

LURAY TOWN COUNCIL
September 10, 2018 - 7:00 p.m.

MEETING AGENDA

- | | |
|--|------------------|
| I. CALL TO ORDER & PLEDGE ALLEGIANCE TO THE U.S. FLAG | Mayor Presgraves |
| II. ROLL CALL | Danielle Babb |
| III. CONSENT AGENDA | Mayor Presgraves |
| IV. GENERAL CITIZEN COMMENTS (other than agenda items) | |
| V. PRESENTATIONS | |
| A) Rod Graves – Proposal for Solar Field in Page County | Rod Graves |
| VI. PUBLIC HEARINGS | |
| A) SUP 18-6 – 104 High St – Lodging House Operations | Steve Burke |
| B) USDA Rural Development Sewer Improvements Loan | Bryan Chrisman |
| VII. DEPARTMENTS, TOWN BOARDS AND COMMISSIONS | |
| A) Luray Downtown Initiative | Meredith Dees |
| B) West Main Street Bridge Project Update | Bryan Chrisman |
| VIII. ACTION & DISCUSSION ITEMS | |
| A) Town Economic Development Authority Representative | Steve Burke |
| B) Source Water Protection Plan | Steve Burke |
| C) Donation to Greenhill Cemetery Maintenance | Steve Burke |
| IX. OLD BUSINESS | |
| A) Draft Charter Amendment | Jason Botkins |
| X. TOWN ATTORNEY’S REPORT | Jason Botkins |
| XI. MAYOR’S ANNOUNCEMENTS | Mayor Presgraves |
| XII. RECESS (As needed) | Mayor Presgraves |
| XIII. CLOSED MEETING | Mayor Presgraves |
| A) Real Property Issues | |
| XIV. ADJOURN | |

Version Date: September 4, 2018 3:00 p.m.

Town of Luray
PO Box 629
45 East Main Street
Luray, VA 22835
www.townofluray.com
540.743.5511



Mayor

Barry Presgraves
150 Collins Avenue
Luray, VA 22835
Term: 2017-2020

Council Members

Leroy Lancaster
112 Reservoir Avenue
Luray, VA 22835
Term: 2017-2020

Joey Sours
525 Atkins Drive
Luray, VA 22835
Term: 2017-2020

Leah Pence
51 W Main Street
Luray, VA 22835
Term: 2017-2020

Jerry Schiro
142 Leaksville Road
Luray, VA 22835
Term: 2014-2018

Jerry Dofflemyer
295 Heritage Drive
Luray, VA 22835
Term: 2015-2018

Ronald Vickers
6 Lewis Street
Luray, VA 22835
Term: 2014-2018

Town Officials:

Town Manager – Steven Burke
Assistant Town Manager- Bryan Chrisman
Planning & Zoning – Brooke Newman
Town Clerk/ Treasurer- Mary Broyles
Deputy Town Clerk/ Treasurer- Danielle Babb
Chief of Police- Bow Cook
Superintendent of Public Works- Lynn Mathews
Parks & Recreation Director- Pat O'Brien

Commissions & Committees:

Luray Planning Commission
Luray-Page County Airport Commission
Luray Tree and Beautification Committee
Luray Board of Zoning Appeals
Luray Downtown Initiative
Luray-Page County Chamber of Commerce

I move to approve the following Consent Agenda (All items must be read):

CONSENT AGENDA

(A) Minutes of the Regular Council Meeting – 8-13-18

(B) Minutes of the Council Special Session – 8-28-18

(C) Accounts Payable checks totaling- \$ 180,928.44

*Financial Reports will be delayed until the completion of the audit.

Prepared By:

Mary F. Broyles, Treasurer

**A REGULAR MEETING OF
THE TOWN COUNCIL
OF
THE TOWN OF LURAY, VIRGINIA**

MONDAY, AUGUST 13, 2018

The Luray Town Council met in regular session on Monday, August 13, 2018, at 7:00 p.m. in the Luray Town Council Chambers located at 45 East Main Street, Luray, Virginia at which time there were present the following:

Presiding: Mayor Barry Presgraves

Council Present:

Ronald Vickers
Jerry Dofflemyer
Jerry Schiro
Leroy Lancaster
Joseph Sours
Leah Pence

Also Present:

Steve Burke, Town Manager
Bryan Chrisman, Assistant Town Manager
Jason Botkins, Town Attorney
Mary Broyles, Clerk-Treasurer
Danielle Babb, Deputy Clerk-Treasurer
Chief C.S. "Bow" Cook, Luray Police Department
Meredith Dees, Luray Downtown Initiative
William Huffman, Luray Downtown Initiative
Chasity Faison, Special Use Permit Applicant
Mike Uram, Stanley Town Council

A quorum being present, Mayor Presgraves declared the Council to be in session for the transaction of business. All present stood for a moment of silence. Councilman Sours led everyone in the United States Pledge of Allegiance.

CONSENT AGENDA

Motion: Councilman Vickers motioned to approve the Consent Agenda, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Consent Agenda

- (A) Minutes of the Regular Council Meeting – 7-9-18
- (B) Minutes of the Council Special Session – 7-24-18
- (C) Accounts Payable checks totaling- \$ 227,722.02

CITIZEN COMMENT

There were no citizens signed up to speak during the Citizen Comment Period.

PUBLIC HEARINGS

SUP- Manufactured Home in R3 District – 135 Bixlers Ferry Rd.

Town Manager, Steve Burke, presented the Public Hearing for a Special Use Permit request from Chasity Faison to install a manufactured single-family dwelling at 135 Bixlers Ferry Road. The Planning Commission has conducted their review and recommended approval with several conditions.

Mayor Presgraves opened the Public Hearing for citizen comment. With no one signed up to speak on the issue, the hearing was then closed.

Motion: Councilman Vickers motioned to approve the Special Use Permit request from Chasity Faison to install a manufactured home at 135 Bixlers Ferry Road, Tax Map No. 42A10-A-20A in compliance with Town Code Section 403.2 (e.) and that the approval be conditioned upon (1) the applicant must conform to required setbacks, (2) construction of an independent driveway connection to Bixlers Ferry Road for the lot, and (3) orient the structure entrance to the front yard of the lot. Motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Ms. Faison verified the property address with Town staff. Staff stated that the 911 assigned address is 135 Bixlers Ferry Road, Tax Map No. 42A10-A-20A. Councilman Schiro reminded that the approval of a Manufactured Home in the R3 District is only allowable under the Special Use Permit request and is not generally permissible.

DEPARTMENTS, TOWN BOARDS AND COMMISSIONS

Luray Downtown Initiative

Ms. Meredith Dees discussed the upcoming *Construction and Cocktails* Event and has provided Council members with tickets. The event will be held at the vacant lot between Liberty Tax and Shear Success on West Main Street, just above the construction area. She noted that the event will feature live music and food, proceeds from the fundraiser will be used to reinstate the Façade Improvement Program. Ms. Dees explained that by reinstating the Façade Program, LDI will be able to provide matching funds for improvements in the historic district. Ms. Dees reminded members of the email invitation they received regarding the Virginia Main Street visit with Matt Wagner. The meeting will be held in the Chamber of Commerce Board Room and Ms. Dees provided Council members with a print copy of the invitation. Lastly, Ms. Dees displayed the mock up banner for the light poles. The new banner will be the Fall choice

and will go up in September. Councilwoman Pence made a suggestion about the banner and Ms. Dees thanked her for the feedback.

West Main Street Bridge Project Update

Assistant Town Manager, Bryan Chrisman, updated Council members on the bridge work. He noted that demolition is about one-third complete and the contractor will begin removing the center of the bridge soon. He noted that weather conditions have been a factor, but the contractor is still ahead of schedule. Mr. Chrisman and Council discussed traffic issues and concerns. Council members discussed the display of a banner on the construction fence at the western end of the bridge.

ACTION & DISCUSSION ITEMS

Code Amendment – Section 58-17 Petit Larceny

Town Attorney, Jason Botkins, presented the amendment to Town Code Section 58-17 related to Petit Larceny. The amendment has been developed to reflect the increased value amount for Petit Larceny from \$200 to \$500 in accordance with State Code.

Motion: Councilman Dofflemyer moved to adopt the amendment to Town Code Section 58-17 as presented, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Planning Permit Applications

Town Manager, Steve Burke, presented the draft applications for various Planning Permits required by the Town. Staff recommended approval of the applications as presented.

Motion: Councilman Schiro moved to adopt the Planning Permit applications as presented, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Code Amendment- Section 2-177 Social Media

Mr. Steve Burke presented the Social Media Policy for adoption to the Town Code and codify the policy under Section 2-177. Mr. Burke stated that the Social Media Policy has been reviewed by Mr. Botkins, Town Attorney.

Motion: Councilman Sours motioned to adopt Town Code Section 2-177 related to Social Media as presented. Motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Additional Assessment for Electronic Summons System

Police Chief, Bow Cook, presented information regarding the Virginia Code Section 17.1-279.1 that allows for the assessment of an additional sum not to exceed \$5.00 as part of the costs in each criminal or

traffic case in the District or Circuit Courts that arise for the violation of any statute or ordinance. The assessments are to be transferred to the Town Treasurer and funds may only be used for the purchase of software, hardware, and other equipment for the implementation and maintenance of an electronic summons system. Chief Cook further explained that the Page County Sheriff's Department has received grant funding and is purchasing the module. The Town would need to purchase the mobile terminals for its vehicles. At this time, Chief Cook said that he is looking at purchasing four in-unit terminals.

Council members asked Mr. Botkins if they could act on this item this evening, or if a public hearing was required. Mr. Botkins stated that he could prepare the ordinance post-meeting and that a public hearing wouldn't be needed. Council members agreed to act on the adoption of the ordinance to allow for the additional assessment.

Motion: Councilman Schiro motioned to approve the amendment to Town Code adopting Virginia Code 17.1-279 allowing the additional \$5.00 assessment for electronic summons system as presented. Motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Source Water Protection Plan

Town Manager, Steve Burke, discussed the development of the Town's Source Water Protection Program. He explained that the draft plan is the recommendation of the Department of Health and Office of Drinking Water. The plan identifies the Town's water sources and opportunities to minimize the possibility of pollution of the sources. Council will be asked to consider this as an action item at the September meeting.

OLD BUSINESS

Draft Charter Amendment

Town Attorney, Jason Botkins, presented the draft Town Charter Amendment. The Council's packet for the evening contains the draft of the proposed charter amendment with updated language as necessary to conform with current requirements. Councilwoman Pence raised questions regarding Section 2.6 Nuisances in regards to blighted or derelict buildings or structures. Councilman Schiro discussed the code's reference to May elections, which should be changed to November. Councilwoman Pence suggested a change in the language of Section 3.2 from "November 2020" elections, to say "with the presidential election". Councilman Sours suggested a change in the verbiage of section 3.2 regarding the use of the term "remaining". Also, Council and Mr. Botkins discussed the Mayor's line item veto and language allowing Council to remove a fellow member. Mr. Botkins has previously noted that these two powers of the Mayor and Council are not typically found in updated charters. Members discussed keeping the language or removing it. Council members concurred to remove those sections as recommended by legal counsel.

Code Amendment – Section Special Events & Assemblies

Town Attorney, Jason Botkins, discussed the draft code amendments regarding Assemblies/Special Events and new Town Code Section 74-22 to establish new regulations and process for public events.

He noted the change suggested by Council has been included from the previous version to change to language from “days” to “business days” notice. Mr. Botkins noted that he is working with several localities to implement these permits and said that last year’s events in Charlottesville have prompted this process. Councilwoman Pence maintained that she would like to see it more clearly stated on the form that “no fees” will be incurred unless associated with the town’s fee schedule. Councilwoman Pence and Councilman Sours expressed concerns with legislating events on private property. Town Staff, along with Mr. Botkins, noted that the permit applies to public events on Town property or those which will impede Town property or public space. Council members discussed further review of the application language to reflect the use of the form.

EXECUTIVE SESSION

Real Property, Section 2.2-3711.A.3 (Real Property)

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of discussing matters relevant to Section 2.2-3711.A.3 regarding possible acquisition of real property for utility improvements and future development considerations.

Motion: Councilwoman Pence motioned to recess the regular meeting and to convene in executive session; Councilman seconded the motion with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. Approved 6-0

Motion: Councilman Schiro motioned to adjourn the closed session and to reconvene in open session; Councilman Sours seconded the motion with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. Approved 6-0

Mayor Presgraves asked members of Council to certify that to the best of their knowledge only matters covered under Section 2.2-3711.A.3 were heard, discussed, or considered during the closed session.

Motion: Councilman Schiro motioned to certify the closed session; Councilman Sours seconded the motion with the following members voting YEA: Mayor Presgraves, Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence.

ANNOUNCEMENTS/ ADJOURN

With no further business, the meeting was adjourned at 9:02 pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer

**MINUTES OF A TOWN COUNCIL
WORK SESSION MEETING
TOWN OF LURAY, VIRGINIA
Tuesday, August 28, 2018
5:30pm**

The Luray Town Council met in a Council Work Session on Tuesday, August 28, 2018 at 5:30 p.m. in the Luray Town Council Chambers located at 45 East Main Street, Luray, Virginia at which time there were present the following:

Presiding: Mayor Presgraves

Council Present: Ron Vickers
Jerry Dofflemyer
Jerry Schiro
Leroy Lancaster
Joseph Sours

Council Absent: Leah Pence

Others Present: Steven Burke, Town Manager
Chief C.S. "Bow" Cook
Mary Broyles, Clerk - Treasurer
Danielle Babb, Deputy Clerk Treasurer
Liz Lewis, Page County EDA
Sam McNeely, Green Hill Cemetery Board

Mayor Presgraves led members in the United States Pledge of Allegiance. The roll was called with Councilwoman Pence absent.

UPDATES & DISCUSSION ITEMS

Funding for Green Hill Cemetery Maintenance

Town Manager, Steve Burke, requested that Council consider a request of funding for mowing of the Green Hill Cemetery. Mr. Burke said that the cemetery board has requested assistance from the town regarding maintenance and that this will be an Action Item on the September Agenda. Councilman Vickers recalled previous discussions of donations to the non-profit organization. Council members also discussed representation on the board. Mr. Sam McNeely advised Council that appointment to the board is a lifetime term and this could cause an issue if the member were to leave their council seat. Mr. McNeely suggested a Council liaison to the cemetery board. Council members also

discussed that water service has been restored to the cemetery and is metered. Mr. McNeely thanked the Town Public Works for their prompt attention to this matter.

VML Conference Business Meeting-Voting Representative

Town Manager, Steve Burke, advised Council members that a Town representative needs to be appointed for the VML Conference Business Meeting. He noted that the Mayor will be unable to attend and another member who is attending should be appointed. Councilman Vickers, Sours, Schiro, and Dofflemyer are all scheduled to attend. Members agreed that they may not choose a voting representative. Mr. Burke advised that attendance at the meeting is not mandatory.

Town Charter Amendment Draft

Town Manager, Steve Burke, discussed the Town's draft Charter Amendment. He noted that Mr. Botkins has made the changes requested by Council at the last regular meeting. Mr. Burke said that Mr. Botkins will be in attendance at the September meeting should members have any questions before they take action. Councilman Schiro noted that all changes requested by Council have been captured.

EXECUTIVE SESSION

Relocation or Expansion of Business, Section 2.2-3711.A.5 (Prospective Business) Personnel or Appointees of a Public Body, Section 2.2-3711.A.1 (Appointment of EDA Town Representative) (Assignment and Resignation of Luray Parks Assistant Director)

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of discussing matters relevant to Section 2.2-3711.A.5 and 2.2-3711.A.1.

Motion: Councilman Schiro motioned that the Town Council convene and go into Closed Meeting for the purpose of discussion of a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business interest in locating or expanding its facilities in the community, as authorized by Section 2.2-3711 (A) (5) of the Code of Virginia; and for the purpose of discussion, consideration, or interviews of prospective candidates for appointment of any public body, the assignment and resignation of specific employees of any public body, as authorized by Section 2.2-3711 (A) (1) of the Code of Virginia. The subject matter is a prospective business or industry identified by the Page County Economic Development and Tourism Coordinator, the appointment of a Town representative to the Page County Economic Development Authority and the assignment and resignation of the Luray Parks and Recreation Assistant Director. Councilman Sours seconded the motion with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. Approved 5-0

Motion: Councilman Schiro motioned to adjourn the closed session and to reconvene in open session; Councilman Lancaster seconded the motion with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. Approved 5-0

Mayor Presgraves asked members of Council to certify that to the best of their knowledge only matters covered under Section 2.2-3711.A.5 and 2.2-3711.A.1 were heard, discussed, or considered during the closed session. **Motion:** Councilman Schiro motioned to certify the closed session; Councilman Lancaster seconded the motion with the following members voting YEA: Mayor Presgraves, Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours.

ANNOUNCEMENTS/ ADJOURN

Assistant Town Manager, Bryan Chrisman, gave Council members a brief update on the progress of the Memorial Drive Intersection project. He provided handouts for Council’s review that illustrated Phase I and II of the road closures. Phase I will be full closure of Memorial Drive for approximately 1-3 days. Phase II of the Project will last approximately thirty days and will result in partial closure with one-way traffic. Mr. Chrisman explained the detour routes and said that notices will be hand delivered to businesses and residents, as well as publicized in the newspaper.

Lastly, Mr. Chrisman provided a quick bridge update. He said that work continues and that the demolition is progressing. He noted that the project is on schedule and that more machinery is coming in the next week.

With no further business, Mayor Presgraves adjourned the Work Session of the Luray Town Council at approximately 6:50 p.m.

Mayor, Barry Presgraves

Deputy Clerk, Danielle Babb



Town of Luray, Virginia
Town Council Agenda Statement

Item No: VI - A

Meeting Date: September 10, 2018

Agenda Item: PUBLIC HEARING & COUNCIL CONSIDERATION
Item VI-A – SUP 18-6 104 High St – Lodging House Operation

Summary: Council is requested to conduct a public hearing to receive comment on a request from Jamison and Ruth Bradley for a Special Use Permit to operate a Lodging House at 104 High St (Tax Map 42A11-2-25&26). The property is zoned R-3 High-Density Residential with adjacent property similarly zoned.

A lodging house is commonly defined as a residential building, other than a hotel, motel or bed-and-breakfast home, where lodging is provided for compensation on a regular basis, pursuant to previous arrangements, but which is not open to the public or transient guests, for no longer than thirty (30) consecutive days. Meals may be provided to the residents in a central location; however, no provisions shall be made for cooking in individual rooms or units. The maximum number of guests shall be two per bedroom with on-site parking for all guests.

Staff recommend the following conditions be considered:

- 1) Occupancy of no more than six (6) guests at any one time;
- 2) Off-street parking is required for all guest vehicles;
- 3) One identification sign can be permitted on the property not exceeding four square feet on either side;
- 4) Meals if provided shall be served to only guests renting bedrooms in the dwelling; and
- 5) Obtain Town Business License; Transient occupancy tax and meals tax must be collected and remitted to the Town.

History: N/A

Suggested Motion: I move that Town Council approve the Special Use Permit request from Jamison and Ruth Bradley to operate a Lodging House at 104 High St (Tax Map 42A11-2-25&26) with the following conditions: 1) Occupancy of no more than six (6) guests at any one time; 2) Off-street parking is required for all guest vehicles – onsite improvements shall be made to meet required parking; 3) One identification sign can be permitted on the property not exceeding four square feet on either side; 4) Meals if provided shall be served to only guests renting bedrooms in the dwelling; and 5) Obtain a Town Business License; transient occupancy tax and meals tax must be collected and remitted to the Town.

