relating solely to farm products, merchandise, services or entertainment sold, produced, manufactured or furnished on such farm.~~
- (2) ~~Signs of 25 square feet or less upon real property posted or displayed by the owner or by the authority of the owner stating that the property upon which the sign is located, or a part of such property, is for sale or rent or stating any data pertaining to such property and its appurtenances, and the name and address of the owner and the agent of such owner. This provision shall not be applicable to real property upon which are situated miniwarehouses, bed and breakfast inns, guest homes, hotels and motels for the purpose of advertising the accommodations of such in an ordinary course of business.~~
- (3) ~~Official notices or advertisements posted or displayed by or under the direction of any public or court official in the performance of his official or directed duties or by trustees under deeds of trust, deeds of assignment or other similar instruments.~~
- (4) ~~Danger or precautionary signs relating to the premises or signs warning of the condition of or dangers of travel on a street, erected or authorized by the town manager; or forest fire warning signs erected under authority of the United States forestry service.~~
- (5) ~~Notices of any telephone company, electric power company, telegraph company, gas company, railroad or other transportation company necessary in the discretion of the town manager for the safety of the public or for the direction of the public to such utility or to any place to be reached by it.~~
- (6) ~~Historical markers erected by duly constituted and authorized public authorities.~~
- (7) ~~Highway markers and signs erected, or caused to be erected, by the Virginia Department of Transportation or other authorities in accordance with law.~~
- (8) ~~Signs erected upon property warning the public against hunting, fishing or trespassing thereon.~~
- (9) ~~Signs erected by Red Cross authorities relating to Red Cross emergency stations. Authority is hereby expressly given for the erection and maintenance of such signs upon the right of way of all streets in this town at such locations as may be approved by the town manager.~~
- (10) ~~A sign of six square feet or less or one sign structure containing more than one sign with aggregate area of six square feet or less which denotes only the name of the civic services club or church, location and directions for reaching same and time of meeting of such organization.~~
- (11) ~~A sign for identification purposes giving the name of the owner or occupant and/or the address of the property on which it is placed and not exceeding two square feet in area.~~
- (12) ~~Changing of the copy on a bulletin board, poster board, display encasement or marquee.~~

- (13) ~~Temporary nonilluminated paper signs in show windows in a business district.~~
- (14) ~~Temporary nonilluminated election campaign signs not exceeding six square feet in area, provided such signs are removed within seven days after the election.~~
- (15) ~~All portable signs existing on May 15, 1989 shall be included in the measurement of permitted sign area.~~
- (16) ~~Sign on a truck, bus or other vehicle, while in use in the normal course of business. This subsection should not be interpreted to permit parking for display purposes of a vehicle to which signs are attached in a district where such signs are not permitted.~~
- (17) ~~Church bulletin boards, located on church property, not exceeding 32 square feet and located ten feet from street right of way.~~
- (18) ~~Governmental flags.~~
- (19) ~~Garage and/or yard sale signs in accordance with chapter 20, Flea Markets and Garage and/or Yard Sales, provided that such signage is limited to a maximum of six square feet in area and one sign per parcel.~~
- (20) ~~Tourist attraction signs in accordance with the state logos participation criteria. When doubt arises as to whether a business or activity destination meets the definition of tourist attraction, the town manager may refer the decision to town council.~~
- (21) ~~Community base curbside recycling collection service signage limited to a maximum of 14 days at initiation of service on properties utilizing the service at a maximum area of six square feet.~~
- (22) ~~Signage erected by the town under the direction of the town manager or town council.~~

Sec. 4 51. Removal of construction signs.

~~Construction signs shall be removed within 30 days after construction of the project advertised thereby has been completed.~~

Sec. 4 52. Area of advertising structure or sign.

- (a) ~~The area of an advertising structure or sign shall include that area within a line including the outer extremities of all letters, figures, characters and delineations, or within a line including the outer extremities of the framework or background of the sign, whichever line includes the larger area. The support for the sign background, whether it is columns, a pylon or a building, or part thereof, shall not be included in the sign area. Only one side of a double faced sign shall be included in a computation of sign area; for other signs with more than one face, each side shall be included in a computation of sign area. The area of a cylindrical or spherical sign shall be computed by multiplying one half of the circumference by the height of the sign. For an awning sign, only the area of the message shall be used in sign area computation.~~
- (b) ~~Signs shall conform to the size, number, height and location, as provided for in division 4.~~

Sec. 4 53. Identification of advertising structure or advertisement.

~~The town manager may require that each advertising structure and each advertisement not posted or displayed on an advertising structure shall bear an identification number, furnished by~~

~~the town manager, and if erected, maintained or displayed by a licensed outdoor advertiser shall also bear his name. The town manager may make suitable provisions for the details thereof.~~

See. 4-54. Certain advertisements or structures prohibited.

~~No advertisement or advertising structure shall be erected, maintained or operated:~~

- ~~(1) Which involves motion or rotation of any part of the structure, moving reflective disks, running animation or displays an intermittent light, or lights, visible from any roadway; provided, however, that the prohibition of this subsection shall not apply to moving or rotating parts of structures, or to the displays of intermittent lights, when such structures or displays are located along streets in this town when the moving or rotating parts of such structures or such displays convey solely public information. Public information shall include all or any of the following information: date, time, temperature, weather, community events and other similar information.~~
- ~~(2) Which uses the word "stop" or "danger" prominently displayed or presents or implies the need or requirement of stopping or the existence of danger on any highway, or which is a copy or imitation of official highway signs.~~
- ~~(3) Which, within visible distance of any street, advertises any county, city, town, village, historical place or shrine without the consent, in writing, of such county, city, town or village or of the owner of such historical place or shrine.~~
- ~~(4) Which is mobile and is designed to, and effectively does, distract the attention of passing motorists on any street by flashing lights, loud and blatant noises or movable objects.~~
- ~~(5) Which involves red, green or amber lights or reflective material and which resembles traffic signal lights or traffic control signs and is within the visible distance of any street.~~
- ~~(6) At any public street intersection in such manner as would obstruct the clear vision in either direction between a point on the centerline of the side street 20 feet from the nearest edge of the pavement of the main street and points on the main street 400 feet distant, measured along the nearest edge of the pavement of the main street.~~
- ~~(7) At any grade intersection of a public street and a railroad in such manner as would obstruct the clear vision in either direction within triangular areas formed by:
 - a. A point at the center of the railroad public street intersections;
 - b. A point on the public street 400 feet from the center of the railroad public street intersection, as measured along the center of the public street; and
 - c. A point on the railroad 500 feet from the center of the railroad public street intersection, as measured along the center of the railroad.~~
- ~~(8) At or near any curve in a street in such a manner as to obstruct the clear vision of traffic from any one point on such curve to any other point on such curve or to any other point not more than 400 feet apart, as measured between each point from the nearest edge of the pavement.~~
- ~~(9) Which advertises activities which are illegal under state or federal laws or regulations in effect at the location of such sign or advertisement or at the location of such activities.~~

- (10) Which is obsolete or inconsistent with this article or regulations adopted by the Commonwealth Transportation Board pursuant to Code of Virginia, § 33.1-351 et seq.
- (11) Which is designed to be mobile or portable in nature, except permitted temporary portable signs 32 square feet or less owned or leased by civic, governmental or public organizations and located within a business or industrial district.
- (12) Illuminated signs positioned and unshielded so as to impair the vision of any motor vehicle operator.
- (13) Alley signs projecting beyond the alley lot line.
- (14) Signs in violation of the Statewide Fire Code or State Building Codes.
- (15) Any sign greater than 200 square feet in total area.
- (16) Off premises signs greater than 50 square feet in total area.
- (17) On premises ground/freestanding signs, other than combined area signs, greater than 50 square feet, excluding changeable copy area. See section 4-116 for combined area sign provisions.

Sec. 4-55. Pasting advertisements prohibited in certain instances.

No advertisement shall be pasted or glued on any building, fence, wall, tree, rock or other similar structure or object, unless the same is an advertising structure for which a permit has been issued and is in effect.

Sec. 4-56. Advertising on rocks, poles, etc., within limits of street.

Any person who in any manner paints, prints, places, puts or affixes any sign or advertisement upon or to any rock, stone, tree, fence, stump, pole, mile board, milestone, danger sign, guide-sign, guidepost, highway sign, historical marker, building or other object lawfully within the limits of any street shall be assessed a civil penalty of \$100.00. Each occurrence shall be subject to a separate penalty.

Sec. 4-57. Harmony of regulations.

No zoning board or commission or any other public officer or agency shall permit any sign, advertisement or advertising structure which is prohibited under the provisions of this article, nor shall the town manager permit any sign, advertisement or advertising structure which is prohibited by any other public board, officer or agency in the lawful exercise of its or his powers.

Sec. 4-58. Nonconforming signs.

A nonconforming sign, advertisement or advertising structure, as defined in this article, and any supporting structures may be maintained in their then structural condition, but shall not be replaced, reconstructed, moved, structurally altered, lighted or relighted, except in compliance with the provisions of this article and may continue in use unless subject to removal under other provisions of this article. Removal, replacement, reconstruction, moving or structural alteration for any cause whatsoever shall be considered as loss of nonconforming status. Change of message or change of ownership shall not affect nonconforming status. Supporting structures for nonconforming signs may continue in use for a conforming sign, if the supporting structures

~~comply in all respects to the applicable requirements of these regulations and other codes and ordinances. No permits for additional signs shall be issued for any premises on which there are any nonconforming signs.~~

~~Sec. 4-59. Disposition of fees.~~

~~All monies received by the town manager under the provisions of this article shall be paid by him into the town treasury.~~

~~Sec. 4-60. Violation a nuisance; abatement.~~

~~Any sign, advertisement or advertising structure which is erected, used, maintained, operated, posted or displayed in violation of this article, or for which no permit has been obtained where such is required, or after revocation or more than 30 days after expiration of a permit, or which, whether or not excepted under the provisions of this article, is not kept in a good general condition and in a reasonably good state of repair and is not, after 30 days' written notice to the person erecting, using, maintaining, posting or displaying the same, put into good general condition and in a reasonably good state of repair, is hereby declared to be a public and private nuisance and may be forthwith removed, obliterated or abated by the town manager or his representatives. The town manager may collect the cost of such removal, obliteration or abatement from the person erecting, using, maintaining, operating, posting or displaying such sign, advertisement or advertising structure.~~

~~Sec. 4-61. Penalty for violation.~~

~~Any person violating any provision of this article for which violation no other penalty is prescribed by this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$10.00 nor more than \$50.00. Each day during which such violation is continued after conviction may be treated for all purposes as a separate offense.~~

~~Secs. 4-62 - 4-80. Reserved.~~

~~DIVISION 2. PERMITS~~

~~Sec. 4-81. Required.~~

- ~~(a) Except as in this article otherwise provided, no person, whether engaged in the business of outdoor advertising or not, shall erect, use, maintain, post or display any advertisement or advertising structure in this town without first obtaining a permit therefor from the town manager and paying the fee therefor as herein provided.~~
- ~~(b) No permit shall be required for the posting or display of any advertisement posted or displayed on any advertising structure or space for which a permit has been issued unless such permit has been revoked.~~

~~Sec. 4-82. Applications; fees.~~

- ~~(a) A separate application for a permit shall be made for each separate advertisement or advertising structure on a form furnished by the town manager, which application shall be filed by the applicant or his representative duly authorized in writing to act for him and shall describe and set forth the size, shape and the nature of the advertisement or advertising~~

~~structure it is proposed to post, display, erect or maintain and its actual or proposed location with sufficient accuracy to enable the town manager to identify such advertisement or advertising structure and to find its actual or proposed location.~~

- ~~(b) Each application shall be accompanied by an application and inspection fee in the amount as established in the latest edition of the town development fee schedule which may be amended from time to time by the town council. Churches, nonprofit or not for profit organizations, and election campaigns shall be exempt from inspection fees and shall be eligible for blanket permits for multiple locations.~~
- ~~(c) Each application shall be accompanied by the written consent, or in lieu thereof a copy certified by an official authorized to take acknowledgments to deeds in this state, of the owner of the real property upon which such advertisement or advertising structure is to be erected, used, maintained, posted or displayed, or of such other persons having the legal right to grant such consent, or of the duly authorized agent of such owner, or other person.~~

Sec. 4-83. Temporary permits.

~~The town manager, upon application as required in section 4-82, may issue temporary permits for signs and displays when, in his opinion, the use of such signs and displays would be in the public interest and would not result in damage to private property. Temporary sign permits are valid for a period of 30 calendar days unless otherwise specified by the town manager and include the following:~~

- ~~(1) Signs advertising a special civic or cultural event such as a fair or exposition, play, concert or meeting, sponsored by a governmental, civic or charitable organization.~~
- ~~(2) Special decorative displays used for holidays, public demonstrations or promotion for nonpartisan civic purposes.~~
- ~~(3) Special sales promotion displays in a district where such sales are permitted, including displays incidental to the opening of a new business.~~

Sec. 4-84. Unusual displays.

~~Applications for unusual signs or displays which give rise to questions of interpretation of this article may be referred by the town manager to the town council for the purpose of interpretation by the council and recommendation for action on the application by the town manager. If, in the opinion of the council, the application is not adequately covered by this article, the council may make recommendations for amendment of this article.~~

Sec. 4-85. Refusal to grant permit; revocation.

- ~~(a) The town manager may deny or refuse to grant any permit under this article in any case in which it shall appear to the town manager that the application for the permit contains knowingly false or misleading information or that the application would be in violation of any of the provisions of this article, unless such permittee shall correct all false or misleading information, or make the necessary changes to the application that such advertisement or advertising structure shall comply with the provisions of this article, as the case may be.~~
- ~~(b) The town manager may, after 30 days' notice in writing to the permittee, revoke any permit under this article in any case in which it shall appear to the town manager that the application~~

~~for the permit contains knowingly false or misleading information, that the permittee has failed to keep in a good general condition and in a reasonable state of repair the advertisement or advertising structure for which such permit was issued or that the permittee has violated any of the provisions of this article, unless such permittee shall before the expiration of such 30 days correct all false or misleading information, or make the necessary repairs or improvements in the general condition of such advertisement or advertising structure or comply with the provisions of this article, as the case may be.~~

- (e) ~~If the permittee does not correct the false or misleading information or make the necessary repairs or improvements in the general condition of such advertisement or advertising structure or otherwise comply with the provisions of this article, the application fee for such advertisement or advertising structure shall be returned by the town manager and the permit revoked. However, one half of the application fee shall be retained by the town if, upon the erection of an advertising structure or the display of an advertisement, an inspection by the town manager or his representative was performed.~~
- (d) ~~If the permit has been revoked, as above provided, for the erection, maintenance and display of any advertisement or advertising structure for which a permit is issued by the town manager, issuance of a permit by any zoning board, commission or other public agency which also has jurisdiction over the proposed advertisement or advertising structure or its site shall be prohibited.~~

Sec. 4-86. Appeal from refusal or revocation of permit.

~~Any person aggrieved by any action by the town manager in refusing to grant or revoking a sign permit may, within 30 days from the date of such refusal or revocation appeal from the decision of the town manager to the circuit court of the county by presenting to the court or the judge thereof in vacation, after five days' notice in writing to the town manager, an affidavit made by such person or his duly authorized agent or attorney, setting forth the fact of such refusal or revocation as the case may be and that the action of the town manager was without just or lawful cause.~~

Sec. 4-87. Transfer of permits to successor concerns.

~~Any permit issued pursuant to this article may be transferred to any person who acquires as a successor the business of the person for whom such permit was issued.~~

Secs. 4-88 - 4-100. Reserved.

DIVISION 3. FALSE AND MISLEADING SIGNS

Sec. 4-101. Prohibited.

~~It shall be unlawful for any person to erect or maintain alongside, or in plain view of, any public street any false or misleading sign of any kind or character purporting to furnish travel information relating to place or direction.~~

Sec. 4-102. Penalty; existing signs.

~~Any person who shall violate any of the provisions of section 4-88 shall, upon conviction thereof, be guilty of a Class 4 misdemeanor, and it shall be deemed a separate offense for the same person to erect, or permit to be erected, a similar sign at each of two or more places.~~

Sec. 4-103. Removal by town manager.

~~The town manager, whenever he shall ascertain that any sign gives incorrect information in violation of this division, shall notify the person who erected the same, and the person on whose property it is located, in writing, to remove it forthwith, and if it is not removed within ten days after receipt of such notice, the town manager shall remove and destroy the same, or cause it to be removed and destroyed, without liability for damages therefor, and, if any person convicted of erecting or maintaining any such sign, or of permitting the same to be erected or maintained, as hereinabove provided, shall fail or refuse to remove the same within ten days after such judgment of conviction, the town manager shall remove and destroy such sign, or cause the same to be removed and destroyed, without liability for damages therefor.~~

~~Secs. 4-104 - 4-115. Reserved.~~

~~DIVISION 4. PERMITTED SIZE, NUMBER, HEIGHT AND LOCATION OF SIGNS~~

~~Sec. 4-116. Generally.~~

~~Section 4-117 contains regulations for the size, number, height and location of permitted signs. In addition, the following regulations shall apply:~~

- ~~(1) Reference in the table to zoning districts means zoning districts as established in chapter 42, Zoning.~~
- ~~(2) Structural and safety features and electrical systems shall be in accordance with the requirements of the applicable codes and ordinances. No sign shall be approved for use unless it has been inspected by the building inspections department and is found to be in compliance with all the requirements of this article and applicable technical codes.~~
- ~~(3) A group of three or more contiguous businesses or uses may combine permitted ground/freestanding sign area to provide a single ground/freestanding sign advertising the group if there are no other ground/freestanding signs and if total ground/freestanding sign area does not exceed 150 square feet. In mixed use districts, combined area signs shall not exceed 100 square feet. It shall be the responsibility of the property owner to allocate sign areas to the businesses. Should any sign created under this provision cease to advertise three or more contiguous businesses for a period of 90 days then such sign shall be made to conform to the provisions of this article or be removed.~~
- ~~(4) A shopping center or cluster of businesses on one tract of land, as identified on a current subdivision plat of record, having enough street frontage to allow more than one ground/freestanding sign may combine ground/freestanding sign areas and number of faces to create one permanent multifaced freestanding business sign having no more than four faces, joined at the corners at 90 degree or less angles, with no face exceeding the area normally allocated a single ground/freestanding sign face provided as follows:~~
 - ~~a. There shall be no ground/freestanding signs upon the premises other than the one multifaced ground/freestanding sign.~~

- b. The multifaced ground/freestanding sign shall not advertise any off premises activity or use.
- c. Should future subdivisions reduce the amount of frontage required for the multifaced ground/freestanding sign, then the sign shall be removed at the owner's expense.

Sec. 4 117. Permitted size, number, height and location of signs.

