

**ACTIONS**  
**Board of Supervisors Meeting of April 11, 2018**

April 12, 2018

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>	<u>VIDEO</u>
1. Call to Order. <ul style="list-style-type: none"> <li>Meeting was called to order at 2:05 p.m., by the Chair, Ms. Mallek. All BOS members were present. Also present were Claudette Borgersen, Greg Kamptner and Jeff Richardson.</li> </ul>		<a href="#">Link to video</a>
2. <b>Work Session:</b> Ordinance to Amend County Code Chapter 3, Agricultural and Forestal Districts. <ul style="list-style-type: none"> <li><b>HELD.</b></li> </ul>		
3. Stormwater Program Discussion. <ul style="list-style-type: none"> <li><b>CONSENSUS</b> to direct staff to: <ol style="list-style-type: none"> <li>Discontinue any further exploration of a stormwater utility.</li> <li>Continue the stormwater program as it exists today and as is outlined in the FY19 recommended budget.</li> <li>Continue work to determine, through camera imaging, where grey infrastructure issues exist within the County and attempt to set aside an adequate reserve fund to be used to address maintenance and ongoing repair needs of grey infrastructure issues where such issues are identified, and</li> <li>Continue to explore funding alternatives, looking at strategies that only focus on the general fund, and treat urban &amp; rural areas differently.</li> </ol> </li> </ul>	<u>County Executive:</u> Proceed as directed.	
Recess. <ul style="list-style-type: none"> <li>At 4:55 p.m., the Board recessed and reconvened at 5:06 p.m.</li> </ul>		
4. Community Recreation Needs Assessment Update. <ul style="list-style-type: none"> <li><b>RECEIVED.</b></li> </ul>		
5. Local Climate Action Planning Process - Presentation and Guidance. <ul style="list-style-type: none"> <li>Removed from agenda.</li> </ul>	<u>Clerk:</u> Reschedule on an upcoming agenda.	
7a. Vacancies and Appointments. <ul style="list-style-type: none"> <li>Moved to end of agenda.</li> </ul>		
Recess. <ul style="list-style-type: none"> <li>At 6:08 p.m., the Board recessed and reconvened at 6:31 p.m.</li> </ul>		
8. Call back to Order. <ul style="list-style-type: none"> <li>At 6:31 p.m., the meeting was called back to order by the Chair, Ms. Mallek.</li> </ul>		
11. Adoption of Final Agenda. <ul style="list-style-type: none"> <li>By a vote of 6:0, <b>ADOPTED</b> the final agenda.</li> </ul>		
12. Brief Announcements by Board Members. <ul style="list-style-type: none"> <li>There were none.</li> </ul>		
14. From the Public: Matters Not Listed for Public Hearing on the Agenda.		

