

LEGISLATIVE COMMITTEE

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS

3:00 p.m.; Monday, January 27, 2020

Main Conference Room

County Administration Building

1 Center Street

Chatham, Virginia 24531

AGENDA

- 1. CALL TO ORDER (3:00 p.m.)**
- 2. ROLL CALL**
- 3. ANY REVISIONS/ADDITIONS TO AGENDA**
- 4. APPROVAL OF AGENDA**
- 5. NEW BUSINESS:**
 - (a) County Code Changes Required for Tax Due Date Change (*Shorter*); (p. 1 - 8);
 - (b) County Community Cat Program (*McLaughlin*); (p. 9 - 15);
 - (c) House Bill 480 Support (Virginia Retirement System; Enhanced Retirement Benefits for 911 Dispatchers); (*Slemp*); (p. 16 - 18);
 - (d) Solid Waste Violation Penalty Escalation Ordinance Revisions (*Hicks*); (p. 19 - 20);
 - (e) 2020 VACO Legislative Program (*Hunt*); (p. 21 - 41); and
 - (f) Virginia Code § 58.1-3340 (Lien on real estate for taxes and levies assessed thereon; responsibility of purchaser or trustee at sale; lien on rents) Solid Waste Unpaid Fee (*Scearce*); (p. 42 - 43)
- 6. MATTERS FROM COMMITTEE MEMBERS**
- 7. ADJOURNMENT**

5(a)

SEC. 6-1.2. TAX LEVY. BI-ANNUAL PAYMENT OF TAX LEVY; PENALTY FOR FAILURE TO PAY TAX; INTEREST ON UNPAID TAX.

A. For each calendar year, the tax levied on Tax Levy as identified in Section 6.1.1 situated in the County shall be due and payable in two (2) equal installments, the first (1st) installment being due and payable on June 1²⁰th of each calendar year, except the Year 2012 which has a due date of July 16, 2012 for the 2012 year only, and the second (2nd) installment being due and payable on December 1²⁰th of each calendar year. If any person fails to pay any such installment of taxes on or before the date it is due, he/she shall incur a penalty of ten (10%) percent of the tax past due. The penalty shall be assessed on the day after the installment of taxes is due and shall become part of the taxes, except the Year 2020 for which the penalty shall commence of June 21st and December 21st for each tax due period. There shall also be assessed interest at the rate of ten (10%) percent per annum on the amount of past tax due, which interest shall commence on the first (1st) day of the month following the date such installment of taxes is due. In addition to taxes assessed and past due on or after January 1, 2007, any tax and penalty that was assessed and past due prior to January 1, 2007 shall accrue interest. The interest to be charged on any such delinquent tax payment shall be at the rate specified by the Pittsylvania County Code at the time that the tax was assessed and shall accrue at that specified rate beginning on the first (1st) day of the month following the date such tax payment was due and extending until December 31, 2006 unless sooner paid. In addition, any tax that was assessed and past due prior to January 1, 2007 shall accrue interest at ten (10%) percent per annum beginning on or after January 1, 2007. **(B.S.M. 07-02-12) Year 2012 only.**

B. The Treasurer shall give notice at least ten (10) days prior to June 1²⁰th of each calendar year, except the Year 2012 which has a due date of July 16, 2012 for the 2012 year only, by publication in a newspaper of general circulation in the County, that he/she is prepared to receive at his/her office the installment of the real estate taxes from any tax payer charged therewith prior to June 1²¹st of such year without penalty. **(B.S.M. 07-02-12) Year 2012 only.**

C. The Treasurer shall give notice at least ten (10) days prior to December 1²⁰th of each calendar year by publication in a newspaper of general circulation in the County that he/she is prepared to receive at his/her office the installment of the real estate taxes from any tax payer charged therewith prior to December 1²¹th of such year, without penalty.

D. Nothing in this section shall be construed to prohibit the payment of the taxes levied in accordance with Section 6.1.1 by any taxpayer in one sum at any time, provided that any penalty and interest that may have accrued on the whole or any part thereof at the time of payment is provided in this section shall be paid therewith.

E. This Ordinance shall be effective on January 1, 2007.

F. Tangible Personal Property Tax Reporting Forms will be due in the Office of the Commissioner of Revenue by February 15th of each calendar year.

(B.S.M. 12-19-06) (B.S.M. 05-02-05) (B.S.M. 01-17-06) (B.S.M. 10-17-06) (B.S.M. 05-20-08)
(B.S.M. 04-06-09) (B.S.M. 02/20/2018)

SEC. 9-48. AMOUNT OF FEE - PASSENGER MOTOR VEHICLES; TRUCKS; MOTORCYCLES; TRANSITIONAL PROVISIONS FOR 2007 LICENSE YEAR ONLY.

A. On each and every passenger vehicle and truck there shall be an annual license fee established annually by the Board of Supervisor~~of thirty-eight dollars and seventy-five cent (\$38.75);~~ and on each and every motorcycle, with or without a sidecar, a license fee established annually by the Board of Supervisor~~of twenty-six dollars and seventy-five cents (\$26.75).~~ (4-5-71, §3.) (3-21-89)(4-6-09)

B. The amount of the license fee imposed by Pittsylvania County under this article shall not be greater than the amount of the license fee imposed by the Commonwealth on said vehicle.

C. Transitional provisions effective for 2007 license year only. Notwithstanding the preceding subsections, in order to adjust the amount of the vehicle license fee for the 2007 license year in recognition of the transition from the former April 15, 2007 expiration date for decals to the new June 5, 2007 due date for vehicle license fees, the vehicle license fee for the 2007 license year only is hereby reduced by thirty-three percent (33%) such that the fee shall be nineteen dollars and seventy-five cents (\$19.75) on each and every passenger vehicle and truck, and is hereby reduced by a corresponding thirty-three percent (33%) on motorcycles and all other motor vehicles, trailers, semitrailers, etc., that are subject to the County license fee. This subsection shall automatically expire on or before December 31, 2007 and all annual County vehicle license fees for the 2008 license year and thereafter shall be imposed at the full amounts specified in the preceding subsections of this section and such fees shall be payable on or before June 10th 5th of each year, beginning June 5, 2007.

For state law authority, *see* VA. CODE ANN. Section 46.2-752 (Repl. Vol. 2005). For state fees, *see* VA. CODE ANN. Section 46.2-694 (Repl. Vol. 2005), especially subdivisions 1 through 13 of A.

SEC. 9-49. SAME - OTHER MOTOR VEHICLES, TRAILERS, SEMI-TRAILERS, ETC.; TRANSITIONAL PROVISIONS FOR 2007 LICENSE YEAR ONLY.

A. On each trailer or semi-trailer (i) not designed and used for the transportation of passengers on the highways of the Commonwealth and (ii) having a registered gross weight of 80,001 pounds or above, (iii) not exempt from taxation as otherwise herein provided, there shall be a license fee established annually by the Board of Supervisor~~of twenty-five dollars and fifty cents (\$25.50).~~

B. In the case of a combination of a truck or tractor truck and a trailer or semi-trailer, each vehicle constituting a part of such combination shall be licensed as a separate vehicle and a separate fee shall be assessed therefore.

C. On each and every motor vehicle, trailer, or semi-trailer upon which well-drilling machinery is attached and which is permanently used solely for transporting such machinery, there shall be a license fee established annually by the Board of Supervisors of ~~fifteen (\$15.00)~~ dollars.

D. On each and every motor vehicle, trailer, or semi-trailer owned and operated by a person, firm, or corporation used or intended to be used for transporting persons to and from school, Sunday school, or church or other place of divine worship, there shall be a license fee established annually by the Board of Supervisors of ~~thirty-eight dollars and seventy-five cents (\$38.75)~~.

E. Transitional provisions effective for 2007 license year only. Notwithstanding the preceding subsections, in order to adjust the amount of the vehicle license fee for the 2007 license year in recognition of the transition from the former April 15, 2007 expiration date for decals to the new June 5, 2007 due date for vehicle license fees, the vehicle license fee for the 2007 license year only is hereby reduced by thirty-three percent (33%) such that the fee shall be nineteen dollars and seventy-five cents (\$19.75) on each and every passenger vehicle and truck, and is hereby reduced by a corresponding thirty-three percent (33%) on motorcycles and all other motor vehicles, trailers, semitrailers, etc. that are subject to the County license fee. This subsection shall automatically expire on or before December 31, 2007 and all annual County vehicle license fees for the 2008 license year and thereafter shall be imposed at the full amounts specified in the preceding subsections of this section and such fees shall be payable on or before June ~~10th~~ ~~5th~~ of each year, beginning June 5, 2007.

For state law authority, see VA. CODE ANN. §46.2-752 (Repl. Vol. 2005). See also VA. CODE ANN. §46.2-694 (Repl. Vol. 2005); VA. CODE ANN. §46.2-694.1 (Repl. Vol. 2005), and VA. CODE ANN. §46.2-700 (Repl. Vol. 2005), and VA. CODE ANN. §46.2-701 (Repl. Vol. 2005).

Editor's note. Former VA. CODE ANN. §46.2-699, which had provided for a state registration fee of six dollars and fifty cents (\$6.50) upon one (1)- or two (2)-wheeled trailers weighing no more than fifteen hundred (1,500) pounds and designed to be pulled by a passenger car, pickup or panel truck, was repealed in 1997. That Section was superseded by VA. CODE ANN. §46.2-694.1 (Repl. Vol. 2005), which prescribes such fees for trailers and semi-trailers not designed and used for transportation of passengers and sets fees according to weight category. Under such categories, a trailer of 1,500 pounds or less would be subject to a state registration fee of ten (\$10.00) dollars per year, and a trailer of fifteen thousand five-hundred and one (1,501) pounds to four thousand (4,000) pounds would be subject to a state registration fee of \$20.50 per year. The County is authorized to assess a County license fee equal to or lesser than the state fee. (B.S.M. 12-4-06) (B.S.M. 04-06-09).

SEC. 9-50. SAME - EXEMPTIONS AND REDUCTIONS.

A. The provisions of this article shall not be construed as to impose a license fee upon any motor vehicle, trailer or semi-trailer when:

1. A similar tax or license fee is imposed by another County, city or town wherein such motor vehicle, trailer or semi-trailer is normally garaged, stored or parked;

2. The motor vehicle, trailer, or semi-trailer is owned by a nonresident of Pittsylvania County and is used exclusively for pleasure or personal transportation and not for hire or for the conduct of any business or occupation other than that set forth in paragraph (3) of this subsection.

3. The motor vehicle, trailer, or semi-trailer is owned by a nonresident and is used for transporting into and within the County for sale in person or by his employees of wood, meats, poultry, fruits, flowers, vegetables, milk, butter, cream, or eggs produced or grown by him, and not purchased by him for sale.