The setbacks for advertisements shall be as follows:

- (1) Advertisements in all zoning districts other than B-2 shall be subject to the following provisions:
 - a. The first ground/freestanding, location, and/or general advertising sign on any premises must remain a minimum of ten feet from any street right of way.
 - b. The second and all additional ground/freestanding, location, and/or general advertising signs on any premises must meet the front yard setback requirements of the zoning district in which they are located. See chapter 42, Zoning, for front yard setback requirements.
 - c. Advertisement must remain a minimum of three feet from all other property lines.
 - d. On all corner lots, a sight triangle formed by a 20 foot measurement down both rights of way shall be maintained.
 - e. Side and rear wall signs facing and within 100 feet of a residential district are prohibited.
 - f. Marquee signs for buildings with zero front yard setbacks and fronting on a public sidewalk shall meet the setback requirements of the B-2 Central Business district.
- (2) In the B-2 Central Business district, advertisements have no setbacks other than following provisions:
 - a. Sign may project a maximum of 42 inches over public property.
 - b. Sign must remain a minimum of two feet from the back of the street curb.
 - c. On all corner lots a sight triangle formed by a 20 foot measurement down both rights of way shall be maintained.
 - d. Side and rear wall signs facing and within 100 feet of a residential district are prohibited.
- (3) The type, number, size and height of signs allowed in each zoning district shall be as follows:

Zoning District	Sign Type	Maximum Number of Signs Permitted	Maximum Area of Signs	Max./Min. Height

All districts	Construction (off-premises)	1 for each principal participant.	32 sq. ft. per face.	10 ft. max.
All districts	Development (on-premises)	1 per entrance.	32 sq. ft. per face.	10 ft. max.
All districts	Directional (on-premises)	2 per entrance or exit.	6 sq. ft. per face.	7 ft. max.
A, Agricultural	Home occupation (on-premises)	1 wall mounted in close proximity to the front door.	2 sq. ft. per face.	5 ft. max.
R-1A, Rural Residential	None other than those allowed in all districts (Construction, Development or Directional). See beginning of table.			
R-1, Single Family Residential	None other than those allowed in all districts (Construction, Development or Directional). See beginning of table.			
R-2, Two Family Residential	Home occupation (on-premises)	1 wall mounted in close proximity to the front door.	2 sq. ft. per face.	5 ft. max.
R-3, Multiple Family Residential	Home occupation (on-premises)	1 wall mounted in close proximity to the front door.	2 sq. ft. per face.	5 ft. max.
R-MS, Residential Manufactured Home Subdivision	Home occupation (on-premises)	1 wall mounted in close proximity to the front door.	2 sq. ft. per face.	5 ft. max.
MU-1, Mixed Use- Residential/Limited Business	Ground/Freestanding (on-premises)	1 single faced or 1 double faced per lot with less than 200' frontage. Lots having in excess of 200' frontage shall be permitted 1 such sign on each 200' of frontage, but no	50 sq. ft. per face.	20 ft. max.

		fractional distance shall increase the number of signs permitted. Not allowed if a location sign exists.		
MU 1, Mixed Use: Residential/Limited Business	Changeable copy (on-premises)	1, as part of a permitted ground/freestanding sign or as a substitute for 1 permitted ground/freestanding sign.	18 sq. ft. per face.	20 ft. max.
MU 1, Mixed Use: Residential/Limited Business	Marquee (on-premises)	1 per side, if there are no roof or projecting signs.	Length of marquee times one foot, up to a maximum of 200 sq. ft.	May not project above marquee or below 8 ft.
MU 1, Mixed Use: Residential/Limited Business	Secondary roof (on-premises)	1 per secondary roof to occupy no more than half the width of the secondary roof, if there are no roof or projecting signs.	Length of secondary roof times one foot, up to a maximum of 200 sq. ft.	May not project above primary roof; more than 4 feet above the lowest point of the secondary roof; or below 8 ft.
MU 1, Mixed Use: Residential/Limited Business	Wall (on-premises or off-premises)	Not limited other than side and rear wall signs facing and within 100	Total signage area may not exceed 10% of wall area	May not project above roof line, parapet

		feet of a residential district are prohibited.	on which placed up to a maximum of 200 sq. ft.	wall or top of other supporting structure.
MU 1, Mixed Use: Residential/Limited Business	Temporary (on-premises or off-premises)	Same as for permanent signs depending on type and subject to approval by town manager for structure and placement.		
MU 2, Mixed Use: Residential/Limited Business/Limited Industrial	Ground/Freestanding (on-premises)	1 single-faced or 1 double-faced per lot with less than 200' frontage. Lots having in excess of 200' frontage shall be permitted 1 such sign on each 200' of frontage, but no fractional distance shall increase the number of signs permitted. Not allowed if a location sign exists.	50 sq. ft. per face.	20 ft. max.
MU 2, Mixed Use: Residential/Limited Business/Limited Industrial	Changeable copy (on-premises)	1, as part of a permitted ground/freestanding sign or as a substitute for 1 permitted ground/freestanding sign.	18 sq. ft. per face.	20 ft. max.
MU 2, Mixed Use: Residential/Limited	Marquee (on-premises)	1 per side, if there are no roof or projecting signs.	Length of marquee times one foot, up to a	May not project above

Business/Limited Industrial			maximum of 200 sq. ft.	marquee or below 8 ft.
MU-2, Mixed Use: Residential/Limited Business/Limited Industrial	Secondary roof (on-premises)	1 per secondary roof to occupy no more than half the width of the secondary roof, if there are no roof or projecting signs.	Length of secondary roof times one foot, up to a maximum of 200 sq. ft.	May not project above primary roof; more than 4 feet above the lowest point of the secondary roof; or below 8 ft.
MU-2, Mixed Use: Residential/Limited Business/Limited Industrial	Wall (on-premises or off premises)	Not limited other than side and rear wall signs facing and within 100 feet of a residential district are prohibited.	Total signage area may not exceed 10% of wall area on which placed up to a maximum of 200 sq. ft.	May not project above roof line, parapet wall or top of other supporting structure.
MU-2, Mixed Use: Residential/Limited Business/Limited Industrial	Temporary (on-premises or off premises)	Same as for permanent signs depending on type and subject to approval by town manager for structure and placement.		
B-1, Limited Business	Ground/Freestanding (on-premises)	1 single faced or 1 double faced per lot with less than 200' frontage. Lots having in excess of 200' frontage shall be permitted 1 such sign	50 sq. ft. per face.	35 ft. max.

		on each 200' of frontage, but no fractional distance shall increase the number of signs permitted. Not allowed if a location sign exists.		
B-1, Limited Business	Changeable copy (on-premises)	1, as part of a permitted ground/freestanding sign or as a substitute for 1 permitted ground/freestanding sign.	18 sq. ft. per face.	35 ft. max.
B-1, Limited Business	Location (off-premises)	1 single-faced or 1 double-faced per lot with not less than 200' of public street frontage provided there is no ground/freestanding sign.	50 sq. ft. per face.	35 ft. max.
B-1, Limited Business	Marquee (on-premises)	1 per side, if there are no roof or projecting signs.	Length of marquee times one foot, up to a maximum of 200 sq. ft.	May not project above marquee or below 8 ft.
B-1, Limited Business	Secondary roof (on-premises)	1 per secondary roof to occupy no more than half the width of the secondary roof, if there are no roof or projecting signs.	Length of secondary roof times one foot, up to a	May not project above primary roof; more than 4 feet above the

			maximum of 200 sq. ft.	lowest point of the secondary roof; or below 8 ft.
B-1, Limited Business	Roof (on premises)	1 per side, if there are no marquee, secondary roof, projecting or wall signs.	50 sq. ft. per face if erected within 75' from street right-of-way. 75 sq. ft. per face if erected in excess of 75' from street right-of-way. 100 sq. ft. if erected in excess of 150' from street right- of-way. 200 sq. ft. per face if erected in excess of 300' from street right- of-way.	May not project above peak of a sloping roof or parapet wall of a flat roof.
B-1, Limited Business	Wall (on premises or off premises)	Not limited other than side and rear wall signs facing and within 100 feet of a residential district are prohibited.	Total signage area may not exceed 10% of wall area on which placed up to	May not project above roof line, parapet wall or top of other

			a maximum of 200 sq. ft.	supporting structure.
B-1, Limited Business	Temporary (on-premises or off-premises)	Same as for permanent signs depending on type and subject to approval by town manager for structure and placement.		
B-2, Central Business	Ground/Freestanding (on-premises)	1 single-faced or 1 double-faced per lot with less than 200' frontage. Lots having in excess of 200' frontage shall be permitted 1 such sign on each 200' of frontage, but no fractional distance shall increase the number of signs permitted. Not allowed if a location sign exists.	50 sq. ft. per face.	35 ft. max.
B-2, Central Business	Changeable copy (on-premises)	1, as part of a permitted ground/freestanding sign or as a substitute for a permitted ground/freestanding sign.	18 sq. ft. per face.	35 ft. max.
B-2, Central Business	Location (off-premises)	1 single-faced or 1 double-faced per lot with not less than 200' of public street frontage, provided there is no ground/freestanding sign.	50 sq. ft. per face.	35 ft. max.

B-2, Central Business	Marquee (on-premises)	1, if there are no roof or projecting signs.	Length of marquee times one foot, up to a maximum of 200 sq. ft.	May not project above marquee or below 8 ft.
B-2, Central Business	Secondary roof (on-premises)	1 per secondary roof to occupy no more than half the width of the secondary roof, if there are no roof or projecting signs.	Length of secondary roof times one foot up to a maximum of 200 sq. ft.	May not project above primary roof; more than 4 feet above the lowest point of the secondary roof; or below 8 ft.
B-2, Central Business	Roof (on-premises)	1 per side, if there are no marquee, secondary roof, projecting or wall signs.	50 sq. ft. per face if erected within 75' from street right-of-way. 75 sq. ft. per face if erected in excess of 75' from street right-of-way. 100 sq. ft. if erected in excess of 150' from street right-of-way. 200 sq. ft. per face if	May not project above peak of a sloping roof or parapet wall of a flat roof.

			erected in excess of 300' from street right-of-way.	
B-2, Central Business	Projecting (on-premises)	1, if there are no marquee or roof signs.	50 sq. ft. per face.	Minimum height to bottom of sign shall be 9 ft.
B-2, Central Business	Wall (on-premises or off-premises)	Not limited other than not permitted if there is a roof sign and that side and rear wall signs facing and within 100 feet of a residential district are prohibited.	Total signage area may not exceed 10% of wall area on which placed up to a maximum of 200 sq. ft.	May not project above roof line, parapet wall or top of other supporting structure.
B-2, Central Business	Temporary (on-premises or off-premises)	Same as for permanent signs depending on type and subject to approval by town manager for structure and placement.		
B-3, General Business	Ground/Freestanding (on-premises)*	1 single-faced or 1 double-faced per lot with less than 200' of public street frontage. Lots having in excess of 200' of public street frontage shall be permitted 1 such sign on each 200' of frontage, but no fractional distance shall increase the number of signs permitted. Not allowed	50 sq. ft. per face.	35 ft. max.

		if a general advertising sign exists.		
B-3, General Business	Changeable copy (on-premises)*	1, as part of a permitted ground/freestanding sign or as a substitute for 1 permitted ground/freestanding sign.	32 sq. ft. per face.	35 ft. max.
B-3, General Business	General Advertising (on-premises or off-premises)*	1 single faced or 1 double faced per lot with not less than 200' of public street frontage, provided there is no ground/freestanding sign.	50 sq. ft. per face.	35 ft. max.
B-3, General Business	Marquee (on-premises)	1 per side, if there are no roof or projecting signs.	Length of marquee times 1 foot, up to a maximum of 200 sq. ft.	May not project above marquee or below 8 ft.
B-3, General Business	Secondary roof (on-premises)	1 per secondary roof to occupy no more than half the width of the secondary roof, if there are no roof or projecting signs.	Length of secondary roof times 1 foot, up to a maximum of 200 sq. ft.	May not project above primary roof; more than 4 feet above the lowest point of the secondary roof; or below 8 ft.

B-3, General Business	Roof (on-premises)	<p>1 per side, if there are no marquee, secondary roof, projecting or wall signs.</p>	<p>90 sq. ft. per face if erected within 75' from street right-of-way. 140 sq. ft. per face if erected in excess of 75' from street right-of-way. 170 sq. ft. if erected in excess of 150' from street right-of-way. 200 sq. ft. if erected in excess of 300' from street right-of-way.</p>	<p>May not project more than 4 ft. above peak of a sloping roof or parapet wall of a flat roof.</p>
B-3, General Business	Wall (on-premises or off-premises)	<p>Not limited other than not permitted if there is a roof sign and that side and rear wall signs facing and within 100 feet of a residential district are prohibited.</p>	<p>Total signage area may not exceed 10% of wall area on which placed up to a maximum of 200 sq. ft.</p>	<p>May not project above roof line, parapet wall or top of other supporting structure.</p>
B-3, General Business	Temporary (on-premises or off-premises)	<p>Same as for permanent signs depending on type and subject to approval by town</p>		

		manager for structure and placement.		
I-1, Limited Industrial	Ground/Freestanding (on-premises)	1, provided there is no location sign.	50 sq. ft. per face.	15 ft. max.
I-1, Limited Industrial	Location (off-premises)	1 single-faced or 1 double-faced per lot with not less than 200' of public street frontage, provided there is no ground/freestanding sign.	50 sq. ft. per face.	15 ft. max.
I-1, Limited Industrial	Marquee (on-premises)	1 per side, if there are no roof or projecting signs.	Length of marquee times 1 foot, up to a maximum of 200 sq. ft.	May not project above marquee or below 8 ft.
I-1, Limited Industrial	Secondary roof (on-premises)	1 per secondary roof to occupy no more than half the width of the secondary roof, if there are no roof or projecting signs.	Length of secondary roof times 1 foot, up to a maximum of 200 sq. ft.	May not project above primary roof; more than 4 feet above the lowest point of the secondary roof; or below 8 ft.
I-1 Limited Industrial	Roof (on-premises)	1 per side, if there are no marquee, secondary roof, projecting or wall signs.	90 sq. ft. per face if erected within 75' from street	May not project more than 4 ft. above peak of a

			right of way. 140 sq. ft. per face if erected in excess of 75' from street right of way. 170 sq. ft. if erected in excess of 150' from street right- of way. 200 sq. ft. if erected in excess of 300' from street right- of way.	sloping roof or parapet wall of a flat roof.
I-1 Limited Industrial	Wall (on-premises or off-premises)	1, provided there is no roof sign. Side and rear wall signs facing and within 100 feet of a residential district are prohibited.	Total signage area may not exceed 10% of wall area on which placed up to a maximum of 200 sq. ft.	May not project above roof line, parapet wall or top of other supporting structure.
I-1 Limited Industrial	Temporary (on- premises or off- premises)	Same as for permanent signs depending on type and subject to approval by town manager for structure and placement.		
I-2, General Industrial	Ground/Freestanding (on-premises)*	1 single faced or 1 double faced per lot with less than 200' of public street frontage. Lots having in excess of 200' of public street	50 sq. ft. per face.	35 ft. max.

		frontage shall be permitted 1 such sign on each 200' of frontage, but no fractional distance shall increase the number of signs permitted. Not allowed if a general advertising sign exists.		
I-2, General Industrial	Changeable copy (on premises)*	1, as part of a permitted ground/freestanding sign or as a substitute for 1 permitted ground/freestanding sign.	32 sq. ft. per face.	35 ft. max.
I-2, General Industrial	General Advertising (on premises or off premises)*	1 single-faced or 1 double-faced per lot with not less than 200' of public street frontage provided there is no ground/freestanding sign.	50 sq. ft. per face.	35 ft. max.
I-2, General Industrial	Marquee (on-premises)	1 per side, if there are no roof or projecting signs.	Length of marquee times 1 foot, up to a maximum of 200 sq. ft.	May not project above marquee or below 8 ft.
I-2, General Industrial	Secondary roof (on-premises)	1 per secondary roof to occupy no more than half the width of the secondary roof, if there	Length of secondary roof times 1 foot, up to a	May not project above primary roof; more

		are no roof or projecting signs.	maximum of 200 sq. ft.	than 4 feet above the lowest point of the secondary roof; or below 8 ft.
I-2, General Industrial	Roof (on-premises)	1 per side, if there are no marquee, secondary roof, projecting or wall signs.	90 sq. ft. per face if erected within 75' from street right-of-way. 140 sq. ft. per face if erected in excess of 75' from street right-of-way. 170 sq. ft. if erected in excess of 150' from street right-of-way. 200 sq. ft. if erected in excess of 300' from street right-of-way.	May not project more than 4 ft. above peak of a sloping roof or parapet wall of a flat roof.
I-2, General Industrial	Wall (on-premises or off-premises)	Not limited other than not permitted if there is a roof sign and that side and rear wall signs facing and within 100	Total signage area may not exceed 10% of wall area on which placed up to	May not project above roof line, parapet wall or top of other

		feet of a residential district are prohibited.	a maximum of 200 sq. ft.	supporting structure.
I-2, General Industrial	Temporary (on-premises or off-premises)	Same as for permanent signs depending on type and subject to approval by town manager for structure and placement.		

(4) Common private access subdivisions in B-3 General Business and I-2 General Industrial shall be limited to one combined area sign (up to 150 square feet total, subject to the provisions of section 4-116) or one general advertising sign (subject to the property having at least 200 feet of street frontage) for the entirety of the subdivision. This provision shall not restrict marquee, roof, wall and temporary signs.

(5) Common private access subdivisions in MU-1 Mixed Use: Residential-Limited Business and MU-2 Mixed Use: Residential-Limited Business-Limited Industrial shall be limited to one combined area sign (up to 100 square feet total, subject to the provisions of section 4-109) for the entirety of the subdivision. This provision shall not restrict marquee, wall and temporary signs.

See 4-118. Electronic messaging signs.

(a) Electronic messaging signage (including the primary message and any and all secondary messages, backgrounds, etc.) is required to remain static for at least four seconds and may not flash or change intensity by pulsing or pulsating with the exception that such displays conveying solely public information such as date, time, temperature, weather, community events and other similar information may scroll but may not flash or change intensity by pulsing or pulsating.

(b) Electronic messaging signs shall require conditional use permit approval per section 4-2-8 for all signs that are located in areas that are within historic districts as designated by the Virginia Landmarks Register or within the central business district, except those signs that display only public information such as date, time, temperature, weather, community events and other similar information and signs that display drive through menus of four square feet or less.

This ordinance shall become effective upon adoption. If any part of this ordinance is deemed unlawful by a court of competent jurisdiction all remaining parts shall be deemed valid.

Upon a call for an aye and nay vote on the foregoing ordinance at a regular meeting of the Council of the Town of Christiansburg, Virginia held August 22, 2017, the members of the Council of the Town of Christiansburg, Virginia, present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

Ord. 2017 - _____

Aye

Nay

Abstain

Absent

Mayor D. Michael Barber*

Samuel M. Bishop

Harry Collins

Cord Hall

Steve Huppert

Henry Showalter

Bradford J. Stipes

*Votes only in the event of a tie vote by Council.

SEAL:

Michele M. Stipes, Town Clerk

D. Michael Barber, Mayor



**TOWN OF CHRISTIANSBURG
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Discussion and Action by Mayor and Council

Meeting Date:

September 12, 2017

ITEM TITLE:

Resolution Supporting the Amendment of Chapter 638 of Virginia Acts of Assembly Relating to the New River Valley Emergency Communications Regional Authority

DESCRIPTION:

The New River Valley Emergency Communications Regional Authority Board of Directors has been discussing the funding of the Authority, which by Chapter 638 of Virginia Acts of Assembly, is set at 25% for each member (the Towns of Blacksburg and Christiansburg, Montgomery County, and Virginia Tech). The Board has proposed changing the funding formula to an “attributed” share as apportioned by the Board.

The funding formula currently proposed would utilize a 3-year rolling average of call data percentages with law enforcement, fire and rescue weighted calls for service from the previous calendar years (though the Board has discretion to exclude major capital expenditures or catastrophic events). Each discipline (law enforcement, fire, and rescue) will be calculated and assigned separately (but not multiple units assigned from the same response agency) and multiplied by a priority scoring system (with a factor of 3 for high priority, 2 for medium priority and 1 for low priority). The new formula is proposed to take effect Fiscal Year 2018-19.