<ul style="list-style-type: none"> <li>• <b><u>The following individuals spoke towards Agenda Item No. 2., Stormwater Utility Program Discussion:</u></b> <ul style="list-style-type: none"> <li>• <u>Dave Norford</u></li> <li>• <u>Nancy Koenig</u></li> <li>• <u>Kathy Rash</u></li> <li>• <u>Chris Ripper</u></li> <li>• <u>Phillis Ripper</u></li> <li>• <u>Gregory Quinn</u></li> <li>• <u>Mary Ann Doucette</u></li> <li>• <u>Lonnie Murray</u></li> <li>• <u>D.G. Van Clief</u></li> <li>• <u>Linda McRaven</u></li> <li>• <u>Dominique Kostelac</u></li> <li>• <u>Milo Kostelac</u></li> <li>• <u>Jason Buyaki</u></li> <li>• <u>Eric Franzen</u></li> <li>• <u>Dr. Clara Belle Wheeler</u></li> <li>• <u>Paula Beasley</u></li> </ul> </li> </ul>		
<p>16. <b><u>Pb. Hrg.: SP2017-00030 – Willow River Veterinary Services.</u></b></p> <ul style="list-style-type: none"> <li>• By a vote of 6:0, <b>ADOPTED</b> resolution to approve SP2017-00030 with special use conditions.</li> <li>• By a vote of 6:0, <b>ADOPTED</b> resolution to approve the special exceptions for SP2017-00030 with conditions.</li> </ul>	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachments 1 and 2)</p>	
<p>17. <b><u>Pb. Hrg.: SP2017-00016 – Caliber Collision.</u></b></p> <ul style="list-style-type: none"> <li>• By a vote of 6:0, <b>ADOPTED</b> resolution to approve SP 2017-16 Caliber Collision with conditions.</li> </ul>	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 3)</p>	
<p>18. <b><u>Pb. Hrg.: Ordinance to Amend County Code Chapter 2, Administration.</u></b></p> <ul style="list-style-type: none"> <li>• By a vote of 6:0 <b>ADOPTED</b> Ordinance to amend County Code Chapter 2, Administration.</li> </ul>	<p><u>Clerk:</u> Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 4)</p>	
<p>19. From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Ann Mallek:</u></p> <ul style="list-style-type: none"> <li>• Mentioned she toured a nutrient mitigation bank and requested that staff research an ordinance change to require developers that need nutrient credits to purchase those credits.</li> </ul>		
<p>20. From the County Executive: Report on Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> <li>• There were none.</li> </ul>		
<p>21. Closed Meeting.</p> <ul style="list-style-type: none"> <li>• At 8:00 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:</li> <li>• Under Subsection (1), to discuss and consider: <ol style="list-style-type: none"> <li>1. Appointments to boards, committees, and commission in which there are pending vacancies or requests for reappointment; and</li> <li>2. The appointment of a Director of Finance.</li> </ol> </li> </ul>		

<ul style="list-style-type: none"> <li>Under Subsection (3), to discuss and consider the acquisition of real property in the Rivanna Magisterial District, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.</li> </ul>		
<p>Certify Closed Meeting.</p> <ul style="list-style-type: none"> <li>At 8:50 p.m., the Board reconvened into open meeting and certified the closed meeting.</li> </ul>		
<p>Vacancies and Appointments:</p> <ul style="list-style-type: none"> <li><b>APPOINTED</b>, Ms. Karen Davenport to the 5<sup>th</sup> &amp; Avon Community Advisory Committee, with said term to expire September 30, 2019.</li> <li><b>APPOINTED</b>, Mr. David Norford to the Acquisition of Conservation Easements Committee (ACE), with said term to expire August 1, 2019.</li> </ul>	<p><u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.</p>	
<p>22. Adjourn to April 17, 2018, 6:00 p.m., Room 241.</p> <ul style="list-style-type: none"> <li>The meeting was adjourned at 8:52 p.m.</li> </ul>		

ckb/tom

- Attachment 1 – Resolution to Approve SP 2017-30 Willow River Veterinary Services
- Attachment 2 – Resolution to Approve Special Exception for SP 2017-30 Willow River Veterinary Services
- Attachment 3 – Resolution to Approve SP 2017-16 Caliber Collision; Body Shop
- Attachment 4 - Ordinance No. 18-2(2)

**RESOLUTION TO APPROVE  
SP 2017-30 WILLOW RIVER VETERINARY SERVICES**

**WHEREAS**, Willow River Veterinary Services submitted an application for a special use permit to use part of an existing building for a veterinary office and hospital on Tax Map Parcel Number 07700-00-00-04700, and the application is identified as SP201700030 Willow River Veterinary Services (“SP 2017-30”); and

**WHEREAS**, on March 6, 2018, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2017-30 with conditions; and

**WHEREAS**, on April 11, 2018, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2017-30.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the staff report prepared for SP 2017-30 and all of its attachments, the information presented at the public hearing, and the factors relevant to a special use permit in Albemarle County Code §§ 18-25.2.2(5) and 18-33.8, the Albemarle County Board of Supervisors hereby approves SP 2017-30, subject to the conditions attached hereto.