Page County, Virginia

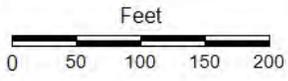
Legend

- Major Roads
- Roads
- Railroads
- Other Counties
- Parcels
- Shenandoah River
- Streams



Title: 104 High Street

Date: 8/10/2018



DISCLAIMER: THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressly or implied, but no limited to, the implied warranties of merchantability and fitness for a particular purpose. Site-specific information is obtained after an onsite visit by a competent professional. Please call Page County, VA for specialized products. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as Page County, VA expressly disclaims any liability for loss or damage arising from the use of said information by any third party. In addition use of Virginia Base Mapping Program (VBMP) statewide aerial photography requires the following disclaimer: "Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination."

TOWN OF LURAY

NOTICE OF PUBLIC HEARING

Luray Town Council

Special Use Permit Request

NOTICE is hereby given pursuant to § 15.2-2204 of the *Code of Virginia*, as amended, that Luray's Town Council shall hold a public hearing on **September 10, 2018 at 7 p.m.** The public hearing shall be conducted in the Luray Town Council Chambers located at 45 East Main Street in the Town of Luray, Virginia.

The purpose of the hearing is to receive public comments and to consider the following special use permit request presented by Jamison and Ruth Bradley:

The applicants, Jamison and Ruth Bradley, have requested a special use permit to operate a lodging house from an existing single-family dwelling. The dwelling is located in a "R3" (High Density Residential) zoning district and is allowable by special use permit.

The subject single-family house was purchased by Jamison and Ruth Bradley in 2011. It is roughly 3,033 square feet of floor area; containing four bedrooms, two full bathrooms and one-half bathroom. The applicants intend to utilize and rent three bedrooms and two full bathrooms. The subject parcel's address is 104 High Street and is further identified on Page County Tax Maps as 42A11-2-25 & 42A11-2-26.

Copies of the Town's zoning ordinance, and the Special Use Permit application, are available at the Town of Luray's Office, 45 East Main Street, Luray, Virginia. These items may be viewed between the hours of 8 a.m. and 5 p.m. Monday – Friday, and may also be found online at the town's website www.townofluray.com Questions may be directed to the Town by calling 540-743-5511, or by emailing bnewman@townofluray.com



Town of Luray, Virginia
Council Agenda Statement

Item No: VI
- B

Meeting Date: September 10, 2018

- Agenda Item:** PUBLIC HEARING & COUNCIL CONSIDERATION
Item VI-B – USDA Sewer System Improvements
- Summary:** Council is requested to received public input and consider authorizing an application for a USDA Rural Development loan for the sewer system improvement discussed at your February 12th meeting. The Town has identified approximately \$650,000 of improvements at the Wastewater Treatment Plant and approximately \$3,000,000 in sewer collection system improvements that will need to be completed soon to allow the Town to continue to collect and treat wastewater. A summary of the proposed improvements is included with this agenda.
- Council Review:** February 12, 2018 Council Meeting; June 26, 2018 Work Session
- Fiscal Impact:** Approximately \$4,000,000 (\$3,000,000 Collection System + \$650,000 WWTP + 10% Contingency)
- Suggested Motion:** I move that Town Council authorize the application for a USDA Rural Development loan for approximately \$4,000,000 of sewer system improvement. I further move that Town Council authorize the Mayor, Town Manager, and Assistant Town Manger to execute any documents associated with the application for this loan.

**Town of Luray
Page County, Virginia
Sanitary System Improvements Project**

Probable Construction Cost Estimate	=	\$3,957,000
Estimated Soft Costs	=	\$793,000
Estimated Total Project Costs	=	\$4,750,000
Weighted MHI Determination	=	\$47,341

USDA Rural Development:

Rate	Median Household Income	Interest	A/P Factor	Grant
Market	≥ \$53,493	3.50%	0.0469	0%
Intermediate	\$42,794 to \$53,493	2.75%	0.0416	≤ 45 %
Poverty	≤ \$42,794	2.125%	0.03745	≤ 75 %

USDA Rural Development Funding Scenario:

Loan (at 70%)	=	\$4,750,000.00	x	70%	=	\$3,325,000.00
Grant (at 30%)	=	\$4,750,000.00	x	30%	=	\$1,425,000.00

Rate Calculation Steps:

Step 1.	Loan Amount	x	A/P Factor	=	Minimum Loan Payment
Step 2.	Minimum Loan Payment	x	Debt Ratio	=	Loan Payment
Step 3.	Loan Payment	+	Change in O&M	=	Loan + O&M Change
Step 4.	Loan + O&M Change	+	R&R Payment	=	Additional Annual Revenue
Step 5.	Additional Annual Revenue	÷	Current Annual Revenue	=	Revenue Increase Factor
Step 6.	Revenue Increase Factor	x	100%	=	Percent Increase

Therefore:

Step 1.	\$3,325,000.00	x	0.0416	=	138,320.00
Step 2.	\$138,320.00	x	1.1	=	\$152,152.00
Step 3.	\$152,152.00	+	\$1,497.60	=	\$153,649.60
Step 4.	\$153,649.60	+	\$31,170.00	=	\$184,819.60
Step 5.	\$184,819.60	÷	\$1,108,470.00	=	0.1667
Step 6.	0.1667	x	100%	=	16.67%

Therefore Potential Rate Change:

Existing Tariff Levels	Existing Rate	Increase	Proposed Rate
Minimum Fee – Includes up to 1,000 gallons	\$32.97 / 1,000	16.67%	\$38.47 / 1,000
1,001 to 10,000 gallons	\$6.90 / 1,000	16.67%	\$8.05 / 1,000
10,001 to 25,000 gallons	\$7.04 / 1,000	16.67%	\$8.21 / 1,000
25,001 to 50,000 gallons	\$7.17 / 1,000	16.67%	\$8.37 / 1,000
50,001 to 100,000 gallons	\$7.31 / 1,000	16.67%	\$8.53 / 1,000
100,001 gallons and up	\$7.46 / 1,000	16.67%	\$8.70 / 1,000
Sewer Rates Outside of Town Corporate Limits	Above Rates + 50%	16.67%	Above Rates + 50%
Septage Tipping Fee	\$0.15 / 1,000	16.67%	\$0.18 / 1,000

**TOWN OF LURAY
SEWER SYSTEM IMPROVEMENTS PROJECT
PRELIMINARY PROBABLE CONSTRUCTION COST
ALTERNATIVE # 1**

Thrasher Project # 101-020-1566

January 2018

DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL COST
Existing Wastewater Treatment Plant Upgrades			
Bonds, Insurance, Bid Costs	1 LS@	\$20,000.00 /LS	\$20,000.00
Mobilization/Demobilization	1 LS@	\$50,000.00 /LS	\$50,000.00
Video Taping of Project Area	1 LS@	\$5,000.00 /LS	\$5,000.00
Sediment and Erosion Control	1 LS@	\$5,000.00 /LS	\$5,000.00
Site Work	1 LS@	\$50,000.00 /LS	\$50,000.00
Septage Receiving Station			
Septage Receiving Station Equipment	1 LS@	\$230,000.00 /LS	\$230,000.00
Billing System Software	1 LS@	\$20,000.00 /LS	\$20,000.00
Miscellaneous Piping	1 LS@	\$7,500.00 /LS	\$7,500.00
Tie-In to Existing Sanitary System	1 LS@	\$5,000.00 /LS	\$5,000.00
Concrete Pad and Curb	1 LS@	\$12,500.00 /LS	\$12,500.00
Self-Dumping Screenings Bin	1 LS@	\$32,500.00 /LS	\$32,500.00
Electrical and MCC Modifications	1 LS@	\$20,000.00 /LS	\$20,000.00
Influent Station Improvements			
Influent Vertical Screen Equipment	1 LS@	\$131,000.00 /LS	\$131,000.00
Electrical Installation	1 LS@	\$2,500.00 /LS	\$2,500.00
Oxidation Ditch Jet Pumps			
Pump Smart VFD w/Internal Flow Meter	5 EA @	\$6,750.00 /EA	\$33,750.00
Installation of Replacement Ductile Iron Impeller	5 EA @	\$4,250.00 /EA	\$21,250.00
Equipment Installation & Electrical Installation	1 LS@	\$5,000.00 /LS	\$5,000.00
		Sub Total	\$651,000.00
Collection System Improvements			
Bonds, Insurance, Bid Costs	1 LS@	\$58,000.00 /LS	\$58,000.00
Mobilization/Demobilization	1 LS@	\$15,000.00 /LS	\$15,000.00
Videotaping of Project Area	1 LS@	\$5,000.00 /LS	\$5,000.00
Dry Run Creek	1,260 LF@	\$199.00 /LF	\$250,740.00
Stoney Brook Lane Collector Main	1,455 LF@	\$184.00 /LF	\$267,720.00
Wallace Pump Station Rehabilitation	595 LF@	\$215.00 /LF	\$127,925.00
Pump Station Rehabilitation	1 LS@	\$140,000.00 /LS	\$140,000.00
East Main to Phase 1 Connector	1,975 LF@	\$212.00 /LF	\$418,700.00
New Dry Run Main	2,080 LF@	\$183.00 /LF	\$380,640.00
Pump Station Rehabilitation	1 LS@	\$175,000.00 /LS	\$175,000.00
Dry Run Pump Station to Power Line (Forcemain)	2,430 LF@	\$97.00 /LF	\$235,700.00
Dry Run to Hawksbill Creek (Forcemain & Gravity)	3,430 LF@	\$140.00 /LF	\$480,200.00
Dry Run to Hawksbill Creek (Forcemain)	3,430 LF@	\$114.00 /LF	\$391,000.00
		Sub Total	\$2,945,625.00
			\$3,596,625.00
Construction Sub-Total			\$359,662.50
Construction Contingency @ ±10%			
			\$3,956,287.50
CONSTRUCTION SUB-TOTAL			
		SAY	\$3,957,000.00

NOTICE OF INTENT TO APPLY FOR FUNDING AND NOTICE OF PUBLIC HEARING Town of Luray

The Town of Luray hereby provides notice that it intends to file an application for funding with USDA, Rural Development, for funding of a proposed Sewer Improvements Project, which consists of upgrades to sewage/septage receiving facilities, as well as aeration pumps at the Town's Wastewater Treatment Plant, along with improvements and additions to the East Luray sewer collection network and pump stations.

A public hearing on the proposed project will be held on **September 10, 2018 at 7:00 p.m.** Anyone requesting information on this project, or to offer comments, should attend this meeting, which will be held at the Town Council Chambers located at 45 East Main Street, Luray, Virginia 22835.



Town of Luray, Virginia
Council Agenda Statement

Item No: VIII - A

Meeting Date: September 10, 2018

- Agenda Item: COUNCIL CONSIDERATION
Item VIII-A – Economic Development Authority – Town Representative
- Summary: Council is requested to consider providing a recommendation to the Page County Board of Supervisors for the Town representative to the Economic Development Authority whose term expires January 31, 2019. The Town’s current representative has taken a position with Page County government that warrants appointment of a new representative.
- Council Review: August 28, 2018 Work Session
- Fiscal Impact: N/A
- Suggested Motion: I move that Town Council recommend appointing _____ as the Town’s representative on the Economic Development Authority to the Page County Board of Supervisors.



Town of Luray, Virginia
Council Agenda Statement

Item No: VIII-B

Meeting Date: September 10, 2018

Agenda Item: COUNCIL CONSIDERATION
Item VIII-B – Source Water Protection Program

Summary: As a provider of public water service, the Town has worked with the Virginia Department of Health Office of Drinking Water (VDH-ODW) and Tetra Tech to develop our Source Water Protection Plan (SWPP). The purpose of the SWPP is to protect groundwater. The plan identifies the Town's water sources and identifies opportunities to minimize the possibility of pollution of these sources. The plan includes efforts to minimize risk associated with improper use and disposal of household chemicals and fuels, lawn treatments, tank leakage, and improper management of septic systems.

Council Review: August 13th Council Meeting

Fiscal Impact: N/A

Suggested Motion: I move that Town Council adopt the Source Water Protection Program plan as presented.

Source Water Protection Plan

August 2018

For the Town of Luray
PWSID 2139330

Prepared by:



Funded by:



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Record of Review

The Source Water Protection Plan should be reviewed and revised at least every 3 years.

Date of Review	Name of Reviewer	Description of Updates (if any)
2002	VDH	Source Water Assessment Record
2018	Tetra Tech	Major Plan Creation

1. Statement of Adoption

Town of Luray adopted this Source Water Protection Plan and has a copy of the plan on file with the Virginia Department of Health Office of Drinking Water (VDH-ODW). The Town of Luray is the governmental entity that provides public water service within the Town in Page County. The service and assistance of the waterworks' representatives in preparation of the plan is acknowledged and greatly appreciated.

[VDH-ODW recommends inserting a copy of the page from Town Council/Board of Supervisors meeting minutes recording the adoption of the Source Water Protection Plan.]

2. Introduction

2.1. Protection of Groundwater Sources

Protection of sources which supply public drinking water is of vital importance to the residents of the Town of Luray. The Town, in this Plan, refers to the Town of Luray water system. The water supply represents a valuable resource and investment which, if it were to become polluted, could negatively impact public health and would be expensive to restore or replace. Reducing or preventing chemical and microbiological contamination of water sources can ideally allow public water systems to avoid costly treatments and minimize future monitoring requirements. When drinking water is contaminated, costs include the following:

- Providing emergency replacement water;
- Paying for treatment and/or remediation expenses;
- Finding and developing new supplies;
- Paying for consulting services and staff time;
- Litigating against responsible parties;
- Conducting public information campaigns when incidents occur;
- Failing to meet the regulations of the Safe Drinking Water Act;
- Reducing property value or tax revenue;
- Adding health-related costs from exposure to contaminated water;
- Economic impacts, such as interruptions to businesses and loss of development opportunities; and
- Losing community acceptance of treated drinking water.

Source Water Protection is a voluntary program in Virginia. Proposed source water protection strategies are not mandated by state or federal regulations. Proposed commitments and schedules by waterworks' representatives are subject to change.

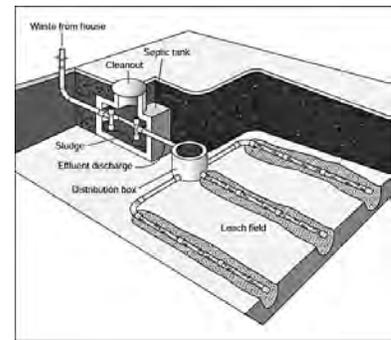
To avoid costly remediation, it is vital to reduce or prevent chemical and microbiological contamination of source waters. There are many normal day-to-day activities that could have the unintended consequence of compromising the community's drinking water supply. Some of the activities include:

- Improper use and disposal of household chemicals and fuels;
- Lawn treatments (excess fertilizers, and pesticides);
- Leaking oil and heating fuel tanks; and
- Improper management of septic systems.

To maintain quality drinking water, it is important to reduce and/or eliminate hazardous activities.

Groundwater can be contaminated by several different pathways:

- Infiltration from the surface;
- Leachate from onsite wastewater (septic) systems;
- Introduction of contaminants from the surface through improperly constructed or defective wells;
- Direct contamination through sink holes or other geologic features; or
- Dissolution of naturally-occurring substances in the soil or rock.



Septic Tank Schematic

Contaminant movement is affected by the properties of the aquifer as well as the overlying soils. Preventing contamination is paramount in keeping groundwater supplies safe.

2.2. Plan Purpose

The purpose of the Source Water Protection Plan (SWPP) is to protect groundwater, which serves as a source of public water supply, from the threat of contamination as a result of accidents or unwise practices from nearby residential, industrial, commercial, agricultural, waste management, or transportation activities.

2.3. Plan Goals

The goals of the SWPP are:

- To promote public health, economic development, and community infrastructure by maintaining an adequate drinking water supply for all residents of the community;
- To create an awareness of the communities' drinking water source(s); and
- To provide for a comprehensive action plan in case of an emergency affecting the water source.

3. Local Advisory Committee (LAC)

The purpose of the LAC is to evaluate the site-specific risks to the source water, develop site-specific recommended actions to mitigate the risks, and to ensure that the recommended actions are implemented. Community involvement is a critical element to developing a successful SWPP. The LAC involves the community in this process by incorporating community members and local officials into its membership, and by holding meetings with local stakeholders.

The LAC membership typically consists of waterworks employees, town or local government officials, county or regional government representatives, board members, and/or water customers. Extensive knowledge of source water protection or the water system components is not a prerequisite to being a committee member.

Table 1. Town of Luray Local Advisory Committee (LAC)

Name	Organization	Title
Joey Haddock	Town of Luray	Water Plant Superintendent
Steve Burke	Town of Luray	Town Manager
Bryan Chrisman	Town of Luray	Assistant Town Manager

The LAC contributes information to aid the development of the SWPP, reviews draft SWPPs, and ensures the implementation of recommended actions. The recommended actions that the LAC proposes are presented to the local officials and the waterworks for implementation.

The LAC holds meetings to solicit information from other local stakeholders, such as emergency response personnel, local health professionals, land or business owners, and other concerned citizens.

After reviewing the available information, characterizing the water source and the Source Water Protection Area, the LAC develops recommended actions to best protect the Town of Luray water source(s). The recommended actions developed by the LAC are listed in the following section.

4. Recommended Actions

The following source water protection measures are recommended to prevent potential contamination of the Town of Luray water supply.

Table 2. Summary of Recommended Implementation Activities

Action Number	Recommended Action	Planned Completion Date	Actual Completion Date
1	Promote education of the residents within the Source Water Protection Area (SWPA). Distribute brochures to customers via Town website describing the importance of source water protection and a list of general do's and don't's. See Appendix C for a brochure template.	12/2019	
2	Provide information about source water protection on the waterworks website at http://www.townofluray.com/water---waste-water.html by creating a link to the SWPP.	12/2018	
3	Monthly review with police chief the designated SWPA zone and appropriate response procedures. Such actions should include those recommended in the Emergency Response Plan in Appendix F	9/2018 Ongoing as needed	4/24/19
4	Provide the Town of Luray utility operators and the town council members source water protection information and maps.	12/2018	
5	Update the Town of Luray Comprehensive Plan to include source water protection.	12/2019	
6	Develop or revise a septic system ordinance requiring all septic systems shall be maintained in good working order and pumped out once every five years.	12/2019	
7	Create a scoring matrix to assign value to contaminants. Evaluate and rank the potential risk (from highest to lowest) of each of the Potential Sources of Contamination. Factors to consider are: <ul style="list-style-type: none"> • proximity to the source, • type of contaminants, and • likelihood of release of contamination. 	12/2019	
8	Encourage abandonment of all unused private wells within the SWPA by including well protection and abandonment tips in the SWPP educational brochure.	12/2019	
9	Report open dump locations to Page County staff to ensure planning for any grants applied for through VADEQs Litter Prevention Program.	Ongoing as needed	Completed 4/24/2018

Action Number	Recommended Action	Planned Completion Date	Actual Completion Date
10	Coordinate with the local police chief and Page County officials to identify strategies for containing and cleaning up spills on roads and rail roads.	12/2018	
11	Consider fencing vital wellhead areas to prevent graffiti, trash, and vandalism.		Completed 2009
12	Seek grant funding for security systems at the Hite Spring site	12/2019	

5. Source Water Assessment & Protection Areas

5.1. Delineation of Source Water Assessment & Protection Areas

VDH delineates two different Source Water Assessment Area zones for each waterworks source. These zones are defined for groundwater sources as follows:

- Zone 1 is a 1,000-foot fixed radius around the well and is a priority zone for managing potential sources of contamination; and
- Zone 2 is a one-mile (5,280-feet) fixed radius outside of Zone 1.