4. The motor vehicle, trailer, or semi-trailer is owned by an officer or employee of the Commonwealth of Virginia who is a nonresident of the County and who uses the vehicle in the performance of his duties for the Commonwealth under an agreement for such use;

5. The motor vehicle, trailer or semi-trailer is kept by a dealer or manufacturer for sale or for sales demonstration;

6. The motor vehicle, trailer, or semi-trailer is operated by a common carrier of persons or property operating between cities and towns in this Commonwealth and not in intra-city transportation or between cities and towns on the one hand and points and places without cities and towns on the other and not in intra-city transportation;

7. Any vehicle that is exempt under provisions of state law.

B. No license fee shall be assessed by the County upon vehicles of owners who are residents of any town located in the County when such vehicles are already subject to town license taxes.

C. Motor vehicles, trailers or semi-trailers owned by the Commonwealth, political subdivisions of the Commonwealth, and regional jail authorities created pursuant to VA. CODE ANN. Section 53.1-95.2 et seq. (Repl. Vol. 2005) and used solely for governmental purposes in accordance with the provisions of VA. CODE ANN. Section 46.2-750 (Repl. Vol. 2005) shall display license plates or decalcomania inscribed either "Official State Use Only" or "Official Local Government Use Only," respectively, and shall be subject to a license fee equal to the cost incurred either by the Commonwealth or by the County, respectively, in the purchase or manufacture of such decalcomania, but which County fee shall, in no event, exceed the fee imposed by the State under VA. CODE ANN. Section 46.2-750 A. (Repl. Vol. 2005); such licensing requirements shall be subject to exceptions set forth in VA. CODE ANN. Section 46.2-750 (Repl. Vol. 2005) and VA. CODE ANN. Section 46.2- 750.1 (Repl. Vol. 2005).

D. The fire-fighting trucks, trailers or semi-trailers on which firefighting apparatus is permanently attached, or other vehicles, when any such vehicle is owned or under exclusive control of a chartered volunteer fire department in this County shall be exempt from payment of the license fee imposed by this article, provided that such vehicles comply with all of the provisions of VA. CODE ANN. Section 46.2-649.1:1 (Repl. Vol. 2005) and VA. CODE ANN. Section 46.2-752A (Repl. Vol. 2005).

E. Ambulances or other vehicles owned or used exclusively by chartered volunteer fire departments or volunteer lifesaving or first aid crews or rescue squads in the County, provided any such vehicle is used exclusively as an ambulance or lifesaving and first aid vehicle and is not rented, leased, or lent to any private individual, firm, or corporation, and no charge is made by the organization for the use of the vehicle, shall be exempt from payment of the license fee imposed by this article, provided that such vehicles comply with all of the provisions of VA. CODE ANN. Section 46.2-649.1:1 (Repl. Vol. 2005) and VA. CODE ANN. Section 46.2-752A (Repl. Vol. 2005).

F. One (1) vehicle owned or leased and used personally in the performance of duties by each active member of the volunteer fire departments and volunteer emergency rescue squads who lives in the County outside of incorporated towns is exempt after proper certification as indicated in Sec. 9-47 of this Code.

G. Daily rental vehicles as defined in VA. CODE ANN. Section 58.1-2401 (Repl. Vol. 2004), the rental of which are subject to the tax imposed by VA. CODE ANN. Section 58.1-2402 A 4 (Cum. Supp. 2005), shall be exempt from the payment of the license fee levied and imposed by this article.

H. Passenger vehicles and pickup or panel trucks, as defined in VA. CODE ANN. Section 46.2-100 (Repl. Vol. 2005), owned and used personally by a member of the National Guard who has received special metal state license plates pursuant to VA. CODE ANN. Section 46.2-744 (Repl. Vol. 2005), shall be partially exempt from the payment of the license fee levied and imposed by this article to the extent of fifty percent (50%) of said fee, provided that such reduced County fee shall not exceed the reduced State tax or fee imposed under VA. CODE ANN. Section 46.2-744 (Repl. Vol. 2005) and VA. CODE ANN. Section 46.2-694 (Repl. Vol. 2005). And Disabled Veterans with special plates issued pursuant to Section 46.2-739 VA. CODE ANN.

For state law authority for individual subsections, see as follows: (a)(1)--VA. CODE ANN. §46.2-752 H. (Repl. Vol. 2005) and VA. CODE ANN. §46.2-755 A.1. (Repl. Vol. 2005); (a)(2)--VA. CODE ANN. §46.2-755 A.2. (Repl. Vol. 2005); (a)(3)--VA. CODE ANN. §46.2-755 A.3. (Repl. Vol. 2005); (a)(4)--VA. CODE ANN. §46.2-755 A.4. (Repl. Vol. 2005); (a)(5)--VA. CODE ANN. §46.2-755 A.5. (Repl. Vol. 2005); (a)(6)--VA. CODE ANN. §46.2-755 A.6. (Repl. Vol. 2005); (a)(7)--VA. CODE ANN. § 46.2-752 A. (Repl. Vol. 2005) and VA. CODE ANN. §46.2-694 (Repl. Vol. 2005); (b)--VA. CODE ANN. §46.2-752 A. (Repl. Vol. 2005); (c)--VA. CODE ANN. §46.2-750 A. (Repl. Vol. 2005); (d) and (e)--VA. CODE ANN. §46.2-649.1:1 (Repl. Vol. 2002) and VA. CODE ANN. §46.2-752 A. (Repl. Vol. 2005), but see also VA. CODE ANN. §46.2-736 (Repl. Vol. 2005) and VA. CODE ANN. § 46.2-735 (Repl. Vol. 2005); (f)--VA. CODE ANN. §46.2-752 A.4. and 5. (Repl. Vol. 2005); (g)--VA. CODE ANN. §46.2-755 C. (Repl. Vol. 2005); (h)--VA. CODE ANN. § 46.2-744 (Repl. Vol. 2005).

SEC. 9-53. LICENSE YEAR.

The license year with respect to which the fee required to be paid under this Article is assessed shall be January 1st through December 31st of each year. The fee assessed under this article shall be assessed to the owner of each motor vehicle as provided in this article for motor vehicles owned

on January 1st of each year. The fee shall be payable on or before June 10th ~~5th~~ of each year and with respect to any fees not paid at that time, there is hereby imposed a thirty (\$30.00) dollars fee to reimburse the County of Pittsylvania for costs associated with administration of the Vehicle Registration Withholding Program with the Commonwealth of Virginia Department of Motor Vehicles (DMV) if a DMV stop order has been issued prior to payment. The fee herein assessed will be based upon ownership of vehicles on fee day, that is, January 1st of each year, and the period for which the license fee is effective shall be January 1st through December 31st of the next ensuing year. (B.S.M. 10-16- 12) (B.S.M. 5-20-14)

For state law authority, see § 58.1-3958, Code of Virginia, 1950, as amended.

SEC. 9-54. FAILURE TO PAY LICENSE FEE, PERSONAL PROPERTY TAX, ETC.; PENALTY.

A. In the event that the license fee required by this Article is not paid, or if any personal property taxes, properly assessed against such vehicle, are not paid on or before June 10th ~~5~~ of each year, with respect to each owner or co-owner of any motor vehicle as to which the license fee has not been paid, or any personal property taxes have not been paid, the County Treasurer shall mail to the owner/co-owner by first class mail a Notice of Intent to request the Commonwealth of Virginia Department of Motor Vehicles under the Vehicle Registration Withholding Program to deny his or her registration renewal with respect to the vehicle which is subject to the license fee or personal property tax herein. In the event of payment of that vehicle license fee and/or delinquent personal property taxes, the County Treasurer shall provide to the vehicle owner/co-owner an approved numbered receipt that clearly indicates that the vehicle owner/co-owner has paid in full all outstanding local vehicle fees and delinquent taxes to the locality, together with the penalty, interests and administrative fee hereinabove set forth.

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B. It shall be unlawful for any owner of a motor vehicle, trailer, or semi-trailer to fail to pay the local license fee or personal property taxes assessed with respect to each motor vehicle, trailer or semitrailer after June 10th ~~5th~~ of each year.

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C. A violation of this section shall constitute a Class 4 misdemeanor and shall be punished by a fine of two hundred fifty (\$250.00) dollars.

D. A violation of this section by the registered owner of the vehicle shall not be discharged by prepayment of a fine or by payment of a fine imposed by the court except upon presentation of satisfactory evidence that the required license has been obtained.

For state law authority, see VA. CODE ANN. Section 46.2-752 G (Repl. Vol. 2005). See also VA. CODE ANN. Section 18.2-11 (Repl. Vol. 2004).

SEC. 9-55. UNLICENSED MOTOR VEHICLE FEE - PURPOSE; FEE IMPOSED; AMOUNT; LICENSE YEAR; DUE DATE; TRANSITIONAL PROVISIONS FOR 2007 LICENSE YEAR.

A. Recognizing that unlicensed motor vehicles are more likely to be junk vehicles than are licensed vehicles and that unlicensed motor vehicles are more likely to create safety, health, and aesthetic problems than are licensed vehicles, the Pittsylvania County Board of Supervisors, pursuant to the authority granted by VA. CODE ANN. Section 15.2-973 (Repl. Vol. 2003), does hereby impose an annual license fee established annually by the Board of Supervisors of ~~thirty-eight dollars and seventy-five cents (\$38.75)~~ per motor vehicle on owners of motor vehicles located in Pittsylvania County which do not display current State license plates and which are not exempted from the requirements of displaying such license plates under the provisions of Section 9-55 of this Code or as specified in VA. CODE ANN. Section 15.2-973 (Repl. Vol. 2003). The license year with respect to which the fee required to be paid under this article is assessed shall be January 1 through December 31st of each year. The fee assessed under this article shall be assessed to the owner of each unlicensed motor vehicle as provided in this article for motor vehicles owned on January 1st of each year. **(B.S.M. 04-06-09)**.

B. The license fee imposed by this section shall be paid to the County Treasurer on or before June 10th ~~5th~~ of each calendar year.

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C. Reserved.

D. It shall be presumed that the owner of the motor vehicle is the person on whose land the motor vehicle is located unless otherwise shown and it shall be presumed that the motor vehicle has been parked, kept or garaged primarily in Pittsylvania County since January 1st of the year of enforcement unless otherwise shown.

E. Transitional provisions effective for 2007 license year only. Notwithstanding the preceding subsections, in order to adjust the amount of the unlicensed motor vehicle fee for the 2007 license year in recognition of the transition from the former April 15, 2007 expiration date for decals to the new June 5, 2007 due date for the unlicensed motor vehicle fees, the unlicensed motor vehicle fee for the 2007 license year only is hereby reduced by thirty-three percent (33%). This Subsection shall automatically expire on or before December 31, 2007 and the County unlicensed motor vehicle fees for the 2008 license year and thereafter shall be imposed at the full amount of ~~twenty-nine dollars and fifty cents (\$29.50)~~ as specified in the preceding subsections of this section and such fees shall be payable on or before June 10th ~~5th~~ of each year, beginning June 5, 2007.