This proposed formula will likely result in increased cost to the Town of Christiansburg on an annual basis.

POTENTIAL ACTION:

Council discussion and potential vote.

DEPARTMENT:

NRV Emergency Communications Regional Authority

PRESENTERS:

Randy Wingfield, Interim Town Mgr.

Billy Hanks, Fire Chief/Fire Marshal

Information Provided:

- Resolution Supporting the Amendment of Chapter 638 of Virginia Acts of Assembly Relating to the New River Valley Emergency Communications Regional Authority
- Proposed Amendment to Chapter 638 of Virginia Acts of Assembly Relating to the New River Valley Emergency Communications Regional Authority

- Resolution for the New River Valley Emergency Communications Regional Authority to Establish a Funding Formula for Members Annual Contribution
- 911 Calls for Service (as provided by the Authority)
- 911 Authority Priority Assignment
- New River Valley Emergency Communications Regional Authority Memorandum of Understanding
- New River Valley Emergency Communications Regional Authority FY 2017-18 Budget
- New River Valley Emergency Communications Regional Authority Funding Formula PowerPoint
- New River Valley Emergency Communications Regional Authority – Christiansburg Potential Cost Increase

TOWN OF CHRISTIANSBURG

Established November 10, 1792

Incorporated January 7, 1833



RESOLUTION SUPPORTING THE AMENDMENT OF CHAPTER 638 OF VIRGINIA ACTS OF ASSEMBLY RELATING TO THE NEW RIVER VALLEY EMERGENCY COMMUNICATIONS REGIONAL AUTHORITY

WHEREAS, the Virginia General Assembly enacted the New River Valley Emergency Communications Regional Authority Act, effective July 1, 2010 ("the Act"), enabling the County of Montgomery, the Town of Blacksburg, the Town of Christiansburg and Virginia Polytechnic Institute and State University to form a regional authority to provide the core responsibilities for governance of a consolidated public safety communications center with regional interoperable communications; and,

WHEREAS, the governing bodies of the Town of Blacksburg, the Town of Christiansburg, the County of Montgomery and the Board of Visitors for Virginia Polytechnic Institute and State University, by Resolution, approved, executed and delivered a Memorandum of Understanding supporting the formation of the New River Valley Emergency Communications Regional Authority (the "Authority") to provide 911 dispatch and emergency communications services for the people of Montgomery County and for Virginia Polytechnic Institute and State University's Blacksburg campus; and,

WHEREAS, the Authority was properly formed in 2010 and has successfully operated dispatch services for one (1) year; and,

WHEREAS, the Authority has developed a funding formula for the allocation of its Annual Budget in Annual Contributions to be allocated among the Town of Blacksburg, the Town of Christiansburg, the County of Montgomery and the Board of Visitors for Virginia Polytechnic Institute and State University and payable quarterly to the Authority, subject, however, to appropriation; and,

WHEREAS, the Authority has suggested that certain amendments be made to the Act permitting the implementation of the funding formula and the allocation of Annual Contributions to the Authority's Annual Budget among the Town of Blacksburg, the Town of Christiansburg, the County of Montgomery and the Board of Visitors for Virginia Polytechnic Institute and State University based on use of Authority services by each member; and,

WHEREAS, a copy of "Amendment of Chapter 638 of the 2010 Virginia Acts of Assembly (the "Act") relating to the New River Valley Emergency Communications Regional Authority" (the "Amendment to the Act") setting out the proposed amendments to the Act has been submitted to this meeting.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Christiansburg, Virginia that the Christiansburg Town Council hereby approves the proposed Amendment to the Act and authorizes and directs the Authority to submit the same for approval by the Virginia General Assembly at its 2018 legislative session.

Upon a call for an aye and nay vote on the foregoing resolution at a regular meeting of the Council of the Town of Christiansburg, Virginia held _____, 2017, members of the Council stood as indicated opposite their names as follows:

AYE NAY ABSTAIN ABSENT

Samuel M. Bishop

Harry Collins

R. Cord Hall

Steve Huppert

Henry D. Showalter

Bradford J. Stipes

D. Michael Barber, Mayor*

*Votes only in the event of a tie.

D. Michael Barber, Mayor

ATTEST:

Michele M. Stipes, Clerk of Council

VIRGINIA ACTS OF ASSEMBLY -- 2010~~18~~ SESSION

CHAPTER 638

An Act to create Amendment of Chapter 638 of the 2010 Virginia Acts of Assembly (the "Act") relating to the New River Valley Emergency Communications Regional Authority.

[H 1002 _____]

Approved April 11, 2010 _____, 2018

Be it enacted by the General Assembly of Virginia hereby amends Chapter 638 of the 2010 Virginia Acts of Assembly by amending the Act as follows:

1. § 1. Title.

This Act shall be known and may be cited as the New River Valley Emergency Communications Regional Authority Act.

§ 2 Creation; public purpose.

If the governing bodies of the Towns of Blacksburg and Christiansburg, the County of Montgomery, and the Board of Visitors for Virginia Polytechnic Institute and State University (Virginia Tech) by resolution support the formation of a regional authority to provide 911 dispatch and emergency communications services to the people of each jurisdiction and campus, an authority known as the New River Valley Emergency Communications Regional Authority Act (hereinafter the Authority) shall thereupon exist for such participating entities and shall exercise its powers and functions as prescribed herein.

In any suit, action, or proceeding relating to or involving the validity or enforcement of any contract of the Authority, the Authority shall be deemed to have been created as a political subdivision and body corporate and to have been established and authorized to transact business and exercise its powers hereunder upon proof of the adoption of a resolution as aforesaid by the governing bodies of such towns, county, and university supporting the formation of such Authority. A copy of such resolution duly certified by the clerk or secretary of the governing body of the towns, county, and university by which it is adopted shall be admissible as evidence in any suit, action, or proceedings. Any political subdivision of the Commonwealth is authorized to join such Authority pursuant to the terms and conditions of this Act.

The ownership and operation by the Authority of emergency communications services and the exercise of powers conferred by this Act are proper and essential governmental functions and public purposes and matters of public necessity for which public moneys may be spent and private property acquired through the power of eminent domain as hereinafter provided. The purposes of such Authority shall be to develop a consolidated system for the receipt of and response to 911 emergency calls and communications that will improve response time, quality of service, and coordination of available resources for the citizens of the affected localities.

The Authority and its members, officers, employees, and agents shall all enjoy sovereign immunity for torts committed in exercise of its governmental and proprietary functions. Nothing in this Act shall be construed as a waiver of the sovereign immunity enjoyed by any of the participating political subdivisions.

The courts of the Commonwealth of Virginia shall have original jurisdiction of all actions brought by or against the Authority, which courts shall in all cases apply the law of the Commonwealth of Virginia.

§ 3 Definitions.

As used in this act, the following words and terms have the following meanings unless a different meaning clearly appears from the context:

"Act" means the New River Valley Emergency Communications Regional Authority Act.

"Annual deficitBudget" means the amount of budgeted expenditures ~~in excess of anticipated revenues from~~ necessary each fiscal year for the payment of operations or capital budgets.

"Annual Contribution" means the portion of the Annual Budget attributable to each Participating Political Subdivision each fiscal year.

"Authority" means the New River Valley Emergency Communications Regional Authority created by this Act.

"Board" means the governing body of the Authority.

"Bonds" means any bonds, notes, debentures, grant obligations, or other evidence of financial indebtedness issued by this Authority pursuant to this Act.

"Commonwealth" means the Commonwealth of Virginia.

"Facility" means any and all buildings, structures, or facilities purchased, constructed, or otherwise acquired or operated by the Authority pursuant to the provisions of this Act. Any facility may consist of or include any or all buildings or other structures, improvements, additions, extensions, replacements, machinery, or equipment, together with appurtenances, lands, rights in land, water rights, franchises, furnishings, landscaping, utilities, roadways, or other facilities necessary or desirable in connection therewith or incidental thereto.

"Participating political subdivisions" means the Towns of Blacksburg and Christiansburg, the County of Montgomery, and Virginia Polytechnic Institute and State University or any other political subdivision that may join or has joined the Authority pursuant to §§ 4 and 5 of this Act.

"Political subdivision" means a county, city, town, public body, public authority, institution (including an institution of higher education), or commission of the Commonwealth.

"University" means Virginia Polytechnic Institute and State University.

§ 4 Participating political subdivision.

At the time of creation of the Authority, each participating political subdivision shall have entered or shall enter into a memorandum of understanding by and among each of the participating political subdivisions setting forth the terms and conditions of the intended formation of the Authority.

No pecuniary liability of any kind shall be imposed upon any participating political subdivision because of any act, omission, agreement, contract, tort, malfeasance, misfeasance, or nonfeasance by or on the part of the Authority or any member thereof, or its agents, servants, or employees, except as otherwise provided in this Act with respect to contracts and agreements between the Authority and any other political subdivision.

§ 5 Joinder.

Membership in the Authority may be expanded only in accordance with the terms of a joinder agreement adopted by the governing bodies of all participating political subdivisions. Only another political subdivision may become a participating political subdivision of the Authority. The governing body of any locality wishing to become a member of the Authority shall by concurrent resolutions or ordinances and by agreement provide for the joinder of such locality. The agreement creating the expanded Authority shall specify the number and terms of office of members of the Board of the expanded Authority that are to be appointed by each of the participating political subdivisions and the names, addresses, and terms of office of initial appointments to Board membership.

§ 6 Appointment of members of the Board.

The powers of the Authority shall be vested in the members of the Board. The Board shall consist of five persons. Each participating political subdivision shall have the right to appoint one member of the Board and all participating political subdivisions shall jointly appoint the fifth member of the Board by unanimous approval of the participating political subdivisions. Each member of the Board shall be appointed for a term of four years, except that the initial members of the Board representing the participating political subdivisions shall be appointed for the following staggered terms to be selected by lot by the members of the Board at its initial meeting: one member shall be appointed for a term of one year; one member shall be appointed for a term of two years; one member shall be appointed for a term of three years; and one member shall be appointed for a term of four years. The jointly appointed member shall be appointed for an initial term of four years. Upon the expiration of the original term of office of a member of the Board, that member may continue to exercise all powers as a member of the Board until that person's successor is duly appointed and qualified.

Any vacancy in the membership of the Board other than by expiration of term shall be filled by the governing body that appointed the member or, in the case of the jointly appointed member, by approval of the governing bodies. The person appointed to fill such vacancy shall serve for the unexpired term only. Each participating political subdivision shall have the absolute right to remove its appointee to the Board, with or without cause, at any time. The participating political subdivisions shall have the absolute right to remove their joint appointee to the Board, with or without cause, at any time by resolution adopted by a majority of the governing bodies of the participating political subdivisions. Except as may be prohibited by the Constitution of Virginia, members of the Board may include elected or appointed officials, employees, managers, administrators, or officers of any participating political subdivision.

Each member of the Board may be reimbursed by the Authority for the amount of actual expenses incurred by him in the performance of his duties in addition to such other salary or benefit, or both, to be determined by the Authority.

§ 7 Organization.

A majority of the members of the Board shall constitute a quorum, and the vote of a majority of members of the Board shall be necessary for any action taken by the Board. Each member of the Board shall be entitled to one vote except as otherwise set forth herein. No vacancy in the membership of the Board shall impair the right of a quorum to exercise all the rights and perform all the duties of the Authority. The Board shall elect from its membership a chairman, vice-chairman, and secretary-

treasurer of the Board, such officers to serve in these capacities for terms of two years, except that an initial member of the Board whose term on the Board is for one year may be elected to serve in such capacity for a term of one year and if reappointed to the Board may thereupon be reelected to the Board to serve in such capacity.

The Authority shall hold regular meetings at such times and places as may be established by its bylaws.

The Board may make and from time to time amend and repeal bylaws, not inconsistent with this Act, governing the manner in which the Authority's business may be transacted and in which the power granted to it may be enjoyed. The Board may appoint such committees as it may deem advisable and fix the duties and responsibilities of such committees.

§ 8. Powers.

The Authority is hereby granted all powers necessary or appropriate to carry out the purposes of this Act, including the powers to:

1. Adopt bylaws for the regulation of its affairs and the conduct of its business;
2. Sue and be sued in its own name;
3. Have perpetual succession;
4. Adopt a corporate seal and alter the same;
5. Maintain offices at such places as it may designate;
6. Acquire, establish, construct, enlarge, improve, maintain, equip, operate, and regulate any structures, facilities, and other property incidental thereto;
7. Construct, renovate, install, maintain, and operate facilities for the location of dispatching services, necessary equipment, and administration space;
8. Apply for and accept gifts, grants of money, grants or loans of other property, or other financial assistance from, or borrow money from or issue bonds to, the United States of America and agencies and instrumentalities thereof; the Commonwealth and political subdivisions, agencies, and instrumentalities thereof; or any other person or entity, whether public or private, for or in aid of the construction, acquisition, ownership, operation, maintenance, or repair of the Authority's facilities (whether or not such facilities are then in existence) or for the payment of the principal of any indebtedness of the Authority, interest thereon, or other costs incident thereto and to borrow money on such terms as the Authority deems advisable. To this end the Authority shall have the power to render such services, comply with such conditions, and execute such agreements and legal instruments as may be necessary, convenient, or desirable or imposed as a condition to such financial aid, loans, grants, or other assistance;
9. Appoint, employ, or engage such officers, employees, architects, engineers, attorneys, accountants, financial advisors, investment bankers, and other advisors, consultants, and agents as may be necessary or appropriate and fix their duties and compensation;
10. Establish personnel rules;
11. Own; purchase; lease; obtain options upon; acquire by gift, grant, or bequest; or otherwise acquire any property, real, personal or intangible, or any interest therein, and in connection therewith to create, assume, or take subject to any indebtedness secured by such property;
12. Sell, lease, grant options upon, exchange, transfer, assign, or otherwise dispose of any property, real or personal, or any interest therein;
13. Make, assume, and enter into all contracts, leases, and arrangements necessary or incidental to the exercise of its powers, including contracts for the management or operation of all or any part of its facilities;
14. Adopt, amend, and repeal rules and regulations for the use, maintenance, and operation of its facilities and governing the conduct of persons and organizations using its facilities and to enforce such rules and regulations and all other rules, regulations, ordinances, and statutes relating to its facilities;
15. Purchase and maintain insurance and provide indemnification on behalf of any person who is or was a director, officer, employee, or agent of the Authority against any liability asserted against or incurred by him in any such capacity or arising out of his status as such;
16. Place a lien upon any or all of its property or otherwise secure its debts; and
17. Do all things necessary or convenient to the purposes of this Act.

§ 9. Rules, regulations, and minimum standards.

The Authority shall have the power to adopt, amend, and repeal rules, regulations, and minimum standards for the use, maintenance, and operation of its facilities and governing the conduct of persons and organizations using its facilities.

The Authority's rules and regulations shall be available for public inspection in the Authority's principal office.

The Authority's rules and regulations shall have the force of law, as shall any other rule or regulation of the Authority that shall contain a determination by the Authority that it is necessary to accord the same force and effect of law in the interest of the public safety.

§ 10. Reports.

The Authority shall keep minutes of its proceedings, which shall be open to public inspection during normal business hours. It shall keep suitable records of all its financial transactions and shall arrange to have the same audited annually by an independent certified public accountant. Copies of each such audit shall be furnished to each participating political subdivision and shall be open to public inspection. The Authority shall be deemed a local governmental agency subject to the requirements of the State and Local Government Conflict of Interests Act (§ 2.2-3100 et seq.) of the Code of Virginia.

§ 11. Procurement.

All contracts that the Authority may let for professional services, nonprofessional services, or materials shall be subject to the Virginia Public Procurement Act (§ 2.2-4300 et seq.) of the Code of Virginia.

§ 12 Deposit and investment of funds.

Except as provided by contract with a participating political subdivision, all moneys received pursuant to the authority of this Act, whether as proceeds from the sale of bonds or as revenues or otherwise, shall be deemed to be trust funds to be held and applied solely as provided in this Act. All moneys of the Authority shall be deposited in a qualified public depository and secured in accordance with the Virginia Security for Public Deposits Act (§ 2.2-4400 et seq.) of the Code of Virginia.

Funds of the Authority not needed for immediate use or disbursement may, subject to the provisions of any contract between the Authority and the holders of its bonds, be invested in securities that are considered lawful investments for public sinking funds or other public funds as set forth in the Investment of Public Funds Act (§ 2.2-4500 et seq.) of the Code of Virginia.

§ 13 Authority to issue bonds.

The Authority shall have the power to issue bonds in its discretion, for any of its purposes, including the payment of all or any part of the cost of Authority facilities and including the payment or retirement of bonds previously issued by it. The Authority may issue such types of bonds as it may determine, including (without limiting the generality of the foregoing) bonds payable, both as to principal and interest (i) from its revenues and receipts generally and (ii) exclusively from the revenues and receipts of certain designated facilities or loans, whether or not they are financed in whole or in part from the proceeds of such bonds. Any such bonds may be additionally secured by a pledge of any grant or contribution from a participating political subdivision, the Commonwealth, or any political subdivision, agency, or instrumentality thereof; any federal agency; or any unit, private corporation, copartnership, association, or individual as such participating political subdivision or other entities may be authorized to make under general law or by pledge of any income or revenues of the Authority or by mortgage or encumbrance of any property or facilities of the Authority. Unless otherwise provided in the proceeding authorizing the issuance of the bonds or in the trust indenture or agreement securing the same, all bonds shall be payable solely and exclusively from the revenues and receipts of a particular facility or loan. Bonds may be executed and delivered by the Authority at any time and from time to time, may be in such form and denominations and of such terms and maturities, may be in registered or bearer form either as to principal or interest or both, may be payable in such installments and at such time or times not exceeding 40 years from the date thereof, may be payable at such place or places whether within or without the Commonwealth, may bear interest at such rate or rates, may be payable at such time or times and at such places, may be evidenced in such manner, and may contain such provisions not inconsistent herewith, all as shall be provided and specified by the Authority in authorizing each particular bond issue.

If deemed advisable by the Authority, there may be retained in the proceedings under which any bonds of the Authority are authorized to be issued an option to redeem all or any part thereof as may be specified in such proceedings, at such price or prices and after such notice or notices and on such terms and conditions as may be set forth in such proceedings and as may be briefly recited on the face of the bonds, but nothing herein contained shall be construed to confer on the Authority any right or option to redeem any bonds except as may be provided in the proceedings under which they shall be issued. Any bonds of the Authority may be sold at public or private sale in such manner and from time to time as may be determined by the Authority to be most advantageous and the Authority may pay all costs, premiums, and commissions that it may deem necessary or advantageous in connection with the issuance thereof. Issuance by the Authority of one or more series of bonds for one or more purposes shall not preclude it from issuing other bonds in connection with the same facility or any other facility, but the proceedings whereunder any subsequent bonds may be issued shall recognize and protect any prior pledge or mortgage made for any prior issue of bonds. Any bonds of the Authority at any time outstanding may from time to time be refunded by the Authority by the issuance of its refunding bonds in such amount as the Authority may deem necessary, but not exceeding an amount sufficient to refund the principal of the bonds so to be refunded, together with any unpaid interest thereon and any costs, premiums, or commissions necessary to be paid in connection therewith. Any such refunding may be

effected whether the bonds to be refunded shall have then matured or shall thereafter mature, either by sale of the refunding bonds and the application of the proceeds thereof to the payment of the bonds to be refunded thereby, or by the exchange of the refunding bonds for the bonds to be refunded thereby, with the consent of the holders of the bonds so to be refunded, and regardless of whether or not the bonds to be refunded were issued in connection with the same facilities or separate facilities, and regardless of whether or not the bonds proposed to be refunded shall be payable on the same date or on different dates or shall be due serially or otherwise.