\* \* \*

**SP-2017-30 Willow River Veterinary Services  
Special Use Permit Conditions**

1. Development and use of the veterinary service shall be in general accord with the concept plan titled “Willow River Veterinary Services (Mill Creek)” and marked “received” on December 18, 2017, by the Department of Community Development. To be in general accord with this concept plan, the proposed use shall reflect the following major elements essential to the design of the site:
  - Location of more than one entrance and exit for animals visiting the clinic;
  - No outdoor exercise areas or runs.
2. The hours of operation for the clinic shall not begin earlier than 7:00 a.m. and shall not end later than 8:00 p.m., each day, Monday through Saturday. There shall be no hours of operation on Sunday.
3. No overnight boarding use, other than for those animals under medical care, shall take place at the veterinary clinic.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION  
FOR SP 2017-30 WILLOW RIVER VETERINARY SERVICES**

**WHEREAS**, Willow River Veterinary Services submitted an application for a special use permit to operate a veterinary office and hospital on Tax Map Parcel Number 07700-00-00-04700 (the "Property") ("SP 2017-30); and

**WHEREAS**, Willow River Veterinary Services filed a request for a special exception in conjunction with SP 2017-30 to modify the requirement of County Code § 18-5.1.11(b) that soundproofed confinement structures for a veterinary service use be located at least 200 feet from a residential or agricultural lot line.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the staff report prepared in conjunction with the application, and its supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-5.1, 18-33.5, and 18-33.9, the Albemarle County Board of Supervisors hereby approves the special exception to modify the requirement of County Code § 18-5.1.11(b) to allow the soundproofed confinement structure serving Willow River Veterinary Services on the Property to be located less than 200 feet from the nearest residential lot line, subject to the condition attached hereto.

\* \* \*

**SP 2017-30 Willow River Veterinary Services Special Exception Condition**

1. Prior to the issuance of a building permit, the applicant shall submit information to the satisfaction of the County Engineer and the Zoning Administrator (or their designees) that demonstrate the sound attenuation qualities of the construction materials used in the renovation of the clinic can reasonably meet the fifty-five (55) decibel sound limit in County Code § 18- 5.1.11(b).

**RESOLUTION TO APPROVE  
SP 2017-16 CALIBER COLLISION; BODY SHOP**

**WHEREAS**, Caliber Collision submitted an application for a special use permit to establish a body shop and associated improvements on Tax Map Parcel Number 07700-00-00-011F0, and the application is identified as SP201700016 Caliber Collision Body Shop (“SP 2017-16”); and

**WHEREAS**, on March 6, 2018, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2017-16 with conditions; and

**WHEREAS**, on April 11, 2018, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2017-16.

**NOW, THEREFORE, BE IT RESOLVED** that, upon consideration of the foregoing, the staff report prepared for SP 2017-16 and all of its attachments, the information presented at the public hearing, and the factors relevant to a special use permit in Albemarle County Code §§ 18-24.2.2(17) and 18-33.8, the Albemarle County Board of Supervisors hereby approves SP 2017-16, subject to the conditions attached hereto.

\* \* \*

**SP 2017-16 Caliber Collision; Body Shop Special Use Permit Conditions**

1. Development and use shall be in general accord with the following revised plans originally prepared by Freeland and Kauffman, Inc. last updated March 8, 2018 entitled “Caliber Collision, Conceptual Site Plan, Conceptual Grading Plan, Conceptual Landscape Plan,” (hereafter “Concept Plan”) as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Concept Plan, development and use shall reflect the following major elements as shown on the plans:
  - a. Limits of disturbance
  - b. Location of buildings and structures
  - c. Location of parking areas
  - d. Location of driveways and entrances
  - e. Relation of buildings and parking to the street

Minor modifications to the Concept Plan that do not otherwise conflict with the elements listed above may be made to ensure compliance with the Zoning Ordinance.

2. Development and use shall also be in general accord with the following plans originally prepared by Brian Rumsey, dated November 1, 2017 and last updated March 12, 2018 entitled “Caliber Collision Exterior Elevations” (hereafter “Elevations”), as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Elevations, development and use shall reflect the following major elements as shown on the Elevations:
  - a. Building massing, shape, and height
  - b. Fenestration or architectural features along the “02 Left Elevation (South)” façade to provide a pedestrian orientation. Alternatively, this condition may be satisfied with a combination of wall plantings, architectural features, and fenestration along this particular elevation to the satisfaction of the Director of Planning or his/her designee.