The circular Zone 1 and Zone 2 delineations described above assume that the source is withdrawing from a confined aquifer comprised of uniform unconsolidated material. For groundwater sources which do not withdraw from a confined aquifer, the VDH recommends further study to delineate Zone 1 and Zone 2 assessment areas specific to each source. The Zone 1 assessment area should be defined as the area most at risk of source water contamination and the Zone 2 assessment area should be defined as the entire recharge area.

For the purposes of this plan, the Source Water Protection Area (SWPA) is defined as the area encompassing the Zone 1 and Zone 2 Source Water Assessment Areas. A map of the SWPA for each source is provided in Appendix A.

The Town of Luray relies on the Hite Spring and Well #6 to supply water to residents. Hudson Spring has been offline since 2009 but is maintained in the event of an emergency during which it may serve as an alternate source. The two springs have been designated as highly susceptible to contamination by the VDH because they are “located in an area that promotes migration of contaminant from certain land use activities of concern”¹.

In the Town of Luray system, both Well #6 and the Hudson Spring are considered ground water under direct influence of surface water (GUDI). This designation is most commonly assigned to sources in areas of karst topography.² Waterworks supplied by surface water or ground water under direct influence of surface water have separate monitoring requirements from groundwater only sources in the Waterworks Regulations. These requirements are specific to the number of customer and treatment type. They include specifications on sampling location, frequency, and type. Some of the required samples concern the water characteristics quoted in the GUDI definition below.

According to VDH Waterworks Regulations 12 VAC 5-590-430 a GUDI is:

“any water beneath the surface of the ground with significant occurrence of insects or other macroorganisms, algae, or large-diameter pathogens such as *Giardia lamblia*, or *Cryptosporidium*. It also means significant and relatively rapid shifts in water characteristics

¹ <http://www.townofluray.com/assets/water-qualityreport-2016.pdf>

² <http://www.vdh.virginia.gov/drinking-water/drinking-water-data/>

such as turbidity, temperature, conductivity, or pH that closely correlate to climatological or surface water conditions³.”

Studies to determine Luray system recharge areas and time of travel may be especially beneficial to the system. It is recommended that, once completed, the Town of Luray use the results of these investigations to update Zone 1 and Zone 2 critical areas.

5.2. Geological Characterization

The Town of Luray water sources are in an unconsolidated aquifer. Unconsolidated aquifers are principally composed of sand and gravel and are typically found in river valleys and in the Virginia Coastal Plain physiographic province. These aquifers yield water via the pore spaces between the individual grains, which tend to be large for coarse-grained well-sorted aquifer material. Appendix A-3 contains geological maps.

The Town of Luray exists within the Elkton aquifer and the underlying carbonate bedrock is chemically weathered by water infiltration creating a karst environment. This is the only unconsolidated sediment aquifer west of the Atlantic Coastal Plain province in the Appalachian region. While karst topography is typically characterized by thin soil cover, the Luray bedrock is covered by thick alluvial fan deposits, alluvium, and some debris fan deposits along the western foot of the Blue Ridge Province. These alluvial fans contain manganese, iron ore, and abundant ground water resources (Southworth, 2009). The presence of karst sinkholes indicate water resources may be highly susceptible to land use contamination.

Luray is situated in an area where the Blue Ridge Province and Great Valley and Page Sections of the Valley and Ridge Province intermingle. Dashed contact lines in the USGS geologic map in Appendix A-3 indicate locations where these geologic units meet but are concealed beneath the alluvial deposits, so their precise location is uncertain.

The alluvial fan deposits, labeled Nf in the geologic map in Appendix A3, that occur in the majority of Luray land areas consist of unconsolidated sand, pebbles, cobbles and quartzite or sandstone boulders. Alluvial fan thickness is highly variable but has been measured in drill hole and mining data up to 150 meters thick. The deposits are derived primarily from Harpers and Anietam Formations (Southworth, 2009). The active Hite Spring and Well #6 are location in this geologic formation.

Debris fan deposits, Nd, consist of local rocks in a matrix of unstratified clay, silt, sand and pebbles. These deposits from fans and sheets on the low slopes and valleys. They may form terraces 36 meters higher than adjacent debris fans and range in thickness up to 30 meters (Southworth, 2009).

The Harpers formation, Cch, forms in a thin band along Luray’s southwestern border between the alluvial fan deposits, Nf, and a thicker alluvium, Qa, formation. It consists of interbedded layers of quartzite, metasandstone, and metasiltstone as well as greenish or bluish-gray quartz-

³ <https://law.lis.virginia.gov/admincode/title12/agency5/chapter590/section10/>

chlorite-sericite phyllite (Southworth, 2009). The alluvium contains unconsolidated silt, sand, cobbles, and boulders with a thickness up to 12 meters (Southworth, 2009). The currently inactive Hudson spring is in or directly adjacent to these formations. There are also two small sinkholes less than 50 square meters in diameter near this source.

There are small sections of Beekmantown Group, Ob, and Stonehenge Limestone, Os, Formations present in Luray. The former is characterized by light-grey dolostone containing chert nodules where the weathered surface displays “butcher block” cross hatched joints. The latter is characterized by a dark grey fossiliferous limestone with black chert modules. It contains some dolostone beds and silty limestone (Southworth, 2009).

The Town of Luray is not located in a Groundwater Management Area. Groundwater Management Areas are declared by Virginia Administrative Code 9VAC25-600-20 and managed by the Virginia Department of Environmental Quality. Wells in these areas are required to meet additional construction standards beyond the Virginia Waterworks Regulations. Withdrawals of 300,000 gallons per month or more in these areas require a groundwater withdrawal permit.

5.3. Land Use

An existing land use map for the SWPAs is presented in Appendix B-1. The Town of Luray water system consists of one active groundwater well, Well #6 given the state assigned identifier WL003; one active spring source, the Hite Spring; and one inactive spring source, the Hudson Spring. The two active sources are within one mile of each other.

Both primary Zone 1 protection areas for these sources are comprised of pasture and hay in addition to developed area of mixed intensity. A railroad transects both Zone 1 areas and East Main Street occurs within the Hite Spring Zone 1 area directly adjacent to the railroad. Their surrounding Zone 2 protection areas are predominantly comprised of the developed areas representing the Town. The offline source is maintained for emergency backup purposes and has similar land uses in both protection zones as the active sources. A major road, highway 360 business route, transects Zone 1 of the backup source.

5.4. Future Land Use

Future land use intentions are derived from the Page County Comprehensive Plan⁴ and the Luray Town Plan⁵. While Luray is a slow-growth community, the Town is sensitive to future growth needs. Focus is directed on encouraging residential growth in a manner that will protect the surrounding agricultural resources and prevent congested traffic patterns. The main goals include:

- Maintain a land use pattern that adequately accommodates future residential, commercial and industrial growth.

⁴ <https://www.pagecounty.virginia.gov/DocumentCenter/View/78>

⁵ <http://www.townofluray.com/assets/townplan-reduced.pdf>

- Encourage new developments in, or near, the Town to have “Town-like” attributes in terms of land use patterns and design.
- Provide a “clear edge” between the Town (urban), and County (rural) areas.
- Ensure that residential developments are connected to public water and sewer.

In addition to minor transportation improvements, Luray future land use includes developing the Hawksbill Greenway and the Ralph H. Dean recreational areas, extending the road adjacent to the Greenway to connect the elementary and middle schools, and establishing landscaping along this route to increase the aesthetic value of the developments. Maps indicating future land use and project designs are presented in Appendix B-2.

6. Potential Sources of Contamination (PSC)

VDH develops an inventory of PSCs within the SWPA through its Source Water Assessment Program. This inventory contains information regarding the ownership of the PSC, the types of contaminants produced by the PSC, as well as the distance of the PSC to the water source. This inventory is summarized in Appendix E.

The location maps of PSCs within the SWPA are presented in Appendix A. These PSCs include publicly available information from DEQ, VDH, EPA, and other sources. *[insert only in non-public version of SWPP: Information on these sources, as well as the sources of the map reference data, is available in Appendix E.]*

The risk of each PSC varies depending on proximity to the well and potential pathways to reach groundwater. The highest priority area for protection includes the activities within Zone 1 of the SWPA. Town of Luray should use the inventory of PSCs in Zone 1 in evaluating the risk posed by each PSC and the need for protection measures.

The PSCs generally can be categorized as:

- Railroad and Highways
- Closed Storage Tank Releases
- Pesticides, Fertilizers and Agricultural Land Uses
- Concentrated Residential or Municipal Areas
- Public and Private Waste Water
- Private Wells
- Industrial Facilities
- Impaired Streams

Closed storage tank releases are the most numerous PSCs in the Luray protection areas. Threats associated with above-ground storage tanks may be from historic or active facilities. If these tanks remain at historic sites, they may contain residual chemicals/oils that could contaminate the source if they were to leak or be swept into the river during a flooding event. For active facilities, above ground storage tanks potentially contain materials that if released would pose a risk to public health. The PSCs categorized as Closed Storage Tank Releases can correspond to other PSC types.

There are 13 facilities inside Zone 2 for the three Luray water sources and 1 in Zone 1 of the active well source subject to the Resource Conservation and Recovery Act (RCRA). RCRA is the public law that creates the framework for the proper management of hazardous and non-hazardous solid waste as well as underground storage tanks. The majority of RCRA sites in Town of Luray WHPAs concern medical or automotive industries. Some sites may require a Hazardous Waste Management Permit, meaning they are engaged in the treatment, use, or disposal of hazardous waste. Such facilities can be a source of a wide variety of contaminants depending on the historical use of the site.

The source assessment found record of 2 underground injection wells in the source water protection areas, one of which is used by the town near the active well site. In general,

depending upon the depth, injection wells within the SWPA can potentially contaminate the groundwater source. The record for the underground injection well in the SWPA was provided by the US Environmental Protection Agency (USEPA) Underground Injection Control Program.

Railroad tracks run very closely to the public water supply within Zone 1 at both active source sites. The possibility of collisions and leaks are high. An accident on the main line, or leaks from standing train cars may result in contamination of water resources, especially where there are several sections of side track along the main line.

Major highways run through the Zone 1 and Zone 2 SWPAs. Major routes may carry heavy truck traffic through the region. A release from a vehicle accident may result in a hazardous materials spill to occur. If a hazardous materials spill were to occur, the substance spilled could infiltrate into the ground or runoff into surface water and potentially contaminate the water supply.

Pesticides and fertilizers used for farm operations can migrate into the water supply. Areas used for disposal of animal waste or burying dead livestock can also cause contamination of the source water. Increased nutrient load from these sources in surface water, especially affecting the Hite Spring, may result in algal growth, including an associated cyanobacteria commonly referred to as "blue-green algae". Algal and bacterial presence may result in taste and odor issues. If stressed, cyanobacteria may also release cyanotoxins, chemicals that if consumed could severely impact human health. There are extensive agricultural areas in Zone 1 and 2 SWPAs for the Town of Luray system. Feed stores and home improvement stores that sell fertilizer and pesticides can be sources of contamination if these chemicals are not stored properly.

Luray water sources are located close to developed areas within town limits. Municipal areas have a concentration of homes, businesses, schools, industrial sites, and other facilities that may collectively introduce contaminants into water at a concentration to cause concern. Storm water runoff, care of public grounds, maintenance of city and county vehicles at garages, and residents' activities in and outside their homes can contribute to contamination of the water source: fertilizers, pesticides, oils, paints, cleaning agents, etc. The Page Memorial Hospital and Shenandoah Regional Microbiological Laboratory may pose contamination concerns due to the presence of Regulated Medical Waste (RMW).

There are public waste water systems located in and near the SWPA. Accidental releases may allow untreated waste water to contaminate the water resource. Failing private septic systems can leach into surrounding soils and potentially contaminate the source water especially given the known presence of soils with poor perk performance in the region which permits contaminants to travel greater distances.

Other potential conduits include offline wells and contaminated streams that may feed ground water resources. Dry Run impacts the Zone 1 protection area for both active sources and is impaired by stress to benthic-macroinvertebrates. Hawks Bill Creek impacts Zone 1 of the offline Hudson Spring and is impaired by *E. coli*. East Hawks Bill Creek passes through the

Zone 2 protection area for the Hudson Spring source and is impaired by stress to benthic-macroinvertebrates as well as *E. coli*⁶.

Identification of existing contamination sources may address immediate concerns about protection of the local water supply. To ensure that the supply remains uncontaminated, continual review of land use activities and identification of potential sources of contamination is necessary.

⁶ Virginia Department of Health Potential Sources of Contamination Inventory

7. Source Water Protection Plan

The SWPP describes the actions necessary to minimize the risk to the quality of the source water utilized by the Town of Luray. The goal of the plan is to reduce or eliminate potential threats to drinking water supplies within the SWPA either through existing regulatory or statutory controls, or by using non-regulatory (and often voluntary) measures centered around an involved public.

7.1. Existing Measures and Activities

Current measures in place for protecting the quality of water within the SWPA are:

- Fencing around all public water sources
- Regular monthly meetings with Town officials and local emergency management
- A recent Emergency Response Plan tailored for source water protection generated and updated by SEMS asset management software dated March 23, 2018.
- The Virginia Department of Health provided a Wellhead Protection Plan, with assistance from Olver, Inc., in June 2008 for the Town of Luray
- Annual Water Quality Report published on the Town website at <http://www.townofluray.com/water---waste-water.html>
- Yearly high school student water quality project participation, sampling, and results report published on the Town website at <http://www.townofluray.com/student-water-project.html>.

7.2. Source Water Protection Emergency Response Plan

The Town of Luray has an Emergency Response Plan generated by SEMS asset management software dated March 23, 2018. The Emergency Response Plan provides contact information and defines basic emergency response procedures to aid the waterworks in responding to a source water contamination event. *[Insert only in non-public version of SWPP: The Source Water Protection Emergency Response Plan is located in Appendix F]*

7.3. Public Education and Outreach

In order for citizens to appreciate the benefits of source water protection, they must first understand what the problems are in providing safe drinking water, and how they can become involved in the process. Public education is the greatest promoter of voluntary action and public support for a community's wellhead source water protection program.

Activities and opportunities should be sought that will increase public awareness that source water protection is a local issue and that each citizen plays a part. A public education brochure template is available in Appendix C. Some other examples of public education and outreach include providing information about source water protection on your waterworks website and Annual Water Quality Report, and installing signs along roads in high visibility locations near the designated boundary of the SWPA that state "Entering Town of Luray Water Protection Area".

For several years, the Town of Luray has partnered with Luray High School Honors students in Earth Science Agriculture and Ecology class. Students learn about water quality by utilizing testing equipment, collecting water samples in local streams, and charting test results based on water quality standards. Students learn, based on the test results, the appropriate uses for the sampled water and possible contributors to contamination. These results are provided in a report to the Town and published on the Town website at: <http://www.townofluray.com/student-water-project.html>.

The Town of Luray publishes an Annual Water Quality Report on the Town website at <http://www.townofluray.com/water---waste-water.html> and mails this report to water customers yearly.

7.4. Implementation and Funding

The initial step in implementation should be to discuss responsible parties and timelines to implement the strategies. Community members can determine the best process for completing activities within the projected time periods. Feasible source management strategies are addressed in the Recommended Actions Section of this Plan.

Numerous funding opportunities are available to aid communities in the implementation of source water protection initiatives. The following is a summary funding sources currently available to support source water protection in Virginia:

Litter Prevention and Recycling Grant Programs – Virginia Department of Environmental Quality

Funding type: grant

Description: This program coordinates annual competitive and non-competitive Litter Prevention and Recycling Grant Programs to support localities' recycling and litter prevention activities. Contact program staff at 804-698-4029 to determine what resources may be available to encourage cleanup and reporting of dump sites.

Link: <http://www.deq.virginia.gov/Programs/LandProtectionRevitalization/RecyclingandLitterPreventionPrograms/LitterPreventionandRecyclingGrantPrograms.aspx>

Wellhead Protection Implementation Projects Grants – Virginia Department of Health – Office of Drinking Water

Funding type: grant

Description: This program supports the implementation of wellhead protection projects including well abandonment, educational outreach, wellhead fencing, advancing ordinances, emergency response planning, hazardous waste collection, and protection area delineation. This program requires that the waterworks have a protection strategy in-place (i.e. Source Water Protection Plan) and an active source water protection committee.

Link: <http://www.vdh.virginia.gov/drinking-water/source-water-programs/source-water-protection-assistance-funding-opportunities/>

Drinking Water State Revolving Fund – Virginia Department of Health – Office of Drinking Water

Funding type: low interest loan with possible principal forgiveness

Description: This program provides planning funding, which could be used to analyze solutions to source water measures or evaluate potential new sources. This program also provides low interest loans with possible principal forgiveness for waterworks construction projects including new wells and intake modifications, and low interest loans for waterworks to acquire land or conservation easements and to establish local voluntary incentive-based source water protection measures. Funding is prioritized for small, financially stressed, community waterworks.

Link: <http://www.vdh.virginia.gov/drinking-water/financial-construction-assistance-programs/>

Nonpoint Source Management Implementation Grant Program – Virginia Department of Environmental Quality

Funding type: grant

Description: This program provides grants for watershed projects, demonstration and educational programs and nonpoint source pollution control program development.

Link: <http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/NonpointSourcePollutionManagement.aspx>

Virginia Wastewater Revolving Loan Fund – Virginia Department of Environmental Quality

Funding type: low interest loan

Description: This program provides low interest loans for acquisition of title or other rights to real property to protect or improve water quality, and for storm water runoff control best management practices.

Link: <http://www.deq.virginia.gov/Programs/Water/CleanWaterFinancingAssistance/VCWRLFTableofContents.aspx>

Virginia Clean Water Revolving Loan Fund – Virginia Department of Environmental Quality

Funding type: low interest loan

Description: This program primarily funds wastewater treatment projects, but also funds agricultural best management practices and non-point Source Pollution Abatement. This program can provide low interest loans to waterworks or localities to provide loans or other incentives to facilitate the implementation of agricultural best management practices.

Links:

Land conservation -

<http://www.deq.virginia.gov/Programs/Water/CleanWaterFinancingAssistance/LandConservation.aspx>

Stormwater -

<http://www.deq.virginia.gov/Programs/Water/CleanWaterFinancingAssistance/StormwaterFundingPrograms/StormwaterLoans.aspx>

Stormwater Local Assistance Fund – Virginia Department of Environmental Quality

Funding type: cost-share

Description: This fund provides matching grants for stormwater projects including new stormwater best management practices, stormwater best management practice retrofits, stream restoration, low impact development projects, buffer restorations, pond retrofits, and wetlands restoration.

Link: [http://www.deq.virginia.gov/Programs/Water/CleanWaterFinancingAssistance/StormwaterFundingPrograms/StormwaterLocalAssistanceFund\(SLAF\).aspx](http://www.deq.virginia.gov/Programs/Water/CleanWaterFinancingAssistance/StormwaterFundingPrograms/StormwaterLocalAssistanceFund(SLAF).aspx)

Virginia Land Conservation Foundation – Virginia Department of Conservation and Recreation

Funding type: grant

Description: Grants are awarded to help fund the purchase of permanent conservation easements, open spaces and parklands, lands of historic or cultural significance, farmlands and forests, and natural areas. This program may allow public waterworks to permanently protect land in the SWPA at little cost to the waterworks.