All bonds shall be signed by the chairman or vice-chairman of the Authority or shall bear his facsimile signature, and the corporate seal of the Authority or a facsimile thereof shall be impressed or imprinted thereon and attested by the signature of the secretary (or the secretary-treasurer) or the assistant secretary (or assistant secretary-treasurer) of the Authority or shall bear his facsimile signature, and any coupons attached thereto shall bear the facsimile signature of said chairman. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be an officer before delivery of such bonds, such signature, or such facsimile, shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. When the signatures of both the chairman or the vice-chairman and the secretary (or secretary-treasurer) or the assistant secretary (or the assistant secretary-treasurer) are facsimiles, the bonds must be authenticated by a corporate trustee or other authenticating agent approved by the Authority.

If the proceeds derived from a particular bond issue, due to error of estimates or otherwise, shall be less than the cost of the Authority facilities for which such bonds were issued, additional bonds may in like manner be issued to provide the amount of such deficit, and unless otherwise provided in the proceedings authorizing the issuance of the bonds of such issue or in the trust indenture securing the same, shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds of the first issue. If the proceeds of the bonds of any issue shall except such cost, the surplus may be deposited to the credit of the sinking fund for such bonds or may be applied to the payment of the cost of any additions, improvements, or enlargements of the Authority facilities for which such bonds shall have been issued.

Prior to the preparation of definitive bonds, the Authority may, under like restrictions, issue interim receipts or temporary bonds with or without coupons, exchangeable for definitive bonds when such bonds shall have been executed and are available for delivery. The Authority may also provide for the replacement of any bonds that shall become mutilated or shall be destroyed or lost. Bonds may be issued under the provisions of this Act without obtaining the consent of any department, division, commission, board, bureau, or agency of the Commonwealth, and without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions, or things that are specifically required by this Act; provided that nothing contained in this Act shall be construed as affecting the powers and duties now conferred by law upon the State Corporation Commission.

All bonds issued under the provisions of this Act shall have and are hereby declared to have all the qualities and incidents of and shall be and are hereby made negotiable instruments under the Uniform Commercial Code (§ 8.1A-101 et seq.) of the Code of Virginia, subject only to provisions respecting registration of the bonds.

In addition to all other powers granted to the Authority by this Act, the Authority is authorized to provide for the issuance from time to time of notes or other obligations of the Authority for any of its authorized purposes. All of the provisions of this Act that relate to bonds shall apply to such notes or other obligations insofar as such provisions may be appropriate.

§ 14 Credit of Commonwealth and political subdivisions not pledged.

Bonds issued pursuant to the provisions of this Act shall not be deemed to constitute a debt of the Commonwealth or any political subdivision thereof other than the Authority, but such bonds shall be payable solely from the funds provided therefore as herein authorized. All such bonds shall contain on the face thereof a statement to the effect that neither the Commonwealth, nor any political subdivision thereof, nor the Authority, except as may be otherwise stated, shall be obligated to pay the same or the interest thereon or other costs incident thereto except from the revenues and money pledged therefore and that neither the faith and credit nor the taxing power of the Commonwealth, nor any political subdivision thereof, is pledged to the payment of the principal of such bonds or the interest thereon or other costs incident thereto.

Bonds issued pursuant to the provisions of this Act shall not constitute indebtedness within the meaning of any debt limitation or restriction.

§ 15 Members of the Board and persons executing bonds not liable thereon.

Neither the members of the Board nor any person executing the bonds shall be liable personally on the Authority's bonds by reasons of the issuance thereof.

§ 16 Security for payment of bonds; default.

The principal of and interest on any bonds issued by the Authority may be secured by a pledge of the revenues and receipts out of which the same shall be made payable, and may be secured by a trust indenture or agreement covering all or any part of the Authority facilities from which revenues or receipts so pledged may be derived, including any enlargements or any additions to any such projects thereafter made. The resolution under which the bonds are authorized to be issued and any such trust indenture or agreement may contain any agreements and provisions respecting the maintenance of the projects covered thereby, the fixing and collection of rents for any portions thereof leased by the Authority to others, the creation and maintenance of special funds from such revenues, and the rights and remedies available in the event of default, all as the Authority shall deem advisable not in conflict with the provisions hereof. Each pledge, agreement, and trust indenture made for the benefit or security of any of the bonds of the Authority shall continue to be effective until the principal of and interest on the bonds for the benefit of which the same were made shall have been fully paid. In the event of default in such payment or in any agreements of the Authority made as a part of the contract under which the bonds were issued, whether contained in the proceeding authorizing the bonds or in any trust indenture or agreement executed as security therefor, may be enforced by mandamus, suit, action, or proceeding at law or in equity to compel the Authority and the members, officers, agents, or employees thereof to perform each and every term, provision, and covenant contained in any trust indenture or agreement of the Authority, the appointment of a receiver in equity, or by foreclosure of any such trust indenture, or any one or more of said remedies.

§ 17 Taxation.

The exercise of the powers granted by this Act shall in all respects be presumed to be for the benefit of the inhabitants of the Commonwealth, for the increase of their commerce, and for the promotion of their health, safety, welfare, convenience, and prosperity, and as the operation and maintenance of any project that the Authority is authorized to undertake will constitute the performance of an essential governmental function, the Authority shall not be required to pay any taxes or assessments upon any facilities acquired and constructed by it under the provisions of this Act and the bonds issued under the provisions of this Act, their transfer and the income therefrom, including any profit made on the same thereof, shall at all times be free and exempt from taxation by the Commonwealth and by any political subdivision thereof.

§ 18 Bonds as legal investments.

Bonds issued by the Authority under the provisions of this Act are hereby made securities in which all public officers and public bodies of the Commonwealth and its political subdivisions, all insurance companies, trust companies, banking associations, investment companies, executors, administrators, trustees, and other fiduciaries may properly and legally invest funds, including capital in their control or belonging to them. Such bonds are hereby made securities that may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the Commonwealth for any purpose for which the deposit of bonds or obligations is now or may hereafter be authorized by law.

§ 19 Appropriation by political subdivision.

Any participating political subdivision or other political subdivision of the Commonwealth is authorized to provide services, to donate real or personal property, and to make appropriations to the Authority for the acquisition, construction, maintenance, and operation of the Authority's facilities. Any such political subdivision is hereby authorized to issue its bonds, including, but not limited to, general obligation bonds, in the manner provided in the Public Finance Act (§ 15.2-2600 et seq.) of the Code of Virginia or in any applicable municipal charter for the purpose of providing funds to be appropriated to the Authority, and such political subdivisions may enter into contracts obligating such bond proceeds to the Authority.

The Authority may agree to assume or reimburse a participating political subdivision for any indebtedness incurred by such participating political subdivision with respect to facilities conveyed by it to the Authority.

§ 20 Annual ~~deficit~~Budget.

The Board shall have full authority to adopt its operating and capital budgets on an annual fiscal year (July 1 through June 30) basis, to amend the same from time to time, and for the ~~annual deficit~~Annual Contribution to be ~~divided apportioned~~ among all participating political subdivisions by an apportionment formula approved by the Board. Each participating political subdivision shall contribute its respective ~~one-quarter~~attributed share of the ~~annual deficit~~Annual Budget (referred to herein as its Annual Contribution) each year and otherwise as required; however, such obligation shall be subject to and dependent upon annual appropriations being made from time to time by the governing body of each such respective participating political subdivision, and as to the university by normal approval of appropriations, and shall not be deemed to constitute a debt of such participating political subdivisions within the meaning of Article VII, Section 10 of the Constitution of Virginia, and as to the university, within the meaning of Article X, Section 9 of the Constitution of

Virginia, or any applicable statutory debt limitation. Should any participating political subdivision fail to contribute in full ~~its proportionate share of the annual deficit~~Annual Contribution it shall remain a member of the Authority, but its representative on the Board shall not be entitled to cast a vote on any Authority matter until that participating political subdivision's ~~share of the annual deficit~~Annual Contribution has been paid in full. Further, should any participating political subdivision fail to contribute in full its ~~proportionate share of the annual deficit~~Annual Contribution, the Authority shall have a lien on any share of the Authority's profit or surplus revenues otherwise entitled to be distributed to the participating political subdivision. A participating political subdivision may contribute a portion or all of its share of ~~the~~its ~~annual deficit~~Annual Contribution through "in-kind" contributions, subject to the approval of such contribution and valuation by the Authority.

§ 21 Contracts with political subdivisions.

The Authority is authorized to enter into contracts with any one or more political subdivisions.

§ 22 Authority as political subdivision.

The Authority is a political subdivision whose actions are exempt from the Commonwealth's rules and regulations on its agencies and commissions as to demolition, alteration, capital outlay requirements, temporary building use requirements, and like regulations and requirements. The Authority is subject to local building code requirements.

§ 23 Fees for Service.

The Authority is authorized to charge a fee for service to individuals who are not members of the participating political subdivisions and is, likewise, authorized to determine a fee schedule.

§ 24 Liberal construction.

Neither this Act nor anything herein contained is or shall be construed as a restriction or limitation upon any powers that the Authority might otherwise have under any laws of the Commonwealth, and this Act is cumulative to any such powers; however, the borrowing of money or issuance of bonds under the provisions of this Act need not comply with the requirements of any other law applicable to the issuance of bonds, notes, or other obligations. This Act does and shall be construed to provide a complete, additional, and alternative method for the doing of the things authorized hereby and shall be regarded as supplemental and additional to powers conferred by other laws. The provisions of this Act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the other provisions of this Act.

§ 25 Application of local ordinances, service charges, and taxes upon leaseholds.

Nothing herein contained shall be construed to exempt the Authority's property from any applicable zoning, subdivision, erosion and sediment control, and fire prevention codes or from building regulations of a political subdivision in which such property is located. Nor shall anything herein contained exempt the property of the Authority from any service charge authorized by the General Assembly pursuant to Article X, Section 6 (g) of the Constitution of Virginia.

§ 26 Existing contracts. Leases, franchises, etc., not impaired.

No provisions of this Act shall relieve, impair, or affect any right, duty, liability, or obligation arising out of any contract, concession, lease, or franchise now in existence except to the extent that such contract, concession, lease, or franchise may permit. Notwithstanding the foregoing provision of this section, the Authority may renegotiate, renew, extend the term of, or otherwise modify at any time any contract, concession lease, or franchise now in existence in such manner and on such terms and conditions as it may deem appropriate, provided that the operator of or under said contract, concession, lease, or franchise consents to said renegotiation, renewal, extension, or modification.

§ 27 Employees of the Authority.

A. Employees of the Authority shall be employed on such terms and conditions as are established by the Authority. The Board of the Authority shall develop and adopt personnel rules, policies, and procedures to give its employees grievance rights, ensure that the employment decisions shall be based upon the merit and fitness of applicants, and prohibit discrimination because of race, religion, color, sex, or national origin.

B. In cooperation with the Board, each participating political subdivision shall determine which of its current positions will remain under their individual employ and which will be recreated as part of the Authority. Any employee of Virginia Tech who (i) is not offered a position with the Authority for which the employee is qualified or is offered a position that requires relocation or a reduction in salary or (ii) is not offered the opportunity to remain employed with Virginia Tech shall be eligible for the severance benefits conferred by the provisions of the Workforce Transition Act (§ 2.2-3200 et seq.) of the Code of Virginia. Any employee of Virginia Tech who accepts employment with the Authority shall not be considered to be involuntarily separated from state employment and shall not be eligible for the severance benefits conferred by the Workforce Transition Act.

C. Notwithstanding any other provision of law to the contrary, any person whose employment is recreated in the Authority as a result of this Act and who is a member of any plan for providing health

insurance coverage pursuant to Chapter 28 (§ 2.2-2818 et seq.) of Title 2.2 of the Code of Virginia shall be eligible to continue to be a member of such health insurance plan. Notwithstanding subsection A of § 2.2-2818 of the Code of Virginia, the Authority shall pay the employer contribution, the amount of which is determined by negotiated agreement with the provider, of the costs of providing health insurance coverage to its employees who elect to continue to be members of the state employees' insurance plan. Alternatively, an employee may elect to become a member of any health insurance plan established by the Authority. The Authority is authorized to (i) establish a health insurance plan for the benefit of its employees and (ii) enter into agreements with the Department of Human Resources Management providing for the coverage of its employees under the state employees' health insurance plan, provided that such agreement shall require the Authority to pay the costs described above of providing health insurance coverage under such a plan.

D. Notwithstanding any other provision of law to the contrary, any person whose employment is transferred to the Authority as a result of this Act and who is a member of the Virginia Retirement System, or other retirement plan as authorized by Article 4 (§ 51.1-125 et seq.) of Chapter 1 of Title 51.1 of the Code of Virginia, shall continue to be a member of the Virginia Retirement System or other such authorized retirement plan under the same terms and conditions as if no transfer had occurred. Alternatively, such employee may elect, during an open enrollment period, to become a member of the retirement program established by the Authority for the benefit of its employees by transferring assets equal to the value to the actuarially determined present value of the accrued basic benefit as of the transfer date. The Authority shall reimburse the Virginia Retirement System for the actual cost of actuarial services necessary to determine the present value of the accrued basic benefit of employees who elect to transfer to the Authority's retirement plan. The following rules shall apply:

1. With respect to any transferred employee who elects to remain a member of the Virginia Retirement System or other such authorized retirement plan, the Authority shall collect and remit any employer and employee contributions to the Virginia Retirement System or other such authorized retirement plan for retirement for such transferred employees.

2. Transferred employees who elect to become members of the retirement program established by the Authority for the benefits of its employees shall be given full credit for their creditable service as defined in § 51.1-124.3 of the Code of Virginia, vesting and benefit accrual under the retirement program established by the Authority. For any such employee, employment with the Authority shall be treated as employment with any nonparticipating employer for purposes of the Virginia Retirement System or other retirement plan as authorized by Article 4 of Chapter 1 of Title 51.1 of the Code of Virginia.

3. For transferred employees who elect to become members of the retirement program established by the Authority, the Virginia Retirement System or other such authorized plan shall transfer to the retirement plan established by the Authority assets equal to the actuarially determined present value of the accrued basic benefits as of the transfer date. For purposes hereof, the basic benefits shall be the benefit accrued under the Virginia Retirement System or other such authorized retirement plan, based on creditable service and average final compensation as defined in § 51.1-124.3 of the Code of Virginia and determined as of the transfer date. The actuarial present value shall be determined on the same basis, using the same actuarial factors and assumptions used in determining the funding needs of the Virginia Retirement System or other such authorized retirement plan, so that the transfer of assets to the retirement plan established by the Authority will have no effect on the funded status and financial stability of the Virginia Retirement System or other such authorized retirement plan.

§ 28 Withdrawal of membership.

A participating political subdivision may withdraw its membership in the Authority at the end of any fiscal year if the withdrawing participating political subdivision has given notice to the Authority and all other participating political subdivisions of its intention to withdraw at least one year before the end of such fiscal year and the withdrawing participating political subdivision has paid in full its ~~share of the annual deficit~~Annual Contribution, if any, provided that no participating political subdivision may withdraw its membership in the Authority if the Authority has any outstanding debt without written approval of each participating political subdivision. As used in this section, the term "debt" shall mean a monetary obligation, whether general or limited in any way, to repay a loan or bond, or any long-term obligation, whether absolute or contingent in any way, to refund or reimburse any agency or entity for grant funds received by the Authority.

§ 29 Dissolution of Authority.

Whenever it shall appear to the Board or to all participating political subdivisions that the need for the Authority no longer exists, all participating political subdivisions may petition the Circuit Court of Montgomery County, Virginia, for the dissolution of the Authority. If the court determines that the need for the Authority as set forth in this Act no longer exists and that all debts and other obligations of any kind have been fully paid or provided for:

1. The Court shall enter an order dissolving the Authority; and

2. The remaining assets of the Authority shall be distributed to the participating political subdivisions in proportion to their respective ~~shares of the annual deficit~~Annual Contribution less any amounts owed to the Authority by such participating political subdivision.

Each participating political subdivision and all holders of the Authority's bonds shall be made parties to any such proceeding and shall be given notice as provided by law. Any party defendant may reply to such petition at any time within six months after the filing of the petition. An appeal from the final judgment of the court shall lie to the Supreme Court of Virginia.

RESOLUTION

RESOLUTION FOR THE NEW RIVER VALLEY EMERGENCY COMMUNICATIONS REGIONAL AUTHORITY TO ESTABLISH A FUNDING FORMULA FOR MEMBER ANNUAL CONTRIBUTION

WHEREAS, the County of Montgomery, the Towns of Blacksburg and Christiansburg, and Virginia Polytechnic Institute and State University (collectively, the “Participating Political Subdivisions,: and, individually, a “Participating Political Subdivision”) have pursuant to the New River Valley Emergency Communications Regional Authority Act created the New River Valley Emergency Communications Regional Authority (the “Authority”) to provide the core responsibilities for governance of a consolidated public safety communication center; and,

WHEREAS, a Memorandum of Understanding (“MOU”) was adopted in October 2010 by the Participating Political Subdivisions which established a Board of Directors (“Board”) to govern the affairs of the Authority; and,

WHEREAS, the Board has full authority to adopt its operating and capital budgets on an annual fiscal year (July 1 through June 30) basis; and,

WHEREAS, formerly the Participating Political Subdivisions have contributed equally (one-quarter) to the Annual Budget; and,

WHEREAS, the Board desires to establish a funding formula with a fair methodology acceptable to all Participating Political Subdivisions;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors (the “Board”) of the New River Valley Emergency Communications Regional Authority, that the Board hereby establishes the following funding formula and guidelines:

1. Each Participating Political Subdivision will contribute quarterly at the beginning of each fiscal quarter to the Annual Budget based on a funding formula that utilizes calls for service with a weighted value based on priority (high, medium, low) levels developed by the Law Enforcement Operations Committee and Fire and Rescue Commission and approved by the Board.
2. The funding formula will utilize a three (3) year rolling average of the call data percentages of the Participating Political Subdivisions.
3. The funding formula will include law enforcement, fire and rescue weighted calls for service from the previous calendar year(s).
4. The Board will have the discretion in adopting the Annual Budget and in setting the Annual Contributions each year to exclude major capital expenditure(s) as defined by the

Board and elect to allocate the expenditure(s) among the Participating Political Subdivisions equally or on another allocation basis.

5. The Board will have the discretion in adopting the Annual Budget and in setting the Annual Contributions each year of removing any major catastrophic incident(s) within the funding formula calculation from the previous calendar year that may dramatically increase a Participating Political Subdivision's Annual Contribution.
6. A call for service for funding formula analysis shall be defined as any request for service or self-initiated service provided from a field unit resulting in the creation of a computer aided dispatch (CAD) incident and interaction with Authority personnel with the exception of the following:
 - a. Any incident that is canceled by Authority personnel due to error or generated solely for testing purposes.
 - b. Any incident created by Authority personnel with a designated dispatch unit number solely for informational or documentation purposes.
7. The funding formula will calculate each discipline (i.e., law enforcement, fire, rescue) assigned to the same call for service separately, but not multiple units assigned from the same response agency.

FURTHER, BE IT RESOLVED, the funding formula will go into effect for the fiscal year 2018-2019 budget process and payment of the Participating Political Subdivisions' Annual Contribution shall be subject to and dependent upon annual appropriations.

Funding Formula Example:

Enter the number of calls for service for each member agency with each priority level. Multiply the agency calls for service with the weighted value to determine weighted total.

