

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 1ST DAY OF AUGUST, NINETEEN HUNDRED NINETY-FOUR, AT 7:04 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Perry M. DePue, Chairman, Powhatan District (Absent)
David L. Sisk, Vice Chairman, Roberts District

Jack D. Edwards, Berkeley District
Robert A. Magoon, Jr., Jamestown District
Stewart U. Taylor, Stonehouse District
David B. Norman, County Administrator
Leo P. Rogers, Deputy County Attorney

B. MINUTES - July 18, 1994

Mr. Sisk asked if there were corrections or additions to the minutes.

Mr. Taylor made a motion to approve the minutes.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk (4). NAY: (0).

C. CONSENT CALENDAR

Mr. Sisk asked if any Board member wished to remove an item from the Consent Calendar.

Mr. Leo Rogers, Deputy County Attorney, stated that Item No. 1, Trash and Grass Lien, Torsion, Inc., had been collected and should be deleted from consideration.

Mr. Sisk asked that Item No. 1 be deleted.

Mr. Taylor made a motion to approve Item Nos. 2, 3, and 4 on the Consent Calendar.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk (4). NAY: (0).

2. Trash and Grass Liens - Drummond's Field, Ltd., 8 Lots, c/o Stephen Buis, 700 E. Main Street, Richmond, VA

RESOLUTION

CODE VIOLATION LIEN

WHEREAS, the Director of Code Compliance has certified to the Board of Supervisors of James City County, Virginia, that the property owner as described below has failed to pay a bill in the amount listed, for cutting of grass and weeds or removal of trash and debris, although the County has duly requested payment; and

WHEREAS, the unpaid and delinquent charges are chargeable to the owner and collectible by the County as taxes and levies and constitute a lien against the Property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that in accordance with Sections 7-4 and 7-5 of the Code of the County of James City, Virginia, the Board of Supervisors directs that the following delinquent charges for services rendered, plus interest at the legal rate from the date of recordation until paid, shall constitute a lien against the Property to wit:

Cleaning of Trash/Debris and/or Cutting of Grass, Weeds, etc.:

ACCOUNT: Drummond's Field, Ltd.
c/o J. Stephen Buis
700 E. Main Street, Suite 1104
P.O. Box 1-P
Richmond, VA 23202

DESCRIPTION: 3513 Mott Lane

TAX MAP NO.: (46-3)(04-0-0022-)
James City County, Virginia

AMOUNT DUE: \$75.00

ACCOUNT: Drummond's Field, Ltd.
c/o J. Stephen Buis
700 E. Main Street, Suite 1104
P.O. Box 1-P
Richmond, VA 23202

DESCRIPTION: 3342 Derby Lane

TAX MAP NO.: (46-3)(04-0-0001-)
James City County, Virginia

AMOUNT DUE: \$75.00

ACCOUNT: Drummond's Field, Ltd.
c/o J. Stephen Buis
700 E. Main Street, Suite 1104
P.O. Box 1-P
Richmond, VA 23202

DESCRIPTION: 3521 Mott Lane

TAX MAP NO.: (46-3)(04-0-0018-)
James City County, Virginia

AMOUNT DUE: \$75.00

ACCOUNT: Drummond's Field, Ltd.
c/o J. Stephen Buis
700 E. Main Street, Suite 1104
P.O. Box 1-P
Richmond, VA 23202

DESCRIPTION: 3503 Mott Lane

TAX MAP NO.: (46-3)(04-0-0027-)
James City County, Virginia

AMOUNT DUE: \$75.00

ACCOUNT: Drummond's Field, Ltd.
c/o J. Stephen Buis
700 E. Main Street, Suite 1104
P.O. Box 1-P
Richmond, VA 23202

DESCRIPTION: 3601 Mott Lane

TAX MAP NO.: (46-3)(04-0-0028-)
James City County, Virginia

AMOUNT DUE: \$75.00

ACCOUNT: Drummond's Field, Ltd.
c/o J. Stephen Buis
700 E. Main Street, Suite 1104
P.O. Box 1-P
Richmond, VA 23202

DESCRIPTION: 3504 Mott Lane

TAX MAP NO.: (46-3)(04-0-0030-)
James City County, Virginia

AMOUNT DUE: \$75.00

ACCOUNT: Drummond's Field, Ltd.
c/o J. Stephen Buis
700 E. Main Street, Suite 1104
P.O. Box 1-P
Richmond, VA 23202