Minor modifications to the Elevations that do not otherwise conflict with the elements listed above may be made to ensure compliance with the Zoning Ordinance.

3. Upon request of the County, the applicant shall dedicate land within the 100-year floodplain and stream buffers to public use near Moore's Creek for a potential future greenway trail. Actual trail planning, permitting, and construction is to be carried out by others.
4. Approval of a construction permit for installation of the proposed septic system is required by the Virginia Department of Health prior to final site plan approval by Albemarle County.
5. Approval of an Access Management Exception Request by the Virginia Department of Transportation will be required prior to final site plan approval by Albemarle County.
6. The use shall commence on or before April 11, 2021 or the permit shall expire and be of no effect.

## ORDINANCE NO. 18-2(2)

AN ORDINANCE TO AMEND CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 2, Administration, is hereby amended and reordained as follows:

**By Amending:**

- 2-101 Jack Jouett Magisterial District.
- 2-102 Rio Magisterial District.
- 2-103 Rivanna Magisterial District.
- 2-104 Samuel Miller Magisterial District.
- 2-105 Scottsville Magisterial District.
- 2-106 White Hall Magisterial District.
- 2-107 Central absentee voter precinct.
- 2-200 County executive form of government.
- 2-404 Employees; contracts with planners and consultants; limitation on expenditures.
- 2-406 Duties generally.
- 2-601 Powers, duties, and procedures.
- 2-701 Purposes and powers.
- 2-802 Compensation and term of office of members.
- 2-803 Officers and staff; minutes of meetings.
- 2-804 Re-eligibility.
- 2-805 Powers and duties.

**By Amending and Renaming:**

- 2-100 Establishment and boundaries of magisterial districts, ~~election districts,~~ and precincts; identifying and polling places; map.
- 2-201 Board of ~~s~~Supervisors; composition and terms.
- 2-202 Compensation of ~~board of supervisors~~ the Board of Supervisors.
- 2-300 School ~~board~~ Board; composition and terms.
- 2-400 Planning ~~e~~Commission created.
- 2-401 Composition; appointment, terms, and compensation of members; quorum.
- 2-500 ~~Police department~~ Albemarle County Police Department established.
- 2-501 ~~Employment of Off-Duty Police Officers~~ Off-duty employment of police officers may be authorized by the Chief of Police.
- 2-600 ~~Creation of economic development authority~~ Economic Development Authority created.
- 2-602 Board of ~~directors~~ Directors; composition and appointment.
- 2-700 ~~Service authority~~ Albemarle County Service Authority created.
- 2-702 ~~Membership; appointment and term of office of members; filling of vacancies~~ Composition, appointment, and terms.
- 2-800 Airport ~~e~~Commission.
- 2-801 Composition and appointment; ~~appointment of members.~~

**By Amending, Renaming, and Renumbering:**

- ~~2-404~~ 2-402 ~~Employees; contracts with planners and consultants; limitation on expenditures~~ Authority to appoint employees and contract with consultants; required appropriation.
- ~~2-503~~ 2-502 Disposition of unclaimed personal property in possession of law enforcement agencies.
- ~~2-504~~ 2-503 ~~Albemarle County Volunteer e~~Community ~~s~~Service ~~f~~Force.
- ~~2-505~~ 2-504 ~~Albemarle County Auxiliary p~~Police ~~f~~Force.



- ~~2-1104 2-900 Administration Designation of the County Executive to develop and administer Personnel policies and procedures.~~
- ~~2-1102 2-901 Adoption of personnel policies and procedures by the Board of Supervisors.~~
- ~~2-1104 2-903 Certain persons deemed part Designation of the County's official safety program.~~
- ~~2-1108 2-905 Establishment, execution and amendment of plan Deferred compensation plan established.~~
- ~~2-1109 2-907 Deferred compensation committee= created.~~
- ~~2-1110 2-908 Deferred compensation committee—powers Powers of the Deferred Compensation Committee.~~

**By Adding:**

- 2-603 Composition, appointment, and terms.
- 2-902 Designation of the County Executive as the Director of Emergency Management.
- 2-904 Identified appointed boards; compensation and reimbursement.
- 2-906 Designation of the County Executive to perform certain plan duties.