Link: <http://www.dcr.virginia.gov/virginia-land-conservation-foundation/>

The Land and Water Conservation Fund State and Local Assistance Program – Virginia Department of Conservation and Recreation

Funding type: cost-share

Description: This program supports the acquisition and/or development of public outdoor recreation areas. This may aid utilities in purchasing land in the SWPA when the source water protection goals do not conflict with the recreational use of the land. It should be noted that all LWCF assisted areas must be maintained and opened, in perpetuity, as public outdoor recreation areas.

Link: <http://www.dcr.virginia.gov/recreational-planning/grants>

Other Virginia Department of Forestry funding programs –

VDF administers a number of programs aimed at promoting healthy forests and wildlife habitat that may help waterworks to limit erosion on land that they control within the SWPA. Additionally, VDF administers programs aimed at supporting agricultural best management practices. Waterworks can use these programs to promote Best Management Practices within their SWPA.

Link: <http://www.dof.virginia.gov/costshare/index.htm>

Urban Waters Small Grants Program – US Environmental Protection Agency

Funding type: grant

Description: This program provides small grants to restore their urban waters in ways that also benefit community and economic revitalization. In general, projects should address local water quality issues related to urban runoff pollution, provide additional community benefits, actively engage underserved communities; and foster partnership

Link: <https://www.epa.gov/urbanwaters/urban-waters-small-grants>

Healthy Watersheds Consortium Grant – U.S. Endowment for Forestry & Communities, Inc.

Funding type: grant

Description: This program provides grants to accelerate strategic protection of healthy, freshwater ecosystems and their watersheds. The primary focus for applicants should be protection and stewardship of the landscape that comprises the watershed, rather than restoration of degraded habitats or projects with a strictly water quality improvement outcome.

Link: <http://www.usendowment.org/healthywatersheds.html>

Regional Conservation Partnership Program – U.S. Department of Agriculture

Funding type: cost share

Description: This program provides funding to locally driven, public-private partnerships that improve the nation's water quality, combat drought, enhance soil health, support wildlife habitat and protect agricultural viability. The program connects partners with producers and private landowners to design and implement voluntary conservation solutions that benefit natural resources, agriculture, and the economy. Applicants must match or exceed the federal award with private or local funds.

Link: <https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/farmbill/rcpp/>

7.5. References

Southworth, Scott, Aleinikoff, J.N., Bailey, C.M., Burton, W.C., Crider, E.A., Hackley, P.C., Smoot, J.P., and Tollo, R.P., 2009, Geologic map of the Shenandoah National Park region Virginia: U.S. Geological Survey Open-File Report 2009–1153, 96 p., 1 plate, scale 1:100,000.

Appendix A-1: Source Water Protection Area Zone 1 Zone 1 Topographical Maps

Figures reflecting maps of the water sources have not been included in electronic format for security purposes. To view figures, contact the Town of Luray at (540) 743-5511.

Appendix A-2: Source Water Protection Area Zone 2 Topographical Maps

Figures reflecting maps of the water sources have not been included in electronic format for security purposes. To view figures, contact the Town of Luray at (540) 743-5511.

Appendix A-3: USGS Geological Map Excerpt

Figures reflecting maps of the water sources have not been included in electronic format for security purposes. To view figures, contact the Town of Luray at (540) 743-5511.

Excerpt from Southworth, et al. 2009 [Geologic Map of the Shenandoah National Park Region, Virginia](#). USGS Open-File Report 2009-1153.

Appendix A-4: Source Water Protection Geological Map

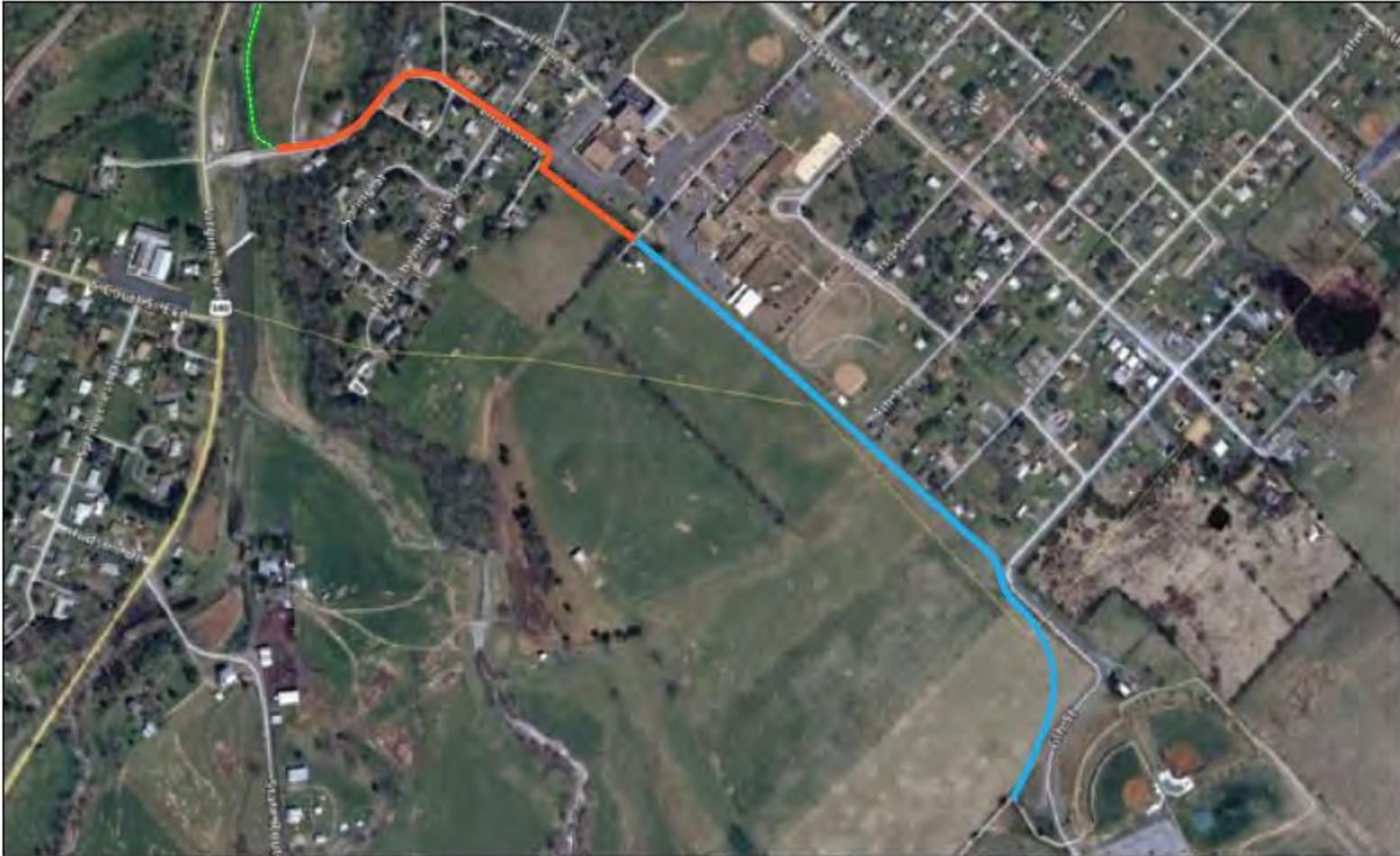
Figures reflecting maps of the water sources have not been included in electronic format for security purposes. To view figures, contact the Town of Luray at (540) 743-5511.

Appendix B-1: Source Water Protection Area Land Use Map

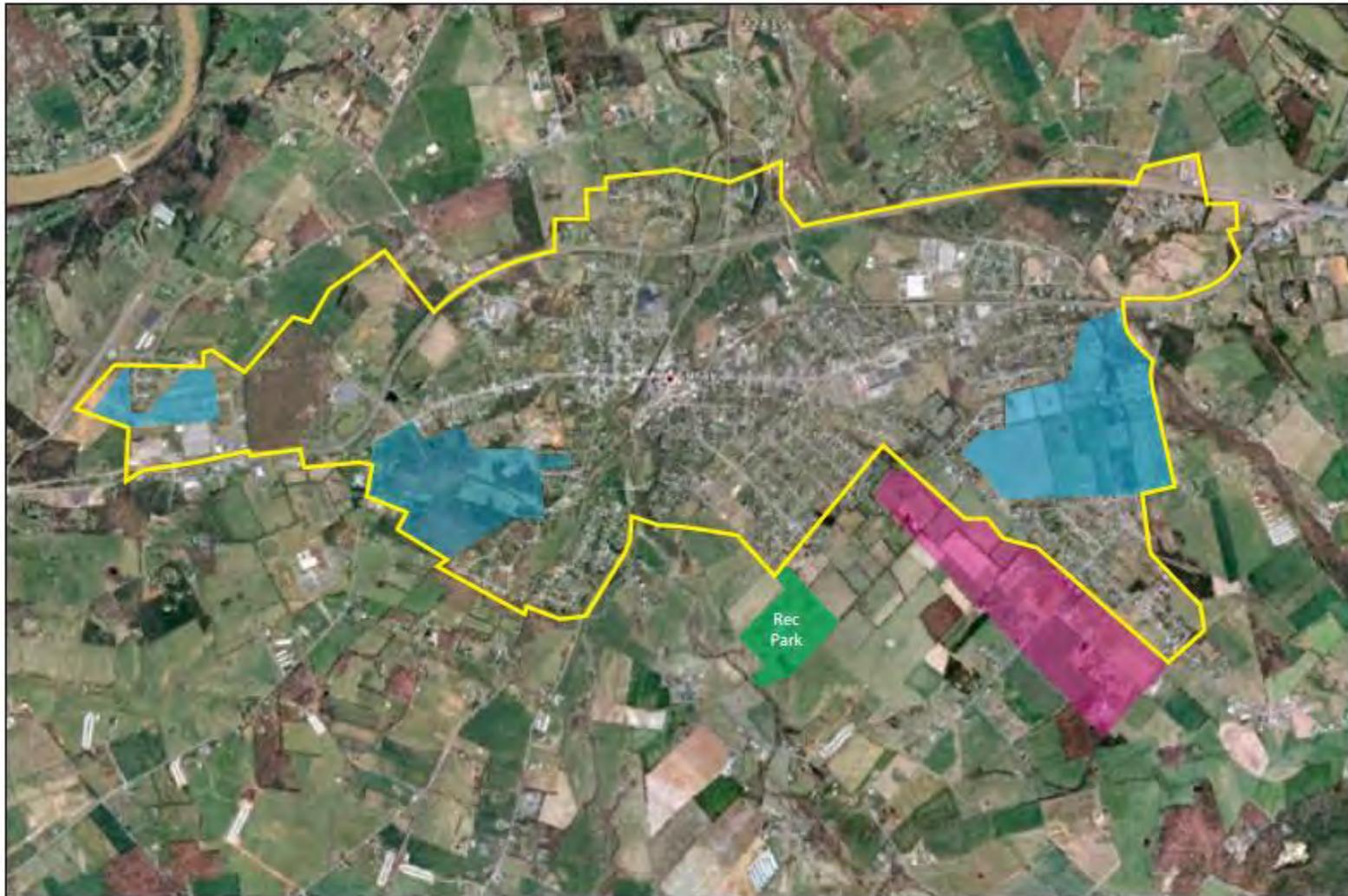
Figures reflecting maps of the water sources have not been included in electronic format for security purposes. To view figures, contact the Town of Luray at (540) 743-5511.

Appendix B-2: Source Water Protection Area Future Land Use Map *[Optional]*

Anticipated Greenway road improvements. The orange line represents Phase 5 connecting the elementary and middle schools. The blue line represents phase 6 connecting the schools with the Ralph Dean recreational area.



Anticipated future park and residential development around Luray as reflected in the 2013 Town Plan. The blue and pink areas represent locations in which Luray wishes to encourage residential growth.

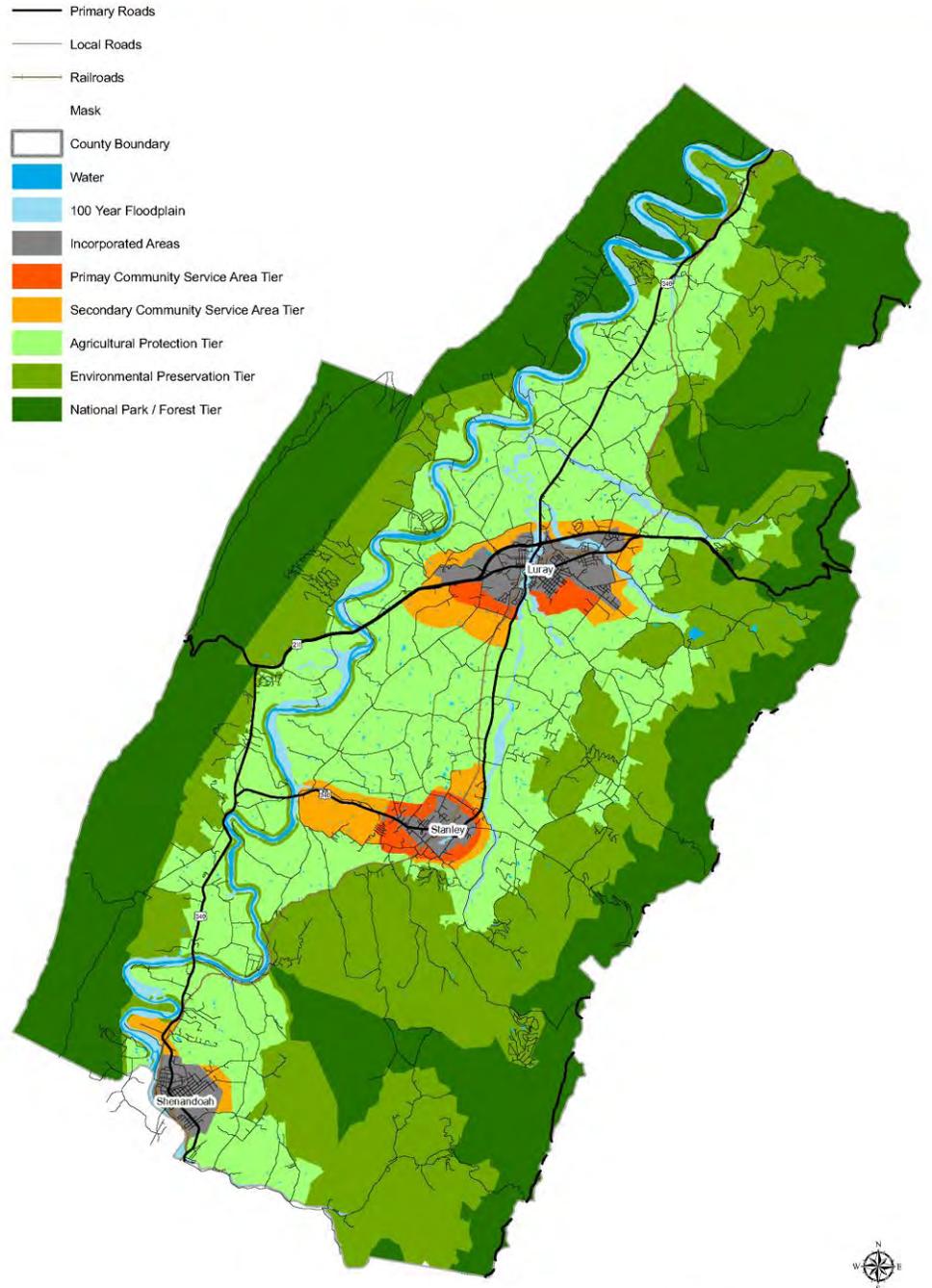


Existing Residential-Zoned Areas (Town)

Unincorporated Area (County)

Anticipated future land use around Luray as reflected in the 2013 Town Plan.

Exhibit 2 : Future Land Use



Map Document: (C:\Clients\Page County, VA\Maps\Geology.mxd)
11/14/2008 -- 1:11:22 PM



PLANNING WORKS

Please use this map as a guide and not as definitive information. The areas depicted by this map are approximate and are provided for illustrative purposes only. While every effort has been made to ensure the accuracy, completeness, correctness, and timeliness of information presented within this map, the burden for determining appropriateness for use rests solely with the user. This map is provided "as is" with no warranties, express or implied.

Appendix C: Residential Brochure Template

How To Protect Your Drinking Water

for residents of the [PWS Name] Source Water Protection Area



[Insert photo of Town Seal/Company Logo here]

For questions regarding the [PWS Name] Source Water Protection Plan, please contact:

Name, Title
Phone: 555-555-5555
Fax: 555-555-5555
E-mail: someone@example.com

How Can I Protect My Water?

- Never pour used motor oil or other hazardous waste materials onto the ground or in a storm drain. Find a proper disposal location at <http://earth911.com>.
- Don't flush unwanted medications. Find a drug collection location or event (https://www.deadiversion.usdoj.gov/drug_disposal) or place medications in a sealed container in the trash.
- Minimize the use of fertilizers, pesticides and herbicides on your lawn and farm.
- Join your local watershed organization.
- Learn about your drinking water supply and conserve water in your home.
- Pump your septic system every 3-5 years.
- Keep animals, including livestock and their waste, out of local streams.

Source: <http://www.ColumbiaRiverWSP.org>

Where Does My Drinking Water Come From?

Your drinking water comes from [surface water name and/or groundwater]. [include brief description of sources/system].

Why Should I Be Concerned?

The public water supply is a valuable resource that, if contaminated, would negatively impact public health and put a financial burden on the community to restore or replace. As the map below shows, your property is located within our source water protection area. As such, things you do on your property can adversely affect our water source!