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For state law authority, see VA. CODE ANN. Section 15.2-973 (Repl. Vol. 2003).

SEC. 17-15. DUE DATE FOR SOLID WASTE DISPOSAL FEE.

Unless collected by a public service corporation pursuant to § 17-14 supra, an invoice for said fee shall be included in the December tax assessment mailing. Payment of said fee shall be made to the Pittsylvania County Treasurer's Office. For FY 2018/19, unless exempted by § 17-15 infra, households assessed the Solid Waste Disposal Fee shall pay the fee no later than the ~~tenth~~ ~~twentieth~~ ~~(10th 20th)~~ day of December. For FY 2018/19 only, no late payment penalty and interest shall accrue on the Solid Waste Disposal Fee. For all Fiscal Years after FY 2018/19, unless exempted by § 17- 15 infra, the Solid Waste Disposal Fee shall be billed twice annually, and all households

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assessed the fee shall pay the fee no later than the ~~tenth~~^{twentieth} (10th 20th) of June and the ~~tenth~~^{twentieth} (10th 20th) of December annually. The penalty for late payment shall be assessed on the day after the installment of the fee is due, exception for the Year 2020, in which the penalty shall commence on June 21st and December 21st for each due period. Payment for the full amount of the annual Solid Waste Disposal Fee shall be the responsibility of the owner of record of the household as of January 1st of the assessed property for the corresponding year. There shall be no proration of the Solid Waste Disposal Fee.

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PITTSYLVANIA COUNTY'S POLICY FOR COMMUNITY CATS

Pittsylvania County, Virginia ("County"), is faced with high numbers of feral (*i.e.*, wild) cats, also known as community cats. This is in no small part due to irresponsible owners over the years. After reviewing the issue and best practices put in place in other localities to humanely tackle this challenge, the County has determined that Trap, Neuter and Return ("TNR") is the best course of action.

The Pittsylvania Pet Center ("Pet Center") and Pittsylvania County Animal Control ("Animal Control") will no longer pick up, or receive wild/feral community cats, unless they show signs of being sick or injured in accordance with Virginia Code. Citizens will instead be advised that just removing the cats causes a vacuum effect allowing more cats to move in. The County will instead, with the assistance of the SPCA of Pittsylvania County ("SPCA") and some other experienced trappers, direct them to take these wild animals to local clinics which the County will coordinate with for spay/neuter, vaccinations, feline AIDS/feline leukemia testing. These cats will be ear tipped and can be released back where they came from. The TNR's cost will be covered by Grant funding as long as funds are available. The County will continue to seek out additional funding to address these needs. Cats testing positive for feline AIDS or Leukemia will be humanely euthanized to prevent the spread of disease. A significant number of localities across the United States, including Arlington and Alexandria, Virginia, have embraced TNR and seen dramatic decreases in the numbers of wild cats, decreased numbers of sick cats, and a significant decrease in the numbers of unwanted litters entering their animal shelters.

The objective of this Program is to humanely trap, spay or neuter, vaccinate, test, and ear tip each of these community cats and return them to their original habitat or colony. Historically, thousands of these cats were caught and euthanized. This approach has proven ineffective and costly, as the problem has continued to grow.

The Pet Center will coordinate assistance as needed by the SPCA and experienced citizens willing to help trap feral, or community cats. The County will also have some traps available for citizens to check out. The County can also offer food that has been donated to assist citizens managing colonies upon request. By all of us working together, the County is confident that TNR will over time will reduce the numbers of wild cats, transmission of illness and disease, and decrease the numbers of unwanted cats/kittens received by the Pet Center for care.

FREQUENTLY ASKED QUESTIONS

WHAT IS A COMMUNITY CAT?

Community cats are cats who live outdoors with no specific owner. These cats can be friendly towards humans, or they can be feral (*i.e.*, unsocialized and avoidant of humans), or they may fall somewhere on the spectrum between friendly and feral. Some community cats have a caregiver

who watches out for them, but others may survive and thrive without direct human intervention. For all free-roaming community cats, their home is the outdoors, within the community.

CAN I BRING COMMUNITY CATS TO THE PITTSYLVANIA PET CENTER?

No. The Pet Center does not accept healthy free-roaming community (*i.e.*, feral) cats, and there are no laws against free-roaming cats in the County. The rate of return-to-owner for stray cats is only around ten percent (10%), and owned-pet cats are thirteen (13) times more likely to find their way home on their own versus being brought to a pet shelter. Additionally, some free-roaming community cats do not have one (1) specific home they return to but are rather cared for and part of a colony. If the Pet Center took in healthy free-roaming community cats, many cats would be at risk of euthanasia for lack of space or because they are not suited to life as an indoor pet cat. If a cat is sick, injured, declawed, or microchipped, the Pet Center will accept him/her. If you see a sick or injured cat outdoors, please contact Animal Control at (434) 432-7937.

Community cats are often feral (*i.e.*, not socialized to humans) and are not suited to life around humans as an indoor pet cat. Community cats are often fearful and avoidant of humans and are not likely to ever be socialized enough to become a lap cat or to even be happy living indoors. For truly feral cats who are brought to shelters, the only outcome is euthanasia, which is why the County does not accept community cats at the Pet Center. In fact, feral cats should not be brought to any shelter or rescue. Instead, the County offers resources to help community members participate in the County's TNR Program, which is the most humane and effective approach to managing community cat populations.

WHAT IS TNR?

Based on facts that have emerged from the many localities that have embraced TNR, it is the most effective and humane approach to community cats. Specifically, colony caregivers and volunteers humanely trap community cats and bring them to a veterinary clinic, where they are spayed or neutered, vaccinated against rabies and distemper, ear tipped, and given a basic checkup. After an approximately twenty-four (24)-hour recovery period, the cats are returned to the exact location where they were initially trapped and released there. The cats can live out their lives in their outdoor home but won't be adding to the community cat population. Sterilized community cats will no longer display those often-annoying behaviors associated with mating, such as yowling, fighting, spraying, and of course, producing kittens. Cats who go through a TNR Program live healthier individual lives, and the community receives the added benefits of having these community cats vaccinated against rabies.

HOW CAN I TELL IF A CAT HAS BEEN THROUGH A TNR PROGRAM?

If you see a community cat missing part of his/her left ear, that means the cat has been through a TNR Program. This is called an ear tip, and it is the universal signal that a cat has been spayed or neutered and vaccinated against rabies and distemper. Community cats who have been through a TNR Program are ear tipped while they are under anesthesia for surgery, so if you see an ear tipped cat, that means someone is looking out for that cat!

CAN'T COMMUNITY CATS JUST BE REMOVED OR RELOCATED?

No! Community cats live in an area because the resources (*i.e.*, food, water, and shelter) are there to support them. These resources may be provided by humans, or not. Rounding up the cats and

bringing them to shelters, rescues, or sanctuaries, does not solve the problem. Also, community cats will likely just be euthanized if they enter a shelter because they are not suited for life as an indoor pet cat. Relocation is also not a viable option. It is time-consuming and difficult, there is no guarantee that the cats will remain in the new location, and new locations for cats are very difficult to find. Removal or relocation efforts for community cats are not feasible.

WHAT ABOUT NEONATE KITTENS FOUND (UNDER 4 WEEKS OF AGE)?

Mother cats will often leave their kittens for hours in search of food. Watch from a distance or leave and come back to see if the cat mother is returning. If the neonates are being cared for by their cat mother, you have two (2) choices:

1. Leave them alone until the kittens are done nursing, then bring the kittens to the Pet Center.
2. Catch the mother and kittens together and bring them to the Pet Center.

Neonates brought to the Pet Center without their mother have a poor survival rate. The County will do everything it can for them, but neonates have the best chance for survival with their mother when possible.

HOW DOES TNR BENEFIT THE COMMUNITY AND THE PET CENTER?

Because community cats are not suited to life as an indoor pet cat, the only outcome for these cats who are brought to the Pet Center is typically euthanasia. Euthanizing an otherwise healthy cat for simply living outdoors is not the compassionate thing to do, nor is it effective in the long run. The most humane and effective approach for community cats is TNR, because it stabilizes community cat populations which over time decline naturally. Sterilizing community cats reduces the nuisance behaviors (*i.e.*, spraying, yowling, and fighting) associated with mating, which makes cats better neighbors. TNR also saves taxpayer dollars by reducing the number of kittens who are brought to the Pet Center in need of socialization, basic supplies and care, medical care, and adoptive homes. This policy will ultimately reduce the numbers of cats coming into the Pet Center and better enable the County to focus on social cats in its care and finding their forever homes.

WHAT IF I NEED HELP?

The Pet Center's Community Cat Program is predominately funded by individual donor and Grants. As long as funding exists, the County will offer spay/neuter vouchers to assist citizens. Individuals can sign out traps after some basic training on humane trapping practices from the Pet Center. The SPCA, and a few dedicated community cat advocates, are willing to assist citizens as needed and the Pet Center will be happy to coordinate assistance as needed.



Trap-Neuter-Return (TNR) for Community Cats: The Basics

We've all seen cats sunning themselves on the grass, playing in alleyways, or sleeping on a neighbor's porch. These are community cats, also called feral cats. They are unowned and unsocialized to people, and therefore unadoptable. They live full, healthy lives with their colonies in their outdoor homes. Community cats and people benefit from TNR, the humane, effective, mainstream approach to addressing cat populations. Anyone can do TNR—these basics will get you started.

Trap-Neuter-Return

TRAP: Humanely trap all the cats in a colony.

NEUTER: Take the cats in their traps to a veterinarian or clinic to be spayed or neutered, vaccinated, and eartipped.

RETURN: After the cats have recovered from surgery, return them to their outdoor homes where they were trapped.

STEP ONE: PREPARATION FOR TRAPPING

Before you begin trapping, make sure to connect with neighbors. Let them know what TNR is and how they can help. Determine how many cats you'll be trapping, and be prepared with a plan for different or unexpected scenarios like nursing mother

cats, kittens, friendly cats, and ill or injured cats. Establish a feeding schedule for the cats so they become accustomed to getting food at a consistent place and time every day. It's important to coordinate with a feral-friendly veterinarian or clinic for spay and neuter appointments and to set up a holding and recovery area for the cats in advance.

STEP TWO: TRAPPING

Ensure you have the number of traps you need, and that they are labeled and working properly. Withhold food for 24 hours before you trap, but always provide water. Cats should be hungry enough to enter the traps, but shouldn't eat too much once inside them, since they'll be having surgery. Bait the traps with food like sardines or tuna in oil.



For full instructions visit alleycat.org/TNRGuide.

STEP TWO: TRAPPING (CONTINUED)

Place the traps on a flat surface where the cats spend time. Then move away, but always keep an eye on them. When one or more cats are trapped, carefully approach the traps, and cover them completely with a towel, blanket, or trap cover to help calm the cats. The cats will be frightened so reducing stress is extremely important.