**By Repealing:**

- 2-402 Organization.
- 2-403 Finances.
- 2-405 Adoption of rules; records; assistance by other county and municipal officials.
- 2-502 Concealed handgun permits.
- 2-900 Library board.
- 2-1000 Office of emergency service.
- 2-1001 Director--Designated.
- 2-1002 Director--Powers and duties.
- 2-1003 Declaration of local emergency.
- 2-1100 Authority.
- 2-1103 County executive.
- 2-1105 Enumerated.
- 2-1106 Members excluded.
- 2-1107 Travel and other expenses.

**Chapter 2. Administration**

**Article 1. Elections**

Sec. 2-100 Establishment and boundaries of magisterial districts, and precincts; identifying polling places; map.

The County's magisterial districts are established and identified as follows:

- A. *County divided in six magisterial districts.* The County is divided into six magisterial districts, which are named and have boundaries as described in this article. The magisterial districts are election districts for the County within the meaning of Virginia Code § 15.2-1211.
- B. *Precincts and polling places.* Each magisterial district contains precincts described in this article. Each precinct has a polling place identified in this article.
- C. *Maps.* The map identified as "Albemarle County, Virginia 2011 Redistricting Plan # 1A, dated May 4, 2011," as amended by the maps depicting the amended precincts and polling place locations in the Jack Jouett, Rivanna, Scottsville, and White Hall magisterial districts effective on and after March 14, 2018, are hereby designated as the official maps depicting the magisterial districts, precinct boundaries, and polling place locations within the County. The text of this chapter is controlling if there is any conflict between the maps and the descriptions of the magisterial district boundaries, precinct boundaries, or polling place locations in this chapter.

(8-19-71, § 1; 9-5-72; 7-15-81; Code 1988, § 6-1; 5-15-91; Ord. 95-6(1), 1-11-95; Ord. 98-A(1), 8-5-98; Ord. 01-2(1), 5-9-01; Ord. 11-2(2), 5-4-11)

**State law reference**—Va. Code §§ 15.2-1211, 24.2-304.1 *et seq.*, 24.2-305 *et seq.*

### **Sec. 2-101 Jack Jouett Magisterial District.**

The Jack Jouett Magisterial District shall be bounded, and contain precincts and polling places, as follows:

- A. *Description of district.* Beginning at the intersection of Seminole Trail (U.S. Route 29) and Greenbrier Drive; then northwest along Greenbrier Drive to its intersection with Whitewood Road; then west along Whitewood Road to its intersection with Hydraulic Road (State Route 743); then northeast along Hydraulic Road to its intersection with Earlysville Road (State Route 743); then north along Earlysville Road to its intersection with the South Fork Rivanna River; then meandering north and west along the South Fork Rivanna River to its confluence with the Mechums River; then meandering southwest along the Mechums River to its intersection with Garth Road (State Routes 614, 676 and 601); then east and south along Garth Road to its intersection with Ivy Creek; then west and south along Ivy Creek to its intersection with Old Ballard Road (State Route 677); then south along Old Ballard Road to its intersection with Broomley Road (State Route 677); then south along Broomley Road to its intersection with the CSX Railway right-of-way; then east along the railway to its intersection with the U.S. Route 29/250 Bypass; then south along the U.S. Route 29/250 Bypass to its intersection with the U.S. Route 29 Bypass; then south along the U.S. Route 29 Bypass to its intersection with Fontaine Avenue Extended/U.S. Route 29 Business; then east along Fontaine Avenue Extended/U.S. Route 29 Business to its intersection with the Charlottesville city limits; then meandering north and east along the Charlottesville city limits to its intersection with Seminole Trail (U.S. Route 29); then north along Seminole Trail to its intersection with Greenbrier Drive, the point of origin.
- B. *Precincts.* The district shall be divided into three precincts, which are described as follows:
  1. *Georgetown Precinct.* Beginning at the intersection of Seminole Trail (U.S. Route 29) and Greenbrier Drive; then northwest along Greenbrier Drive to its intersection with Whitewood Road; then west along Whitewood Road to its intersection with Hydraulic Road (State Route 743); then south along Hydraulic Road to its intersection with Georgetown Road (State Route 656); then southwest along Georgetown Road to its intersection with Barracks Road (State Route 654); then southeast along Barracks Road to its intersection with Charlottesville's western city limits; then along Charlottesville's western city limits north and east to the intersection of Seminole Trail (U.S. Route 29); then north along Seminole Trail to its intersection with Greenbrier Drive, the point of origin.
  2. *Jack Jouett Precinct.* Beginning at the intersection of Barracks Road (State Route 654) and its intersection with Georgetown Road (State Route 656); then northeast along Georgetown Road to its intersection with Hydraulic Road (State Route 743); then northeast along Hydraulic Road to its intersection with Earlysville Road (State Route 743); then north along Earlysville Road to its intersection with the South Fork Rivanna River; then meandering north and west along the South Fork Rivanna River to its confluence with the Mechums River; then meandering southwest along the Mechums River to its intersection with Garth Road (State Routes 614, 676, and 601); then east and southeast along Garth Road to its intersection with Ivy Creek; then west and south along Ivy Creek to its intersection with Old Ballard Road (State Route 677); then south along Old Ballard Road to its intersection with Broomley Road (State Route 677); then south along Broomley Road to its intersection with the CSX railway right-of-way; then east along the CSX railway right-of-way to its intersection with the US Route 29/250 bypass; then northeast along the US Route 29/250 bypass to its intersection with Charlottesville's western city limits and Barracks Road (State Route 654); then northwest along Barracks Road to its intersection with Georgetown Road, the point of origin.
  3. *University Hall Precinct.* Beginning at the intersection of the U.S. Route 29 Bypass and Fontaine Avenue Extended/U.S. Route 29 Business; then north to its intersection with the U.S. Route