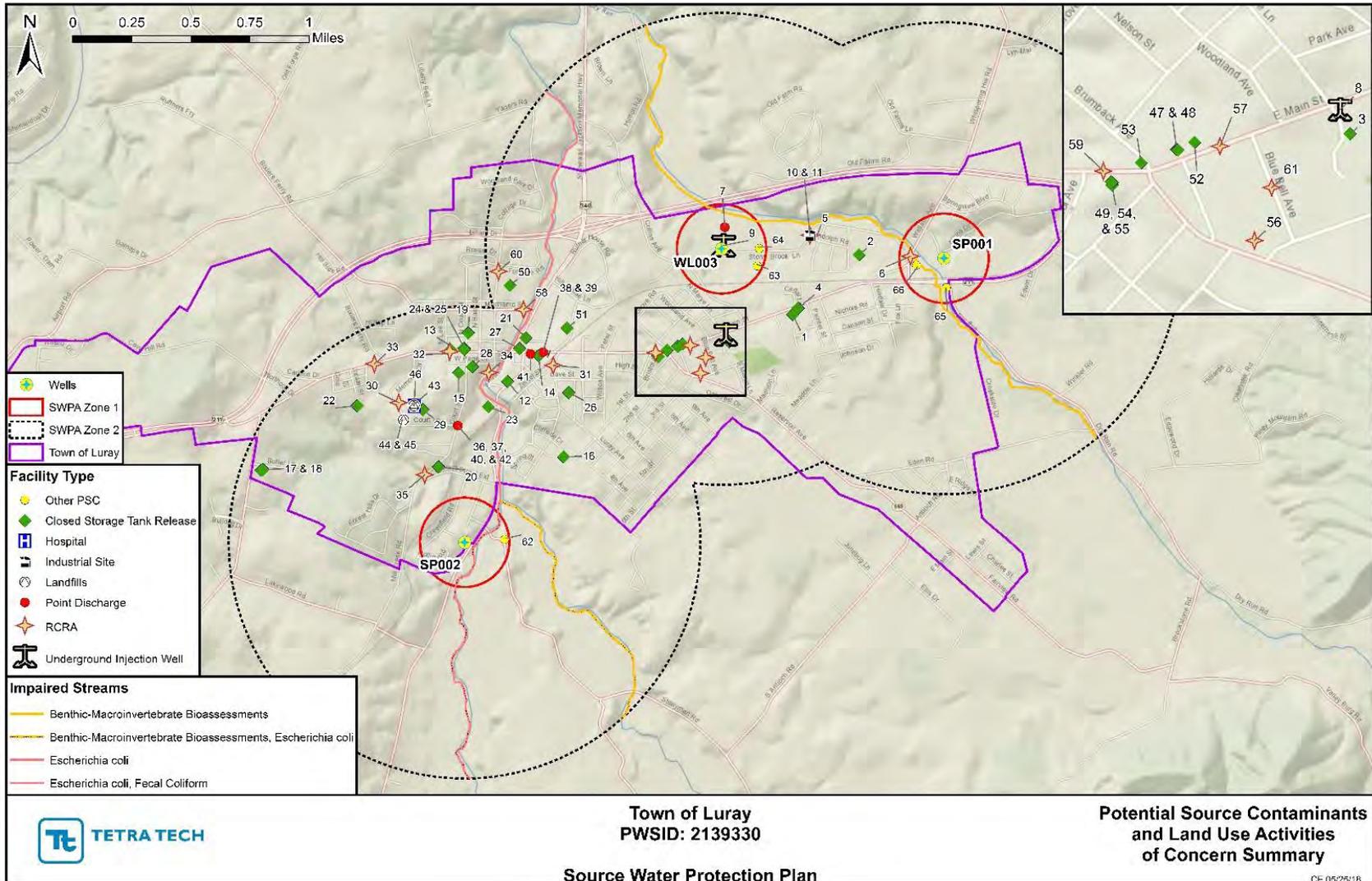
Insert photo of Zone I here

Appendix D: VDH ODW Field Office Construction Verification

PWSID	System Name	Source	Meets Construction Reqmts?
2139330	Town of Luray	Well # 6	Y

Data source: 5/11/2018 Email from Jess Tisinger, PE, VDH ODW LFO

Appendix E: Potential Sources of Contamination Inventory *[omit from public versions of the document]*



Town of Luray
PWSID: 2139330

Potential Source Contaminants
and Land Use Activities
of Concern Summary

Source Water Protection Plan

CE 05/25/18

The following table contains a summary of Potential Sources of Contamination occurring in or near Luray water protection zones

Luray PSC Types	Zone 1 PSC Count	Zone 2 PSC Count	Totals
Closed Storage Tank Release	0	31	31
Industrial site		2	2
Other PSC	5	0	5
Hospital	0	1	1
RMW Storage/Steam Sterilizer	0	3	3
Point Discharge	1	7	8
RCRA	1	13	14
Underground Injection Well	1	1	2

Risk Ranking Methodology for Individual PSCs

In 2005 the Virginia Department of Environmental Quality created a Wellhead Protection Plan guidance document. This document contained an inventory establishing the level of risk specific land uses pose to surface and groundwater sources. This resource was used to create a point value methodology for ranking individual PSC risk to source water and is included in Appendix H. Additional factors have been assigned point values and the tally of these points represent the Risk Ranking in the Individual PSC Details table within this Appendix below. The following table indicates risk categories and point values used to rank each PSC and possibly prioritize or gauge the necessity for future protection actions:

Risk Category		Point Value
Land Use Risk	High	4
	Medium	3
	Low	2
	X or Unranked	1
Proximity to Source	Zone 1	2
	Zone 2	1

The following table contains Individual PSC details for potential sources within Luray water protection zones

Town of Luray Water System PWSID: 2139330							
Map ID	Contaminant Type	Facility Type	Property Owner/Business Name	Mailing Address/Location	Zone 1	Zone 2	Risk Ranking
1	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Luray Tire Center	1128 E Main St Luray VA 22835		x	4
2	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Wallace Computer Services	10 Wallace Ave Luray VA 22835		x	4
3	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Wrangler/blue Bell	101 Blue Bell Avenue Luray VA 22835		x	4
4	Inorganics, SOCs, VOCs	Closed Storage Tank Release	P And J Tire	1338 E Main St Luray VA 22835		x	4
5	Site Specific	RCRA	O'SULLIVAN CORP.	31 STONEY BROOK LANE LURAY VA 22835-9066		x	2
6	Site Specific	RCRA	MOORE WALLACE USA INC	10 WALLACE AVE LURAY VA 22835	x		3
7	Site Specific	Point Discharge	LURAY WTP	LURAY INDUSTRIAL PRK LURAY VA 22835	x		5
8	Inorganics, Microbial, RADs, SOCs, VOCs	Underground Injection Well	VALLEY AUTO SALES	904 E MAIN ST LURAY VA 22835-		x	2
9	Inorganics, Microbial, RADs, SOCs, VOCs	Underground Injection Well	TOWN OF LURAY MUNICIPAL UTILITIES	45 EAST MAIN STREET LURAY VA 00000	x		3
10	Site Specific	Industrial Site	O'SULLIVAN CORP.	31 STONEY BROOK LANE LURAY VA 22835-9066		x	2
11	Site Specific	Industrial Site	EMCO ENTERPRISES INC	31 STONEYBROOK LANE LURAY VA 22835-9066		x	2
12	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Page Cooperative Farm Bureau	127 Big Oak Rd Luray VA 22835		x	4
13	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Centel Luray	18 Vogt Place Luray VA 22835		x	4

Town of Luray Water System PWSID: 2139330

Map ID	Contaminant Type	Facility Type	Property Owner/Business Name	Mailing Address/Location	Zone 1	Zone 2	Risk Ranking
14	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Mcconnell/Texaco	E Main St Luray VA 22835		x	4
15	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Judicial Complex	101 S Court St Luray VA 22835		x	4
16	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Luray High School	14 Luray Ave Luray VA 22835		x	4
17	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Page County Schoolbus Garage	LEAKSVILLE ROAD - RT 616 LURAY VA 22835		x	4
18	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Page County Schoolbus Garage	LEAKSVILLE ROAD - RT 616 LURAY VA 22835		x	4
19	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Wadsworth Residence	110 N Court St Luray VA 22835		x	4
20	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Holtzman Oil Luray Bulk Plant	191 South Court St Luray VA 22835		x	4
21	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Luray Motor Company	26 N Broad St Luray VA 22835		x	4
22	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Montvue Nursing Home	30 Montvue Drive Luray VA 22835		x	4
23	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Hershberger Bulk Plant	S Hawksbill St Luray VA 22835		x	4
24	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Judd Property	302 B West Main St Luray VA 22835		x	4
25	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Former Campbells Plumbing and Electric Company	300 W Main St Luray VA 22835		x	4
26	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Randy Arrington Residence	12 Blue Ridge Ave Luray VA 22835		x	4
27	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Knizewski Property	2 West Main St Luray VA 22835		x	4

Town of Luray Water System PWSID: 2139330

Map ID	Contaminant Type	Facility Type	Property Owner/Business Name	Mailing Address/Location	Zone 1	Zone 2	Risk Ranking
28	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Page County-Building Official Office	101 S Court St Luray VA 22835		x	4
29	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Page Memorial Hospital	200 Memorial Dr Luray VA 22835		x	4
30	Site Specific	RCRA	PAGE MEMORIAL HOSPITAL	200 MEMORIAL DR LURAY VA 228350000		x	2
31	Site Specific	RCRA	ATKINS AUTOMOTIVE CORP	22 ZERKEL ST LURAY VA 22835		x	2
32	Site Specific	RCRA	TURNERS BODY SHOP	320 W MAIN ST LURAY VA 22835		x	2
33	Site Specific	RCRA	MELVIN TUTT AUTO SALES	630 W MAIN ST LURAY VA 22835		x	2
34	Site Specific	RCRA	LURAY AUTO BODY	121 HAWKSBILL ST LURAY VA 22835		x	2
35	Site Specific	RCRA	HOLTZMAN OIL CORP - LURAY	191 SOUTH COURT ST LURAY VA 22835-1224		x	2
36	Site Specific	Point Discharge	SKYLAND STP	SKYLAND DEVELOPED AREA, SKYLIN LURAY VA 22835		x	2
37	Site Specific	Point Discharge	BIG MEADOWS	SKYLINE DRIVE, MILEPOST 51 LURAY VA 22835		x	2
38	Site Specific	Point Discharge	LURAY SEWAGE TREATMENT PLANT	45 EAST MAIN STREET LURAY VA 22835-1902		x	4
39	Site Specific	Point Discharge	LURAY SEWAGE TREATMENT PLANT	45 EAST MAIN STREET LURAY VA 22835-1902		x	4
40	Site Specific	Point Discharge	BIG MEADOWS	SKYLINE DRIVE, MILEPOST 51 LURAY VA 22835		x	2
41	Site Specific	Point Discharge	LOFT MOUNTAIN WAYSIDE	LOFT MOUNTAIN CAMPGROUND SKYL LURAY VA 22835		x	2

Town of Luray Water System PWSID: 2139330

Map ID	Contaminant Type	Facility Type	Property Owner/Business Name	Mailing Address/Location	Zone 1	Zone 2	Risk Ranking
42	Site Specific	Point Discharge	MATHEWS ARM STP	MATHEWS ARM CAMPGROUND, SKYLIN SKYLINE DRIVE VA 22835		x	2
43	Inorganics, Microbial, RADs, SOCs, VOCs	Hospital	Page Memorial Hospital	200 Memorial Drive Luray VA 22835		x	2
44	Inorganics, Microbial, SOCs, VOCs	RMW Steam Sterlizer [SW]	Shenandoah Regional Microbiological Laboratory (PBR128) -	77 Court Lane Luray VA 22835		x	5
45	Inorganics, Microbial, SOCs, VOCs	RMW Steam Sterlizer [SW]	Shenandoah Regional Microbiological Laboratory (PBR334) -	77 Court Lane Luray VA 22835		x	5
46	Inorganics, Microbial, SOCs, VOCs	RMW Storage Facility [SW]	Valley Health - Page Memorial Hospital (PBR333) -	200 Memorial Dr Luray VA 22835		x	5
47	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Mapco Express 4029	725 E Main St Luray VA 22835		x	4
48	Inorganics, SOCs, VOCs	Closed Storage Tank Release	East Coast #29	725 E Main St Luray VA 22835		x	4
49	Inorganics, SOCs, VOCs	Closed Storage Tank Release	7-Eleven #15904 - Luray	610 E Main St Luray VA 22835		x	4
50	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Wrangler - Luray	320 North Hawksbill Street Luray VA 22835		x	4
51	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Virginia Oak Tannery	Hill House Road Luray VA 22835		x	4
52	Inorganics, SOCs, VOCs	Closed Storage Tank Release	East End Texaco	717 E Main St Luray VA 22835		x	4
53	Inorganics, SOCs, VOCs	Closed Storage Tank Release	Former R & K Motors	633 E Main St Luray VA 22835		x	4

Town of Luray Water System PWSID: 2139330

Map ID	Contaminant Type	Facility Type	Property Owner/Business Name	Mailing Address/Location	Zone 1	Zone 2	Risk Ranking
54	Inorganics, SOCs, VOCs	Closed Storage Tank Release	7-Eleven 15904	610 E Main St Luray VA 22835		x	4
55	Inorganics, SOCs, VOCs	Closed Storage Tank Release	7-Eleven Store 15904	610 E Main St Luray VA 22835		x	4
56	Site Specific	RCRA	BLUE RIDGE CLNRS	13 E LURAY SHOPPING CTR LURAY VA 22835		x	2
57	Site Specific	RCRA	EAST COAST OIL #29	725 E MAIN ST LURAY VA 22835		x	2
58	Site Specific	RCRA	POT ED CO BLUE RIDGE AREA THE	2 MECHANIC ST LURAY VA 22835		x	2
59	Site Specific	RCRA	7-ELEVEN #15904	610 EAST MAIN ST LURAY VA 22835-2052		x	2
60	Site Specific	RCRA	WRANGLER	320 N HAWKSBILL ST LURAY VA 22835		x	2
61	Site Specific	RCRA	WRANGLER INC	101 BLUE BELL AVENUE LURAY VA 22835-1656		x	2
62	Other PSC	Other PSC	Private Agriculture	215 State Rte 642, Luray, VA 22835	x		3
63	Other PSC	Other PSC	Andersen Storm Door Division Emco Enterprises	31 Stoney Brook Ln, Luray, VA 22835	x		3
64	Other PSC	Other PSC	Trailer Parking Lot	34 Stoney Brook Ln, Luray, VA 22835	x		3
65	Other PSC	Other PSC	Emmart Oil	1390 E Main St, Luray, VA 22835	x		3
66	Other PSC	Other PSC	Private Vehicle Storage	5 Wallace Ave, Luray, VA 22835	x		3

Appendix F: Source Water Protection Emergency Response Plan *[omit from public versions of the document]*

The Town of Luray has an Emergency Response Plan generated by SEMS asset management software dated March 23, 2018. This ERP has not been included in electronic format for security purposes.

Appendix G: Potential Conduits of Contamination Inventory *[omit from public version of the document]*

The Town of Luray and Page County have no formal record available documenting potential conduits of contamination. Town officials indicate there are very few private wells within Town limits.

Appendix H: Virginia Source Water Assessment Program Land Use Risk to Source Water

Virginia Source Water Assessment Program Land Use Risk to Source Water

Table 1
LAND USE ACTIVITY INVENTORY
(Community and Nontransient Noncommunity Waterworks)

CLASSIFICATION	CONTAMINANT	SURFACE WATER RISK	GROUND WATER RISK	NAICS CODE
Residential/Commercial				
Fuel Storage Systems [ground water only]	V	X	medium	814110
On-site sewage system [ground water only]	M, N	X	medium	814110
Agriculture				
Chemical/fuel storage areas	V, S, N	low	medium	111, 112
Crop and fodder production	S, N	low	medium	111
Specialty crop production/nursery (e.g. horticulture, citrus, nuts, fruits)	S, N	low	medium	112
Livestock/poultry				112
Pasture (grazing)	M, N	medium	low	112
Intensive animal feeding operations				112
Confined animal feeding operations (permitted)	M, N	high	high	112
Confined animal feeding operations (non-permitted)	M, N	high	high	112
Aquaculture	M, N	low	medium	11251
Animal burial areas	M, N	low	medium	112
Manure holding or spreading	M, N	medium	medium	112
Other				
Industrial/Commercial [Dry and Discharging]				
Above ground storage tank (> 660 gallons) excluding potable water and petroleum	V, S, N	medium	medium	
Animal Slaughtering or Processing	M, N	low	medium	311
Asphalt Plants	V, S, N	low	medium	32412
Car Wash	V	low	low	811192
Cemetery [ground water only]	M, N, S	X	low	812220
Coal Gasification Facility	V	low	medium	324199
Dry Cleaning Establishment	V	low	medium	812320
Electrical and Electronic Product Manufacturing	I, V	low	medium	335310, 334410
Electroplating/Metal Finishing	I, V	low	medium	332813
Fertilizer/Manufacturer/Distributor/Storage	N, S	medium	medium	325, 422
Fire Training Facilities	V	low	medium	922160
Food Processing	M, N	low	low	311
Funeral Home/Mortuary	M, V	low	low	812210
Furniture/Boat Refinish (Boat Yards)	V, S, N	medium	medium	811420, 336612
Gasoline Station/Service Center	V, S, N	low	medium	447100
Golf Course	N, S	low	medium	713910
Hazardous Waste Recovery Facility	V, S, R, M	high	high	562211
Hazardous Waste Transfer, Storage or Disposal	V, S, R, M	high	high	562
Hospital	V, S, R, M	low	medium	622110
Laboratories	V, S, R, M	low	medium	541380, 621510
Machine Shops	V	low	medium	332710
Marina [Surface Only]	M, V, S	medium	X	713930
Military Base	V, S, R, M	high	high	928110
Oil & Gas Production (Refining)/Storage/Pipelines	V	medium	medium	324110, 422710, 486910
Paint Shop	V	low	medium	811121
Pesticide/Herbicide Manufacturer/Distributor/Storage	S	medium	medium	325320, 422690, 422910,
Photo Processor/Printer	I	low	medium	812290
Pipeline / Powerline Right of Way	S	low	low	486910, 221120
Plastic Manufacturer	V, S	low	medium	326100, 325211
Power Generation Station	S	medium	low	221110
Scrap and Junk Yards	V, I	low	medium	421930
Solid Waste Collection/Transfer Site	V, S, M, I	low	low	562111
Superfund Site	V, S, R, M, I	high	high	562211
Underground Injection Well [groundwater only]	V, S, R, M, I	X	high	562
Underground Storage Tanks [excluding potable water][groundwater only]	V	X	medium	
Underground Storage Tanks [leaking][regulated][groundwater]	V	X	high	
Wood Preservative Manufacturer/Wood Preserver	S	low	medium	321114
Other				
Wastewater Facilities				
Combined Sewer Overflow/Discharge	M, N, V, S	high	low	22132
Septage Lagoon	M, N	medium	medium	22132

Table 1
LAND USE ACTIVITY INVENTORY Continued
 (Community and Nontransient Noncommunity Waterworks)

CLASSIFICATION	CONTAMINANT	SURFACE WATER RISK	GROUND WATER RISK	NAICS CODE
Sewer Lines (Surface-crossing and adjacent lines only) [surface water only]	M, N	High	X	22132
Storm Sewer Discharges and Stormwater infiltration ponds	V, N, S	Medium	low	22132
Untreated Piped Discharge [straight pipe]	M, N	High	low	22132
Wastewater Pump Station	M, N, V	High	low	22132
Wastewater Treatment Facility [point source discharge]	M, N, V	Medium	low	22132
Wastewater Treatment Nondischarging lagoon/mass drainfield	M, N, V	Low	medium	22132
Land Disposal				
Biosolids	M, N, I	low	low	111, 112
Industrial Sludge	M, N, I, S, V	low	low	562
Landfill (Lined)	M, N, V, S	low	medium	562212
Landfill (Unlined)	M, N, V, S	low	high	562212
Open Dump	M, N, V, S	low	High	5622
Septage	M, N	medium	Medium	111, 112, 562
Tire Pile	V	high	High	5622
Wastewater	M, N	medium	Medium	22132
Other				
Resource Extraction				
Coal	V	low	Low	21211
Oil + Gas	V	medium	Medium	211
Sand, Gravel, Limestone	V	low	Low	2123
Other				
Transportation				
Airport	V	low	Medium	422720
Parking Lots	V	low	Low	814
Primary Roadways	V, S, N, M, R	medium	Low	48
Railroad Tracks and Yards	V, S, N, M, R	medium	Low	482110
Salt Storage Sites	I	low	Low	48
Truck Terminals	V, S, N, M, R	medium	Medium	484
Special Cases (specifically identified as a significant source of contaminants)				
Barge and Vessel Traffic for surface sources		high	X	483211
Caves/Sinkholes for surface sources			X	

"x" – does not mean no risk

M = microbiological
 N = nitrate/nitrite
 V = volatile organic chemicals
 S = synthetic organic chemicals
 I = inorganic chemicals
 R = radiological contaminants

(NOT all inclusive)

Table 2
 LAND USE ACTIVITY INVENTORY
 (Transient Noncommunity Waterworks)