DESCRIPTION: 3508 Mott Lane

TAX MAP NO.: (46-3)(04-0-0032-)
James City County, Virginia

AMOUNT DUE: \$75.00

ACCOUNT: Drummond's Field, Ltd.
c/o J. Stephen Buis
700 E. Main Street, Suite 1104
P.O. Box 1-P
Richmond, VA 23202

DESCRIPTION: 3512 Mott Lane

TAX MAP NO.: (46-3)(04-0-0034-)
James City County, Virginia

AMOUNT DUE: \$75.00

3. Dedication of Streets in Settler's Mill at Jamestown, Sections 2A and 2B and Lakewood, Section 2

RESOLUTION

DEDICATION OF STREETS IN SETTLER'S MILL AT

JAMESTOWN SECTIONS 2A AND 2B AND LAKEWOOD, SECTION 2

- WHEREAS, the following roads in Settler's Mill at Jamestown Sections 2A and 2B and Lakewood, Section 2, are shown on plats recorded in the Clerk's Office of the Circuit Court of James City County and have been constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of Highways; and
- WHEREAS, the Board of Supervisors desires certain roads in Settler's Mill at Jamestown Sections 2A and 2B and Lakewood, Section 2, to be included in the State Secondary Highway System; and
- WHEREAS, the Virginia Department of Transportation's Resident Engineer for James City County has inspected these roads and found them acceptable for maintenance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Virginia Department of Transportation be, and is hereby respectfully requested, contingent on the above, to include the following roads in Settler's Mill at Jamestown Sections 2A and 2B and Lakewood, Section 2, Jamestown Election District, James City County, in the State Secondary Highway System:

1. Mill View Circle, 50-foot right-of-way
From: Route 1691 (Lakewood Drive)
To: End of cul-de-sac
Distance: 734 feet (0.14 mile)

- 2. Wood Pond Circle, 50-foot right-of-way
 - From: Route 1691 (Lakewood Drive)
 - To: End of cul-de-sac
 - Distance: 496 feet (0.09 mile)

The unencumbered rights-of-way of 50 feet, along with drainage easements, are guaranteed as evidenced by the following plats of record:

Lakewood, Section 2, recorded in Plat Book 45, Page 80, dated July 10, 1987; Settler's Mill, Section 2A, recorded in Plat Book 55, Page 13, dated November 4, 1991; and Settler's Mill, Section 2B, recorded in Plat Book 56, Page 43, dated November 5, 1992.

BE IT FURTHER RESOLVED that this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

- 4. Appointment and Renomination of Private Industry Council (PIC)

RESOLUTION

ENDORSEMENT OF PRIVATE INDUSTRY COUNCIL NOMINATIONS

WHEREAS, James City County is represented on the Greater Peninsula Private Industry Council; and

WHEREAS, State guidelines require that each jurisdiction represented on the Council endorses the nominations to the Council.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby endorse the nominations of the persons recommended by the Consortium of Governments (COG), outlined on the attached document which is incorporated into this resolution by reference.

D. PUBLIC HEARINGS

- 1. Ordinance Amendment, Chapter 13, Offenses - Miscellaneous, Section 13-36, Discharge of Firearms (Continued from 7/18/94)

Mr. Rogers stated that the proposed amendments were based on recommendations made by the citizens' Firearms Safety Task Force, which balanced firearm safety while permitting hunting in appropriate places. He introduced Police Chief Robert Key and Mr. Harry Knight, chairman of the Firearms Safety Task Force.

Mr. Taylor spoke in opposition to limiting the hunting of groundhogs in general agricultural zone only between March 1 and September 1.

Mr. Knight explained that safety was the primary concern of the task force and the dates were included to prevent an overlap with the deer hunting season.

The Board commended the Firearms Safety Task Force for its thoroughness and efforts.

Mr. Sisk opened the public hearing.

1. Mr. Ed Riley, 611 Tam-O-Shanter, spoke in favor of the new regulations for hunting safety.

Mr. Sisk closed the public hearing.

Mr. Edwards made a motion to approve the ordinance amendment.

Mr. Taylor made a motion of amendment to Section 13-36 (c) to delete the language, "...between March 1 and September 1."

On a roll call, the vote was: AYE: Taylor (1). NAY: Magoon, Edwards, Sisk (3).

On a roll call, the vote for the original motion was: AYE: Magoon, Edwards, Sisk (3). NAY: Taylor (1).