When you've finished trapping, don't forget to count your traps before you leave to make sure they are all accounted for.

AT THE VETERINARY CLINIC

Transport the cats to the feral-friendly veterinarian or clinic where they will be spayed or neutered, vaccinated, and eartipped. Confirm with the veterinarian what services you want, like microchipping, or don't want, like testing for FIV or FeLV. (Learn why at alleycat.org/FeLV-FIV.) Make sure the clinic has your contact information and that they contact you before making any treatment decisions for the cat.

STEP 3: POST-SURGERY

Let the cats recover overnight in the area you set up or at the veterinary clinic. Keep them covered in their traps to reduce stress. Monitor the cats to make sure they are recovering properly. If you suspect any complications or observe any vomiting, bleeding, or difficulty breathing, call your veterinarian immediately.

STEP 4: RETURN

Return the cats to the exact location where you trapped them, so they can return to the outdoor home they know and reunite with their colony. Provide food and water, and resume their usual care routine.

YOU DID IT!

Thank you for helping to improve the lives of community cats.

It's compassionate and committed people like you who make a huge difference in your communities.



For full instructions visit alleycat.org/TNRGuide.

5 Easy Steps for Humanely Detering Cats



1. Talk to your neighbors. Determine whether the cats are pets, stray, or feral, and if they have been spayed or neutered. If not, make an appointment with a feral-friendly veterinarian and find tips for TNR at alleycat.org/TNR.
2. Apply nontoxic deterrents around your yard.
3. Put a tight lid on your trash can.
4. Block gaps in the foundation of sheds and porches.
5. Use a cover to keep paw prints off your car.

Local Organization Contact:



Alley Cat Allies
The cats' leading advocate

How to Live With Cats in Your Neighborhood



What is a community cat?

Community cats, also called feral cats, are unowned cats who live outdoors. Like indoor cats, they belong to the domestic cat species (*Felis catus*). However, community cats are generally not socialized, or friendly, to people, and are therefore unadoptable. They live full, healthy lives with their feline families, called colonies, in their outdoor homes.

Cats living outdoors is nothing new. It wasn't until kitty litter was invented in the late 1940s that some cats began living strictly indoors. But community cats truly thrive in their outdoor homes. The tips in this brochure will help you coexist with community cats.

Why do I see community cats in my neighborhood?

Community cats live outdoors. Like all animals, community cats settle where food and shelter are available, and they are naturally skilled at finding these on their own.

Because they are unsocialized, community cats can't live indoors with people, and are therefore unadoptable. Community cats should not be taken to animal shelters—nationwide, virtually 100 percent of community cats taken to shelters are killed there. Trap-Neuter-Return (TNR) is the humane, effective, and mainstream approach to addressing community cat populations.



What is Trap-Neuter-Return?

In a TNR program, community cats are humanely trapped, brought to a veterinarian to be spayed or neutered, vaccinated, eartipped (the universal sign that a cat is part of a TNR program), and then returned to their outdoor homes. Kittens less than 8 weeks old can be socialized and then adopted. Adult cats who are socialized can be adopted, but they can also be returned outdoors, where they will continue to thrive.

TNR improves cats' lives and provides an effective, humane, and collaborative way for communities to coexist with cats. To learn more, including how to conduct TNR, visit alleycat.org/TNR.

What does the Vacuum Effect have to do with TNR?

The Vacuum Effect has been documented worldwide in many species, including community cats. Animal control's typical approach has been to catch and kill community cats. While this may temporarily reduce the number of community cats in a given area, it is ultimately counterproductive, as the population of cats rebounds. Other cats move into the newly available territory and continue to breed—this phenomenon is called the Vacuum Effect. It's why catch and kill doesn't work. TNR is the only effective and humane approach to address community cat populations. Learn more at alleycat.org/VacuumEffect.

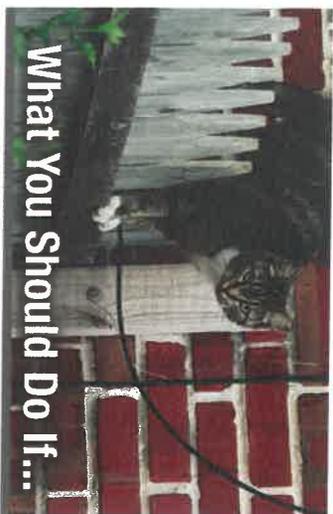


Alley Cat Allies
The cats' leading advocate

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alleycat.org

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Cats are getting into your trash.

REASON: Cats are looking for food.

QUICK TIPS:

- **Secure your trash can with a tight lid or bungee cords.** This will protect your trash from wildlife as well.
- **Find out if neighbors are feeding the cats.** If they are, make sure they are following best practices. Learn more at alleycat.org/BestPractices.
- **Consider feeding the cats yourself if you find no regular caregiver.** Feeding cats using best practices will help ensure they don't get hungry enough to get into trash.



Feeding stations provide cats with a designated area to eat. Find tips for building or buying feeding stations at alleycat.org/FeedingStations.

Cats are digging in your garden.

REASON: It is a cat's natural instinct to dig in soft or loose soil, moss, mulch, or sand.

QUICK TIPS:

- **Put out fragrances that keep cats away.** Scatter fresh orange or lemon peels. Wet coffee grounds—which you may be able to get for free from coffee houses and fast food chains—and metal pans filled with vinegar also deter cats.
- **Make an outdoor litter box away from your garden** by tilling the soil or placing sand in an out-of-the-way spot in your yard. Clean the area frequently.
- **Use plastic carpet runners, spike-side up,** covered lightly in soil. They can be found at hardware or office supply stores. You can also set chicken wire firmly into the dirt (roll sharp edges under), arrange branches or sticks in a lattice pattern, or put wooden or plastic fencing over soil.
- **Get the Cat Scat Mat,** a nonchemical cat deterrent consisting of plastic mats that are cut into smaller pieces and pressed into the soil (seen below). Each mat has flexible plastic spikes that are harmless to cats and other animals but discourage digging.



The Cat Scat Mat is a safe deterrent to use in your garden.

- **Get motion-activated sprinklers.**
- **Cover exposed ground in flower beds** with large river rocks to prevent cats from digging. Rocks have the added benefit of deterring weeds.

Cats are lounging in your yard or porch, or on your car.

REASON: Cats tend to remain close to their food source.

QUICK TIPS:

- **Shift the cats' food source to a less central location,** where you won't mind if they hang out.
- **Apply fragrances that deter cats** around the edges of your yard, the tops of fences, and on any favorite digging areas or plants. See "Cats are digging in your garden" for a list of cat-deterrent fragrances.
- **Install an ultrasonic deterrent** or a motion-activated sprinkler. You can find humane deterrent products at garden supply stores.
- **Use a car cover** or place carpet runners on top of your car to avoid paw prints.



Cats who are missing the tip of one ear have been ear-tipped—the universal sign that a cat is part of a TNR program.

Cats are sleeping under your porch or in your shed.

REASON: The cats are looking for a dry, warm shelter away from the elements.

QUICK TIPS:

- **Provide covered shelter.** Or, if the cats have a caregiver, ask the caregiver to provide covered shelter. Shelters should be placed in quiet areas away from traffic. Find tips to build or buy shelters at alleycat.org/ShelterGallery.
- **Block or seal the area where the cats enter** with chicken wire or lattice, but only once you are absolutely certain no cats or kittens are inside.

Feeding cats attracts insects and wildlife.

REASON: Leaving food out for too long can attract other animals.

QUICK TIPS:

- **Feed the cats at the same time and location each day.** They should be given only enough food to finish in one sitting. If another person is caring for the cats, ask them to follow these guidelines. For more colony care guidelines, visit alleycat.org/ColonyCare.
- **Keep the feeding area neat** and free of leftover food and trash.

Cats are yowling, fighting, spraying, roaming, and having kittens.

REASON: These are mating behaviors. Once the cats are spayed or neutered, these behaviors will stop.

QUICK TIPS:

- **Conduct TNR for the cats.** TNR stops mating behaviors and ensures no new kittens are born.
- **Find more information about TNR** at alleycat.org/TNR. Get help from local community cat experts by requesting a list of Alley Cat Allies' Feral Friends Network members in your area at alleycat.org/FindFeralFriends.

Please remember: Do not take community cats to animal shelters. They are feral—or unsocialized to people—and therefore unadoptable. This means virtually 100 percent of community cats taken to shelters are killed there. Instead, community cats should be neutered, vaccinated, and returned to their outdoor homes.

2020 SESSION**HB 480 Virginia Retirement System; enhanced retirement benefits for 911 dispatchers.**Introduced by: [Suhas Subramanyam](#) | [all patrons](#) ... [notes](#) | [add to my profiles](#)**SUMMARY AS INTRODUCED:**

Virginia Retirement System; enhanced retirement benefits for 911 dispatchers. Adds 911 dispatchers to the list of local employees eligible to receive enhanced retirement benefits for hazardous duty service. Under current law, localities may provide such benefits to first responders, including firefighters and emergency medical technicians, and certain other hazardous duty positions. The bill provides that such benefits would be available only to dispatchers hired starting in 2021.

FULL TEXT**01/03/20 House: Prefiled and ordered printed; offered 01/08/20 20103616D** [pdf](#) | [impact statement](#)**HISTORY****01/03/20 House: Prefiled and ordered printed; offered 01/08/20 20103616D**

2020 SESSION
20103616D

HOUSE BILL NO. 480

Offered January 8, 2020

Prefiled January 3, 2020

A BILL to amend and reenact § 51.1-138 of the Code of Virginia, relating to Virginia Retirement System; enhanced retirement benefits for 911 dispatchers.

Patrons-- Subramanyam and Reid

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That § 51.1-138 of the Code of Virginia is amended and reenacted as follows:

§ 51.1-138. Benefits.

A. Employees who become members under this article and on whose behalf contributions are paid as provided in this article shall be entitled to benefits under the retirement system.

B. By resolution legally adopted and approved by the Board, the employer may elect to provide benefits equivalent to those provided under the State Police Officers' Retirement System, as set out in Chapter 2 (§ 51.1-200 et seq.) of this title except for § 51.1-209, and except that the employer may elect to establish the retirement allowance pursuant to the allowance provided in clause (i) or (ii) in subsection A of § 51.1-206, in lieu of the benefits that would otherwise be provided hereunder for any employees who are employed in (i) law-enforcement positions comparably hazardous to that of a state police officer, including any sworn law-enforcement officer who has the duty and obligation to enforce the penal and traffic laws of this Commonwealth as directed by his superior officer, if so certified by his appointing authority, (ii) positions as ~~full-time salaried fire fighters~~ *first responders*, or (iii) ~~positions as full-time salaried emergency medical technicians~~, or (iv) positions as regional jail superintendents and jail officers of regional jail farms, regional jails or jail authorities, as approved by the respective jail board or authority and by the participating political subdivisions of such entities. *For purposes of this section, "first responders" means full-time salaried firefighters, full-time salaried emergency medical technicians, and full-time dispatchers for a public safety answering point as defined in § 56-484.12.* Sheriffs of political subdivisions and superintendents of regional jails which participate in the retirement system shall receive benefits equivalent to those of state police officers, except for the benefits provided under § 51.1-209, regardless of whether the employer has elected to provide equivalent benefits as set out in this subsection.