AGENCY X	CFS Total	Weight	Weighted Total
High	4506	3	13518
Medium	1494	2	2988
Low	3714	1	3714
Total	9714		20220
Percentage	22.30%		24.15%

CERTIFICATION

The undersigned Secretary of the New River Valley Emergency Communications Regional Authority does hereby certify that the foregoing is a true, correct and complete resolution adopted by the Board of Directors of the New River Valley Emergency Communications Regional Authority at a meeting duly called and held _____, 2017 at which a quorum was present and acting throughout, and that such resolution has not been amended, altered or rescinded this __ day of _____, 2017.

Secretary, New River Valley Emergency
Communications Regional Authority

2016-2017 Call Volume By Municipality

Blacksburg

	BPD		BRS		BFD		Actual		Weighted
Priority	CFS	Priority	CFS	Priority	CFS		Totals	Weight	Totals
High	10122	High	2638	High	902		13662	x3	40986
Medium	4040	Medium	513	Medium	244		4797	x2	9594
Low	6660	Low	41	Low	42		6743	x1	6743
Totals	20822	Totals	3192	Totals	1188		25202		57323
									26.79%

Christiansburg

	CPD		CRS		CFD		Actual		Weighted
Priority	CFS	Priority	CFS	Priority	CFS		Totals	Weight	Totals
High	11292	High	4014	High	918		16224	x3	48672
Medium	5936	Medium	220	Medium	65		6221	x2	12442
Low	12062	Low	46	Low	37		12145	x1	12145
Totals	29290	Totals	4280	Totals	1020		34590		73259
									34.24%

Montgomery County (including Elliston, Riner, Shawsville, Longshop-McCoy)

	MCSO		Rescue		Fire		Actual		Weighted
Priority	CFS	Priority	CFS	Priority	CFS		Totals	Weight	Totals
High	8102	High	1421	High	193		9716	x3	29148
Medium	4665	Medium	103	Medium	31		4799	x2	9598
Low	7279	Low	14	Low	10		7303	x1	7303
Totals	20046	Totals	1538	Totals	444		21818		46049
									21.52%

Virginia Tech

	VTPD		VTRS			Actual		Weighted
Priority	CFS	Priority	CFS			Totals	Weight	Totals
High	4954	High	917			5871	x3	17613
Medium	2947	Medium	265			3212	x2	6424
Low	13271	Low	20			13291	x1	13291
Totals	21172	Totals	1202			22374		37328
								17.45%

2016-17 Grand Totals 103984 213959

<i>Effective Weighted 3 y AVG for Fiscal Year 2019-2020</i>				
	Year 1	Year 2	Year 3	Weighted
Blacksburg	2015-16 25%	2016-17 26.79%	2017-18 26.79%	3 y AVG 26.19%
Christiansburg	2015-16 25%	2016-17 34.24%	2017-18 34.24%	31.16%
Montgomery Co.	2015-16 25%	2016-17 21.52%	2017-18 21.52%	22.68%
Virginia Tech	2015-16 25%	2016-17 17.45%	2017-18 17.45%	19.97%

Assumptions made for the 3 year Calculation of averages - Year 1 was split evenly among municipalities based on a lack of reliable data for that year. Year 2 reflects actual statistical data pulled from the CAD for fiscal year 2016-2017. Year 3 assumes that the calls for service for the current fiscal year (2017-2018) will be identical to the previous year since it is to early in the year to project any increases or decreases with any accuracy.

BPD

Priority	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Total	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
High	1382	6.6	1123	5.4	1254	6.0	1253	6.0	1334	6.4	1822	8.8	1954	9.4	10122	0.0
Medium	457	2.2	574	2.8	556	2.7	612	2.9	638	3.1	647	3.1	556	2.7	4040	0.0
Low	708	3.4	865	4.2	930	4.5	987	4.7	993	4.8	1186	5.7	991	4.8	6660	0.0
Totals	2547	12.2	2562	12.3	2740	13.2	2852	13.7	2965	14.2	3655	17.6	3501	16.8	20822	0.0

CPD

Priority	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Total	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
High	1454	0.0	1526	0.0	1656	0.0	1501	0.0	1475	0.0	1871	0.0	1809	0.0	11292	0.0
Medium	676	0.0	874	0.0	893	0.0	943	0.0	890	0.0	869	0.0	791	0.0	5936	0.0
Low	1296	0.0	1822	0.0	1960	0.0	1826	0.0	1725	0.0	1903	0.0	1530	0.0	12062	0.0
Totals	3426	0.0	4222	0.0	4509	0.0	4270	0.0	4090	0.0	4643	0.0	4130	0.0	29290	0.0

MCSO

Priority	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Total	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
High	1039	0.0	1113	0.0	1106	0.0	1121	0.0	1087	0.0	1274	0.0	1362	0.0	8102	0.0
Medium	552	0.0	652	0.0	695	0.0	696	0.0	675	0.0	747	0.0	648	0.0	4665	0.0
Low	781	0.0	1141	0.0	1196	0.0	1134	0.0	1086	0.0	1189	0.0	752	0.0	7279	0.0
Totals	2372	0.0	2906	0.0	2997	0.0	2951	0.0	2848	0.0	3210	0.0	2762	0.0	20046	0.0

BPD

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
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VTPD

Priority	Sunday Count	Sunday %	Monday Count	Monday %	Tuesday Count	Tuesday %	Wednesday Count	Wednesday %	Thursday Count	Thursday %	Friday Count	Friday %	Saturday Count	Saturday %	Total Count	Total %
High	575	0.0	661	0.0	709	0.0	646	0.0	681	0.0	740	0.0	942	0.0	4954	0.0
Medium	335	0.0	397	0.0	424	0.0	424	0.0	435	0.0	455	0.0	477	0.0	2947	0.0
Low	1404	0.0	1901	0.0	2067	0.0	1901	0.0	1840	0.0	2319	0.0	1839	0.0	13271	0.0
Totals	2314	0.0	2959	0.0	3200	0.0	2971	0.0	2956	0.0	3514	0.0	3258	0.0	21172	0.0

BRS

Priority	Sunday Count	Sunday %	Monday Count	Monday %	Tuesday Count	Tuesday %	Wednesday Count	Wednesday %	Thursday Count	Thursday %	Friday Count	Friday %	Saturday Count	Saturday %	Total Count	Total %
High	369	0.0	388	0.0	350	0.0	371	0.0	332	0.0	376	0.0	452	0.0	2638	0.0
Medium	66	0.0	67	0.0	68	0.0	62	0.0	67	0.0	80	0.0	103	0.0	513	0.0
Low	6	0.0	5	0.0	5	0.0	4	0.0	4	0.0	9	0.0	8	0.0	41	0.0
Totals	441	0.0	460	0.0	423	0.0	437	0.0	403	0.0	465	0.0	563	0.0	3192	0.0

CRS

Priority	Sunday Count	Sunday %	Monday Count	Monday %	Tuesday Count	Tuesday %	Wednesday Count	Wednesday %	Thursday Count	Thursday %	Friday Count	Friday %	Saturday Count	Saturday %	Total Count	Total %
High	546	0.0	601	0.0	585	0.0	544	0.0	616	0.0	602	0.0	520	0.0	4014	0.0
Medium	43	0.0	23	0.0	29	0.0	35	0.0	31	0.0	33	0.0	26	0.0	220	0.0
Low	7	0.0	5	0.0	9	0.0	6	0.0	6	0.0	6	0.0	7	0.0	46	0.0
Totals	596	0.0	629	0.0	623	0.0	585	0.0	653	0.0	641	0.0	553	0.0	4280	0.0

BPD

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
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LMRS

Priority	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Total	
	Count	%	Count	%												
High	16	0.0	14	0.0	25	0.0	18	0.0	15	0.0	16	0.0	11	0.0	115	0.0
Medium	0	0.0	1	0.0	0	0.0	0	0.0	2	0.0	0	0.0	0	0.0	3	0.0
Low	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Totals	16	0.0	15	0.0	25	0.0	18	0.0	17	0.0	16	0.0	11	0.0	118	0.0

RRS

Priority	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Total	
	Count	%	Count	%												
High	68	0.0	72	0.0	75	0.0	66	0.0	69	0.0	54	0.0	75	0.0	479	0.0
Medium	7	0.0	5	0.0	7	0.0	7	0.0	6	0.0	6	0.0	5	0.0	43	0.0
Low	1	0.0	0	0.0	0	0.0	1	0.0	3	0.0	1	0.0	0	0.0	6	0.0
Totals	76	0.0	77	0.0	82	0.0	74	0.0	78	0.0	61	0.0	80	0.0	528	0.0

SRS

Priority	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Total	
	Count	%														
High	123	0.0	107	0.0	102	0.0	123	0.0	111	0.0	135	0.0	126	0.0	827	0.0
Medium	6	0.0	8	0.0	10	0.0	7	0.0	6	0.0	12	0.0	8	0.0	57	0.0
Low	3	0.0	1	0.0	0	0.0	1	0.0	2	0.0	0	0.0	1	0.0	8	0.0
Totals	132	0.0	116	0.0	112	0.0	131	0.0	119	0.0	147	0.0	135	0.0	892	0.0

BPD

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
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VTRS

Priority	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Total	
	Count	%	Count	%												
High	132	0.0	92	0.0	107	0.0	97	0.0	130	0.0	91	0.0	268	0.0	917	0.0
Medium	34	0.0	32	0.0	33	0.0	34	0.0	32	0.0	40	0.0	60	0.0	265	0.0
Low	2	0.0	1	0.0	4	0.0	3	0.0	5	0.0	2	0.0	3	0.0	20	0.0
Totals	168	0.0	125	0.0	144	0.0	134	0.0	167	0.0	133	0.0	331	0.0	1202	0.0

BFD

Priority	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Total	
	Count	%	Count	%												
High	108	0.0	149	0.0	130	0.0	133	0.0	120	0.0	127	0.0	135	0.0	902	0.0
Medium	25	0.0	29	0.0	40	0.0	36	0.0	44	0.0	35	0.0	35	0.0	244	0.0
Low	5	0.0	2	0.0	8	0.0	9	0.0	7	0.0	5	0.0	6	0.0	42	0.0
Totals	138	0.0	180	0.0	178	0.0	178	0.0	171	0.0	167	0.0	176	0.0	1188	0.0

CFD

Priority	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Total	
	Count	%	Count	%												
High	115	0.0	132	0.0	140	0.0	128	0.0	147	0.0	150	0.0	106	0.0	918	0.0
Medium	11	0.0	6	0.0	11	0.0	10	0.0	10	0.0	10	0.0	7	0.0	65	0.0
Low	4	0.0	4	0.0	7	0.0	8	0.0	8	0.0	1	0.0	5	0.0	37	0.0
Totals	130	0.0	142	0.0	158	0.0	146	0.0	165	0.0	161	0.0	118	0.0	1020	0.0

BPD

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
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EFD

Priority	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Total	
	Count	%	Count	%												
High	21	0.0	31	0.0	41	0.0	34	0.0	33	0.0	31	0.0	41	0.0	232	0.0
Medium	1	0.0	4	0.0	1	0.0	1	0.0	3	0.0	3	0.0	3	0.0	16	0.0
Low	0	0.0	1	0.0	0	0.0	1	0.0	1	0.0	1	0.0	0	0.0	4	0.0
Totals	22	0.0	36	0.0	42	0.0	36	0.0	37	0.0	35	0.0	44	0.0	252	0.0

LMFD

Priority	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Total	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
High	4	0.0	4	0.0	3	0.0	4	0.0	4	0.0	2	0.0	1	0.0	22	0.0
Medium	0	0.0	0	0.0	0	0.0	0	0.0	1	0.0	0	0.0	0	0.0	1	0.0
Low	0	0.0	0	0.0	0	0.0	0	0.0	1	0.0	0	0.0	0	0.0	1	0.0
Totals	4	0.0	4	0.0	3	0.0	4	0.0	6	0.0	2	0.0	1	0.0	24	0.0

RFD

Priority	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Total	
	Count	%	Count	%												
High	21	0.0	19	0.0	24	0.0	25	0.0	26	0.0	13	0.0	21	0.0	149	0.0
Medium	2	0.0	2	0.0	1	0.0	5	0.0	0	0.0	2	0.0	2	0.0	14	0.0
Low	1	0.0	0	0.0	0	0.0	0	0.0	3	0.0	1	0.0	0	0.0	5	0.0
Totals	24	0.0	21	0.0	25	0.0	30	0.0	29	0.0	16	0.0	23	0.0	168	0.0

Call Type - High Priority	Priority	Timer
ABDUCTION	H	3
ABUSE	H	3
ASSAULT	H	3
ALARM BUSINESS	H	3
ALARM RESIDENTIAL	H	3
BOMB	H	3
BREAKING AND ENTERING	H	3
DEATH	H	3
DISORDERLY CONDUCT	H	3
DOMESTIC	H	3
EMOTION DIST PERSON	H	3
FIGHT	H	3
HOME ELECTRONIC MONITORING	H	3
HOMICIDE	H	3
HOSTAGE	H	3
INTOXICATED	H	3
OPEN DOOR	H	3
MISSING PERSON	H	3
MOTOR VEHICLE CRASH	H	3
PURSUIT	H	3
RIOT	H	3
ROBBERY	H	3
SEX OFFENSE	H	3
SHOOTING	H	3
STOLEN VEHICLE	H	3
SUICIDE	H	3
SUSPICIOUS PERSON	H	3
SUSPICIOUS VEHICLE	H	3
WARRANT SERVICE	H	3
WEAPONS VIOLATION	H	3
VT ALERT	H	

Priority	Timer
High - H	3min
Medium - M	4min
Low- L	5min

Call Type - Medium Priority	Priority	Timer
911 HANGUP	M	4
911 OPEN LINE	M	4
ASSIST OTHER AGENCY	M	4
BICYCLE INCIDENT	M	4
DRUGS/NARCOTICS VIOLATION	M	4
DUI	M	4
EMERGENCY CUSTODY ORDER	M	4
EXTRA PATROL REQUEST	M	4
HARASSMENT	M	4
HIT & RUN	M	4
INDECENT EXPOSURE	M	4
K9 UTILIZATION	M	4

LARCENY	M	4
PROJECT LIFESAVER	M	4
RECKLESS DRIVING	M	4
SHOPLIFTING	M	4
STALKING	M	4
TEMPORARY DETAINMENT ORDER	M	4
THREATS	M	4
TRAFFIC STOP	M	4
TRESPASS	M	4

Call Type - Low Priority	Priority	Timer
ADA ASSISTANCE	L	5
ANIMAL COMPLAINT	L	5
ASSIST CITIZEN	L	5
BLUE LIGHT PHONE	L	n/a
BUILDING CHECK	L	5
CHECK POINT	L	n/a
CHILD SAFETY SEAT	L	n/a
CIVIL MATTER	L	5
CROSSWALKS	L	5
CURFEW/LOITERING/VAGRANCY	L	5
DELIVER MESSAGE	L	5
DIRECT TRAFFIC	L	5
DISABLED VEHICLE	L	5
DORM CHECK	L	5
ELEVATOR	L	5
EMBEZZLEMENT	L	5
ESCORT	L	5
FALSE PRETENSE/ SWINDLE	L	5
FINGERPRINT	L	n/a
FORGERY/COUNTERFEIT	L	5
FOUND PROPERTY	L	n/a
FRAUD	L	5
INFO	L	n/a
INTERNET CRIMES	L	n/a
JUVENILE TRANSPORT	L	n/a
LIQUOR VIOLATION	L	5
LIVE SAFE NOTIFICATION	L	5
LIVE STOCK OUT	L	n/a
LOCK OUT	L	n/a
LOCK/UNLOCK BUILDINGS	L	n/a
LOST PROPERTY	L	n/a
NOISE VIOLATION	L	5
ORDINANCE VIOLATION	L	5
PARK WALK AND TALK	L	5

PARKING	L	5
PAWN RECORDS	L	5
RADAR	L	n/a
REPO	L	n/a
SAFE RIDE	L	n/a
SECURITY ASSISTANCE	L	n/a
SERVICE GUN CHECK IN	L	n/a
SCHOOL CROSSING	L	n/a
TRAFFIC HAZARD	L	5
TRAINING	L	n/a
TRANSPORT	L	n/a
UTILITIES	L	n/a
VANDALISM	L	5
VICE	L	5
VT ALERT TEST	L	n/a

NRV Emergency Communications Regional Authority Call Priority

Call Type - High Priority	Priority
ABDUCTION	H
ABUSE	H
ASSAULT	H
ALARM BUSINESS	H
ALARM RESIDENTIAL	H
BOMB	H
BREAKING AND ENTERING	H
DEATH	H
DISORDERLY CONDUCT	H
DOMESTIC	H
EMOTION DIST PERSON	H
FIGHT	H
HOME ELECTRONIC MONITORING	H
HOMICIDE	H
HOSTAGE	H
INTOXICATED	H
OPEN DOOR	H
MISSING PERSON	H
MOTOR VEHICLE CRASH	H
PURSUIT	H
RIOT	H
ROBBERY	H
SEX OFFENSE	H
SHOOTING	H
STOLEN VEHICLE	H
SUICIDE	H
SUSPICIOUS ACTIVITY	H
SUSPICIOUS PERSON	H
SUSPICIOUS VEHICLE	H
WELFARE CHECK	H
WARRANT SERVICE	H
WEAPONS VIOLATION	H
VT ALERT	H

Call Type - Medium Priority	Priority
911 HANGUP	M
911 OPEN LINE	M
ASSIST OTHER AGENCY	M
BICYCLE INCIDENT	M
DRUGS/NARCOTICS VIOLATION	M
DUI	M
EMERGENCY CUSTODY ORDER	M
EXTRA PATROL REQUEST	M
HARASSMENT	M
HIT & RUN	M
INDECENT EXPOSURE	M
K9 UTILIZATION	M
LARCENY	M
PROJECT LIFESAVER	M
RECKLESS DRIVING	M
SHOPLIFTING	M
STALKING	M
TEMPORARY DETAINMENT ORDER	M
THREATS	M
TRAFFIC STOP	M
TRESPASS	M

Call Type - Low Priority	Priority
ADA ASSISTANCE	L
ANIMAL COMPLAINT	L
ASSIST CITIZEN	L
BLUE LIGHT PHONE	L
BUILDING CHECK	L
CHECK POINT	L
CHILD SAFETY SEAT	L
CIVIL MATTER	L
CROSSWALKS	L
CURFEW/LOITERING/VAGRANCY	L
DELIVER MESSAGE	L
DIRECT TRAFFIC	L
DISABLED VEHICLE	L
DORM CHECK	L
ELEVATOR	L
EMBEZZLEMENT	L
ESCORT	L
FALSE PRETENSE/ SWINDLE	L
FINGERPRINT	L
FORGERY/COUNTERFEIT	L
FOUND PROPERTY	L
FRAUD	L
INFO	L
INTERNET CRIMES	L
JUVENILE TRANSPORT	L
LIQUOR VIOLATION	L
LIVE SAFE NOTIFICATION	L
LIVE STOCK OUT	L
LOCK OUT	L
LOCK/UNLOCK BUILDINGS	L
LOST PROPERTY	L
NOISE VIOLATION	L
ORDINANCE VIOLATION	L
PARK WALK AND TALK	L
PARKING	L
PAWN RECORDS	L
RADAR	L
REPO	L
SAFE RIDE	L
SECURITY ASSISTANCE	L
SERVICE GUN CHECK IN	L
SCHOOL CROSSING	L
TRAFFIC HAZARD	L
TRAINING	L
TRANSPORT	L
UTILITIES	L
VANDALISM	L
VICE	L
VT ALERT TEST	L

MEMORANDUM OF UNDERSTANDING
REGARDING THE FORMATION OF THE NEW RIVER VALLEY
EMERGENCY COMMUNICATION REGIONAL AUTHORITY

This Memorandum of Understanding entered into this 25th day of October, 2010, by and between the COUNTY OF MONTGOMERY, VIRGINIA, the TOWNS OF BLACKSBURG and CHRISTIANSBURG, VIRGINIA, and VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY.