CLASSIFICATION	CONTAMINANT	SURFACE WATER RISK	GROUND WATER RISK	NAICS CODE
Residential				
On-site sewage system [ground water only]	M, N	X	medium	814110
Agriculture				
Chemical/fuel storage areas	V, S, N	low	medium	111, 112
Crop and fodder production	S, N	low	medium	111
Specialty crop production/nursery (e.g. horticulture, citrus, nuts, fruits)	S, N	low	medium	111
Livestock/poultry				112
Pasture (grazing)	M, N	medium	low	112
Intensive animal feeding operations				112
Confined animal feeding operations (permitted)	M, N	high	high	112
Confined animal feeding operations (unpermitted)	M, N	high	high	112
Aquaculture	M, N	low	medium	11251
Animal burial areas	M, N	low	medium	112
Manure holding or spreading	M, N	medium	medium	112
Other				
Industrial/Commercial [Dry and Discharging]				
Above ground storage tank (> 660 gallons) excluding potable water and petroleum	V, S, N	medium	medium	
Animal Slaughtering or Processing	M, N	low	medium	311
Fertilizer/Manufacturer/Distributor/Storage	N, S	medium	medium	325310
Hospital	V, S, R, M	low	medium	622110
Laboratories	V, S, R, M	low	medium	541380, 621510
Marina [Surface Only]	M, V, S	medium	X	713930
Solid Waste Collection/Transfer Site	V, S, M, I	low	low	562111
Underground Injection Well [groundwater only]	V, S, R, M, I	X	high	562
Other				
Wastewater Facilities				
Combined Sewer Overflow/Discharge	M, N, V, S	high	low	22132
Septage Lagoon	M, N	medium	medium	22132
Sewer Lines (Surface-crossing and adjacent lines only) [surface water only]	M, N	high	X	22132
Storm Sewer Discharges and Stormwater infiltration ponds	V, N, S	medium	low	22132
Untreated Piped Discharge [straight pipe]	M, N	High	low	22132
Wastewater Pump Station	M, N, V	High	low	22132
Wastewater Treatment Facility [point source discharge]	M, N, V	Medium	low	22132
Wastewater Treatment Nondischarging lagoon/mass drainfield	M, N, V	Low	medium	22132
Land Disposal				
Biosolids	M, N, I	Low	low	111, 112
Industrial Sludge	M, N, I, S, V	Low	low	562
Landfill (Lined)	M, N, V, S	Low	medium	562212
Landfill (Unlined)	M, N, V, S	Low	high	562212
Open Dump	M, N, V, S	Low	high	5622
Septage	M, N	Medium	medium	111, 112 562
Wastewater	M, N	Medium	medium	22132
Other				
Special Cases (specifically identified as a significant source of contaminants)				
Barge and Vessel Traffic for surface sources		High	X	483211
Caves/Sinkholes for surface sources			X	

"x" – does not mean no risk

M = microbiological
 N = nitrate/nitrite
 V = volatile organic chemicals
 S = synthetic organic chemicals
 I = inorganic chemicals
 R = radiological contaminants

(NOT all inclusive)



Town of Luray, Virginia
Council Agenda Statement

Item No: VIII - C

Meeting Date: September 10, 2018

- Agenda Item: COUNCIL CONSIDERATION
Item VIII-C – Green Hill Cemetery Maintenance Donation
- Summary: Council is requested to consider a request from the Friends of the Green Hill Cemetery to assist with the funding of maintenance mowing at the Cemetery. They have requested a donation of \$600.00 to cover the costs for mowing.
- Council Review: March 27, 2018 Work Session; August 28, 2018 Work Session
- Fiscal Impact: 100-11100-5840
- Suggested Motion: I move that Town Council approve a donation of \$600.00 to the Friends of the Green Hill Cemetery to assist with mowing expenses at the Cemetery.



Town of Luray, Virginia
Council Agenda Statement

Item No: IX - A

Meeting Date: September 10, 2018

Agenda Item: COUNCIL DISCUSSION
Item IX-A – Draft Charter Amendment

Summary: Council is requested to discuss the draft Town Charter Amendment. The Town Attorney has updated the language as necessary to conform with current requirements.

Language from our current Charter is currently included in 3.4 (b) regarding the Mayor's ability to "pocket veto" and "line item veto" items passed by Town Council and is highlighted in the draft. In addition, language allowing Council to "punish its members" from the current Charter is included in 3.6 (d). Both sections are highlighted. These abilities are not normally found in updated Charters; staff are seeking input from Council as to your desire to include or remove these Sections from the Charter.

Council Review: July 24, 2018 Work Session; August 28, 2018 Work Session

Fiscal Impact: N/A

Suggested Motion: N/A

DRAFT AMENDED CHARTER - 2018

TOWN CHARTER – TOWN OF LURAY, VIRGINIA

CHAPTER 1 – INCORPORATION AND BOUNDARIES

1.1 - Incorporation; general powers.

Be it enacted by the General Assembly of Virginia, that the inhabitants of the territory in the County of Page, contained within the boundaries prescribed and defined in the section immediately following, shall continue to be, and they are hereby declared to be, a body politic and corporate, in fact and in name, under the name and style of the Town of Luray, and as such shall have and exercise all the powers conferred by and be subject to all the laws of the Commonwealth of Virginia now in force or that may hereafter be enacted for the government of towns, so far as the same are not inconsistent with the provisions herein.

1.2. - Town boundaries.

The boundaries of the town shall remain as now established unless changed in accordance with applicable law.

CHAPTER 2 – GENERAL POWERS

2.1. General grant of powers.

(a) Powers authorized in Code of Virginia.

The town shall have and may exercise any or all powers now or subsequently authorized for exercise by towns in Title 15.2 or elsewhere in the Code of Virginia of 1950, as amended, regardless of whether such powers are set out or incorporated by reference in this charter. All ordinances in force in the Town of Luray as of July 1, 2019, not inconsistent with this charter, shall be and remain in force until altered, amended, or repealed by the town council.

(b) Powers exercised by governing body.

All powers vested in the town by this charter shall be exercised by its governing body unless expressly provided to the contrary. Such powers shall include those not expressly prohibited by the Constitution and general law of the Commonwealth, and which are necessary or desirable to secure and promote the general welfare of the town's inhabitants and the safety, health, peace, good order, comfort, convenience, morals, trade, commerce, and industry of the town and the town's inhabitants, and the enumeration of specific powers shall not be construed or held to be exclusive or as a limitation upon any general grant of power, but shall be construed and held to be in addition to any general grant of power. The exercise of the powers conferred under this section is specifically limited to the area within the corporate limits of the town, unless otherwise conferred in the applicable sections of the Constitution and general laws, as amended, of the Commonwealth.

2.2. Financial powers.

(a) Generally.

In accordance with the Constitution of Virginia and the United States Constitution, the town may raise through annual taxes and assessments on property, persons, and other subjects of taxation that are not prohibited by law such sums of money as in the judgment of the town are necessary to pay the debts, defray the expenses, accomplish the purposes, and perform the functions of the town, in such manner as the council deems necessary or expedient. The town shall impose no tax on its bonds.

(b) Assessments for local improvements.

The town may impose special or local assessments for local improvements and enforce payment thereof, subject, however, to such limitations prescribed by the Constitution of Virginia as may be in force at the time of the imposition of such special or local assessments.

(c) Water, light, and sewerage rates; rates and charges for public utilities or services, etc., operated, etc., by town.

The town may establish, impose, and enforce water, light, and sewerage rates and rates and charges for public utilities, or other service, products, or conveniences, operated, rendered, or furnished by the town and assess, or cause to be assessed, water, light, sewerage, and other public utility rates and charges directly against the owner or owners of the buildings, or against the proper tenant or tenants, and in the event that such rates and charges shall be assessed against a tenant, then the council may, by an ordinance, require of such tenant a deposit of such reasonable amount as may be by such ordinance prescribed before furnishing such services to such tenant.

2.3. Contractual powers; gifts; grants.

(a) Acquisition of property generally; holding, selling, leasing, etc., town property.

The town may acquire, by purchase, gift, devise, condemnation, or otherwise, property, real and personal, or any estate or interest therein, within or without the town or the Commonwealth of Virginia and for any of the purposes of the town.

(b) Debts and evidence of indebtedness.

The town may contract debts, borrow money, and make and issue evidence of indebtedness.

(c) Gifts.

The town may accept or refuse gifts, donations, bequests, or grants of any kind from any source, absolutely or in trust, which are related to the town's powers, duties, and functions, or for educational, charitable, or other public purposes, and do all the things and acts necessary to carry out the purposes of such gifts, grants, bequests, and devises, with power to manage, maintain, operate, sell, lease, or otherwise handle or dispose of the same, in accordance with terms and conditions of such gifts, grants, bequests, and devises.

2.4. Operational powers.

(a) Generally.

The town may provide for the organization, conduct, and operation of all departments, offices, boards, commissions, and agencies of the town, subject to such limitations as may be imposed by this charter or otherwise by law, and may establish, consolidate, abolish, or change departments, offices, boards, commissions, and agencies of the municipal corporation and prescribe the powers, duties, and functions

thereof, except where such departments, offices, boards, commissions, and agencies or the powers, duties, and functions thereof are specifically established or prescribed by charter or otherwise by law.

(b) Records and accounts.

The town shall provide for the control and management of the town's affairs and shall prescribe and require the adoption and keeping of such books, records, accounts, and systems of accounting by the departments, boards, commissions, or other agencies of the local government necessary to give full and true accounts of the affairs, resources, and revenues of the municipal corporation and the handling, use, and disposal thereof.

(c) Expenditure of money.

The town may expend money of the town for all lawful purposes.

(d) Construction, maintenance, etc., of improvements, buildings, etc., for use and operation of town departments.

The town may construct, maintain, regulate, and operate public improvements of all kinds, including municipal and other buildings, comfort stations, markets, and all buildings and structures necessary or appropriate for the use and proper operation of the various departments of the town, and may acquire by condemnation or otherwise all land, riparian, and other rights and easements necessary for such improvements, or any of them.

2.5. Utilities; public improvements.

(a) Water works and water supply.

The town may own, operate, and maintain water works and acquire in any lawful manner in any county of the Commonwealth of Virginia such water, lands, property rights, and riparian rights as the council may deem necessary for the purpose of providing the town with an adequate water supply, and of piping or conducting the same; lay all necessary mains and service lines, either within or without the corporate limits of the town, and charge and collect water rents therefor; erect and maintain all necessary dams, pumping stations, and other works in connection therewith; make reasonable rules and regulations for promoting the purity of the town water supply and protecting it from pollution and for this purpose exercise full police powers and sanitary patrol over all lands comprised within the limits of the watershed tributary to any such water supply wherever such lands may be located in the Commonwealth of Virginia; impose and enforce adequate penalties for the violation of any such rules and regulations and prevent by injunction any pollution or threatened pollution of such water supply and any and all acts likely to impair the purity thereof; and for the purpose of acquiring lands, interest in lands, property rights, and riparian rights or materials for any such use, exercise all powers of eminent domain provided by the laws of the Commonwealth of Virginia. For any of the purposes aforesaid, said town may, if the council shall so determine, acquire by condemnation, purchase, or otherwise any estate or interest in such lands or any of them in fee.

(b) Streets; parks, playgrounds, etc.; infrastructure; vehicles.

The town may establish, maintain, improve, alter, vacate, regulate, and otherwise manage its streets, alleys, parks, playgrounds, and all of its public infrastructure and public works, in such manner as best serves the public interest, safety, and convenience; regulate, limit, restrict, and control the services and routes of and rates charged by vehicles for the carrying of passengers and property in accordance with

general law; permit or prohibit poles and wires for electric, telephone, telegraph, television, and other purposes to be erected and gas pipes to be laid in the streets and alleys and prescribe and collect an annual charge for such privileges; and, subject to the provisions of franchise agreements, require the owner or lessees of any such poles or wires now in use or hereafter used to place such wires, cables, and accoutrements in conduits underground in accordance with the town's prescribed requirements.

(c) Public utilities.

Subject to the provisions of the Constitution of Virginia, this charter, and general law, the town may grant franchises for public utilities, reserving rights of transfer, renewal, extension, and amendment thereof. (d) Collection and disposition of sewage, garbage, ashes, refuse, etc.; reduction and disposal plant. The town may collect and dispose of sewage, ashes, garbage, carcasses of dead animals, and other refuse; make reasonable charges therefor; acquire and operate reduction or any other plants for the utilization or destruction of such materials, or any of them; contract for and regulate the collection and disposal thereof, and require and regulate the collection and disposal thereof.

2.6. Nuisances; sanitary conditions, etc.

The town may compel the abatement and removal of all nuisances within the town; require all lands, lots, and other premises within the town to be kept clean; regulate the keeping of animals, poultry, and other fowl therein; regulate the exercise of any dangerous or unwholesome business, trade, or employment therein; regulate the transportation of all articles through the streets of the town; compel the abatement of smoke, dust, and unnecessary noise; compel the removal of grass and weeds from private and public property and snow from sidewalks; require the covering or removal of offensive, unwholesome, unsanitary, or unhealthy substances allowed to accumulate in or on any place or premises; require the filling in to the street level of the portion of any lot adjacent to a street where the difference in level between the lot and the street constitutes a danger to life and limb; ~~and~~ require the raising or draining of the grounds subject to be covered by stagnant water and the razing or repair of all unsafe, dangerous, or unsanitary public or private buildings, walls, or structures; and remedy, repair, and secure any blighted or derelict building or structure within the town in accordance with applicable law.-

2.7. Police powers.

(a) The town may exercise full police powers as provided by general law and establish and maintain a department or division of police.

(b) The town may also do all things whatsoever necessary or expedient for promoting or maintaining the general welfare, comfort, education, morals, peace, government, health, trade, commerce, or industries of the town or its inhabitants; prescribe any penalty for the violation of any town ordinance, rule, or regulation or of any provisions of this charter, not exceeding the fine or sentence imposed by the laws of the Commonwealth of Virginia; pass and enforce all by-laws, rules, regulations, and ordinances that it may deem necessary for the good order and government of the town, the management of its property, the conduct of its affairs, and the peace, comfort, convenience, order, morals, health, and protection of its citizens or their property; and do such other things and pass such other laws as may be necessary or proper to carry into full effect any power, authority, capacity, or jurisdiction that is or shall be granted to or vested in said town, or in the council, court, or offices thereof, or which may be necessarily incident to a municipal corporation.

2.8. Miscellaneous powers.

(a) Removal or reconstruction of unsafe buildings, etc.; protection of public gatherings.

The town may regulate the size, height, materials, and construction of buildings, fences, walls, retaining walls, and other structures hereafter erected in such manner as the public safety and conveniences may require; remove or require to be removed or reconstructed any building, structure, or addition thereto, which by reason of dilapidation, defect of structure, or other causes may have become dangerous to life or property, or which may have been erected contrary to law; and enact stringent and efficient laws for securing the safety of persons from fires in halls and buildings used for public assemblies, entertainments, or amusements.

(b) Fees for permits, etc.

The town may charge and collect fees for permits to use public facilities and for public services and privileges.

(c) Cemeteries.

The town may provide in or near the town lands to be used as burial places for the dead; improve and care for the same and the approaches thereto; charge for and regulate the use of ground therein; and provide for the perpetual upkeep and care of any plot or burial lot therein. The town is authorized to take and receive sums of money by gift, bequest, or otherwise, to be kept invested, and the income thereof is to be used for the perpetual upkeep and care of the said lot or plat for which the said donation, gift, or bequest shall have been made.

(d) Injunctive relief.

The town may maintain a suit to restrain by injunction the violation of any ordinance, notwithstanding any punishment that may be provided for the violation of such ordinance.

CHAPTER 3 - ELECTED OFFICERS

3.1 - Vesting of government.

The government of the town of Luray shall be vested in a mayor and council of six council members.

3.2. - Election and terms of officers; council as continuing body.

The mayor and council members shall each be a qualified voter within the town, elected at large, and hold office for a term of four years. The council shall be a continuing body, and no measure pending before such body shall abate or be discontinued by reason of expiration of the term of office or removal of any or all of the members. The mayor and council in office at the time of adoption of this charter shall continue in office until the expiration of the terms to which they were elected or until their successors are elected and qualified. Accordingly, in November 2020, there will be an election for mayor and three council members and, in November 2022, there will be an election for the remaining three council members.

3.3. – Vacancies

Any vacancy occurring in the office of mayor or a council member shall be filled in accordance with general law.

3.4 - Mayor.

The mayor shall be the chief executive officer of the town, and shall have the following powers and duties:

- (a) The mayor shall see that the bylaws and ordinances of the town are fully executed and enforced, and shall preside over the meetings of the town council, voting only in case of a tie.

- (b) Approval and disapproval of ordinances, etc.; item veto of appropriation ordinances, etc.

Every ordinance or resolution having the effect of an ordinance shall before it becomes operative be presented to the mayor. If he approve he shall sign it, but if not, he may return it to the clerk of the council with his objection, or objections, and the council shall enter the same at length on its journal and proceed to reconsider it. If after such reconsideration, two-thirds of all the members elected to the council shall agree to pass the ordinance or resolution, it shall become operative, notwithstanding the objections of the mayor. If any ordinance or resolution shall not be returned within five days (Sunday excepted), after it shall have been presented to him, it shall become operative in like manner as if he had signed it, unless his term of office, or that of the council, shall expire with said five days. The mayor shall have the power to veto any particular item or items of any appropriation ordinance or resolution, but such veto shall not affect any item or items to which he does not object. The item or items objected to shall not take effect except in the manner provided in this section as to ordinances or resolutions not approved by the mayor.

- (c) The mayor shall see that the duties of the various town officers, agents, and employees are faithfully performed. The mayor shall have power to investigate their accounts, have access to all their books and documents in their office.

3.5. - Vice-Mayor

A vice mayor shall be elected by a majority of the council at its biennial organizational meeting to a term of two years. The vice mayor shall discharge the municipal duties of the mayor during any period of absence or disability of the mayor. If the vice mayor is also absent or unable to act, the council may choose another council member to discharge the mayor's duties during the period of the vice mayor and mayor's absence or disability. The council may provide reasonable compensation to the vice mayor or other council member discharging the duties of the mayor pursuant to this section. Upon the adoption of this charter, the current president pro tempore of the council shall serve as vice mayor until the next organizational meeting of the council.

3.6. - Council

- (a) Regular meetings. The town council shall by ordinance fix the time of their regular meetings, and they shall meet at least once a month. The council may convene at such additional times as it may deem necessary in accordance with applicable law.
- (b) Special meetings. A special meeting may be called by the mayor or by two or more council members. No business shall be transacted at a special meeting except that for which it is called unless all members of the council are present. In addition, no vote shall be reconsidered or rescinded at a special meeting unless the same or a greater number of council members is present at the special meeting as were present when the vote was taken.
- (c) Quorum; reconsideration, etc. Four members of the council, which may include the mayor, shall constitute a quorum for the transaction of business.
- (d) Power to adopt procedural rules, compel attendance of members, punish disorderly members, and expel members. The town council may adopt rules of procedure that govern meetings of the council, may compel the attendance of absent members; punish its members for disorderly behavior, and by a vote of two-thirds of the whole council, expel a member for malfeasance or misfeasance in office.

CHAPTER 4 – OFFICERS APPOINTED BY COUNCIL

4.1. - Appointments.