C. Each employer providing the benefits of subsection B for its employees prior to July 1, 1990, may elect to provide for the early retirement of employees as set forth in this subsection in lieu of the early retirement and death before retirement provisions of the State Police Officers' Retirement System. Such election must be made to the Board in writing prior to July 1, 1990. Any member in service on or after his fifty-fifth birthday with five or more years of creditable service (i) while earning the benefits permitted by this section, (ii) as a member in the retirement system established by Chapter 2 (§ 51.1-200 et seq.) of this title, or (iii) as a member in the retirement system established by Chapter 2.1 (§ 51.1-211 et seq.) of this title may retire upon written notification to the Board setting forth at what time the retirement is to become effective. The effective date shall be after his last day of service but shall not be more than 90 days prior to the filing of such notice. The member shall receive an allowance that shall be determined in the same manner as for retirement at an employee's normal retirement with creditable service and average final compensation being determined as of the date of his actual retirement. If the member has less than 30 years of service at retirement, the amount of the retirement allowance shall be reduced on an actuarial equivalent basis for the period by which the actual retirement date precedes the earlier of (a) the member's normal retirement date or (b) the first date on or after the member's fifty-fifth birthday on which the member would have completed a total of 30 years of creditable service. Effective December 31, 2003, any employee in service on June 30, 2002, and July 1, 2002, who is credited with five or more years of creditable service rendered under this chapter and earning the benefits permitted by this section, Chapter 2 (§

51.1-200 et seq.), or Chapter 2.1 (§ 51.1-211 et seq.) of this title shall not be subject to the vesting requirements of this section, and §§ 51.1-205 and 51.1-216.

Members retiring under the provisions of this subsection shall be entitled to receive post-retirement supplements as provided in § 51.1-166. In computing the amount of any supplement, any additional allowances being paid under the provisions of subsection B of § 51.1-206 shall be disregarded. In the case of death before retirement, members whose employers elect to provide benefits in accordance with the provisions of this subsection and who have not attained the age of 50 on the date of death shall be assumed to be 50 years of age for the purposes of reducing the benefits on an actuarial equivalent basis.

D. Beginning July 1, 2008, each county and city participating in the Virginia Retirement System shall provide the benefit coverage described in subsection B to each deputy sheriff, regardless of whether the deputy sheriff's salary is funded or reimbursed in whole or in part by the Compensation Board.

E. Notwithstanding the provisions of subsection C, beginning July 1, 2009, the City of Danville shall provide to each deputy sheriff the benefit coverage described in subsection B.

F. Beginning July 1, 2009, each regional jail board and regional jail authority participating in the Virginia Retirement System and each county and city participating in such board or authority shall provide the benefit coverage described in subsection B to each sworn officer of a regional jail, regardless of whether the regional jail officer's salary is funded or reimbursed in whole or in part by the State Compensation Board.

G. Beginning July 1, 2010, any county or city that (i) participates in the Virginia Retirement System pursuant to Chapter 1 (§ 51.1-124.1 et seq.), (ii) has in effect a retirement supplement for deputy sheriffs (in addition to the annual retirement allowance provided under the Virginia Retirement System) that exceeds the allowance set forth in subsection B of § 51.1-206 hereof, and (iii) provides the same level of retirement benefits to all of its deputy sheriffs, may, by resolution legally adopted, elect to provide the benefits coverage under subsection B hereof except for the allowance described in subsection B of § 51.1-206. Notwithstanding any other provision of law, the additional costs of such election shall be borne solely by such county or city.

H. If an employee (i) is in a position covered by the additional benefits under this section for at least five years, (ii) is separated from the position because of a disability that entitles him to the disability retirement benefits pursuant to § 51.1-156, and (iii) accepts a position with the same employer that is not covered by the benefits under this section but whose salary and benefits are not less than those of the position from which he is separated, then, at the sole discretion of the employer, the employee may continue to be covered under the benefits permitted by this section in his new position.

I. The retirement system shall not be liable for the payment of any retirement allowances or other benefits on behalf of a member or beneficiary of a member for which reserves have not been previously created from funds contributed by the employer or the members for such benefits.

2. That the provisions of this act providing enhanced retirement benefits to positions as full-time dispatchers for a public safety answering point shall apply only to dispatchers hired on and after January 1, 2021.

5(d)

SEC. 17-21. VIOLATIONS OF CHAPTER/ARTICLE; PENALTIES.

A. Each day of violation of each requirement of this Chapter or Article shall constitute a separate offense.

B. Any person who violates any provision of this Chapter or Article shall be guilty of a Class 1 Misdemeanor, unless a different penalty is specified.

C. Any person who knowingly makes any false statement, representation, or certification regarding the origin of any waste disposed of under this Chapter or Article, shall be guilty of a Class 1 Misdemeanor and shall be subject to suspension from the use of the County's Landfill and any County Collection Centers for a period of time not to exceed one (1) year.

D. The County shall be entitled to an award of reasonable attorney's fees and cost in any action brought under this Chapter or Article which it substantially prevails on the merits of the case, unless special circumstances would make an award unjust.

E. Violations of Sections 17-3 and/or 17-20 of this Chapter or Article shall be punishable by a fine in the amount of fifty dollars (\$50.00), if paid within ten (10) days, or one hundred dollars (\$100.00), if not paid within ten (10) days.

F. The County's Solid Waste Department shall prepare an appropriate ticket and ticket stub for use in enforcing the provisions of this Chapter or Article. Any Law Enforcement Officer, Treasurer's Office employee, or County Staff member charged with enforcing this Chapter or Article shall issue to the offender a ticket. The ticket stub shall be turned in to the Pittsylvania County Treasurer's Office. The ticket and stub shall have corresponding numbers. The ticket shall contain the following statement:

NOTICE: You may pay this by appearing at the Pittsylvania County Treasurer's Office, 11 Bank Street, Chatham, Virginia, 24531, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. If you prefer, you may mail the ticket and fine to the aforementioned Office. Checks should be payable to the Pittsylvania County Treasurer. If you fail to pay this ticket with ten (10) days, then further action will be taken which could result in you having to appear in court and paying additional costs.

(1) In lieu of payment of the fine, such person may contest the ticket, by notifying the Pittsylvania County Treasurer and the Clerk of the General District Court of Pittsylvania County.

(2) If the ticketed person does not pay the fine to the County's Treasurer, the Treasurer shall notify such persons that he may pay the fine, plus a penalty in the sum of ten dollars (\$10.00), within five (5) days of the receipt of the notice, at the Treasurer's Office. Page 15 of 15

(3) If a person to whom the above Notice is provided/given is fails to pay the fine and penalty within the time prescribed in the Notice, the Treasurer shall notify the Officer who issued the original ticket and the Treasurer shall then cause to be issued a complaint, summons, or warrant for the delinquent ticket. The person in question may pay the fine to the Treasurer prior to the date he/she is to appear in court, provided he/she also pays necessary costs and the penalty. The Treasurer's receipt shall be conclusive evidence of such payment.

Code of Virginia
Title 18.2. Crimes and Offenses Generally
Chapter 1. In General

§ 18.2-11. Punishment for conviction of misdemeanor.

The authorized punishments for conviction of a misdemeanor are:

- (a) For Class 1 misdemeanors, confinement in jail for not more than twelve months and a fine of not more than \$2,500, either or both.
- (b) For Class 2 misdemeanors, confinement in jail for not more than six months and a fine of not more than \$1,000, either or both.
- (c) For Class 3 misdemeanors, a fine of not more than \$500.
- (d) For Class 4 misdemeanors, a fine of not more than \$250.

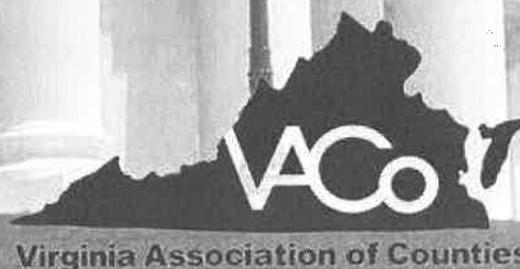
For a misdemeanor offense prohibiting proximity to children as described in subsection A of § 18.2-370.2, the sentencing court is authorized to impose the punishment set forth in subsection B of that section in addition to any other penalty provided by law.

1975, cc. 14, 15; 1990, c. 788; 2000, c. 770.

Virginia Association of Counties

2020 LEGISLATIVE PROGRAM

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Richmond, VA 23219
804.788.6652
www.vaco.org



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2020 Legislative Program Virginia Association of Counties

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45 VACo's 2020 Overarching Legislative
46 Priority Position
47
48

49 **Equal Taxing Authority**

50 Counties provide the same core services, such as public education, human services, and
51 public safety, to their residents as cities and towns, but have limited opportunities to
52 raise revenue. VACo supports granting counties the same authority that is enjoyed by
53 cities and towns to enact local taxes without referendum.
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89 **ECONOMIC DEVELOPMENT AND**
90 **PLANNING**

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92 **Priorities**

93
94 **Broadband**

95 VACo urges the Commonwealth to provide adequate financial assistance to
96 counties to build the necessary telecommunications infrastructure to deploy
97 universal affordable access to the internet for all areas, particularly in
98 underserved and rural areas. Additionally, VACo supports legislation that
99 provides additional tools for counties to finance, build and operate open access
100 networks in partnership with commercial internet service providers.

101
102 **Proffers and Growth Management Tools**

103 VACo supports changes to the conditional zoning law to allow greater flexibility
104 in the application process for determining fiscal impacts.

105 VACo also supports legislation that grants localities additional tools to
106 adequately meet increasing needs for public services driven by new development
107 without burdening current residents with the cost of new growth through
108 increased real estate taxes. Such additional tools may include broad impact fee
109 authority for all counties, and adequate public facilities provisions.

110
111 **Utility-Scale Solar**

112 VACo supports returning the authority to counties to determine local tax
113 incentives for utility-scale solar installations and opposes any expansion or
114 extension of the state-mandated tax exemption on local property taxes for solar
115 equipment. Additionally, VACo supports maintaining local authority to address
116 all impacts associated with utility-scale projects.

117
118 **Positions**

119
120 **Land Use**

121 VACo supports maintaining local authority to plan and regulate land use and
122 opposes any legislation that weakens these key local responsibilities.

123
124 **Regulation of Home-based Businesses**

125 VACo opposes any legislation that limits or restricts local authority to regulate
126 home-based businesses, including short-term rentals regardless of whether
127 services or goods are purchased through an online hosting platform.