Mr. Sisk announced that a Call-In show was scheduled for Monday, August 8, 1994, on Government Cable Channel 36 at 7:00 p.m. with Police Chief Robert Key and Mr. Harry Knight in attendance to answer questions from the public regarding the Firearms Ordinance.

2. Case No. SUP-12-94. Stonehouse, Inc. Water Main

Mr. Mark J. Bittner, Planner, stated that Mr. James Franklin had applied on behalf of Stonehouse, Inc. for a special use permit to allow construction of a 16-inch water main from an existing 12-inch water main located on Route 60 approximately 2,400 feet south of Anderson's Corner, northward along Route 60, across Route 30 at Anderson's Corner and northward along Route 30 to the entrance of Stonehouse in the area of the LaGrange tract. He further stated the extension would be approximately one mile in length and located within Virginia Department of Transportation right-of-way with exception of where it crossed Stonehouse.

Staff recommended approval with conditions listed in the resolution.

Mr. Sisk opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Taylor made a motion to approve the resolution.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk (4). NAY: (0).

RESOLUTION

CASE NO. SUP-12-94. STONEHOUSE, INC., WATER MAIN

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a special use permit process; and

WHEREAS, the Planning Commission of James City County, following its public hearing on July 12, 1994, unanimously recommended approval of Case No. SUP-12-94 to allow the construction of a 16 inch water main in the right-of-way of Route 60 and Route 30 a distance of approximately one mile from a point approximately 2,400 feet south of Anderson's Corner extending northward to the entrance to Stonehouse in the vicinity of the LaGrange Tract.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-12-94 as described herein with the following conditions:

1. Construction, operation and maintenance of the main shall comply with all local, State and Federal requirements.
2. The project shall comply with all State erosion and sediment control regulations as specified in the 1992 Virginia Erosion Control Handbook.
3. All required permits and easements shall be acquired prior to the commencement of construction.
4. This special use permit shall remain in effect for a period of 24 months from the date of issuance. If within this time site plan approval and/or building permit approvals are issued, the special use permit shall remain in effect for the term of those approvals and/or permits.
5. For pipeline construction adjacent to existing development, adequate dust and siltation control measures shall be taken to prevent adverse effects on the adjacent property.

3. Case No. Z-2-94. Wallace Estates

Mr. Bittner stated that Mr. Henry H. Stephens had applied to rezone approximately 97 acres from R-8, Rural Residential, to R-2, General Residential, for construction of approximately 200 single-family homes, located at 5900 Centerville Road, further identified as Parcel Nos. (1-80, 81) on James City County Real Estate Tax Map No. (31-1).

Staff determined the proposal with proffers was inconsistent with the Comprehensive Plan, but consistent with surrounding zoning and development.

The Planning Commission unanimously recommended approval of the proposed rezoning with proffers.

Staff recommended deferral of the case to allow time for applicant to submit revised proffers.

The Board and staff discussed: 1) a pedestrian/bicycle path connecting the development and Fox Ridge subdivision versus an access road which would allow emergency vehicles; and, 2) upgrade of an existing pump station.

Mr. Sisk opened the public hearing.

1. Mr. Henry H. Stephens, Atlantic Development Home Corporation, briefly explained the planned open space, the bicycle path, and expressed willingness to review language regarding sewer capacity.

The Board and staff discussed the impact of rezoning on pump station, capacity of pump station under density of current zoning designation, and putting bicycle path on right-of-way for future construction of access road.

2. Mr. Neil Brennan, 3812 Fox Run, on behalf of the homeowners of Fox Ridge, spoke in favor of a ten-foot wide pedestrian/bicycle path to connect the neighborhoods of Fox Ridge and Wallace Estates. He opposed making Fox Hill Road an access road for reasons of safety for children boarding at a main school bus stop on that road.

3. Mr. Charles Fikes, 6024 Fox Hill Road, presented a magazine article relating to the success of an out-of-state neighborhood which closed vehicle access to two nearby major highways in order to reduce traffic and crime.

4. Mr. Ed Oyer, 139 Indian Circle, spoke in favor of limited vehicle access to neighborhoods.

Without Board objection, Mr. Sisk continued the public hearing and deferred the case until the August 15, 1994, Board of Supervisors' meeting.

Mr. Magoon requested clarification of policy on upgrade of pump stations, whether in accordance with Comprehensive Plan or in accordance with Zoning Ordinance.