The town council may appoint the following officers:

- (a) Town manager. The town manager shall be responsible to the town council for the proper administration of all affairs of the town, for the control and management of all town departments and property, for the appointment, supervision, and dismissal of town employees, for the preparation and implementation of an annual budget, and for any other duties as prescribed by the council
- (b) Town treasurer. The treasurer shall keep the town's books and accounts and collect all the taxes, revenues and assessments, which may be levied by the council and is vested with all the powers provided by the general laws of the Commonwealth of Virginia. The treasurer shall also perform other duties and receive such compensation as the town council may prescribe.
- (c) Town clerk. The clerk shall attend the meetings of the council, keep a record of its proceedings, and shall generally perform such other acts and duties as the council may from time to time prescribe and require. The town clerk shall receive such compensation as the council may prescribe and may also hold the office of town treasurer so long as he or she is not a member of town council.
- (d) Town attorney. The town attorney shall be an attorney at law licensed to practice under the laws of the Commonwealth of Virginia. The town attorney shall receive such compensation as may be determined by the council and shall have such duties as prescribed by the council
- (e) Other officers. The town council may appoint such other officers as may be necessary to conduct the business of the town, prescribe their duties, and fix their compensation.

4.2. - Removal of appointed officers.

Any officer appointed by the council may be removed at its pleasure. The council may fill any vacancy in any appointed office.

CHAPTER 5 – MISCELLANEOUS PROVISIONS

5.1. – Severability.

If any clause, sentence, paragraph, or part of this charter shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of the charter but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

5.2. - Continuation of ordinances in effect.

All ordinances now in force in the town, not inconsistent with this charter, shall be and remain in force until altered, amended, or repealed by the council.

5.3. - Repeal of conflicting acts and charters.

All acts and parts of acts in conflict with this charter are hereby repealed, insofar as they affect the provisions of this charter, provided, however, that nothing contained in this act shall be construed to invalidate or to in any manner affect the present existing indebtedness and liabilities of the town, whether evidenced by bonded obligations or otherwise, or to relieve it of any part of its present obligation or liability on account of bond issues, liabilities, or debts of whatsoever nature or kind.

CURRENT CHARTER – 1928 ADOPTION

PART I - CHARTER^[1]

Footnotes:

--- (1) ---

Editor's note— Printed herein is Acts 1928, ch. 338, as adopted by the General Assembly, effective on March 21, 1928. Amendments to the Charter are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original Charter. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes has been used. Additions made for clarity are indicated by brackets.

Sec. 1. - Incorporation; general powers.

Be it enacted by the General Assembly of Virginia, that the inhabitants of the territory in the County of Page, contained within the boundaries prescribed and defined in the section immediately following, shall continue to be, and they are hereby declared to be, a body politic and corporate, in fact and in name, under the name and style of the Town of Luray, and as such shall have and exercise all the powers conferred by and be subject to all the laws of the State of Virginia now in force or that may hereafter be enacted for the government of towns, so far as the same are not inconsistent with the provisions of this Act [Charter].

Sec. 2. - Town boundaries.

The boundaries of said town shall be as follows: Beginning at a planted stone in the rear of the lot now owned by J. A. Racer on the east side of Brumback Avenue, thence south two degrees and five minutes, west two thousand nine hundred and forty feet to a planted stone on the lot now owned by James F. Berry, in block fifty-eight of the Valley Land and Improvement Company, thence north eighty-seven degrees and fifty-five minutes, west two thousand and seventy-nine feet to a planted stone on the E. C. Harnsberger farm, thence leaving the south line and running even lines north two degrees, east two hundred and one feet to another stake on said farm, thence north eighty-seven degrees and fifty-five minutes, west eight hundred and forty-one feet to another stake on said farm, thence south two degrees, west two hundred and one feet to a stone on said farm; thence north eighty-seven degrees and fifty-five minutes, west three thousand and eight hundred feet to a planted stone in a field of the H. V. Hudson estate southwest of the road; thence north two degrees and five minutes, east two thousand nine hundred and forty feet to a planted stone in the rear of the Julia Goodrich lot, now owned by Jackson Patterson, on the west side of the Bixley's ferry road; thence south eighty-seven degrees and fifty-five minutes, east six thousand seven hundred and twenty feet to the place of beginning, which boundaries are fully described and set forth on a plat of said town made by E. A. Wilson and filed in the clerk's office of Page County, Virginia.

Editor's note— The above description does not reflect annexations subsequent to enactment of the Charter.

Sec. 3. - Vesting of government.

The government of the said Town of Luray shall be vested in a mayor and council.

Sec. 4. - Officers enumerated.

The municipal officers of the said town shall consist of a mayor, six councilmen and a justice of the peace [magistrate], each of whom shall be a qualified voter within the said town.

Sec. 5. - Election and terms of officers; council as continuing body.

The mayor shall be elected at large and shall hold office for four years from the first day of July next following the date of his election, and until his successor has been duly elected and qualified. A municipal election for the election of a mayor shall be held on the first Tuesday in May in nineteen hundred seventy-six, and every fourth year thereafter. The term of office of the mayor previously elected in nineteen hundred seventy-one shall expire on the thirty-first day of June, nineteen hundred seventy-six. The mayor elected at the municipal election to be held on the first Tuesday in May, nineteen hundred seventy-six, shall hold office for a term of four years from the first day of July next following the date of his election. The council

members shall be elected at large and shall hold office for four years from the first day of July next following the date of their election, and until their successors have been duly elected and qualified. A municipal election for the election of council members shall be held on the first Tuesday in May in nineteen hundred seventy-four, and every second year thereafter. The terms of office of the three council members previously elected in nineteen hundred and sixty-nine shall expire on the thirty-first day of June, nineteen hundred seventy-four, and the terms of office of the three council members previously elected in nineteen hundred seventy-one shall expire on the thirty-first day of June, nineteen hundred seventy-six. Three council members shall be elected at a municipal election for the election of council members to be held on the first Tuesday in May, nineteen hundred seventy-four, and shall hold office for a term of four years from the first day of July next following the date of their election. Three council members shall be elected at a municipal election for the election of council members to be held on the first Tuesday in May, nineteen hundred seventy-six, and shall hold office for a term of four years from the first day of July next following the date of their election. A justice of the peace [magistrate] shall be elected at large and shall hold office for two years from the first day of July next following the date of his election, and until his successor has been duly elected and qualified. The term of office of the justice of the peace [magistrate] previously elected in nineteen hundred seventy-one shall expire on the thirty-first day of June, nineteen hundred seventy-four. A justice of the peace [magistrate] shall be elected at the municipal election to be held on the first Tuesday in May, nineteen hundred seventy-four, and shall hold office for a term of two years from the first day of July next following the date of his election.

The council shall be a continuing body, and no measure pending before such body shall abate or be discontinued by reason of expiration of the term of office or removal of the members of said body or any of them.

(Acts 1962, ch. 191; Acts 1973, ch. 92)

Sec. 6. - Where voters to register and vote.

The qualified voters shall register and vote at the place or places prescribed by the council.

Sec. 7. - Appointment, terms, etc., of officers generally; creation of committees, boards and departments; etc.

The council shall appoint a town clerk and a town treasurer, who may be either a member of said council or not, and a town sergeant [now chief of police], and may also appoint such other officers, agents, and employees as may be necessary to conduct the business of the town, fix their compensation and prescribe their duties, and may appoint such committees of the council, and create such boards and departments of town government and administration, with such duties and powers, and subject to such regulations as it may see fit, consistent with the provisions of this Act [Charter]. The terms of all officers, agents and employees appointed or employed by the council, unless sooner removed from office as provided herein, shall expire with the council. The duties and compensation of all municipal officers, except as herein defined or provided for, shall be defined and prescribed by the town council.

Sec. 8. - Appointment of health officer, chief of fire department, etc., authorized; officers and employees appointed by council committee, mayor, etc.

In addition to the power to appoint such officers as are herein expressly mentioned, the council shall have the power and authority to appoint a health officer, chief of the fire department and two wardens, a commissioner of streets and public works, and such officers and employees as the council may deem proper, and any committees of the council, any municipal board, the mayor of the town and any head of a department of the town government may appoint such officers and employees as the town council may determine. The duties and compensation of such officers and employees shall be fixed by the council, except so far as the council may authorize such duties to be fixed by such committee or other appointing power.

Sec. 9. - Bonds of officers and employees.

The council may require of any of the officers and employees appointed under the two preceding sections, bond with surety in proper penalty, payable to the town in its corporate name, with provisions for the faithful performance of said duties, and the town in its name and for its benefit shall have the same remedies in the event of default on any bond so given, as the state has in like cases.

Sec. 10. - Removal of appointed officers, agents and employees.

All officers, agents and employees appointed by the council of said town may be removed at its pleasure, and where appointment is made by a committee or board, by a vote of such committee or board, or where such appointment is made by the mayor or head of a department, such removal may be made by order of the mayor or head of the department.

Sec. 11. - Disposition of town property, books, etc., upon vacation, etc., of office; books, records, etc., as town property.

If any person having been an officer, agent or employee of said town shall not within ten days after he shall have vacated, or been removed from office and upon notification or request of the clerk of the council, or within such time thereafter as the council may allow, deliver over to his successor in office, or the clerk of the council, all property, books and papers belonging to the town or appertaining to such office in his possession or under his control, he shall forfeit and pay to the town the sum not exceeding five hundred dollars, to be sued for and recovered by the said town, with cost, and all books, records and documents used in any office by virtue of any provision of this Act [Charter], or any ordinance or order of the town council or any superior office of the said town, shall be deemed the property of said town, appertaining to said office, and the chief officer thereof shall be held responsible therefor.

Sec. 12. - Mayor—Chief executive officer; salary.

The mayor shall be the chief executive officer of the town, and shall receive as compensation for his services such amount as the council may determine, not to exceed one hundred fifty dollars a month.

(Acts 1973, ch. 92)

Sec. 13. - Same—To enforce ordinances and preside at council meetings; to vote in case of tie.

The mayor shall see that the bylaws and ordinances of the town are fully executed and enforced, and shall preside over the meetings of the town council, voting only in case of a tie.

Sec. 14. - Same—Approval and disapproval of ordinances, etc.; item veto of appropriation ordinances, etc.

Every ordinance or resolution having the effect of an ordinance shall before it becomes operative be presented to the mayor. If he approve he shall sign it, but if not, he may return it to the clerk of the council with his objection, or objections, and the council shall enter the same at length on its journal and proceed to reconsider it. If after such reconsideration, two-thirds of all the members elected to the council shall agree to pass the ordinance or resolution, it shall become operative, notwithstanding the objections of the mayor. If any ordinance or resolution shall not be returned within five days (Sunday excepted), after it shall have been presented to him, it shall become operative in like manner as if he had signed it, unless his term of office, or that of the council, shall expire with said five days. The mayor shall have the power to veto any particular item or items of any appropriation ordinance or resolution, but such veto shall not affect any item or items to which he does not object. The item or items objected to shall not take effect except in the manner provided in this section as to ordinances or resolutions not approved by the mayor.

Sec. 15. - Same—Powers and duties with reference to town officers, etc., supervision and investigations.

The mayor shall see that the duties of the various town officers, agents, employees, members of the police force, and fire department, whether elected, or appointed, are faithfully performed. He shall have power to investigate their accounts, have access to all their books and documents in their office, and may examine them or their subordinates on oath, but the evidence given by persons so examined shall not be used against them in any criminal proceeding.

Sec. 16. - Same—Suspension or removal of officers and employees—Generally.

The mayor shall have power to remove any officer appointed by him, and to suspend any municipal officer, agent or employee, other than the councilmen, whether elected by the people or appointed by the council, or any appointing power designated by the council, for misconduct in office, inefficiency or neglect of duty, to be specified in the order of suspension.

Sec. 17. - Same—Same—Requirements particularly applicable to officers not appointed by mayor.

Of [On] the suspension of any officer not appointed by the mayor, the mayor shall report the same to the town council at their [its] next stated meeting for their [its] consideration, but in no case shall the suspension or removal by the mayor of any officer not appointed by him be binding until ratified by the

council by a two-thirds vote of all the members elected thereto, after reasonable notice to the officer complained of, and an opportunity be afforded him to be heard in his defense.

Sec. 18. - Same—Periodic communications to council.

The mayor shall communicate to the town council annually at the beginning of each fiscal year, or oftener if he be required by the council, a general statement of the condition of the town in relation to its government, finances, and improvement, with such recommendations as he may deem proper, and may from time to time communicate with the council such suggestions and recommendations as he shall deem proper.

Sec. 19. - Same—Devolution of powers.

In case of the absence, illness, or inability of the mayor, the president pro tempore, who shall be chosen by a majority of the council at its first meeting in September for a term of two years, or in his absence or inability, some other member of the council chosen by the majority of the council present at a regular meeting, shall possess the same power and discharge the municipal duties of the mayor during such absence, illness or inability; and when so discharging the municipal duties of the mayor during his absence, illness or inability, the said president pro tempore, or in the case of his inability, the other member of the council so chosen for the purpose, shall receive a reasonable compensation to be fixed and allowed by the town council.

Sec. 20. - Same—Filling of vacancy.

In case a vacancy shall occur in the office of mayor, the vacancy shall be filled by appointment by the town council of any one eligible to such office.

Sec. 21. - Same—Calling council meetings.

The mayor shall have power to call a meeting of the council whenever he deems it necessary, and in case of the absence, inability, or refusal of the mayor, the council may be convened by the order of any two members thereof.

Sec. 22. - Same—No judicial authority.

The mayor shall by virtue of his office possess no power, authority or jurisdiction to try violations of the ordinances of the town or to act as a justice of the peace [magistrate] in either civil or criminal matters, and all such powers, authority and jurisdiction as is customarily exercised by the mayor of towns shall be vested in the justice of the peace [magistrate] to be elected by the said Town of Luray as hereinafter more fully set forth.

Sec. 23. - Council generally—Composition; compensation; etc.

The town council, in addition to the mayor, shall be composed of six members, to be elected by popular vote of the qualified electors of the town. The addition to, alteration or diminution of the area of the town shall not increase or diminish the number of councilmen. The councilmen shall receive as compensation for their services such amounts as the council may determine, not to exceed fifty dollars per month for councilmen. No member of the council shall be appointed to any office of profit under the town government during the term for which elected and for one year thereafter.

(Acts 1973, ch. 92)

Sec. 24. - Same—Meetings generally.

The town council shall by ordinance fix the time of their stated meetings, and they shall meet at least once a month, and no business shall be transacted at a special meeting thereof, except that for which it shall be called, unless all members of the council be present.

Sec. 25. - Same—Quorum; reconsideration, etc., of vote.

Four members of the council, of whom for the purpose of constituting a quorum the mayor shall be counted as one, shall constitute a quorum for the transaction of business. No vote shall be reconsidered or rescinded at a special meeting unless at such special meeting there be as large a number of members of the council present as were present when such vote was taken. At least one councilman must be present who was present when the vote was taken.

Sec. 26. - Same—Presiding officer.

The meetings of the council shall be presided over by the mayor, or in his absence or inability to act, the president pro tempore, or in his absence, or inability, some other member of the council chosen by a majority of that body.

Sec. 27. - Same—Meetings open to public.

The meetings of the town council shall be open to the public except when by a recorded vote of two-thirds of those members present [the town council] shall declare that the public welfare requires secrecy.

Sec. 28. - Same—Power to adopt procedural rules, to appoint officers, etc., to compel attendance of members, to punish disorderly members and to expel members.

The town council shall have authority to adopt rules for the regulation of their [its] proceedings, and appoint such officers, agents, committees, and employees as they [it] may deem proper; to compel the attendance of absent members; to punish its members for disorderly behavior and by a vote of two-thirds of the whole council to expel a member for malfeasance or misfeasance in office.

Sec. 29. - Same—Journal or minute book—Generally; entering yeas and nays; reading, etc., of proceedings.

A journal or minute book shall be kept of the proceedings of the town council, and, at the request of any member present, the yeas and nays shall be recorded on any question. At the next meeting the proceedings shall be read and signed by the person who was presiding when the previous meeting adjourned; or if he be not then present by the person presiding when they were read.

Sec. 30. - Same—Same—Duties of clerk of the council.

The clerk of the council shall keep the said journal and shall record the proceedings of the council at large thereon, and keep the same properly indexed.

Sec. 31. - Same—To be judge of election, etc., of members.

The town council shall be judge of the election, qualification and returns of its members.

Sec. 32. - Same—Filling vacancies in office.

All vacancies occurring from any cause whatsoever in the office of mayor, councilman, or any other office, whether filled by appointment or by election, shall be filled for the unexpired term by the council.

Sec. 33. - Same—Suspension and removal of officers and employees.

The council shall have power to suspend and remove all officers and employees, whether elected or appointed, for misfeasance, malfeasance, inefficiency, or neglect of duty, to be specified in the order of suspension or removal, but no such removal shall be made without reasonable notice given to the person so suspended, or removed, and an opportunity afforded for a defense thereto; and no removal of any town officer, agent, or employee, other than an officer appointed by the mayor, shall be final until the same shall be ratified by a two-thirds vote of the town council.

Sec. 34. - Same—Powers and authority under general laws of state, etc.

The town council shall have all powers and authority that is [are] now or may hereafter be granted to councils of towns by the general laws of this state and by this Act [Charter]; and the recital of special powers and authorities herein shall not be taken to exclude the exercise of any power and authority granted by the general laws of this state to town councils, but not herein specified.

Sec. 35. - Ordinances for exercise of police powers of council.

And the said council shall have power to enact ordinances providing for the exercise within its jurisdiction of all police powers which the state itself may exercise under the circumstances, except such as may be specifically denied towns by the acts of the general assembly.

Sec. 36. - Control of town affairs and property.

And it [the town council] shall have the further power to control and manage the fiscal and municipal affairs of the town and all property, real and personal, belonging to the said town, and may make such ordinances, orders and resolutions relating to the same as it may deem proper and necessary.

Sec. 37. - Acquisition, operation, etc., of utilities.

And it [the town council] shall have the further power to acquire by purchase, condemnation or otherwise, or to construct or lease and operate its own plant, factory and equipment for supplying its

inhabitants, streets, grounds, and buildings with water, light, power, fuel, and sewerage, and to that end it may acquire by purchase or lease any plant existing in or near the town and may acquire lands, and franchise outside of the limits of the said town, and may by purchase, condemnation or otherwise acquire easements and rights of way, and to pass all necessary and needful rules and regulations for the operation of said public works.

Sec. 38. - Acquisition of locations for fire engine houses, parks, etc.

And it [the town council] shall have the further power to purchase, condemn, or otherwise acquire one or more locations for a site for fire engine houses, stables, town buildings, parks, playgrounds, and for all municipal uses and purposes, within or without the town.

Sec. 39. - Regulation of buildings and construction; removal of dangerous buildings.

And it [the town council] shall have the power to provide for the regular and safe construction of houses in the town for the future; to designate and prescribe from time to time the part of the town in which no buildings of wood shall be erected, and to regulate the construction of buildings in the town, so as to protect it against danger of fire; to remove or require to be removed any building, structure or addition thereto, which by reason of dilapidation, defects of structure, fire, or other causes may become dangerous to life or property and also refuse a permit to repair any such building or structure; and to require the standard of dwelling houses to be maintained in residential sections in keeping with the majority of residences therein.

Sec. 40. - Powers of council as to streets generally.

And it [the town council] shall have the power to lay off streets, walks or alleys, to alter, improve and light the same, and to govern and regulate the uses thereof, for the purposes and to the extent as provided by the general laws of this state.

Sec. 41. - Authority of council to require removal of snow from sidewalks and to prohibit skating, riding bicycles, etc., on sidewalks.