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129 **Affordable and Workforce Housing**

130 VACo supports maintaining federal and state funding and appropriate incentives
131 to assist localities in fostering affordable housing, as well as workforce housing
132 for employees such as teachers and first responders.

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Economic Development

VACo supports economic development policies and programs that bolster local and regional development efforts by maintaining state funding, streamlining state and federal processes, and granting additional funding and authority to promote local and regional initiatives. This includes the provision of adequate funding for the Agriculture and Forestry Industries Development Fund (AFID); the Commonwealth Opportunity Fund; and the operations of the Virginia Economic Development Partnership (VEDP). VACo also supports state funding for Virginia’s planning district commissions and local cooperative extension offices, which play key roles in addressing regional challenges.

Impacts of Federal and Military Facilities

VACo supports maintaining federal and state funding and technical assistance to mitigate the impacts on counties affected by federal budget cuts and to sustain current and future federal facilities in Virginia. VACo supports state and local partnerships that work to prevent encroachment and non-compatible land uses next to military installations. VACo also supports workforce training and retraining for programs that support defense activities in Virginia.

Maintain Public Sector Role in Onsite Sewer Program

VACo supports an onsite sewage program at the Virginia Department of Health (VDH) that protects public health and the environment in all regions of the Commonwealth. The Commonwealth should give special focus to addressing the challenge of failing septic systems and allow localities authority to develop and implement policies that support the state’s program. VACo supports the private sector providing onsite sewage system design, installation and repair services, as long as the services can be provided at affordable rates and in a timely manner, and as long as VDH continues to provide these direct services as well.

Siting of Transmission Lines

VACo supports requiring utilities to seek input from localities and property owners before any actions to construct, modify or enlarge utility transmission facilities.

EDUCATION

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Priority

Education Funding

VACo urges the General Assembly to provide full state funding for public education, including the Standards of Quality (SOQ) as recommended by the Board of Education, where these recommendations coincide with prevailing local practice, targeted incentive programs, capital, and maintenance support, and teacher salaries.

Full state funding should be achieved without reduction to other parts of state public education budgets or to other core services. Changes to school security and high school graduation standards will require additional resources to implement and those costs must be adequately funded by the state. VACo supports additional state resources and additional funding options for localities for capital and school construction costs.

VACo supports the current practice whereby all year-end funds appropriated to the school divisions by the locality revert to the locality, retaining discretion with the governing body to evaluate and approve the reallocation of year-end fund balances.

Positions

Charter Schools

VACo opposes legislation that removes authority from local school boards and divisions to establish charter schools.

Childhood Development and School Readiness

VACo supports efforts to increase at-risk children's access to high-quality, enriching learning environments, including more resources and flexibility for localities participating in programs like the Virginia Preschool Initiative and Head Start.

Critical thinking Skills

VACo supports changes to educational programs and standards that rely less on standardized testing and more on critical thinking skills such as performance-based assessments.

Funding Support Personnel

VACo supports full restoration of budget cuts, including the elimination of the funding cap on support positions, and full reinstatement of the Cost of Competing Adjustment "COCA" for support staff. In addition to meeting its obligations to fully fund instructional staff, the Commonwealth should meet its obligation to fully fund K-12 support staff.

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Library System

VACo supports additional state resources for the funding of financial aid to the local library system.

School Safety and Security

VACo supports efforts to improve school safety and preparedness including establishing a Statewide School Safety Drill, for students, teachers, administrators, law enforcement, and other staff to engage in active shooter drills. VACo supports the development of model policies to provide guidance on active shooter drills and updates to school safety plans and drills. VACo supports dedicated state funding to improve school security for both capital and operational costs including funding that would serve as an incentive for local school divisions to hire additional Resource Officers, School Protection Officers, or other security personnel and measures.

Special Education Regional Tuition Reimbursement Program

VACo supports enhancing local capacity to serve children with high-level support needs in the least restrictive environment, including regional special education programs. VACo supports local flexibility in the structure of such programs. If a new model for the distribution of funding for special education students with intense support needs is implemented, such a model should be phased in gradually, with state dollars provided to enable school divisions that would otherwise experience reductions in funding to continue to meet federal maintenance of effort requirements.

Teacher Shortage and Retention

VACo urges the General Assembly to approve and fund strategies addressing the teacher shortage in the Commonwealth. VACo supports a targeted approach to teacher shortage by prioritizing areas in critical need, as recommended by the Virginia Department of Education. VACo supports using district-level data to determine how to best fill shortage gaps, especially in hard-to-staff divisions. VACo supports reducing burdens on the teacher workforce in the Commonwealth. VACo supports programs aimed at reducing student debt for teaching in public schools. VACo also supports programs that encourage teachers to stay in the profession including measures that provide mentorship, guidance and other forms of support for teachers in their first five years in the profession.

Workforce-Ready Students

VACo supports changes in curriculum and funding that will increase the number of students leaving the K-14 system with workforce-ready credentials. VACo supports incorporating career and technical education curriculum at the elementary school level. VACo supports high school students earning academic credit for participating in an internship, apprenticeship, credential, and other work programs. VACo supports innovative models for schools to give academic credit for students that earn industry workforce skills through certifications, or licensure from an approved education or training provider. VACo supports establishing partnerships to strengthen the school-to-workforce pipeline in a

274 variety of ways including guaranteed employment opportunities with local
275 businesses and learning opportunities shared between local community colleges
276 and high schools.
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ENVIRONMENT AND AGRICULTURE

Priority

Water Quality Improvement Funding

VACo supports effective partnerships across all levels of government as well as adequate financial and technical assistance from the federal and state governments to improve water quality. VACo supports improved water quality but opposes strategies that penalize local governments by withdrawing current forms of financial assistance or imposing monitoring, management, or similar requirements on localities without providing sufficient resources to accomplish those processes. VACo supports efforts to continue to restore and protect the Chesapeake Bay but opposes additional nutrient regulations on wastewater treatment facilities that are scientifically unsound, economically unfeasible, or unnecessary for meeting the Commonwealth's goals. VACo opposes the imposition of a state fee, tax or surcharge, on water, sewer, solid waste, or any service provided by a local government or authority.

Positions

Aquifer Protection

VACo supports initiatives by the state to assure adoption of actions to reduce high chloride concentrations and loss of artesian head pressure in Virginia's aquifers. VACo also supports a review of regulations and supports education initiatives that promote reclamation of water on a local level for industrial and irrigation uses to offset future demands on all ground and surface water used for human consumption.

Biosolids

VACo supports an effective statewide regulatory program governing land application of biosolids. Such a program should not infringe upon the authority of local governments to monitor compliance. VACo supports the ability of local governments to propose amendments to biosolids permits as they are considered by DEQ.

Conservation

VACo encourages targeted initiatives to facilitate the protection of land for conservation purposes. VACo supports the creation a Purchase of Development Rights program that provides state funding for the Virginia Land Conservation Foundation and participation incentives for landowners. Such programs preserve prime soils for food production and protect important forest land and environmentally sensitive areas in the Commonwealth.

VACo supports voluntary state and federal conservation programs, including the United States Department of Agriculture's (USDA) Environmental Quality Incentives Program and the Conservation Stewardship Program, to assist producers with the implementation of best management practices.

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Dam Safety

VACo supports programs that keep downstream owners and developers aware of potential inundation zones. VACo also supports sufficient state and federal funding for the repair and maintenance of dams.

Energy

VACo supports renewable energy policies and energy efficiency measures that reduce greenhouse gas emissions, lessen dependence upon foreign sources of energy, and improve the feasibility of using renewable energy, including efforts to remove barriers to municipal net metering. VACo supports legislation that encourages renewable energy production through the implementation of Renewable Portfolio Standards. VACo supports creative financing mechanisms that enable localities to implement their own renewable energy and energy efficiency programs and measures. VACo supports maintaining local zoning authority regarding renewable energy facilities and other utility projects to protect agricultural and other local considerations. Finally, VACo supports responsible policies that enable coal and natural gas extraction, processing, and transport while protecting agricultural interests and natural resources.

Hydraulic Fracturing

VACo supports a stringent state regulatory program for hydraulic fracturing (or “fracking”) that addresses the potential to tap into natural gas reserves in ways that protect public and private groundwater supplies and preserve local government authority to regulate and/or ban this type of mining activity through their land use ordinances. VACo supports transparency efforts that require the disclosure of all chemicals and chemical mixes used in the fracking process prior to their use.

Invasive Species and Noxious Weeds

VACo supports funding for, and the complete implementation of, the Virginia Invasive Species Management Plan. VACo supports an amendment to the term, “noxious weeds,” enabling additional invasive plants to be considered for regulation. All programs and proposals should be evaluated for their commercial impact, allowing no more than a negligible impact on Virginia’s agricultural industry. Finally, VACo supports requiring better state prevention and mitigation practices.

Large Utility Projects

VACo supports the provision of adequate direction and resources for the state to improve monitoring and enforcement of Erosion and Sediment Control and Stormwater requirements by entities constructing large-scale utility projects. The state should conduct a review of the annual standards, specifications, and construction general permit requirements to determine adequate protection of water quality and natural resources.

413 **Non-Point Source Pollution**
414 VACo supports a well-financed state program to address non-point source runoff
415 from agricultural operations. The program should encourage implementation of
416 priority best management practices (BMPs) such as nutrient management
417 planning, use of cover crops, continuous no-till farming and development of
418 forested riparian buffers and livestock stream exclusion.

419
420 **Predator Control**
421 VACo urges state and federal agencies to support the agricultural industry by
422 allowing farmers and producers sufficient flexibility when protecting livestock
423 against predatory animals. VACo encourages the USDA Wildlife Services Division
424 and the Virginia Department of Agriculture and Consumer Services to allow
425 producers access to the predator control tools required for the continuation of
426 effective livestock production. VACo also supports USDA's Livestock Indemnity
427 Program and the financial relief it provides to producers who have lost livestock
428 to the attacks of federally protected predators.

429
430 **Southern Rivers Watershed**
431 VACo supports continued funding for the Southern Rivers Watershed
432 Enhancement Program to improve water quality in non-Chesapeake Bay
433 watersheds.

434
435 **Stormwater Programs**
436 VACo supports state funding that enables local governments to fully satisfy the
437 resource and funding needs associated with local stormwater management
438 programs. VACo supports legislation that proposes creative and cost-effective
439 stormwater management practices. VACo supports initiatives that clarify and
440 modernize stormwater regulations and permitting processes, including measures
441 that makes permitting more efficient, reevaluates the fee structure system, and
442 allows for considerations of factors such as long-term maintenance costs. VACo
443 supports legislation that proposes innovative solutions to facilitate compliance
444 with stormwater standards in ways that promote economic development while
445 achieving water quality goals.

446
447 **Tree Conservation and Replacement**
448 VACo supports expanding tree replacement and tree conservation statutes to
449 include all localities in Virginia.