4. Ordinance Amendment, Chapter 11, Motor Vehicles and Traffic, Article IV, Vehicle Decals, Sections 11-55, 56, 57, 59, and 67, Change Due Date of Vehicle Decals

Mr. Rogers stated that the proposed ordinance changed the automobile license decal renewal date from March 31 to February 15 annually beginning in 1995, with decals for sale January 15, and as part of a regional effort with 16 other localities to promote uniform administration and enforcement. He introduced Carlyle Ford, Commissioner of the Revenue, and Betty Pettengill, Treasurer.

Staff recommended approval of the ordinance amendment.

Ms. Betty Pettengill, Treasurer, stated that 11 of the 16 jurisdictions had adopted new ordinances for uniformity of decal color and due date and that the item would be forthcoming in the other localities.

Mr. Carlyle Ford, Commissioner of the Revenue, stated that the change would be consistent and a benefit to the citizens in the communities.

Mr. Sisk opened the public hearing.

1. Mr. Ed Oyer, 139 Indian Circle, stated that taxpayers should receive a break instead of having to buy vehicle decals 6 weeks earlier.

Mr. Sisk closed the public hearing.

The Board discussed that the 1994 decal would be valid until March 31, 1995, and applauded the efforts for regional cooperation.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk (4). NAY: (0).

5. Ordinance Amendment, Chapter 9, Licenses, Article I, General, Section 9-5, License Due and Payable, Business

Mr. Rogers stated that the proposed amendment would change the due date for business license taxes from January 31 to March 1, effective date January 1, 1995, and would be consistent with actions of 7 area localities to promote uniform administration and enforcement of business license taxes.

Staff recommended approval of the ordinance amendment.

Mr. Carlyle Ford, Commissioner of the Revenue, stated that the amendment would provide an extension of time for the business community to renew licenses, and help office staff with its workload.

Mr. Sisk opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Edwards made a motion to approve the ordinance amendment.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk (4). NAY: (0).

6. Consideration of Lease with Williamsburg-James City County Public Schools. Rental of 101-D Mounts Bay Road

Mr. John E. McDonald, Manager of Financial and Management Services, stated that the County lease to the Schools would commence July 1, 1994, with extensions for up to nine additional years, reflecting the elimination of any rental payment.

Staff recommended approval of the resolution.

Mr. Sisk opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Magoon made a motion to approve the resolution.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk (4). NAY: (0).

RESOLUTION

BUILDING D LEASE

WHEREAS, the Williamsburg-James City County Public Schools and James City County desire to enter into a lease agreement for Building D with an effective date of July 1, 1994.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that David B. Norman, County Administrator, is authorized and directed to execute the lease between the Williamsburg-James City County Public Schools and James City County for occupancy of Building D at the James City County Government Complex.

E. BOARD CONSIDERATION

1. Compact for Regional Enforcement of Local Motor Vehicle License Requirements

Mr. Rogers stated that the resolution authorized the County Administrator to enter into agreements with other localities for the enforcement of the decal license requirement.

Staff recommended approval of the resolution.

Mr. Edwards made a motion to approve the resolution.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk (4). NAY: (0).

RESOLUTION

AUTHORIZING COUNTY ADMINISTRATOR TO ENTER INTO AGREEMENTS WITH OTHER LOCALITIES FOR REGIONAL ENFORCEMENT OF MOTOR VEHICLE LICENSE REQUIREMENTS

WHEREAS, the Board of Supervisors of James City County, Virginia, desires to ensure the efficient administration and enforcement of the County's motor vehicle license regulations; and

WHEREAS, cooperation between local governments will enhance the administration and enforcement of motor vehicle license regulations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is authorized to execute agreements with other localities for the regional enforcement of local motor vehicle license requirements.

F. PUBLIC COMMENT

1. Mr. Ed Riley, 611 Tam-O-Shanter, gave an update on the seriousness of Lyme disease.
2. Mr. Ed Oyer, 139 Indian Circle, spoke about a newspaper columnist's article on excise tax, and expressed his opinion that excise taxes to pay for the Federal health program would be ineffective.

G. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. David B. Norman, County Administrator, announced that the State Corporation Commission would hold a public hearing on October 17, 1994, from 1:00 - 6:00 p.m. in James City County Government Center Building C Board Room regarding the contiguous calling plan for the Peninsula, and invited citizens to attend.

H. BOARD REQUESTS AND DIRECTIVES

Mr. Sisk announced that the annual James City County Fair would be held on Saturday, August 13, 1994, from 9:30 a.m. to 4:00 p.m. in the Upper County Park. He encouraged citizens to participate.