WHEREAS, the County of Montgomery (“County”), the Towns of Blacksburg and Christiansburg (“Blacksburg” and “Christiansburg”), and Virginia Polytechnic Institute and State University (“Virginia Tech”) previously established a Working Group to consider the feasibility of establishing a regional 911 emergency center and radio system;

WHEREAS, the Working Group engaged appropriate consultants and studied at length the costs and benefits associated with establishing a regional facility;

WHEREAS, the Working Group concluded that the creation of the New River Valley Emergency Communications Regional Authority (“Authority”), as authorized by the General Assembly in 2010 through the New River Valley Emergency Communications Regional Authority Act (“Act”), is in the best interests of the region; and

WHEREAS, before the Authority may be created, the Act requires the establishment of a memorandum of understanding setting forth the terms and conditions regarding the formation of the Authority.

NOW, THEREFORE, in acknowledgement of good and valuable consideration and the mutual understandings contained herein, the County, Blacksburg, Christiansburg and Virginia Tech hereby agree as follows:

SECTION 1. ESTABLISHMENT AND GOVERNANCE OF THE AUTHORITY.

A. Board Organization; terms of office. The participating political subdivisions hereby state their intention to establish the Authority pursuant to the terms and conditions of the Act. Once established, the powers of the Authority as established by the Act shall be vested in the members of the Board. The Board shall consist of five persons. Each participating political subdivision shall have the right to appoint one member of the Board and all participating political subdivisions shall jointly appoint the fifth member of the Board by unanimous approval of the participating political subdivisions. Except as may be prohibited by the Constitution of Virginia, members of the Board may include elected or appointed officials, employees, managers, administrators, or officers of any participating political subdivision.

Each member of the Board shall be appointed for a term of four years, except that the initial members of the Board representing the participating political subdivisions shall be appointed for the following staggered terms to be selected by lot by the members of the Board at its initial meeting: one member shall be appointed for a term of one year; one member shall be appointed for a term of two years; one member shall be appointed for a term of three years; and one member shall be appointed for a term of four years. The jointly appointed member shall be appointed for an initial term of four years. Upon the expiration of the original term of office of a member of the Board, that member may continue to exercise all powers as a member of the Board until that person's successor is duly appointed and qualified.

B. Vacancies. Any vacancy in the membership of the Board other than by expiration of term shall be filled by the governing body that appointed the member or, in the case of the jointly appointed member, by approval of the governing bodies. The person appointed to fill such vacancy shall serve for the unexpired term only. Each participating political subdivision

shall have the absolute right to remove its appointee to the Board, with or without cause, at any time. The participating political subdivisions shall have the absolute right to remove their joint appointee to the Board, with or without cause, at any time by resolution adopted by a majority of the governing bodies of the participating political subdivisions.

SECTION 2. EMPLOYMENT OF DIRECTOR.

To begin the Authority operations, as well as the transition from existing separate communications facilities to a consolidated one, the Authority shall appoint a Director. The Director shall have the responsibility for the administrative and planning functions of the Authority and shall serve at the pleasure of the Authority.

SECTION 3. ALLOCATION OF COSTS.

Until such time a cost allocation formula is approved by the Authority Board, the participating political subdivisions agree to share equally (on the basis of equal 1/4th shares) in the cost of establishing and initially operating the Authority. Each participating political subdivision shall contribute its share of the initial operating costs each year; provided, however, that such obligations shall be subject to and dependent upon annual appropriations. The Authority Board shall annually approve an operating budget for the fiscal year and notify the respective participating political subdivisions of the amount of their required share by February 15th of each year prior to the fiscal year. All financial obligations created by this Memorandum of Understanding or by the establishment of the Authority shall be subject to appropriation and shall not be considered debt within the meaning of the Virginia Constitution.

SECTION 4. WITHDRAWAL OF MEMBERSHIP.

Once the Authority is established, a participating political subdivision may withdraw its membership in the Authority at the end of any fiscal year if the withdrawing participating

political subdivision has given notice to the Authority and all other participating political subdivisions of its intention to withdraw at least one year before the end of such fiscal year and the withdrawing participating political subdivision has paid in full its share of the annual deficit, if any, provided that no participating political subdivision may withdraw its membership in the Authority if the Authority has any outstanding debt without written approval of each participating political subdivision. As used in this section, the term "debt" shall mean a monetary obligation, whether general or limited in any way, to repay a loan or bond, or any long-term obligation, whether absolute or contingent in any way, to refund or reimburse any agency or entity for grant funds received by the Authority.

SECTION 5. DISSOLUTION OF AUTHORITY.

After the Authority is established, whenever it shall appear to the Board or to all participating political subdivisions that the need for the Authority no longer exists, all participating political subdivisions may petition the Circuit Court of Montgomery County, Virginia, for the dissolution of the Authority. If the court determines that the need for the Authority as set forth in this Act no longer exists and that all debts and other obligations of any kind have been fully paid or provided for, then the following shall occur:

1. The Court shall enter an order dissolving the Authority; and
2. The remaining assets of the Authority shall be distributed to the participating political subdivisions in proportion to their respective shares of the annual deficit less any amounts owed to the Authority by such participating political subdivision.
3. Each participating political subdivision and all holders of the Authority's bonds shall be made parties to any such proceeding and shall be given notice as provided by law. Any party

defendant may reply to such petition at any time within six months after the filing of the petition.

An appeal from the final judgment of the court shall lie to the Supreme Court of Virginia.

SECTION 6. TERM.

The term of this Memorandum of Understanding shall be for the time period necessary to establish the New River Valley Emergency Communications Regional Authority, and in no event longer than two years, unless extended by agreement of the parties.

COUNTY OF MONTGOMERY, VIRGINIA

By:


F. Craig Meadows, County Administrator

TOWN OF BLACKSBURG, VIRGINIA

By:


Marc Vernel, Town Manager

TOWN OF CHRISTIANSBURG, VIRGINIA

By:


Barry Helms, Interim Town Manager

VIRGINIA POLYTECHNIC INSTITUTE
AND STATE UNIVERSITY

By:


Sherwood Wilson, Vice President for
Administrative Services

New River Valley Emergency
Communications Regional
Authority

Fiscal Year 2018

Proposed Budget



Donna Brown, Executive Director

Approved
1-24-2017
SO

New River Valley Emergency Communications Regional Authority

Emergency Communications Center



Proudly Serving our Community

New River Valley Emergency Communications Regional Authority



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New River Valley Emergency Communications Regional Authority

FY 2018 Proposed Budget

Mission Statement

The mission of the New River Valley Emergency Communications Regional Authority is to provide quality and reliable 911 dispatch and emergency communication services to the community and agencies we serve. Our partnership will promote interoperability, collaboration and convey the highest level of professionalism. Our commitment to excellence in public safety will foster a safe environment and promptly respond to the needs of our citizens.

Historical Information

In 2007, regional leaders discussed the vision for a regional 911 center and improved public safety interoperability for the citizens and campus community.

In 2008, an Executive Committee was formed to discuss and evaluate the process and requirements moving forward for a regional center.

On March 12, 2009, a memorandum of understanding (MOU) was entered into among the County of Montgomery, Towns of Blacksburg and Christiansburg and Virginia Tech to create a working group for the New River Valley 911 Emergency Communications Center. The working group was formed to commission a study of the technical and economic feasibility of establishing a regional 9-1-1 dispatch center and emergency communications system.

On July 17, 2009, AECOM Design/CTA Communications completed a feasibility study recommending the consolidation of emergency communications in the County of Montgomery, Towns of Blacksburg and Christiansburg and Virginia Tech.

On April 11, 2010, the Virginia General Assembly enacted the New River Valley Emergency Communications Regional Authority Act to create the New River Valley Emergency Communications Regional Authority.

In August 2010, RCC Consultants, Inc. completed work to present a strategic plan for consolidating the four separate dispatch operations into a consolidated center.

In November 2010, a memorandum of understanding (MOU) was approved by the County of Montgomery, Towns of Blacksburg and Christiansburg and Virginia Tech to form the Authority.

On December 10, 2010, the first New River Valley Emergency Communications Regional Authority Board meeting was held.

In September 2011, Wiley|Wilson initiated the architectural design meetings for the Montgomery County Public Safety Building renovations.

In May 2013, Thor Inc. began renovation on the Public Safety Building to house the consolidated emergency communications center on the fourth floor.

In October 2015, Authority staff occupied the fourth floor of the Montgomery County Public Safety Building and began installation and testing of 911 technology and equipment for the regional center.

In July 2016, the consolidated center became fully operational after migrating the four stand-alone 911 dispatch centers in phases into the regional facility.

Governing Board

A memorandum of understanding (MOU) was adopted in November, 2010 by the County of Montgomery, the Towns of Blacksburg and Christiansburg, and Virginia Tech which established a Board of Directors to govern the affairs of the Authority. The Board consists of five members with one member appointed by each participating political subdivision and one jointly appointed member by unanimous approval of all participating political subdivisions.

Board of Directors

CHAIR

Sherwood Wilson
Vice President for Administration, Virginia Tech

VICE-CHAIR

Marc Verniel
Town Manager, Blacksburg

SECRETARY / TREASURER

Craig Meadows
County Administrator, Montgomery

Billy Hanks
Fire Chief, Town of Christiansburg

Alan Fabian
CEO, LewisGale Hospital Montgomery
Joint Board Member

NRV ECRA Staff

The Executive Director was hired on May 1, 2011 and is responsible for the administrative and planning functions of the New River Valley Emergency Communications Regional Authority. Two additional management team employees were hired during FY 2015. They serve the roles of Communications Systems Manager and Operations Manager. During FY 2016, three additional staff members were hired to broaden the administrative support capabilities and enhance operations. They serve the roles of Technology Coordinator, Training Coordinator and Executive Assistant.

Team Members

Donna Brown
Executive Director

Karri Cridlin
Executive Assistant

Deborah Stump
Operations Manager

Derek Rogers
Communications Systems Manager

Valerie D'Intino
Training Coordinator

Rebecca Bopp
Technology Coordinator

The Authority migrated additional valuable team members who are the backbone of operations during FY 2017 by transitioning and hiring 911 dispatchers into the consolidated center. These dedicated team members are the communication hub of emergency and non-emergency services for our community and they are the true “first” first responder. The success of our operation is due to their daily commitment to serve and we express our gratitude for their hard work each day while they answer and process calls for service.

Communication Supervisors
Communication Training Officers
Communication Officers



Member Agencies

We Proudly Serve

Law Enforcement

Blacksburg Police Department

Christiansburg Police Department

Montgomery County Sheriff's Office

Virginia Tech Police Department

Fire

Blacksburg Fire Department

Christiansburg Fire Department

Elliston Fire Department

Longshop McCoy Fire Department

Riner Fire Department

Rescue

Blacksburg Rescue Squad

Christiansburg Rescue Squad

Longshop McCoy Rescue Squad

Riner Rescue Squad

Shawsville Rescue Squad

Virginia Tech Rescue Squad

Committees

The Board adopted a resolution on May 24, 2011 to create the Joint Advisory Committee for the New River Valley Emergency Communications Regional Authority. The Committee consists of nine members representing public safety police, fire, rescue and emergency management. The Executive Director will be a non-voting ex-officio member of the committee. The Committee will provide input, feedback and recommendations for implementing a consolidated emergency communications system.

Joint Advisory Committee Members

CHAIR

Mark Sisson
Chief of Police, Christiansburg

David English – Blacksburg Rescue
Montgomery County Fire and Rescue
Commission

Anthony Wilson
Chief of Police, Blacksburg

Michael Mulhare
Director of Emergency Management,
Virginia Tech

Kevin Foust
Chief of Police, Virginia Tech

Neal Turner
Emergency Services Coordinator,
Montgomery County

Hank Partin
Sheriff, Montgomery County

Bobby Carner – Blacksburg Fire
Montgomery County Fire and Rescue
Commission

John Akers – Shawsville Rescue
Montgomery County Fire and Rescue
Commission

Finance Committee

A Finance Committee was established in 2012 to provide input, feedback and recommendations for funding and budget preparation for the NRV ECRA. The Finance Committee recommended each participating member continue contributing equal payments (one-fourth) toward the operating budget for the FY 2017-2018 budget and introduce the calls for service funding formula in FY 2019. This will allow one full fiscal year of consolidated operations (July 2016 – June 2017), which will provide staff and committee members with necessary statistics to properly determine member contributions for the budget planning and development timeline between October and December of 2017. They also recommended each participating member continue making quarterly contribution payments for the upcoming fiscal year.

Authority staff and committee members have been reviewing call for service data based on the first six months of operation to determine potential impacts to future budget cycles for our participating members.

Montgomery County serves as the fiscal agent for the NRV ECRA. The Authority's intent is to remain financially sound by adhering to policies and operating budget control within the approved budget.

The Finance Committee met on numerous occasions over the last several months and were instrumental in the proposed FY 2018 Budget.

Finance Committee Members

Susan Kaiser
Director of Finance
Town of Blacksburg

Angie Hill
Director of Financial and Management Services
Montgomery County

Jamie Lau
Assistant to the Chief of Police
Virginia Tech Police Department

Valerie Tweedie
Director of Finance/Treasurer
Town of Christiansburg

Kayla Smith
Associate Director- Finance &
Administrative Operations
Virginia Tech

Fiscal Year 2017 Accomplishments

- ✓ Completed installation of all cabling, network infrastructure, and connectivity for the communications center and IT equipment room prior to vendor specific equipment installations
- ✓ Delivery and installation of dispatch workstation furniture for emergency communications center based on planned design and layout
- ✓ Collaborated with Verizon, Wireless Communications and Virginia Tech Communications Network Services (CNS) to successfully transition all 911 call routing requirements from four separate PSAPs into the consolidated center for go-live
 - Installed and tested new 911 trunks and routing network
 - Installed and tested ALI (Automatic Location Identification) links from Verizon and Virginia Tech network
 - Installed and tested new administrative lines integrated with the 911 phone system for dispatch operations
- ✓ Coordinated and implemented the installation and testing of new geo-diverse VESTA 911 phone system for regional center to effectively answer and process emergency and non-emergency calls
 - Trained staff on new phone system in preparation for go-live dates
- ✓ Installed and implemented new dispatch radio consoles, antennas and back room equipment required for regional communications
 - Trained staff on new radio system in preparation for go-live dates
- ✓ Successfully transitioned four stand-alone PSAPs into consolidated center to begin regional 911 operations
 - Phased one PSAP at a time over a 30 day period to properly identify and correct any issues prior to the next agency migrating
 - Prepared and implemented a Consolidation Transition Plan for staff, agencies and vendors to follow during go-live dates
 - Conducted cutover briefing with each PSAP agency prior to the scheduled go-live dates
- ✓ Transitioned the employment of all dispatch personnel who migrated from member agencies and administrative staff into the appropriate Authority's personnel benefit plans: VRS, Health Insurance, etc.
- ✓ Continued to hire and train additional Communications Officers to meet proper staff levels.
- ✓ Implemented training program for new communications personnel which includes classroom lecture with practical exercises, training documents and daily observation reports

- ✓ Conducted operations meetings with law enforcement representatives and fire and rescue agencies to evaluate consolidated operations and make necessary changes to protocol and policies for the consolidated center
- ✓ Reviewed and distributed policies and procedures for dispatch personnel based on consolidated protocol
- ✓ Collaborated with the Joint Advisory Committee throughout the year to address and make recommendations on key issues or provide feedback regarding consolidated operations
- ✓ Initiated the plans to deploy Text- to- 911 service for our region
 - Working with 11 other PSAPs involved in a regional grant awarded by the Virginia E-911 PSAP Grant Program to assist with funding, procuring and implementing the desired solution
- ✓ Formed Emergency Medical Dispatch (EMD) Committee to evaluate and select an appropriate EMD program for the consolidated center

Fiscal Year 2018 Goals and Objectives

- Continue to review and evaluate consolidated operations with staff, agencies and committees and make necessary adjustments to protocol or procedures to enhance operations
- Continue to recruit and hire qualified personnel for vacant positions to meet the needs of the consolidated center
- Collaborate with member agencies to discuss and plan for any regional radio communication and interoperability needs
- Implement proper emergency medical dispatch (EMD) program for the region after required training/certifications acquired by dispatch personnel
- Review and evaluate future 911 technologies or changes within the industry to continue to evolve to meet growing needs
- Provide continuing education and on-going training for dispatch personnel to effectively perform their duties
- Develop and provide educational information to our community for dialing 911
- Continue Quality Assurance Program to evaluate performance of public safety communications
- Evaluate performance measures based on 911 industry standards
- Continue efforts to acquire CALEA (The Commission on Accreditation for Law Enforcement Agencies) Public Safety Communications Accreditation specific to communications center operations

Purpose and Benefits of Consolidation

- ❖ Better service to citizens and community
- ❖ Improved response times
 - Less emergency transfers across jurisdictional boundaries
 - Enhance situational awareness
 - Adequate staffing to process calls efficiently
- ❖ Enhanced information and data sharing
- ❖ Standardized dispatch procedures and protocol
- ❖ Increased safety for emergency responders
- ❖ Better training opportunities and programs to meet national standards
 - Accreditation
 - Emergency Medical Dispatch (EMD) Program
 - Text to 9-1-1
- ❖ Collaborative efforts to advance technology, services and operations across the region
- ❖ Enhanced interoperability and coordination for public safety disciplines
- ❖ Ensure redundancy and diversity for critical services
- ❖ Provide additional resources during high call volumes and large scale events
- ❖ Dedicated staff with specialized skills and certifications to improve dispatch operations, training guidelines, and technology requirements as advancements in 911 (Next Generation 9-1-1) are implemented

Regional 9-1-1 Emergency Communications

As I noted in last year's budget, many changes are continuing to take place in public safety and for 9-1-1 center operations across the country. Many localities have or are considering 911 consolidation efforts to enhance operations and services for their communities.

The National Association of State 911 Administrators has provided resources to assist agencies who are considering regionalization. They have acknowledged there has been an increase in the regionalization of 911 systems in recent years based on various considerations and factors. They have stated "stakeholders must be truly committed to the project and willing to stay the course throughout the ups, downs and unexpected turns of event. If that commitment is not there, the entire project may unravel".

Therefore, I believe our region should be proud of the cohesive teamwork that was crucial for our consolidation. This is an exciting time for the leaders, communications staff, emergency responders and law enforcement agencies who have contributed their time and expertise to make this collaborative effort a reality and success. The vision and commitment from local government administrators and elected officials, along with effective planning among public safety leaders and administrative staff, enabled a smooth transition into our regional center.

We have already witnessed enhancements in service in numerous areas, while we continue to fine-tune operations. Several examples worth noting are the reduction in 911 transfers since the majority (74%) of all 911 calls are initiated from cell phones in our region. In the past, many wireless 911 calls were transferred among the individual agencies. We have also experienced an increase in situational awareness, especially when high priority calls are reported. And finally, we have been able to implement protocol to improve response times by utilizing the computer-aided dispatch (CAD) response areas to dispatch second due agencies when necessary.