450
451 **Onsite Wastewater Systems**
452 VACo supports legislation ensuring that potential buyers of real property are told
453 about the type, size and maintenance requirements and associated costs of the
454 wastewater systems on the property prior to the signing of the initial sales
455 contract and the recordation of engineered systems plat and deed at the time of
456 sale.

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Uranium Mining

VACo supports continuation of a moratorium on uranium mining and milling within the Commonwealth of Virginia.

Technical Assistance

VACo supports robust state funding for entities that provide critical resources and technical assistance to localities in their efforts to comply with environmental policies and regulations. This includes, but is not limited to, organizations such as the Virginia Cooperative Extension and Planning District Commissions (PDCs).

Water Supply Planning

VACo supports appropriations adequate to ensure full funding by the state for the ongoing development and implementation of state-mandated water supply plans. VACo does not support overly burdensome permitting processes or applications for water usage.

FINANCE

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Priority

Local Finance

VACo supports the authority of county governments to levy and collect revenue from local business taxes.

Positions

Appeals of Tax Assessments

VACo opposes proposals to make major changes to the current appeals processes for real or tangible personal property assessments, such as changes to the assessor's presumption of correctness or the role of the state Tax Commissioner with respect to valuation of property.

Funding for State Mandated Positions and Jails

The Commonwealth must meet its obligations to fund appropriate staffing for the state's system of justice, to include clerks, magistrates, Commonwealth's Attorneys, public defenders, district court employees, and probation office employees. In the absence of adequate state support for this critical function of government, localities are frequently placed in the untenable position of supplementing the justice system with local dollars in order to ensure its continued functioning.

VACo urges the Commonwealth to meet its full funding obligations and provide flexibility in the use of state funds for compensation of constitutional officers and state-supported local employees.

VACo requests that jail per diem funding in the 2020-2022 biennial state budget be increased to levels that better represent the costs of housing inmates and be adjusted for inflation in the future so that payments keep pace with rising costs. The current rates of \$4 per day for local-responsible inmates and \$12 per day for state-responsible inmates are inadequate and represent an underfunded mandate on counties. The Compensation Board estimated a total average daily cost of operating local and regional jails at \$85.83 per inmate in FY 2017, of which \$46.30 was contributed by localities.

VACo supports payment of the medical costs of inmates using a cost-effective program jointly funded at the federal and state levels. VACo supports streamlining the process of eligibility determination and enrollment for inmates who may qualify for Medicaid. VACo supports the provision of clinically appropriate health care for individuals incarcerated in local and regional jails; if the state establishes standards for the provision of health care, including behavioral health care, in local and regional jails, these standards should be adopted through the regulatory process with ample opportunity for stakeholder involvement, and the state must provide sufficient funding to allow these standards to be met.

553 **Funding for Payments of Service Charges in Lieu of Taxes for State**
554 **Facilities**

555 VACo supports reinstating state payments (PILT) to counties that mitigate the
556 impacts of state correctional and behavioral healthcare facilities on county
557 revenue. VACo supports measures to ameliorate the effects of large amounts of
558 other tax-exempt property on the local tax base.

559
560 **Implementation of Medicaid Expansion**

561 VACo supports full state funding for the local costs associated with Medicaid
562 expansion, including local eligibility workers and case managers. VACo supports
563 restoration of General Fund reductions to Community Services Boards in FY
564 2020. These savings were incorporated in the 2018 Appropriations Act and were
565 expected to be generated by replacing General Fund support for services for
566 previously-uninsured CSB clients with Medicaid billing for clients newly eligible
567 for Medicaid. However, there is concern that Medicaid reimbursements may not
568 fully cover the General Fund reductions.

569
570 **Legislation with Local Fiscal Impact**

571 VACo supports legislation or other measures providing additional time for
572 localities to review legislation that may have an impact on local revenues or
573 expenditures.

574
575 **Modernization of Communications Sales and Use Tax Structure**

576 VACo supports updating the Communications Sales and Use Tax (CSUT) to
577 ensure that it reflects the modern telecommunications landscape, which has
578 evolved since the CSUT took effect in January 2007.

579 VACo opposes any further diversion of Communications Sales and Use Tax
580 Trust Fund dollars beyond the uses already specified in statute. These revenues
581 should be held in trust for localities and not diverted for general state purposes.
582 Currently, funds from the Communications Sales and Use Tax Trust Fund are
583 taken "off the top" for the Department of Taxation's costs to administer the tax,
584 the telephone relay center operated by the Department for the Deaf and Hard of
585 Hearing, and any franchise fees owed to localities. Language adopted in the
586 2018-2020 biennium budget provides for an additional diversion of funds to the
587 state General Fund from assumed savings in the telephone relay contract; these
588 funds would otherwise flow to localities.

589
590 **Real and Personal Property Tax Exemptions Enacted Prior to 2003**

591 VACo supports providing localities the ability to decide whether to maintain
592 property tax exemptions granted by the General Assembly prior to passage of the
593 Constitutional amendment vesting the authority to grant such exemptions with
594 localities. The Constitutional amendment which was passed by the voters in
595 2002 and took effect in January 2003 placed decision-making authority about
596 local tax exemptions with local governing bodies, within certain limits, and this
597 authority should apply to exemptions granted before 2003 as well.

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GENERAL GOVERNMENT

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Priority

Unfunded Mandates

VACo opposes unfunded mandates and shifting fiscal responsibility for existing programs by the Commonwealth from the state to localities. When funding for a mandated program is altered, the mandate should be suspended until full funding is restored. When legislation with a cost to localities is passed by the General Assembly, the cost should be borne by the Commonwealth, and the legislation should contain a sunset clause providing that the mandate is not binding on localities until funding by the Commonwealth is provided.

Positions

Collective Bargaining for Public Employees

VACo opposes any effort to mandate collective bargaining for public employees.

Election Costs and Districts

VACo supports legislation that would decrease the costs of elections to localities. These costs include primaries, voting equipment, personnel and voting places. Cost reduction solutions include requiring parties to pay for primary elections, having one date for primary elections, using printed ballots, establishing countywide voting places and other similar measures. The state should provide adequate funding to localities for optical scan and other voting equipment and registrar costs. VACo also supports legislation to minimize or eliminate Split Voting Precincts. Additionally, VACo supports a streamlined process to address situations in which census boundaries do not align with locally drawn or commonly adhered to boundaries.

Ethics Reform

VACo supports common sense efforts to strengthen Virginia's public ethics and conflicts of interest laws that are applicable and practical at the local level.

Freedom of Information Act (FOIA)

VACo opposes changes to the Virginia Freedom of Information Act that would impose additional burdens on localities.

Grievance Hearings

VACo supports legislation authorizing localities to use an administrative hearing officer and existing grievance panels and procedures, and opposes the mandate of a three-member panel. VACo also supports providing immunity to local government employees, officers, volunteers, administrative hearing officers and panel members for claims arising out of participation in personnel grievance procedures.

646 **Interoperability**
647 VACo supports the state’s goal that agencies and their representatives at the local,
648 regional, state and federal levels be able to communicate using compatible
649 systems to respond more effectively during day-to-day operations and major
650 emergencies. Local governments require dedicated federal and state funding
651 sources to achieve this goal.

652
653 **Local Authority**
654 VACo supports relaxation of the Dillon Rule and legislation maintaining and
655 enhancing local authority and autonomy in matters including land use, revenue
656 measures, procurement and other issues of local concern. VACo supports
657 extending powers currently granted to some local governments to all local
658 governments. VACo opposes legislation that erodes local authority.

659
660 **Next Generation 9-1-1 (NG9-1-1)**
661 VACo supports the Commonwealth’s transition to Next Generation 9-1-1 (NG9-1-
662 1) in a way that does not unfairly burden localities, financially or otherwise.

663
664 **Pretrial Services**
665 VACo supports increased funding for and expansion of pretrial services.

666
667 **Public Notice, Public Hearing and Public Procurement**
668 VACo supports legislation to streamline required newspaper advertising for
669 public notices, public hearings and public procurement including legislation to
670 give localities the option to use electronic or other forms of notification as an
671 alternative to newspaper advertising.

672
673 **Public Safety – Body Worn Cameras**
674 VACo supports maintaining the ability of local governments to adopt policies and
675 practices regarding body worn cameras that reflect local needs and fiscal realities.

676
677 **Sovereign Immunity**
678 VACo opposes any substantive change in local governments’ present defense of
679 sovereign immunity. VACo opposes bringing counties under the Virginia Tort
680 Claims Act.

681
682 **State Assistance for Police Departments**
683 VACo supports increasing state assistance for police departments through “599”
684 Aid to Localities. This funding is designed to equalize state funding between
685 counties in which the sheriff department provides law enforcement and those
686 cities, counties and towns with a police department.

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HEALTH AND HUMAN RESOURCES

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Priority

Health and Human Resources Funding

VACo supports transparent state policies and funding to ensure the Commonwealth's at-risk families have access to high quality and appropriate services. The Commonwealth should provide full funding to localities and their state administrative entities for state-mandated human services and provide the necessary program flexibility to enable localities to provide comprehensive and case-tailored services.

Positions

Aging/Long-Term Care

VACo supports efforts that allow seniors to remain at home in a safe and secure environment. VACo urges the General Assembly to provide sufficient funding for companion services, in-home services, and home-delivered meals.

Behavioral Healthcare

VACo supports continued funding by the Commonwealth sufficient to allow Community Services Boards (CSBs) to meet adequately the charge of providing services through a community-based system of care. State support must adequately enable CSBs to provide the additional services mandated by the General Assembly to be phased in over the next several years, as well as any additional requirements that may be added, such as a requirement to provide behavioral health treatment in local and regional jails.

Any changes to CSB funding should involve meaningful consultation with localities as key funding partners in the behavioral health system. In addition to local contributions to CSBs, localities make significant commitments to behavioral health through support for services funded through the Children's Services Act and local spending on behavioral health care in local and regional jails, among other funding commitments.

Proposed changes to the funding structure, such as the creation of new funding formulae, should apply only to new funding. As an alternative, hold-harmless funds must be provided to those CSBs that would stand to lose state funding under any new funding structure.

VACo supports the ability of the Department of Behavioral Health and Developmental Services to waive local matching requirements for CSB funding for localities experiencing financial hardships.

Realignment of the behavioral health funding structure to incentivize community-based treatment rather than use of state hospitals will require additional state dollars and must not rely on local funding to backfill unanticipated costs for hospitalization.

736 VACo supports the creation of additional Medicaid waiver slots to serve
737 individuals with intellectual and developmental disabilities in the community,
738 approximately 13,000 of whom were on a wait-list as of August 2019.
739

740 **Children's Services Act**

741 VACo supports equitable cost-sharing between the state and localities for the
742 costs involved in the placements of children in residential treatment facilities for
743 non-educational reasons. VACo opposes proposals to limit state participation in
744 funding services for children and youth who are mandated to be provided with
745 special education and foster care services.