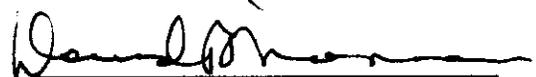
Mr. Magoon congratulated Mr. Norman and staff for the article in the National Association of Counties publication regarding James City County's volunteer program.

Mr. Norman responded that Ms. Caroline Rhodes, Volunteer Services Coordinator, conducts the volunteer program and can be reached by telephone at 253-6606, or by calling County Administration at 253-6605.

Mr. Sisk made a motion to recess until Monday, August 15, 1994, at 5:00 p.m. for a work session.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk (4). NAY: (0).

The Board recessed at 8:45 p.m.



David B. Norman
Clerk to the Board

NOMINATIONS TO
SERVICE DELIVERY AREA 13
GREATER PENINSULA PRIVATE INDUSTRY COUNCIL

NEW NOMINATIONS

NAME	SECTOR REPRESENTING	ORGANIZATION AFFILIATION	TERM
Ms. Loretta Conen	At-Large Private	Siemens Automotive	2 Year
Mr. Duke Diggs	Williamsburg Private	Duke Communication	2 Year
Mr. Kevin Fowler	Labor	United Steelworkers	2 Year
Mr. Ken Griggs	Gloucester Private	Walmart	2 Year

RE-NOMINATIONS

NAME	SECTOR REPRESENTING	ORGANIZATION AFFILIATION	TERM
Mr. Frank Edgar	Employment Service	Virginia Employment Commission	2 Year
Mr. Jerry Parrish	Social Services	Area Departments of Social Services	2 Year
Mr. Robert Suber	Education/Secondary	Vocational Education Representatives	2 Year
Mr. Robert Ware	James City County Private	Virginia Power	2 Year

ORDINANCE NO. 56A-8

AUG 1 1994

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 13, OFFENSES - MISCELLANEOUS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 13-36, SAME-DISCHARGE OF FIREARMS, ETC., IN OR NEAR RECORDED SUBDIVISION.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 13, Offenses - Miscellaneous, is hereby amended and reordained by amending Section 13-36, Discharge of firearms, etc., in certain areas.

Chapter 13. Offenses - Miscellaneous

Section 13-36. ~~Same~~ - Discharge of firearms, etc., in ~~or near~~ *certain areas* recorded subdivision.

(a) It shall be unlawful for any person to discharge any firearms or air-operated or gas operated weapons *in the County* in or within ~~three hundred (300) feet~~ of *any dwelling, commercial building or shelter for animals, except with the prior written permission of owner or tenant, in or within 50 feet* of the boundaries of any recorded subdivision, ~~located in the county or in a manner which causes ammunition to cross such areas.~~

(b) For purposes of this section, ~~recorded subdivision shall mean any subdivision a plat of which has been recorded in the clerk's office for the circuit court of the county.~~ *the following words and phrases shall have the meanings respectively ascribed to them below:*

Ordinance to Amend and Reordain
Chapter 13. Offenses - Miscellaneous
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Ammunition. A cartridge, pellet, ball, missile, or projectile adapted for use in a firearm.

Commercial Building. Any structure which requires the issuance of a certificate of occupancy under the Virginia Uniform Statewide Building Code and is used or is intended to be used for commerce.

Dwelling. Any structure which is designed for use for residential purposes, including, but not limited to, a mobile home.

Firearm. Any weapon in which ammunition may be used or discharged by explosion or pneumatic pressure.

Owner. One or more persons, jointly or severally, in whom is vested all or part of the legal title to the property or all or part of the beneficial ownership and a right to present use and enjoyment of the premises.

Recorded Subdivision. Any subdivision a plat of which has been recorded in the clerk's office for the circuit court of the county.

Shelter for Animals. Any building designed or intended for the shelter, housing, or enclosure of any animals, livestock, or poultry.

Tenant. A person entitled under a rental agreement to occupy a dwelling to the exclusion of others.