As new technologies emerge and develop, it is important to recognize trends in consumer usage and continue to evolve by implementing programs, services and training within our emergency communications center. We will still encounter challenges, but our goal is to be proactive rather than reactive, as we continue to work together and make adjustments that ultimately improve operations.

The Authority will remain committed to focus on the needs of our citizens, students and visitors within the communities we serve.



Budget Message

To: Board of Directors

I am pleased to submit the proposed Fiscal Year 2017-2018 budget for the New River Valley Emergency Communications Regional Authority (NRV ECRA) for your review and consideration. This budget encompasses the operating expenses for our second full year of operations within the regional 911 center. It includes the necessary personnel, along with other operating expenditures necessary to maintain the technology, equipment and services required for continued success. The FY 2018 budget plan reflects our ongoing mission to provide quality and reliable 911 service.

FY 2017 was an exciting and pivotal year for our region and the critical public safety service we provide to the citizens, students and visitors of our community. We successfully transitioned four stand-alone 911 dispatch centers into the regional facility and became fully operational by the end of July 2016. While the transition materialized with various challenges and required some changes or adjustments for our member agencies, responders, and 911 personnel, it was a team effort that experienced minimal issues during the phased cutovers. This project substantiated the success that can be achieved through collaborative efforts working together for a common goal.

Planning has been underway since 2008 to make this regional effort a realization to improve overall services, response, safety, and interoperability for our community and responders. While we accomplished a major milestone by completing the transition to consolidation, our responsibilities must continue to diligently focus on properly maintaining the regional center and continuing to evolve to meet future needs as well.

The proposed FY 2018 budget provides the essential expenditures for our ongoing success and ensures the NRV ECRA will operate effectively throughout the next fiscal year.

The participating members will continue to contribute equally (one-fourth) toward the NRV ECRA budget for FY 2018 based on the Finance Committee's recommendation and Board approval. Each member will be invoiced on a quarterly basis for their contribution payment. After the first full operational year, the participating member's contribution will be based on a calls for service funding formula.

The proposed FY 2017-2018 total operating budget is \$3,284,131. This is an increase of \$167,717 from the \$3,116,413 approved in FY 2016-2017. The increase is due to several expenditures that were not necessary during the FY 2017 budget cycle. These expenditures included the annual lease payment for the VESTA 911 call handling equipment, along with annual maintenance for

the dispatch radio consoles and equipment, and the dispatch recording system that was procured for the new center. These three expenditures increased the current budget proposal by approximately \$152,000. A fourth expenditure necessary for FY 2018 is \$17,000 for VM software licensing fees necessary for our server environment. This cost is paid every three years and was originally purchased in 2014.

The primary expenditure included in the FY 2018 budget will be funding personnel salaries and benefits. The proposed budget includes forty-two full-time employees and two part-time employees with no request for additional personnel. The full-time employees consist of six administrative staff and thirty-six Communication Officers. The budget also includes two part-time Communication Officers to utilize for adequate staffing.

Since the NRV ECRA does not have a revenue source by collecting fees for service, all revenue is based on member contributions. To fund the proposed budget each participating member's contribution would be \$821,032 for FY 2018. This is an increase from the previous year's contribution of \$779,103 due in majority to the lease payment and additional maintenance costs mentioned previously.

Personnel costs account for 79% of the operating expenses in the proposed FY 2018 budget. The salaries and benefits have decreased from \$2,646,392 approved in FY 2017 to the proposed \$2,600,000 in FY 2018. As we discussed during last year's budget process, there were several factors we could not accurately predict concerning personnel salaries and benefits. During that time period, it was still unknown how many 911 dispatchers would transition their employment to the Authority based on pending approval of other agency positions, and our VRS employer rate was still pending the actuary study. Therefore, we incorporated all dispatch personnel from the existing agencies and utilized a higher VRS rate.

Since we have transitioned employees into the Authority and received our VRS employer rate for FY 2018, we were able to utilize accurate personnel costs and rates to determine the proper budgetary numbers. As I mentioned, the budget proposal keeps the 42 full-time employees and 2 part-time dispatch personnel to leverage throughout the year. It also includes overtime costs since it is crucial to have adequate coverage within the communications center.

Included in the proposed personnel costs, I am also recommending a 3% cost-of-living adjustment for all personnel effective on July 1, 2017. Since our employees are the most valuable asset we have within our organization, we must recognize the dedication and hard work they have displayed during the transitions and first year of operations. They have persevered through many changes and will learn additional skills as we implement other services such as text-to-911 and emergency medical dispatch. I believe it is critical to acknowledge their continued commitment as we continue to place more responsibilities upon them in the coming year.

This increase would assist with staff retention and also help with recruitment by adjusting the compensation plan to remain competitive with other agencies. Many 911 centers, including our neighboring PSAPs comparable to our size, are experiencing turnover and not at full strength. This creates an atmosphere where 911 organizations are often competing for qualified applicants to fill positions.

I am extremely proud of the personnel who work in our state-of-the-art emergency communications center that has been equipped with the latest technology and equipment. Since the center has been adequately equipped with the current necessary technology, no capital expenditures are required for FY 2018. However, the proposed capital reserve line item includes \$50,000 to be added to the fund to assist with future capital replacements. This is an increase from the \$30,000 in FY 2017. Discussions among the Finance Committee members agreed, while these are small increments, it will help offset future capital replacement costs.

The remaining line items in the proposed budget reflect the base operating expenses required for the consolidation. The Lease-Facility amount remains \$186,471 based on a monthly lease payment to Montgomery County for the regional facility located on the fourth floor of the Public Safety Building. It was also determined the Facility-Utility Services line item can remain \$19,851 based on the current costs for the Authority's percentage of utility fees.

Two additional line items were vital and added to the FY 2018 budget proposal. The first item is the E911 Phone System Lease in the amount of \$102,000 and the other is an IT Equipment line item in the amount of \$5,000. Grant funds were utilized during FY 2017 for the VESTA 911 phone system and budget discussions addressed the lease payments starting in FY 2018.

The Maintenance Services line item experienced the highest increase based on the annual maintenance costs due in FY 2018 for the newly procured radio consoles and equipment, recording system, and the UPS (Uninterrupted Power Supply). All three are critical for 911 operations and must be properly maintained and supported.

The Telecommunications Services line item also increased to \$67,751 and represents approximately 2% of the overall budget. This is the result of increased Verizon bills for the administrative phone lines and the addition of the satellite backup communication which includes annual fees. Both communication costs are crucial for the continuity of operations and serve as backup plans for the regional center in the event of an outage. It is imperative that plans are in place which allow our citizens to contact the 911 center.

As always, a great deal of discussion and planning went into this proposed FY 2018 budget for your consideration. We are tasked with presenting a financially responsible budget with

reasonable expenditures. The challenge is always to balance the desire to keep member contributions down while not having a negative impact on our operations.

As I conclude this budget message, we are six months into full consolidated operations in the regional center. I must reflect back over the years of planning, which started with a vision for improved services and discussions among many of you appointed to the Board. It has been very rewarding to see this project come to life and I commend all the leaders, agencies, committees and staff who have been so committed during this process.

In closing, the proposed FY 2018 budget is submitted to you for consideration, mindful of our core objectives to improve public safety services to our community and maintain qualified and highly motivated employees. This year especially, has been an honor to serve under the Board of Directors and be part of such an integral process to help our community. I appreciate your continued support and express my gratitude to all of the member agencies who collaborated with us to plan and implement the regional center. I would like to especially thank the Finance Committee members (Angie Hill, Susan Kaiser, Valerie Tweedie, Kayla Smith and Jamie Lau) for their valuable expertise and input during this budget process. They continue to support our efforts while ensuring the fiscal health of the NRV ECRA.

Respectfully submitted,



Donna Brown, ENP
Executive Director

New River Valley Emergency Communications Regional Authority

Budget Summary

	FY 2016 Approved Budget	FY 2017 Approved Budget	FY 2018 Proposed Budget
Resources			
Operating Revenue			
Revenue from Member Participants	\$1,679,971	\$3,116,413	\$3,284,131
Miscellaneous Revenue	\$0	\$0	\$0
Total Operating Revenue	\$1,679,971	\$3,116,413	\$3,284,131
Expenses			
Operating Expenses			
Salaries / Benefits	\$574,000	\$2,646,392	\$2,600,000
Lease Facility	\$186,471	\$186,471	\$186,471
Fiscal Agent - Contract Services	\$16,500	\$46,000	\$46,000
Consulting Services	\$0	\$0	\$0
Advertising	\$1,000	\$1,000	\$1,000
Telecommunications Service	\$29,600	\$46,320	\$67,751
Dues / Membership	\$1,000	\$26,340	\$21,865
General Travel Expenses	\$5,000	\$5,000	\$5,000
Professional Services	\$21,300	\$43,390	\$45,262
Maintenance Services	\$41,150	\$23,448	\$77,671
E911 Phone System	\$0	\$0	\$102,000
Facility / Utility Services	\$23,000	\$19,851	\$19,851
Uniforms / Clothing	\$12,500	\$2,000	\$2,000
Liability Insurance	\$2,400	\$6,000	\$7,000
Professional Development	\$5,000	\$10,000	\$10,000
Operating Supplies	\$2,500	\$2,500	\$2,500
Software Fees	\$5,550	\$11,700	\$24,760
IT Equipment	\$0	\$0	\$5,000
Contingency	\$25,000	\$10,000	\$10,000
Capital Outlay	\$728,000	\$0	\$0
Capital Reserve	\$0	\$30,000	\$50,000
Total Operating Expenses	\$1,679,971	\$3,116,413	\$3,284,131

42 FT / w/ Outline

New River Valley Emergency Communications Regional Authority

Budget Line Item Description

FY 2018 Operating Expenses

Approved FY 17 Proposed FY 18

Request Description	Amount	Amount
Personnel Salaries / Benefits Salaries / Benefits for Authority Staff during FY 2018 (42 FTE - 2 PT)	\$2,646,392	\$2,600,000
Lease - Facility Annual Lease for Regional Facility located in Montgomery County Public Safety Building	\$186,471	\$186,471
Fiscal Agent - Contract Services HR, Finance, Payroll and other Support Services for Full Year / Staff	\$46,000	\$46,000
Consulting Services Costs to contract consulting services for the Authority	\$0	\$0
Advertising Fees to post hiring announcements in newspaper and online	\$1,000	\$1,000
Telecommunications Monthly fees for mobile and administrative phone service, fiber connectivity to member agencies, 911 Fees for VT circuits/ALI connectivity, VCIN related fees and satellite backup communications	\$46,320	\$67,751
Dues / Memberships Fees for membership/dues with criminal justice academy, professional organizations and subscriptions to professional journals (Cardinal Criminal Justice Academy, APCO and NENA fees/dues)	\$26,340	\$21,865
General Travel Expenses Travel / Meals expense to attend meetings, site visits and to perform other required functions to support the goals of the 911 Authority	\$5,000	\$5,000
Professional Services Fees to contract services needed to accomplish tasks or business for the Authority Legal Counsel; Audit; Hosted Email, Antivirus & Web Filter; IT / Radio Related Services	\$43,390	\$45,262
Maintenance Services Maintenance fees for radio system and equipment, UPS, and recording system. Building maintenance service fees for HVAC, elevators, <u>sprinkler</u> & <u>fire system</u> based on percentage formula <u>11.4%</u>	\$23,448	<u>\$77,671</u>
E911 Phone System Lease Payment for VESTA 911 Phone System	\$0	\$102,000

New River Valley Emergency Communications Regional Authority

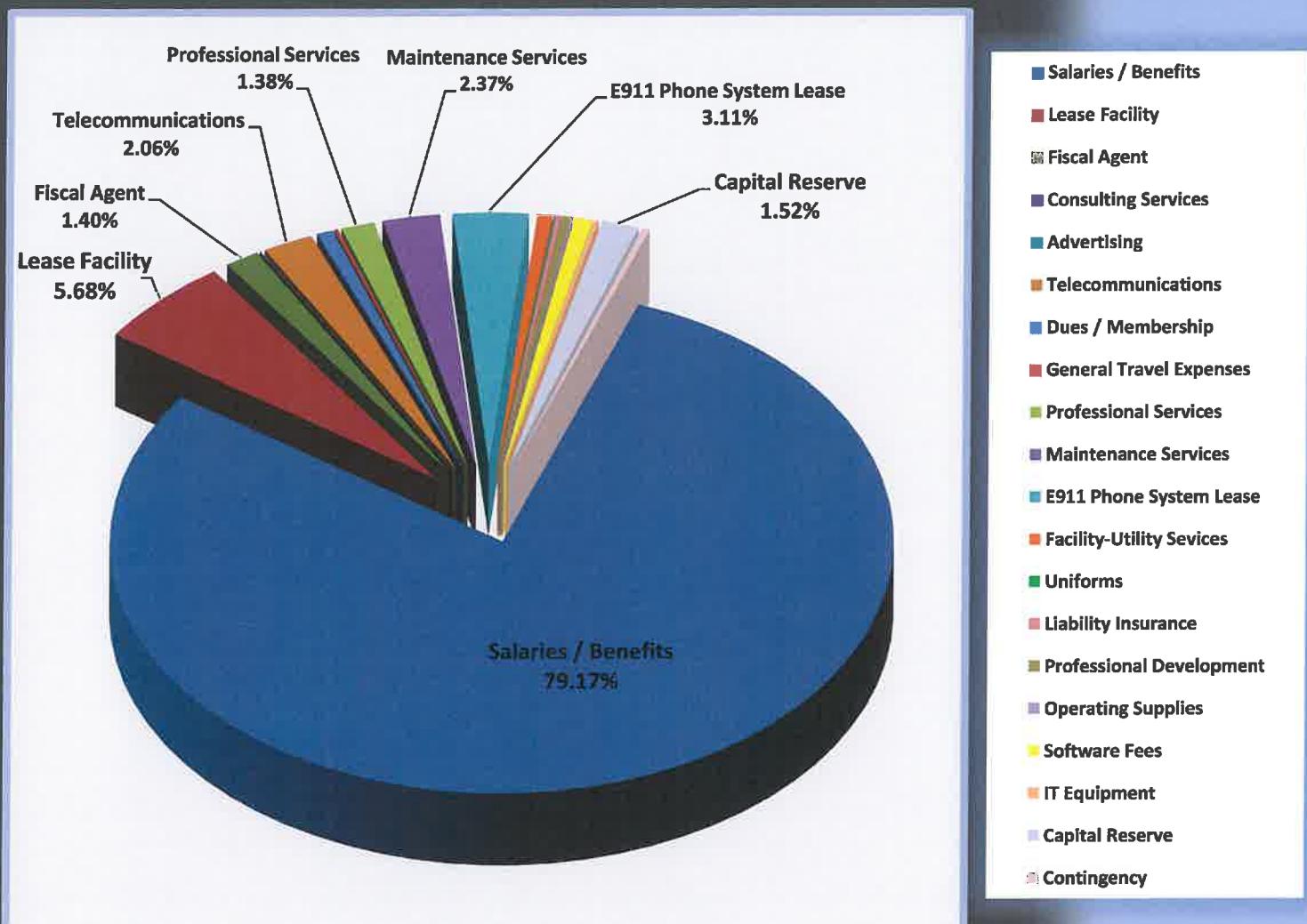
Budget Line Item Description

FY 2018 Operating Expenses

Approved FY 17 Proposed FY 18

Request Description	Amount	Amount
Facility / Utility Services Utility fees for facility (electric, gas, water, etc.) and janitorial supplies	\$19,851	\$19,851
Uniforms / Clothing Uniforms for Staff	\$2,000	\$2,000
Liability Insurance VML Liability and Property Insurance	\$6,000	\$7,000
Professional Development / Training Registration fees to attend conferences, seminars or other training events/courses during the year (APCO, NENA, User Groups, etc.)	\$10,000	\$10,000
Operating Supplies General Office Supplies - paper, pens, notebooks, folders, envelopes, etc. Printer ink cartridges, labels, etc.	\$2,500	\$2,500
Software Fees Annual Software License Fees - Vmware, VCIN, Veeam Backup Software <i>Buyers 17,000 - will not be in next years budget</i>	\$11,700	\$24,760
IT Equipment Funds for technology equipment needs	\$0	\$5,000
Contingency Funds for emergency or unexpected expenses	\$10,000	\$10,000
Capital Outlay Capital Expenditures for one-time equipment, technology or services	\$0	\$0
Capital Outlay (Reserve) Capital Reserve for future equipment replacement	\$30,000	\$50,000
Total Operating Expenses	\$3,116,413	\$3,284,131
TOTAL MEMBER CONTRIBUTION - (One-fourth)	\$779,103.24	\$821,032.75

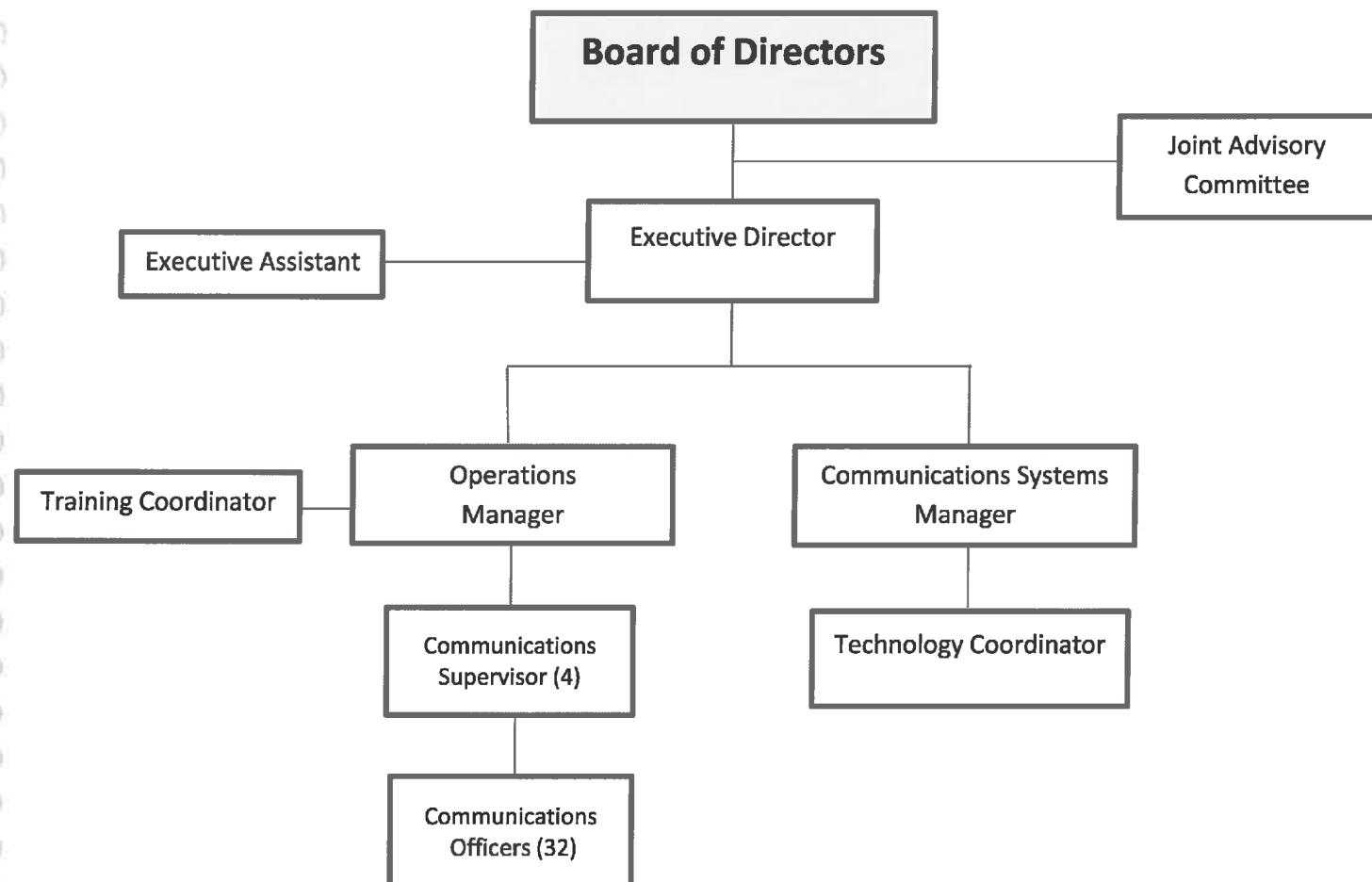
FY 2017-2018 Proposed Budget





New River Valley Emergency Communications Regional Authority

Organization Chart



New River Valley Emergency Communications Regional Authority



Board of Directors – Work Session

March 9, 2017

Funding Formula – RCC Reports

- **Draft Budget Report – March 2010**

- Assessed Valuation of Real Property
- Resident Population
- Daytime Population
- Calls for Service