746 VACo supports enhancing the ability of local school divisions to serve
747 children with disabilities, to include flexibility in use of state pool funds to serve
748 children with high-level needs in local or regional programs tailored to meet
749 those needs, and additional support for special education wraparound services to
750 help support children in their communities.

751 VACo supports state assistance to localities with contracting for CSA
752 services to improve localities' ability to negotiate with providers of these services,
753 such as private day placements.
754

755 **Early Intervention**

756 VACo supports sustainable funding for Part C Early Intervention, which is an
757 entitlement program that provides services for Virginia's infants and toddlers.
758 VACo requests that the General Assembly continue to increase state general
759 funding to address growth in caseloads. Underfunding this entitlement program
760 puts pressure on local revenues to fill funding gaps for this mandated service.
761

762 **Emergency Medical Transportation**

763 VACo supports policies to protect consumers who require air ambulance services.
764 VACo opposes proposals that would add additional legal and administrative
765 burdens on local first responders regarding decisions about methods of
766 transportation in emergency situations.
767

768 **Foster Care**

769 VACo supports efforts to ensure that the state is prepared to meet the
770 requirements of the recently-enacted federal legislation governing federal
771 funding for children placed in foster care, to include preparing providers to meet
772 new standards required in the law. This legislation will allow federal
773 participation in prevention services that previously have been funded by state
774 and local dollars, but services must meet certain standards in order to qualify for
775 federal funding. VACo supports state assistance in recruiting appropriate foster
776 families to care for children who must be removed from their homes

777 VACo supports state assistance in recruiting and retaining child welfare
778 workers to address high rates of turnover in local departments of social services.
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Group Homes

VACo supports resources necessary for the state to enforce appropriate regulation of group homes, such as staff qualifications and the condition of the homes, to ensure the protection of residents' health and safety.

Healthcare

VACo supports continued state funding for dental care, school nurses and preventive services and maternal and child health programs offered through local health departments and local school systems. VACo encourages the state to prepare for emergency health services access to care and to develop and fund incentives that would alleviate the nursing shortages felt in many communities.

Human Trafficking

VACo supports treating survivors of human trafficking as victims, not criminals, and supports their access to services available to other trauma victims, such as job placement services, housing assistance, access to education, legal services, and mental health services.

Local EMS Involvement

VACo supports increased local involvement in state EMS planning to ensure statewide needs are met and to avoid imposing unnecessary barriers to volunteerism.

Prevention Services

VACo supports increased state general funding for community-based service programs. VACo recognizes programs such as Healthy Families, Comprehensive Health Investment Project (CHIP) of Virginia, Smart Beginnings, and Resource Mothers as important models and requests that the General Assembly provide additional funding for these home- and community-based activities. Investments in programs that ensure a strong start for children can help reduce the need for costlier interventions later in life.

Substance Abuse

Efforts to address substance dependency must be comprehensive and coordinated with localities. The state should develop and support evidence-based prevention initiatives and should continue to improve access to treatment.

Telehealth

VACo supports the use of electronic information and telecommunications technologies to support long-distance clinical health care, patient and professional health-related education, public health and health administration. Flexibility in the delivery of these services is essential in meeting the needs of residents.

TRANSPORTATION

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Priority

Transportation Funding

VACo supports expedited action to address the causes for declining growth in transportation revenues and to develop recommendations to grow revenue over time to meet increasing demands for new construction and maintenance for existing transportation infrastructure. Such action must address the secondary road needs of counties throughout the Commonwealth, as such funding has been vastly reduced over the past 10 years.

VACo supports changes to simplify the Smart Scale process for allocating transportation funds to reduce time and costs to prepare and review applications.

VACo supports adequate funding levels to maintain existing transit capital state match rates which are projected to decline starting in 2021 due to the depletion of transportation bonds.

In 2018 the legislature enacted a dedicated funding solution for Metro that came largely through reallocation of existing revenues, at the expense of other significant transportation projects throughout Northern Virginia. To address this issue, VACo supports continuing efforts to replace the regional funding that was redirected from the Northern Virginia Transportation Authority.

Positions

Local-State Cooperation

VACo is committed to the protection of local government authority to regulate land use. This authority must be recognized by Virginia Department of Transportation (VDOT) and the Commonwealth Transportation Board (CTB) when evaluations are conducted to determine the consistency between local transportation plans and the Commonwealth's transportation priorities. VACo also opposes the reduction of local control that is associated with the CTB's process of designating Corridors of Statewide Significance and the implementation of Arterial Preservation. Additionally, VACo supports additional flexibility within the VDOT project approval process and standards to be responsive to localities' individual needs. VACo supports the expansion of authority and discretion of Resident Administrators of VDOT to approve modifications to design standards where appropriate with local needs.

Devolution of Secondary Roads

VACo opposes legislative or administrative initiatives that would transfer to counties the responsibility for the construction, maintenance or operation of new and existing roads.

Highway Tolls

VACo opposes the installation of toll facilities on Virginia's interstate highways until the Commonwealth Transportation Board has thoroughly reviewed and

875 assessed the components of a long-term capital improvement program, has
876 identified and compared all available funding alternatives and has adopted a
877 proposal that matches capital improvements with realistically available funding
878 sources.

879
880 **Maintenance Priorities**
881 VACo supports a requirement imposed upon VDOT to implement a notification
882 plan with the local governing body to establish maintenance priorities.

883
884 **Orphaned Drainage Outfalls**
885 VACo supports that VDOT and Department of Environmental Quality (DEQ)
886 provide a report to the General Assembly on the scope of drainage outfalls with
887 no assigned maintaining entity across the Commonwealth and recommend
888 solutions that carry out existing statute.

889
890 **Parking**
891 VACo supports general authority for counties to adopt ordinances regulating,
892 including prohibiting, the parking of boats, RVs, utility trailers, campers, etc. on
893 subdivision streets. In addition, VACo supports additional authority that would
894 allow localities with parking ordinances the ability to enforce such ordinances
895 using law enforcement, uniformed local employees, or uniformed personnel
896 under contract with the locality.

897
898 **Peer-to-Peer Vehicle Rentals**
899 All Vehicles, regardless of ownership, that are rented through online platforms
900 should be subject to the current rental car taxes allocated to state and local funds.

901
902 **Rail Enhancement Fund**
903 VACo supports authority for counties to approve Rail Enhancement Fund
904 projects funded by the state and constructed within their jurisdictions.

905
906 **Railway Crossings**
907 VACo supports efforts to safely improve mobility issues on roads that cross
908 railway lines.

909
910 **Truck Size and Weight**
911 VACo opposes any legislation that seeks to increase truck size or weight beyond
912 the current federal standards, thereby stressing the capacity of the
913 Commonwealth's road systems and putting highways, roads and bridges at risk of
914 increased damage or deterioration.

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J. Vaden Hunt, Esq.

From: Ronald Searce
Sent: Friday, January 10, 2020 2:04 PM
To: J. Vaden Hunt, Esq.
Subject: Fw: Solid Waste Fee

Vaden,

Can we add a discussion of Virginia General Statute 58.1-3340 concerning a purchaser of real estate and their responsibility to pay any past due levies or taxes? I would like county staff and Mr. Shorter to weigh in on this considering Mr. McClanahan is having an issue with paying a past due garbage fee for property he acquired last year. Thanks.

Ron

From: Richard Hicks
Sent: Thursday, December 19, 2019 3:55 PM
To: 'glenn@networkinnovationsllc.com'
Cc: Ronald Searce; David M. Smitherman; J. Vaden Hunt, Esq.
Subject: Solid Waste Fee

Supervisor Searce asked that I respond to your email of November 26, 2019 regarding your questions on the solid waste fee. I apologize for not responding sooner, but I thought you had received a response from someone else. I have only been working in Virginia for just over 2 years, so I am not well versed in Virginia Tax Laws, so I reached out to Vincent Shorter, the Treasurer for Pittsylvania County for some help to answer your questions.

If I understand correctly, you were concerned about being billed for a past solid waste fee, that in your opinion should have been paid by the prior owner of the property, who is now deceased. Virginia General Statutes 58.1-3340 reads that it is the responsibility of the purchaser at the time of the sale to make sure that the proceeds be applied to the payment of taxes and levies assessed on real estate. If the prior owner does not pay the taxes or fees, that amount does become a lien on the property. Unfortunately, due to the prior owners failure to pay, the bill does fall upon the new owner. As Treasurer, it is Mr. Shorter's responsibility to use all measurable means to collect any prior liens on the property. For some reason, the State of Virginia does not require the settlement of back taxes or liens prior to closing. I worked in North Carolina, and it was required by law. I hope this provides some clarity to the reason you were billed and if you have any questions, please do not hesitate to call me. For your information, I have provided a copy of the pertinent section of the State Statute below.

§ 58.1-3340. Lien on real estate for taxes and levies assessed thereon; responsibility of purchaser or trustee at sale; lien on rents.

There shall be a lien on real estate for the payment of taxes and levies assessed thereon prior to any other lien or encumbrance. The lien shall continue to be such prior lien until actual payment shall have been made to the proper officer of the taxing authority. The purchaser at a sale, or trustee in the event of a foreclosure sale, shall cause the proceeds to be applied to the payment of all taxes and levies assessed on real estate. In the case of the purchase of a portion of a tract of land, the purchaser shall cause the proceeds to be applied to the payment of taxes and levies assessed on the entire tract, prorated in accordance with the relationship that the purchase price bears to the most recent assessed value of the entire tract. If the cost per acre of the purchased parcel is less than the assessed value per acre of the entire tract, or if, in the reasonable opinion of

the local commissioner of the revenue or other assessing officer, the purchase price is less than the fair market value of the purchased parcel, the local commissioner of the revenue or other assessing officer may require that an appraisal, prepared by a state-certified or state-licensed appraiser, of the purchased parcel be provided, and in such event the proration shall be made in accordance with the relationship that the greater of (i) the appraised value of the purchased parcel or (ii) the purchase price bears to the most recent assessed value of the entire tract. In the event a proration is necessary, the purchaser's portion of such tract of land shall be relieved of such lien to the extent the proceeds exceed the purchaser's pro rata share of taxes. It shall be the responsibility of the treasurer or other proper officer of the taxing authority to cause the release of the lien. The seller's liability for taxes and levies shall be effectively prorated contractually. The words "taxes" and "levies" as used in this section include the penalties and interest accruing on such taxes and levies in pursuance of law. The lien imposed hereby shall, in addition to existing remedies for the collection of taxes and levies, be enforceable by suit in equity under the provisions of Article 4 (§ 58.1-3965 et seq.) of Chapter 39.

There shall be a further lien upon the rents of such real estate whether the same be in money or in kind, for taxes of the current year.

Code 1950, §§ 58-762, 58-1023; 1973, c. 467; 1979, c. 12; 1984, c. 675; 1994, c. 386; 1995, c. 143; 2010, c. 417.

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