(c) *It shall be unlawful for any person to discharge a rifle, shotgun rifled slug or muzzle loading rifle (except a rifle .22 caliber or smaller, a muzzle loading rifle .36 caliber or smaller, or a shotgun) anywhere in the County unless such person is on a stand elevated at least 10 feet above the ground. This paragraph shall not apply to any person discharging a rifle in a permitted area to hunt groundhogs on land zoned A-1, General Agricultural District, between March 1 and September 1.*

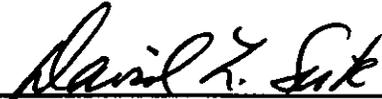
(c) (d) The prohibition contained in this section shall not apply to the following:

- (1) *The discharge of firearms guns in a private basement, cellar or like target range provided that such target range has sufficient background or backstop to insure that ammunition will not travel more than 300 feet beyond the target range.*
- (2) *The discharge of weapons in defense of one's life or to kill any dangerous animal.*
- (3) *The discharge of weapons by any duly authorized peace officer, or law enforcement official or military personnel acting in the performance of his duties.*
- (4) *The discharge of a weapon by any person participating in a hunt for which a permit for controlled wildlife reduction has been issued by the Virginia Department of Game and Inland Fisheries; such hunt shall also be approved by the James City County Chief of Police who*

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Chapter 13. Offenses - Miscellaneous
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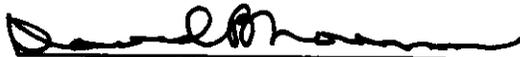
shall review the action plan for such a hunt to provide for the health, safety and welfare of residents and participants. Such review shall include, but not be limited to, the area in which the weapons may be discharged; the caliber of the weapons to be used; measures to be implemented to keep nonparticipants in the hunt from entering the area; the number of participants; and the days and hours of such a hunt.

State Code reference - Va. Code Sections 15.1-510, 15.1-518 and 15.1-518.1.



David L. Sisk, Vice Chairman
Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
MAGOON	AYE
EDWARDS	AYE
TAYLOR	NAY
SISK	AYE
DEPUE	ABSENT

Adopted by the Board of Supervisors of James City County, Virginia, this 1st day of August, 1994.

AUG 1 1994

ORDINANCE NO. 66A-33BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, BY AMENDING ARTICLE IV, VEHICLE DECALS, 11-55, DECAL YEAR; SECTION 11-56, DECAL FEES; SECTION 11-57, PRORATION OF DECAL FEE; SECTION 11-59, APPLICATION; WHEN DECAL AVAILABLE FOR SALE; AND SECTION 11-67, VIOLATIONS AND PENALTIES.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 11 Motor Vehicles and Traffic, is hereby amended and reordained by amending Section 11-55, Decal Year; Section 11-56, Decal Fees; Section 11-57, Proration of Decal Fee; Section 11-59, Application; when decal available for sale; and Section 11-67, Violations and Penalties.

Chapter 11. Motor Vehicles and Traffic

Article IV. Vehicle Decals

Section 11-55. Decal year.

Commencing in 1995, and continuing in each year thereafter, the decal year, under the terms of this article, shall commence on the first fifteenth day of March January and shall expire on the thirty-first fifteenth day of March February of the following calendar year. If the thirty-first fifteenth of March February falls on a Saturday, Sunday or a legal holiday, the decal year shall expire on the next day that is not a Saturday, Sunday or a legal holiday.

Ordinance to Amend and Reordain
Chapter 11. Motor Vehicles and Traffic
Page 2

Section 11-56. Decal fees.

On and after ~~March~~ *February* first *fifteenth* of each year the owner of each motor vehicle, trailer or semitrailer required by this chapter to procure an annual county motor vehicle decal shall make application to the county commissioner of *the* revenue for a decal, and shall pay to the county treasurer an annual decal fee in accordance with the following schedule:

- (a) Passenger motor vehicles (except motorcycles), and trucks-Fifteen dollars (\$15.00).
- (b) Trailers or semitrailer, excluding mobile homes-Six dollars fifty cents (\$6.50).
- (c) Motorcycles-Ten dollars (\$10.00).

Section 11-57. Proration of decal fee.

One-half of the annual county motor vehicle decal fee prescribed by this article shall be collected whenever a county motor vehicle decal is issued during the period beginning on the first day of ~~October~~ *September* but on or before the ~~thirty-first~~ *thirtieth* day of ~~December~~ *November* in the decal year; and one-quarter of such fee shall be collected whenever any such decal is issued after the first day of ~~January~~ *December* in the decal year.

Ordinance to Amend and Reordain
Chapter 11. Motor Vehicles and Traffic
Page 3

Section 11-59. Application; when decal available for sale.

(a) Application for a county motor vehicle decal shall be made at the office of the county commissioner of *the* revenue or at any other location designated by him, on forms provided for the name and address of the applicant and a description of the motor vehicle, trailer or semitrailer for which the decal is to be issued.

(b) County motor vehicle decals shall be available for sale in the office of the county treasurer, or at any location designated by him, on ~~March~~ *January first fifteenth* of each year.