And it [the town council] shall have the power to require the owners of real estate abutting upon paved or concrete sidewalks to remove the snow therefrom, to prevent skating or riding of bicycles thereon, and of all other improper uses thereof, and to punish such violation by fine.

Sec. 42. - Town as separate road district.

The Town of Luray shall constitute a separate road district and no property in the town shall be liable for any assessment for road purposes in the County of Page.

Sec. 43. - Ordinances and resolutions generally; inducing location of industry, etc., in or adjacent to town.

And it [the town council] shall have the power to pass all resolutions and enact all ordinances not repugnant to the Constitution and the laws of the state, or in conflict with this Act [Charter], which it may deem necessary for the good order and government of the said town, the management of its property, the conduct of its affairs, and to secure and promote the general welfare of the inhabitants of the town, including the right to appropriate and pay over to any person, firm, corporation or association, as an inducement for the location of any plant, manufacturing establishment or industry within its corporate limits or adjacent thereto, such reasonable sum or sums as may be necessary for such purpose, or, in lieu of such payment or in addition thereto, to acquire such lands and buildings, or to acquire such lands and erect such buildings thereon, as may be necessary for the use of such plant, establishment or industry, and to lease or sell such land and buildings to such person, firm, corporation or association at such price and on such terms and conditions as it may be deemed advisable; and to pass such other resolutions and ordinances deemed necessary for the peace, comfort, convenience, order, morals, health and protection of its citizens or of their property, and do such other things and pass such other laws as may be necessary or proper to carry into full effect any power, authority, capacity, or jurisdiction, which is or shall be granted to or vested in the said town or in the council, or the officers thereof, or which may be necessarily incident to a municipal corporation.

(Acts 1940, ch. 412)

Sec. 44. - Appointment, term, general duties and compensation of town treasurer.

The treasurer of said town shall be appointed for a term of two years, and shall collect and receive all money belonging to the town, and shall perform such other duties as are prescribed by the council. He shall

keep his office at some convenient place in the town, provided by the town council. He shall keep his books and accounts in such manner as the town council may prescribe, and such books and accounts shall always be subject to the inspection of the mayor and council, or any committee or committees of the council. He shall receive for his services such compensation, either in fees or salary, as the town council may from time to time allow, and when such compensation has been fixed by the council, the same shall not be diminished during the term of his office.

Sec. 45. - How money paid by treasurer.

No money shall be paid by the town treasurer except by order of the council, countersigned by the mayor.

(Acts 1978, ch. 102)

Sec. 46. - Collection of taxes, revenues and assessments.

The town treasurer or his deputy duly appointed by the council and qualified, or, by order of the council of the said town[, the town] sergeant [chief of police], or any other person appointed by the town council, shall collect all the taxes, revenues and assessments, which may be levied by the said town council, and for this purpose shall be vested with all the powers provided by the general laws of this state.

Sec. 47. - Depositories for town money.

The treasurer shall be required to keep all money in his hands belonging to the town in such place or places of deposit as the town council by ordinance may provide or direct.

Sec. 48. - Treasurer's reports and annual financial statement.

The treasurer shall report to each stated meeting of the council the amount of cash then on deposit to the order of the town, and in what depositories deposited, and shall annually at the end of each fiscal year publish, either in the newspapers or by posting in front of the treasurer's office, a statement showing all the receipts and income of the said town and from what sources, and all disbursements made and for what purpose.

Sec. 49. - Treasurer's bond.

The treasurer shall execute bond with satisfactory surety, payable to the town for the faithful performance of all duties of his office, and to account for all money coming into his hands.

Sec. 50. - General duties and compensation of town clerk.

The clerk shall attend the meetings of the council and keep the record of its proceedings; he shall have the custody of the corporate seal; he shall keep all the papers that, by the provisions of this Act [Charter], or the direction of the council, are required to be filed with or kept by him; he shall give notice to all parties presenting communications or petitions to the town council of the final action of the council on such communication or petition; he shall publish such reports and ordinances as the council is required to publish, and such other reports and ordinances as it may direct, and shall, in general, perform such other acts and duties as the council may from time to time prescribe and require of him. He shall receive such compensation as the council may direct.

Sec. 51. - Offices of clerk and treasurer may be held by same person.

The offices of town clerk and town treasurer may be held by the same person, provided the council does not appoint one of its own members to said offices.

Sec. 52. - Duties and compensation of town sergeant generally.

The town council shall have the power and authority to prescribe for the town sergeant such general and other duties as it may see fit, and shall fix his compensation, and in all civil and criminal cases arising under the state laws, the sergeant shall receive the same fees as are provided by law for constables, and in all cases arising under the town ordinances where not otherwise provided, he shall receive the same fees as constables receive in similar cases arising under the state laws, and he may receive such other compensation as may be prescribed by the council.

Editor's note— The town sergeant is now known as the chief of police. See § 54-2 of the Town Code.

Sec. 53. - Further provisions as to duties and compensation of town sergeant; liabilities of town sergeant.

The town sergeant shall perform the duties, receive the compensation and be subject to the liabilities prescribed by this Act [Charter], the ordinances, bylaws and regulations of the town council, and by the laws of this state, and also shall have the powers and discharge the same duties as constables within the corporate limits of the town, and be subject to the same liability touching all process lawfully directed to him, as constables are subject to under the laws of this state.

Editor's note— See note following § 52.

Sec. 54. - Appointment of chief and other police officers; performance by town sergeant of duties of chief of police.

The town council shall have the power and authority to appoint a chief of police, and such additional police officers as it may deem necessary or proper. Until the town council shall appoint said chief of police, the town sergeant shall perform the duties of such office.

Editor's note— See note following § 52.

Sec. 55. - Policemen to have no authority in civil matters; execution, etc., by policemen of warrants, etc.

The policemen of the town shall have no power or authority in civil matters, but shall in all other cases execute such warrants or summonses as may be placed in their hands by the justice of the peace [magistrate] of said town and shall make due return thereof.

Sec. 56. - Arrest without warrant; swearing out of warrants of arrest.

The sergeant [chief of police] and the police officers of the town shall have the power to arrest without warrants and carry before the justice of the peace [magistrate] of said town or other property authority, to be dealt with according to law, any and all persons who shall violate any ordinance of the town or laws of the state in their presence and it shall be their duty to swear out warrants of arrest for any person where they have reason to believe any offense has been committed.

Sec. 57. - Sergeant as collector of fines and delinquent taxes.

The sergeant shall be collector of all fines and penalties imposed for the violation of town ordinances, bylaws, rules and regulations, and of delinquent town levies, and all tax tickets declared delinquent by the town council, and allowed the treasurer in his settlement with the town council, shall be turned over to the sergeant to collect, and for that purpose he shall have the power and authority and be subject to the same liabilities and penalties as are prescribed by the general law of the state.

Editor's note— See note following § 52.

Sec. 58. - Disposition of town money received by sergeant.

The sergeant shall pay over to the treasurer monthly or oftener if he thinks proper all money which comes into his hands for taxes, or levies, or otherwise, belonging to the town.

Editor's note— See note following § 52.

Sec. 59. - Bond of sergeant.

He [the town sergeant] shall be required to give bond with satisfactory surety, payable to the said town for the faithful performance and discharge of all of his duties as sergeant, and to faithfully account for all money coming into his hands by virtue of his office.

Editor's note— See note following § 52.

Sec. 60. - Election and term of magistrate.

A justice of the peace [magistrate] shall be elected by the qualified voters of the said town, as hereinbefore provided, for a term of two years.

Sec. 61. - Authority, jurisdiction and compensation of magistrate.

The said justice of the peace [magistrate] shall be a conservator of the peace within the corporate limits of the Town of Luray, and within one mile beyond the corporate limits of said town, except as otherwise provided by law, and shall be vested with jurisdiction to issue warrants for violations of town ordinances, acts and resolutions; admit accused persons to bond, and fix the amount thereof, or remand them to jail pending trial, and shall be vested with all the jurisdiction or authority within the town, and within one mile of its corporate limits, under the ordinances, acts and resolutions of the town council, with which justices of the peace [magistrates] for counties are vested under the laws of the Commonwealth of Virginia. The compensation of the justice of the peace [magistrate] shall be the same fees as are fixed by statute for justices of the peace [magistrates] for counties.

(Acts 1954, ch. 29)

Sec. 62. - Trial justice generally.

The council may appoint a trial justice for the town who shall serve at the pleasure of the council and until his successor is appointed by the council and qualifies, who shall be vested with all the power, authority and jurisdiction and charged with all the duties within and for the Town of Luray, in the trial of violations of town ordinances, acts and resolutions which are, or may hereafter be conferred upon trial justices by the laws of the commonwealth, as heretofore or hereafter amended, so far as may be applicable and not in conflict with the provisions of the town charter.

The provisions of the general law shall govern procedure before, and removals and appeals from, the trial justice.

Subject to the provisions of general law, the council shall prescribe the qualifications and compensation appertaining to the office of trial justice, such compensation to be paid by the town.

The council may provide for a clerk and a substitute trial justice for the trial justice court, and may fix their duties and their salaries or compensation which shall be paid by the town.

All fees and costs shall be assessed and collected as may be authorized by law, by the trial justice, which, together with all fines for violations of town laws or ordinances shall be paid to the town for its use and benefit.

(Acts 1954, ch. 29)

Editor's note— Under the current judicial system (Code of Virginia, title 16.1), the town no longer has a trial justice. Jurisdiction for ordinance violations is now vested in the general district court of the county.

Sec. 63. - Designation of Page County trial justice as town trial justice.

The council may designate the trial justice of Page County as the trial justice for the town.

(Acts 1954, ch. 29)

Editor's note— See note following § 62.

Sec. 64. - Town assessor generally.

The town treasurer shall, by virtue of his office, also be the town assessor, and he shall perform all duties in relation to the assessment of property for the purpose of levying the town taxes or levies, shall see to it that all persons, firms and corporations chargeable with a town license tax are assessed with such

license tax; tax all dogs within the corporate limits which are assessed for taxation, and shall perform such other duties in relation to the assessment of property and other subjects of taxation as may be ordered by the town council.

Sec. 65. - Assessor vested with authority of county commissioner of revenue; interrogatories of assessor.

For the performance of his duties, the assessor of the town shall be vested with all the power and authority that county commissioners of revenue are vested with under the general laws of the State of Virginia, and shall have the power and authority to propound interrogatories to any person subject to taxation, and may use such other evidence as he may be in position to procure; such interrogatories shall be answered under oath and any applicant refusing to answer such interrogatories under oath, shall be fined not less than five dollars, nor more than one hundred dollars, for each offense.

Sec. 66. - Duty to assess all persons and property subject to tax.

It shall be the duty of the assessor to assess for taxation all persons and property subject to town taxation, whether the same shall have been omitted from the assessment of the commissioner of revenue for Page County or not.

Sec. 67. - Use and application of county assessment of property.

The assessor may procure from the commissioner of revenue of Page County the assessment of all property which is subject to taxation by the Town of Luray, and in so far as said commissioner's books show the property subject to taxation by the said town, said assessor may base his assessment for the purpose of levying town taxes and levies thereon. If said assessor should find any property subject to taxation by the said town omitted from said commissioner's books he shall proceed to assess the same for town purposes in the manner hereinbefore provided in section 65.

Sec. 68. - Inspection of assessor's books, schedules, etc.

All books, schedules and records, and papers pertaining to the office of assessor shall be open to and subject to the inspection of the mayor, the members of the town council, or any committee thereof, and of the collector of town taxes.

Sec. 69. - Authority to tax property.

For the execution of its powers and duties the council may tax all property, both real and personal, in the said town not exempt by law from taxation, and not segregated and made subject to state taxation only by the general laws of this state.

Sec. 70. - Authority to tax residents.

The council may impose a tax of fifty cents per annum upon each resident of the town who has obtained the age of twenty-one years.

Sec. 71. - License taxes generally.

The council may require a license tax for anything for which a state license tax is required, and for which under the general laws of the state a license tax may be required by a city or town and in addition thereto, within the limitations imposed by the Constitution and laws of the state and of the United States, the council may impose a license tax on any business or thing carried on or done in the town, whether a license tax is required therefor by the state or not. This section shall not render it legal to conduct within the town any business calling or vocation which but for this section would be illegal.

Sec. 72. - Authority of council as to person doing business without required license.

The council may subject any person, who without having obtained a license therefor shall do any act or follow any employment or business in the town for which a license may be required by ordinances, to such fine or penalty as it is authorized to impose for any violation of its laws.

Sec. 73. - Exemption of town bonds, etc., from municipal taxation.

The town council may exempt from all municipal taxation bonds and other obligations of indebtedness issued by the town.

Sec. 74. - Limitation on appropriation of part of sinking fund or interest thereon.

The council shall not appropriate any part of any sinking fund or its accrued interest thereon for any other objects or purposes than that for which the said sinking fund is collected.

Sec. 75. - Lien for town taxes.

There shall be a lien on real estate for the town taxes as assessed thereon from the commencement of the year for which they are assessed.

Sec. 76. - Sale of real estate for delinquent taxes.

It shall be the duty of the treasurer of the town to make out and deliver to the council at its regular meeting in July in each year following the passage of this Act [Charter], a list of all the real estate whereupon delinquent taxes or assessments are due and unpaid for the previous year, and thereupon the council of said town may proceed to have said real estate sold for the payment of said delinquent taxes or assessments in the manner provided by the general laws of this state.

Sec. 77. - General limitation on authority to contract indebtedness or issue bonds, etc.

The town council shall have no power nor authority to contract any indebtedness, or issue any bonds or other interest bearing obligations for any purpose except in the manner provided by the Constitution of Virginia and the general laws enacted in pursuance thereof; provided, however, that new bonds for the redemption and liquidation of any lawfully issued bonds now outstanding or that may be issued under the provisions of this section may be issued according to the provisions of the section immediately following.

Sec. 78. - Refunding bonds.

The town council shall have the power and authority, without reference to a vote of the people, to provide by ordinances for the issuance of new bonds, for the redemption and liquidation of any lawfully issued bonds, when they fall due, become subject to call, or can for any reason be refunded or redeemed. Said new bonds shall not exceed in amount, the original bonds to be redeemed, liquidated, or refunded, may be registered, serial, or coupon, and shall be sold at not less than par, to the highest bidder for cash, provided no such new bonds shall bear a higher rate of interest than six per centum per annum [and such bonds] so issued shall be used only in the payment of the old bonds, which are subject to call, redemption or can otherwise be refunded or redeemed. Such bonds shall be payable in lawful money of the United States and a sinking fund shall be created and maintained sufficient to redeem such bonds at maturity, and shall be applied to such redemption and to no other purpose.

Sec. 79. - Form, etc., of writs and process.

All criminal and civil writs and process issued by the justice of the peace [magistrate] of the town under the general laws of the State of Virginia shall run in the name of the "Commonwealth of Virginia," and all criminal and civil writs or process issued by the said justice [magistrate] for violation of or under ordinances of the said town shall run in the name of the "Town of Luray," and writs and process issued in the name of the town shall conform as near as may be to the form for similar writs and processes issued under the general state laws.

Sec. 80. - Extraterritorial jurisdiction of corporate authorities.

The jurisdiction of the corporate authorities of the town in criminal matters, except as otherwise provided by law, and for imposing and collecting a license tax on all shows, performances and exhibitions shall extend one mile beyond the corporate limits of the town.

Sec. 81. - Appeals from decisions rendered by magistrate.

Appeals from decisions rendered by the justice of the peace [magistrate] of the town shall lie to the circuit court of Page County, when permitted or allowed, and upon similar and subject to like conditions as is provided by law in such cases, unless otherwise provided for herein.

Editor's note— The magistrate (formerly justice of the peace) now has no trial jurisdiction. See note following § 62.

Sec. 82. - Severability.

If any section or provision of this Act [Charter] or any part of any section shall be declared unconstitutional, the part so declared unconstitutional shall cease to be operative, but the remainder of this Act [Charter] and every section or part thereof not so declared unconstitutional shall continue to be the law governing this town.

Sec. 83. - Remedies in case of default by bonded municipal officer.

In case of default on the part of any bonded municipal officer, the town shall have the same remedies against him and his sureties as are provided for the state in enforcing the penalty of any official bond given to it.

Sec. 84. - Eligibility of residents of town to hold town and county posts.

The same person shall be eligible to, and if elected, or appointed, may hold a county office and a town office if the said offices be of the same nature, at the same time; provided, such officer lives within the town limits; and a person otherwise qualified who is a resident of the said town shall be eligible to election or appointment to any county office of Page County.

Sec. 85. - Authority of council to provide penalty for violation of ordinance, etc.

Where by the provisions of this Act [Charter] or the general laws of this state, the council has the authority to pass an ordinance, resolution, or regulation on any subject, it may prescribe a penalty not exceeding five hundred dollars or confinement in jail not exceeding twelve months, or both, for the violation thereof and any other form of punishment provided for by the laws of this state for the punishment of misdemeanors.

Sec. 86. - Continuation of ordinances in effect.

All ordinances now in force as the ordinances of the Town of Luray not inconsistent with this Act [Charter] shall be and remain in force until altered, amended, or repealed by the town council. And if the town council of Luray amend an ordinance continued in effect by this section, and such amendment affects only the amount of fine provided as a penalty for the violation of said ordinance, the same ordinance shall be valid and binding without a republication thereof.

Sec. 87. - Continuation in office of certain officers.

The present mayor, four councilmen and sergeant of the town shall be and remain in office until the expiration of their several terms.

Sec. 88. - Authority of council to fill vacancies and new offices.

The council shall fill by appointment vacancies and new offices created by this Act [Charter].

Sec. 89. - Repeal of conflicting acts.

All acts or parts of acts in conflict with this Act [Charter] are hereby repealed, but only in so far as they affect the provisions of this Act [Charter].

Sec. 90. - When Charter effective.

An emergency is hereby declared to exist and this Act [Charter] shall be in effect from and after the date of its passage.

Editor's note— The Act was approved March 21, 1928.



Town of Luray, Virginia
Council Agenda Statement

Item No: XIII-A

Meeting Date: September 10, 2018

Agenda Item: CLOSED MEETING
Item XIII-A – Real Property Issues

Summary: Council is requested to go into Closed Meeting for the purpose of discussion of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the Town's bargaining position or negotiating strategy, as authorized by Section 2.2-3711(A)(3) of the Code of Virginia. The subject matter is the possible acquisition of real property for stormwater utility improvements by the Town.

Council Review: N/A

Fiscal Impact: N/A

Motion to Go Into Closed Meeting

I move that Town Council convene and go into Closed Meeting for the purpose of discussion or consideration of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the Town's bargaining position or negotiating strategy, as authorized by Section 2.2-3711 (A) (3) of the Code of Virginia. The subject matter is the possible acquisition of real property for stormwater utility improvements by the Town.

A roll call vote shall be taken to certify the vote to convene in Closed Meeting.

Motion to Certify Closed Meeting at its Conclusion

At the conclusion of the Closed Meeting, immediately reconvene in open meeting.

I move that Town Council certify that with respect to the just concluded Closed Meeting and to the best of each member's knowledge that only public business matters lawfully exempted from open meeting requirements under The Virginia Freedom of Information Act and that only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed, or considered in the meeting by the Town Council.

A roll call vote shall be taken to certify the Closed Meeting discussion.

NOTE: *Any member who does not intend to vote "aye" should state so prior to the vote and indicate the substance of the departure that, in his/her judgement, has taken place. This statement shall be recorded in the minutes.*