- **Preliminary Report – May 2010**

- Proportional Call Volumes
- Proportional Population
- Assessed Valuation
- Console Minutes
- Pay for Direct Positions

Funding Formula – Potential Issues

- **911 Call Volumes**
 - Utilize ESN (Emergency Service Number) to separate, but there is no way to determine wireless calls related to VT
- **Population**
 - Agree upon population year/estimate
- **Assessed Valuation of Real Property**
 - No reported issues
- **Console Minutes**
 - Radio consoles do not measure radio traffic minutes
- **Calls for Service**
 - Fair methodology for calculating calls
 - Will all calls be included such as officer initiated, etc.
- **Pay for Direct Positions**

Funding Formula - Examples

- **Roanoke County - Vinton**
 - Calls for Service – no true definition – count all
 - Incidents
- **Charlottesville - UVA - Albemarle**
 - Calls for Service method adopted in 2013 – count each discipline on a call for service separately
 - Calls include officer initiated regardless of priority
- **Martinsville-Henry County**
 - Calls for Service – count each discipline on a call separately - do not count specific officer initiated via MDT
 - Population
 - 911 Access Lines

Funding Formula - Examples

- **Harrisonburg - Rockingham**
 - Split 50/50 with no funding formula
- **York - Poquoson - Williamsburg**
 - No Formula - Agreements in MOU based on positions transferred and administrative fees primarily – Currently reviewing other methods

Funding Formula – Other Examples

- **SNOCOM 911 - Washington**
 - Population
 - Assessed Value
 - Calls for Service
- **South Sound 911 – Washington**
 - LE - Calls for Service (Less Traffic Stops)
 - Fire – Calls for Service and Assessed Valuation
- **Consolidated Dispatch Case Study Reports – Various Centers (IL, MO, NC, OH, WA)**
 - Call Volume
 - Calls for Service
 - Population
 - Assessed Valuation
 - Split percentages for criteria (example: 70% CFS and 30% AV)

Funding Formula Options

- **Option 1 – Continue to contribute equally**
 - Continue to pay 1/4 of annual budget
 - Will not account for actual work load among agencies
- **Option 2 – Utilize Calls for Service (CFS) percentage**
 - Contribute toward annual budget based upon calls for service
 - Clearly define calls for service for inclusion
 - Potential to fluctuate year to year based on events
- **Option 3 – Transition into funding formula utilizing 2 year average (continue multiple year average each year)**
 - Utilize prior year and current funding percentages to determine funding proportion
 - May balance percentage changes each year

Funding Formula Options

- **Option 4 – Determine additional criteria for formula**
 - Utilize other factors such as 911 call volume, population, assessed valuation, 911 access lines, etc.
 - May require more complex formula calculations
 - Agree on accurate values for criteria
 - Various caveats depending upon criteria
 - Cannot separate wireless 911 calls made from VT
- **Option 5 – Utilize weighted value for CFS priorities or among selected criteria**
 - Designate separate values based on high, medium & low priority
 - Designate different percentage for multiple criteria option
 - Ex: Calls for Service – 70% and Population – 30%
- **Option 6 – Use separate percentages within overall budget**
 - Personnel Salaries/Benefits – Equally shared 25%
 - Operating Expenses – Proportional %
 - Capital Expenses – Equally shared – 25%

Formula Options - Sample

- **Option 2 – Utilize Calls for Service Percentage**
- Utilize only Calls for Service

* (Includes estimated CFS % based on 6 months of preliminary data)

NRV 911 Operational Dates			Member Agency		Trend Comparison	
Agency	July-Dec 2016	Percentage	Overall %		Calendar 2016 - LE Only	
MCSO	9735	18.90%	M	24.83%	19320	22.57%
BPD	8093	15.72%		18.42%	16604	19.40%
CPD	13528	26.27%		29.99%	24807	28.98%
VTPD	12946	25.14%		26.76%	24871	29.05%

Trend Comparison based on older data statistics provided to NRV 911						
Calendar 2013 Comparison						
	Police	Fire	Rescue	AC	Totals	Percentage
MCSO	23756	985	3466	609	28816	24.18%
BPD	19438	482	1575		21495	18.04%
CPD	29150	398	2428		31976	26.83%
VTPD	34754	907	1216		36877	30.95%
Totals	107098	2772	8685	609	119164	

Formula Options - Sample

- **Option 3 – Transition into funding formula (utilize prior year cost allocation %)**
- Utilize only Calls for Service
 - * (Includes estimated CFS % based on 6 months of preliminary data)

Participating Member	FY 2018 %	Estimated CFS %	FY 2019 - 2 YR Average
Montgomery County	25%	24.83%	24.92%
Blacksburg	25%	18.42%	21.71%
Christiansburg	25%	29.99%	27.50%
Virginia Tech	25%	26.76%	25.88%

Formula Options - Sample

- **Option 4 – Utilize additional criteria**
- Utilize Calls for Service and Population
 - * (Includes estimated CFS % based on 6 months of preliminary data)

Participating Member	Population	Population %	CFS %	CFS & Population %	FY 2019 2 YR AVG
Montgomery County	30731	32.56%	24.83%	28.69%	26.85%
Blacksburg	17620	18.67%	18.42%	18.54%	21.77%
Christiansburg	21041	22.29%	29.99%	26.14%	25.57%
Virginia Tech	25000	26.49%	26.76%	26.62%	25.81%
Totals	94392	100.00%	100.00%	100.00%	100.00%

Formula Options - Sample

- **Option 5 – Utilize weighted value for CFS Priority**
- High - 3, Medium - 2, Low – 1 (Example below only includes LE)
* (Includes estimated CFS % based on 6 months of preliminary data)

Participating Member	FY 2018 %	CFS Priority %	FY 2019 2yr Average
Montgomery County	25%	24.15%	24.58%
Blacksburg	25%	21.28%	23.14%
Christiansburg	25%	29.96%	27.48%
Virginia Tech	25%	24.61%	24.81%
Totals	100%	100.00%	100.00%

Formula Options - Sample

- Option 6 – Use separate percentages within overall budget

Example: FY 2018 Approved Budget

Total Budget	\$	3,284,131	
Personnel Salary/Benefits	\$	2,600,000	25%
Capital Reserve	\$	50,000	25%
Remaining Operating Expenses	\$	634,131	Cost Allocation %

Board Discussion

JRV Emergency Communications Regional Authority - Christiansburg

FY 2017-18 NRV Emergency Communications Regional Authority Total Cost

FY 2017-18 Christiansburg payment (at 25%)

From Formula PowerPoint Page 12 (at 27.48%) - based on Police calls only

From 911 Calls for Service (at 31.16%) - 3-year average using 25% for Year 1 calls for service in Authority system a

From 911 Calls for Service (at 34.24%) - strictly using first year calls for service as in the Authority system as 3-yea

Potential Cost Increases

\$ 3,284,132.00

Total	
Christiansburg	Increase over 25%
Cost	(\$821,033)
\$ 821,033.00	
\$ 902,479.47	\$ 81,446.47
\$ 1,023,335.53	\$ 202,302.53
\$ 1,124,486.80	\$ 303,453.80



**TOWN OF CHRISTIANSBURG
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Discussion and Action by Mayor and Council

Meeting Date:

September 12, 2017

ITEM TITLE:

Amendment to Christiansburg Armory Agreement

DESCRIPTION:

The Town of Christiansburg has had a maintenance and use agreement with the Department of Military Affairs since prior to the construction of the Christiansburg National Guard Readiness Center. This agreement has been amended once before in 1985. The agreement is being required to be amended by the Department of Military Affairs due to new federal policies regarding the centers and the Town will no longer be able to schedule the use and will no longer be responsible for maintenance of the facility or grounds.

POTENTIAL ACTION:

Council discussion and potential vote.

DEPARTMENT:

Administration

PRESENTERS:

Randy Wingfield, Interim Town Mgr.

Information Provided:

- Christiansburg Armory Resolution – 1958
- Christiansburg Armory Resolution Amendment No. 1 – 1985
- Amendment to Christiansburg Armory Mutual Use Agreement – 2017

A RESOLUTION REGARDING THE CONSTRUCTION
OF A NATIONAL GUARD ARMORY IN THE TOWN
OF CHRISTIANSBURG: OBLIGATIONS: TERMS:
CONDITIONS: COOPERATION WITH STATE AND
FEDERAL AUTHORITIES.

* * * *

WHEREAS, under the provisions of Chapter 373, Acts of the General Assembly of Virginia, effective 28 March 1932, with the approval of Honorable J. Lindsey Almond, Governor of Virginia, and the Department of Military Affairs, in cooperation with the Government of the United States, the Commonwealth of Virginia proposes to construct a standard armory, for the training and housing of a National Guard military unit and for the security of military property (State and Federal) in the Town of Christiansburg, Virginia, at a cost not to exceed One Hundred and Fifty Thousand (\$150,000) Dollars, and to solicit construction bids from qualified contractors during the month of or 19 , as required by State and Federal laws; and

WHEREAS, no part of these funds may be expended on the cost of land, grading, landscaping, extending such facilities as water, sewers, roads and sewage disposal, electricity and telephones, further than five feet from the outside of the building, or for furniture, seats or other accessories within the building, nor until by a suitable resolution of the legal representatives of the said Town there shall have been adopted and recorded, obligating the said Town to comply with the following conditions, which subsequently may be embraced in an appropriate contract:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF CHRISTIANSBURG, VIRGINIA, by and through its legally constructed representatives, the Town Council, duly called and empowered, obligates itself to the performance of the following conditions, set forth herein, and to cooperate with the State and Federal authorities in the successful prosecution of this project:

(1) To convey, or cause to be conveyed, to the Commonwealth of Virginia, Department of Military Affairs, a tract of land containing 4.01 acres for a building site, in Fee Simple, by a good and sufficient deed with certificate of title, approved by the Attorney General of Virginia, free from all claims or legal objection, situate in the Town of Christiansburg, Virginia, known and described as follows:

BEGINNING at the point of intersection of the southeast line of Depot Street with the southwest line of College Street; thence with the southeast line of Depot Street S $52^{\circ} 00'$ W 204.7 feet to a corner of Lucas' land; thence with Lucas' land four lines: S 36° E 150.0 feet; S $51^{\circ} 40'$ W 15.0 feet to a post; N $37^{\circ} 49'$ W 13.0 feet to a post; and thence S $48^{\circ} 09'$ W 86.0 feet to a post in a line of Carper's land; thence with Carper's land two lines: S $39^{\circ} 18'$ E 123.5 feet; and thence S $39^{\circ} 26'$ E 130.5 feet to a post, a corner to Snidow's land; thence with Snidow's land two lines; N $50^{\circ} 34'$ E 127.8 feet; and thence S $40^{\circ} 11'$ E 165.5 feet to a corner of Colhoun's land; thence with Colhoun's land three lines: N $71^{\circ} 20'$ E 117.5 feet to a tree; S $44^{\circ} 22'$ E 37.5 feet to a post; and thence N $51^{\circ} 45'$ E 130.0 feet to the southwest line of College Street, at the northeast corner of concrete steps; thence with the southwest line of College Street two lines; N $40^{\circ} 50'$ W 80.7 feet;

and thence N 45° 00' W 557.8 feet to the BEGINNING, containing 4.01 acres, according to a plat made by John E. Lemley, Town Engineer, dated April, 1957, revised February 4, 1958, a copy of which plat is filed herewith and made a part of this deed.

(2) a. On or within six (6) months from the date of completion of the construction of the armory, provide two connecting streets from the armory tract to and open up, treat with hard surface and put in condition for public travel said connection and prepared streets, not less than forty (40) feet in width, and cause said streets to be dedicated to the public, and maintain said streets thereafter.

b. On or before the date the construction contract is let or awarded the contractor, the Town of Christiansburg will make adequate provisions to repair or construct and maintain an accessible road to the armory site for the use of the contractor, delivery of material and the use of employees.

(3) Assume costs of repair, maintenance and operation of said armory, landscaping, supplying necessary facilities such as water, electricity, telephones, sewers and sewage disposal, to a point designated by the architects within five (5) feet of the building, and such caretaker and/or janitorial personnel as may be necessary.

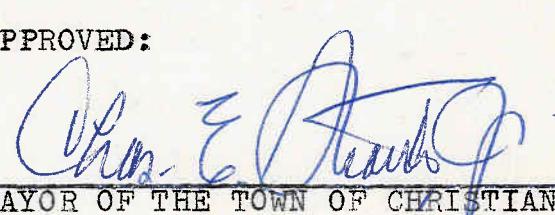
(4) The Town of Christiansburg, Virginia, shall keep the said armory insured for a reasonable amount at its expense, and shall indemnify and save harmless the Commonwealth of Virginia and Department of Military Affairs from any and all loss resulting from and arising out of any accidents and injuries to persons (other than members of the Virginia National Guard) from the use, operation or occupancy of said armory.

(5) All deeds, contracts, resolutions and other instruments pertaining to the conditions herein set forth shall be subject to the approval of the Attorney General of Virginia.

(6) The said Town will furnish, without expense to the State or United States, the services of its Town Engineer as "RESIDENTIAL INSPECTOR" to make inspections of work and material during the construction of the project, and to assist and help the State Architects, Messrs. Ballou and Justice, to the extent they may desire.

The foregoing resolution was presented to the Council of the Town of Christiansburg, in said Town, on the 4th. day of March 1958, and was unanimously approved. It is ordered that a copy thereof be spread upon the minutes of the Council and that two copies be certified to the Adjutant General of Virginia.

APPROVED:


MAYOR OF THE TOWN OF CHRISTIANSBURG

ATTESTE:


CLERK OF THE COUNCIL

TOWN OF CHRISTIANSBURG

STATE OF VIRGINIA

I, J. Creede Taylor, Clerk of the Council of the Town of Christiansburg, Virginia, do hereby certify that the attached is a true and exact copy of a resolution entitled: "A RESOLUTION REGARDING THE CONSTRUCTION OF A NATIONAL GUARD ARMORY IN THE TOWN OF CHRISTIANSBURG: OBLIGATIONS: TERMS: CONDITIONS: COOPERATION WITH STATE AND FEDERAL AUTHORITIES."

ADOPTED by the Council of the Town of Christiansburg, Virginia, on the 4th. day of March, 1958.

J. Creede Taylor
Clerk of the Council

(SEAL)



AMENDMENT NO. 1 TO
ARMORY RESOLUTION

This Resolution, entered into this 17 day of June, 1985 by and between the TOWN OF CHRISTIANSBURG, Virginia, party of the first part, referred to as the Town, and the COMMONWEALTH OF VIRGINIA, DEPARTMENT OF MILITARY AFFAIRS, party of the second part, herein after referred to as DMA, will amend the Armory Resolution dated March 4, 1958 (copy attached) as follows:

1. The Town agrees to:

a. Reaffirm its commitment to provide the operational costs as outlined in the original Resolution dated March 4, 1958 (i.e. Lawn care, heating fuel, janitorial, etc.).

b. Reaffirm its commitment to continue the routine maintenance and repair cost as outlined in the original Resoultion (i.e. Light bulb replacement, lubrication of motors, air filter changes, etc.).

2. The DMA agrees to:

a. Reimburse the Town the approved costs of major repairs (i.e. boiler replacement, roof replacement, etc.) of the armory.

b. Reimburse the Town for up to 25% of their routine maintenance and operational costs, upon approval of proof of payment from the Town.

c. Allow the Town to retain any rental receipts collected, up to actual expenses incurred for routine maintenance and operation.

IN WITNESS WHEREOF, the parties here to have affixed their signatures and seals.

This Armory Resolution is accepted as of this 16th day of July, 1985

16 July 85
Date

by John G. Castles
John G. Castles
Major General
The Adjutant General

16 July 85
Date

John E. Lemley
John E. Lemley
Town Manager

AMENDMENT NO. 2
To Armory Resolution

THIS AMENDMENT is made this 1st day of October, 2017, by and between the Town of Christiansburg, Virginia, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as the “Town” and the Commonwealth of Virginia, by and through its Department of Military Affairs, hereinafter referred to as “DMA”. As evidenced by their signatures below, for and in consideration of the mutual premises herein contained, the parties agree as follows:

1. The original Resolution between the parties relating to maintenance and use of the National Guard Readiness Center was dated 4 March 1958, and amended by Amendment No. 1 dated 17 June 1985.
2. The parties mutually agree that certain changes need to be made in the original agreement as it was first amended.
3. The parties agree that the agreement as previously amended is hereby further amended as follows:
 - (a) Town of Christiansburg shall no longer have any responsibility for operational costs as outlined in Armory Resolution, dated 4 March 1958, as amended 17 June 1985.
 - (b) DMA shall assume the financial responsibility for the total operation and maintenance of the facility.
 - (c) Readiness Center will no longer be available for rental to the public.
4. All other provisions of the original resolution and Amendment No 1 not expressly or implicitly changed by this amendment are hereby reaffirmed and shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures and seals.

This Amendment is accepted as of the 1st day of October, 2017.

by: _____

(Date) _____

TIMOTHY P. WILLIAMS
Major General, VaARNG
The Adjutant General

(Date)

by: _____

Town Manager
Christiansburg, Virginia

(Date)

by: _____

Town Attorney
Christiansburg, Virginia

TOWN OF CHRISTIANSBURG

Established November 10, 1792

Incorporated January 7, 1833



PROCLAMATION

National Suicide Prevention Week

WHEREAS, on average there are 117 suicides every day in the United States; and

WHEREAS, suicide is the 11th leading cause of death in Virginia; and

WHEREAS, one person dies by suicide every eight hours in Virginia; and

WHEREAS, public awareness of warning signs and networks available for at-risk individuals is essential to continue lowering the rate of suicide; and

WHEREAS, local organizations, such as New River Valley Community Services, and community support are vital to continuing the fight against suicide and tragic loss of lives; and

WHEREAS, the Town of Christiansburg supports efforts to reduce stigma surrounding suicide and increase awareness of resources for those experiencing suicidal thoughts;

NOW, THEREFORE, BE IT PROCLAIMED that the Christiansburg Town Council declares the week of September 10-16, 2017 as National Suicide Prevention Week in Christiansburg, Virginia, and does call upon the citizens of Christiansburg to join in this special observance.

ADOPTED this 12th day of September, 2017.

D. Michael Barber, Mayor