Section 11-67. Violations and penalties.

It shall be unlawful for any person to violate any provision of this article. Violations of the provisions of this article shall be ~~punishable by a fine of not less than ten dollars (\$10.00) nor more than twenty dollars (\$20.00)~~ *constitute a Class 4 misdemeanor*. No violation of Section 11-53 shall be discharged by payment of a fine except upon presentation of satisfactory evidence that the required decal has been obtained.

The effective date of this Ordinance shall be January 1, 1995.

Ordinance to Amend and Reordain
Chapter 11. Motor Vehicles and Traffic
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David L. Sisk, Vice Chairman
Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
MAGOON	AYE
EDWARDS	AYE
TAYLOR	AYE
SISK	AYE
DEPUE	ABSENT

Adopted by the Board of Supervisors of James City County, Virginia, this 1st day of August,

1994.

chapt11.ord

AUG 1 1994

ORDINANCE NO. 16A-18BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 9, LICENSES, ARTICLE I, IN GENERAL, OF THE CODE OF THE COUNTY OF JAMES CITY, BY AMENDING SECTION 9-5. WHEN LICENSES DUE AND PAYABLE.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 9, Licenses, is hereby amended and reordained by amending Section 9-5. When Licenses due and payable.

Chapter 9. Licenses

Article I. In General

Section 9-5. When licenses due and payable.

Commencing in 1995, and continuing in each year thereafter, all licenses imposed by this chapter, except as otherwise herein provided, shall be deemed to be due on the date of the beginning of the business, employment or profession by the person entering into the business, employment or profession held liable for licenses under this chapter. Any person prosecuting any licensable business, employment or profession on or before January 1 of any year shall submit to the commissioner of the revenue any and all information pertinent to the issuing of licenses as set forth in this chapter on or before the tenth day of January of such year, and the applicable license tax shall be paid to the county treasurer, as collector of county taxes and levies, on or before the thirty-first day of January March except as otherwise herein provided; any person beginning a business, employment or profession on any date other than January 1st of any year, unless otherwise stated, shall file with the commissioner of the revenue an application for license covering such business, employment or profession

Ordinance to Amend and Reordain
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within ten (10) days after date of beginning of business, employment or profession, and the license tax shall be paid to the county treasurer, as collector of county taxes and levies, on or before the expiration of one month.

The effective date of this Ordinance shall be January 1, 1995.



David L. Sisk, Vice Chairman
Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
MAGOON	AYE
EDWARDS	AYE
TAYLOR	AYE
SISK	AYE
DEPUE	ABSENT

Adopted by the Board of Supervisors of James City County, Virginia, this 1st day of August,

1994.

chapt9.ord

THIS LEASE, made this 1st day of July, 1994, by and between the County of James City, Virginia ("Landlord"), a political subdivision of the Commonwealth of Virginia, and the Williamsburg-James City County Public Schools ("Tenant").

WITNESSETH:

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, and the mutual covenants and promises contained herein the parties agree as follows:

1. Lease Term. That the Landlord shall lease the building commonly known as 101-D Mounts Bay Road, James City County, Virginia, to the Tenant for school administrative uses for one year commencing July 1, 1994. This Lease shall be extended automatically each year for up to nine additional years, terminating June 30, 2003, unless either party provides written notice of termination at least sixty days prior to the end of any lease term.
2. Rent. Beginning in FY 1995, there shall be no rent payment.
3. Payment of Charges. Tenant shall pay all utility charges, shall be responsible for custodial services and all maintenance except those services identified in paragraph number 4. The Tenant may alter, renovate or change all interior spaces, but will be responsible for resulting changes needed in the heating/ventilation/air conditioning ("HVAC") systems.
4. Maintenance and Repairs. Landlord shall be responsible for maintenance and repair of structural (i.e., load bearing) and other primary building components including exterior walls, foundations, roof, doors, windows, HVAC systems and electrical systems. Landlord shall also maintain all exterior parking lots, walkways, grounds and landscaping.
5. Assignment and Subletting. Tenant shall not sell, assign or transfer this Lease, nor shall Tenant sublet the premises or any part thereof, without the prior written consent of Landlord.

6. Indemnification. The Landlord shall not be liable for any damage or injury to any person or property, whether it be the persons or property of the Tenant, the Tenant's employees, agents, guests, invitees or otherwise by reason of Tenant's occupancy of the leased premises or because of fire, flood, windstorm, Acts of God or for any other reason. The Tenant agrees to indemnify and save harmless the Landlord from and against any and all loss, damage, claim, demand, liability or expense by reason of damage to person or property which may arise or be claimed to have risen as a result of the occupancy or use of said leased premises by the Tenant or by the reason thereof or in connection therewith, or in any way arising on account of any injury or damage caused to any person or property on or in the leased premises providing, however, that Tenant shall not indemnify as to the loss or damage due to fault of Landlord. It is expressly understood by Landlord that Tenant cannot indemnify except to the extent of its insurance coverage and receipts thereunder. Tenant is required to provide evidence of insurance adequate to cover all Tenant liabilities as stipulated in this paragraph.

7. Notices. All notices or other communications shall be deemed to have been given if the same shall be in writing and delivered personally or by certified mail, postage prepaid, to the individuals at the address shown below or his designee or successor:

To Landlord: John E. McDonald
 Manager of Financial and Management Services
 101-A Mounts Bay Road
 James City County, Virginia 23185

To Tenant: David Papenfuse
 Director of Finance
 101-D Mounts Bay Road
 James City County, Virginia 23185

8. Amendments. This Lease may be amended only by a writing signed by the parties.

IN WITNESS WHEREOF, the undersigned, being first duly authorized, executed this Lease _____
effective the date first above-written.

Landlord:

County of James City, Virginia

BY: David B. Norman
David B. Norman, County Administrator

Tenant:

Williamsburg/James City County Public Schools

BY: [Signature]
its:

leasebd2.txt

**COMPACT FOR THE REGIONAL ENFORCEMENT
OF LOCAL MOTOR VEHICLE LICENSE REQUIREMENTS**

THIS AGREEMENT, executed in duplicate this _____ day of _____, 1994, by and between the _____, a municipal corporation/political subdivision of the Commonwealth of Virginia, and the COUNTY OF JAMES CITY, a political subdivision of the Commonwealth of Virginia.

WHEREAS, Virginia Code Section 46.2-752.K authorizes the governing bodies of any two or more counties, cities or towns to enter into compacts for the regional enforcement of local motor vehicle license requirements; and

WHEREAS, the governing body of each participating jurisdiction may by ordinance require the owner or operator of any motor vehicle, trailer or semitrailer to display on his/her vehicle a valid local license issued by another county, city or town that is a party to the regional compact, provided that the owner or operator is required by the jurisdiction of situs, as provided in Virginia Code Section 58.1-3511, to obtain and display such license; and

WHEREAS, the ordinance may provide that a violation shall constitute a misdemeanor the penalty for which shall not exceed that of a Class 4 misdemeanor; and

WHEREAS, the ordinance may also provide that a violation of the ordinance by the owner of the vehicle may not be discharged by payment of a fine except upon presentation of satisfactory evidence that the required license has been obtained.

NOW THEREFORE, WITNESSETH: That for and in consideration of the agreements contained herein and for the mutual benefits to be derived from a mutual compact for the regional enforcement of local motor vehicle license requirements, the parties hereto covenant and agree as follows:

1. Each party to this Agreement shall enact an ordinance providing for enforcement of local motor vehicle license requirements as authorized by Virginia Code Section 46.2-752.K.
2. The owner or operator of a motor vehicle, trailer or semitrailer in each locality is required by the participating jurisdiction of situs, as provided in Virginia Code Section 58.1-3511, to obtain and display a valid local license on his/her vehicle.
3. The police/sheriff's department of each locality which is a party to this Agreement shall be authorized to issue a notice of violation to the operator of any motor vehicle, trailer or semitrailer, or any such parked motor vehicle, trailer or semitrailer which does not display on his/her vehicle a valid local license issued by the other party to this Agreement.
4. The fines collected by each locality as a result of the violation of said locality's ordinance shall remain the property of the collecting locality.
5. Either of the parties hereto may withdraw from this Agreement by giving sixty (60) days' written notice to the effect to the other party.

IN WITNESS WHEREOF, the City/County of _____ has caused this Agreement to be executed by its City Manager/County Administrator, the official seal of the City/County affixed hereto and attested by its Clerk, and the County of James City has caused this Agreement to be executed by its County Administrator, the official seal of the County affixed hereto and attested by its Secretary, both parties hereto indicating thereafter the resolution authorizing the execution.

COUNTY OF JAMES CITY

BY: Donald B. ...
County Administrator

ATTEST:

BY: Mei Lou Smith
Secretary

Adopted on: August 1, 1994