29/250 Bypass; then north and northeast along the U.S. Route 29/250 Bypass to its intersection with Charlottesville's northwestern city limits, then meandering south along the Charlottesville city limits to its intersection with Fontaine Avenue/U.S. Route 29 Business; then running west along Fontaine Avenue/U.S. Route 29 Business and the Charlottesville city limits to its intersection with Fontaine Avenue Extended/U.S. Route 29 Business; then west along Fontaine Avenue Extended/U.S. Route 29 Business to its intersection with the U.S. Route 29/250 Bypass, the point of origin.

C. *Polling places.* Each precinct shall have a polling place at the location identified below:

1. *Georgetown Precinct.* Albemarle High School, 2775 Hydraulic Road.
2. *Jack Jouett Precinct.* Jack Jouett Middle School, 210 Lambs Lane.
3. *University Hall Precinct.* University Hall, 300 Massie Road.

(8-19-71, § 1; 9-5-72; 7-15-81; Code 1988, § 6-1; 5-15-91; Ord. 95-6(1), 1-11-95; Ord. 98-A(1), 8-5-98, § 2-100(2), § 2-102; Ord. 01-2(1), 5-9-01; Ord. 03-2(2), 7-9-03; Ord. 11-2(2), 5-4-11; Ord. 18-2(1), 3-14-18)

**State law reference** – Va. Code §§ 15.2-1211, 24.2-304.1 *et seq.*, 24.2-305 *et seq.*

### **Sec. 2-102 Rio Magisterial District.**

The Rio Magisterial District shall be bounded, and contain precincts and polling places, as follows:

A. *Description of district.* Beginning at the intersection of Seminole Trail (U.S. Route 29) and the South Fork Rivanna River; then northeast along Seminole Trail to its intersection with Dickerson Lane (State Route 763); then west along Dickerson Lane to its intersection with Dickerson Road (State Route 606); then south along Dickerson Road to its intersection with Earlysville Road (State Route 743); then northwest along Earlysville Road to its intersection with Buck Mountain Road (State Route 663); then northwest along Buck Mountain Road (State Route 663) to its intersection with Buck Mountain Road (State Route 664); then northwest along Buck Mountain Road (State Route 664) to its intersection with Buck Mountain Road (State Route 665); then southwest along Buck Mountain Road (State Route 665) to its intersection with Bleak House Road (State Route 662); then south along Bleak House Road to its intersection with Reas Ford Road (State Route 660); then south along Reas Ford Road to its intersection with the South Fork Rivanna River; then meandering southeast along the South Fork Rivanna River to its intersection with Earlysville Road (State Route 743); then south along Earlysville Road to its intersection with Hydraulic Road (State Route 743); then southwest along Hydraulic Road to its intersection with Whitewood Road; then east along Whitewood Road to its intersection with Greenbrier Drive; then southeast along Greenbrier Drive to its intersection with Seminole Trail (U.S. Route 29); then south along Seminole Trail to its intersection with Charlottesville's northern city limits; then along the Charlottesville city limits east to its intersection with the Rivanna River; then meandering north along the Rivanna River to its confluence with the South Fork Rivanna River; then meandering north and west along the South Fork Rivanna River, to Seminole Trail (U.S. Route 29), the point of origin.

B. *Precincts.* The district shall be divided into five precincts, which are described as follows:

1. *Agnor-Hurt Precinct.* Beginning at Seminole Trail (U.S. Route 29) and its intersection with Greenbrier Drive; then northeast along Seminole Trail to its intersection with the South Fork Rivanna River; then meandering west and south along the South Fork Rivanna River to its intersection with Earlysville Road (State Route 743); then south along Earlysville Road to its intersection with Hydraulic Road (State Route 743); then southwest along Hydraulic Road to its intersection with Whitewood Road; then east along Whitewood Road to its intersection with Greenbrier Drive; then southeast along Greenbrier Drive to its intersection with Seminole Trail, the point of origin.
2. *Branchlands Precinct.* Beginning at Charlottesville's northern city limits and its intersection with Denice Lane and Rio Road East (State Route 631); then northwest along Rio Road East to its

intersection with Seminole Trail (U.S. Route 29); then south along Seminole Trail to Charlottesville's northern city limits; then east along the Charlottesville city limits to its intersection with Denice Lane and Rio Road East, the point of origin.

3. *Dunlora Precinct.* Beginning at Rio Road East (State Route 631) at its intersection with the Norfolk Southern Railway right-of-way and the Charlottesville city limits; then northeast along the Norfolk Southern Railway right-of-way to its intersection with the South Fork Rivanna River; then meandering southeast along the South Fork Rivanna River to its confluence with the North Fork Rivanna River and the Rivanna River; then running south along the Rivanna River to its intersection with the Charlottesville city limits; then south and west along the Charlottesville city limits to its intersection with the Norfolk Southern Railway right-of-way; then northeast along the Norfolk Southern Railway right-of-way and the Charlottesville city limits to its intersection with Rio Road East, the point of origin.
4. *Northside Precinct.* Beginning at the intersection of Seminole Trail (U.S. Route 29) and the South Fork Rivanna River; then northeast along Seminole Trail to its intersection with Dickerson Lane (State Route 763); then west along Dickerson Lane to its intersection with Dickerson Road (State Route 606); then south along Dickerson Road to its intersection with Earlysville Road (State Route 743); then northwest along Earlysville Road to its intersection with Buck Mountain Road (State Route 663); then northwest along Buck Mountain Road (State Route 663) to its intersection with Buck Mountain Road (State Route 664); then northwest along Buck Mountain Road (State Route 664) to its intersection with Buck Mountain Road (State Route 665); then southwest along Buck Mountain Road (State Route 665) to its intersection with Bleak House Road (State Route 662); then south along Bleak House Road to its intersection with Reas Ford Road (State Route 660); then South along Reas Ford Road to its intersection with the South Fork Rivanna River; then meandering east along the South Fork Rivanna River to its intersection with Seminole Trail (U.S. Route 29), the point of origin.
5. *Woodbrook Precinct.* Beginning at Charlottesville's northern city limits and its intersection with Rio Road East (State Route 631) and the Norfolk Southern Railway right-of-way; then northeast along the Norfolk Southern Railway right-of-way to its intersection with the South Fork Rivanna River; then meandering northwest along the South Fork Rivanna River to its intersection with Seminole Trail (U.S. Route 29); then south along Seminole Trail to its intersection with Rio Road East (State Route 631); then southeast along Rio Road East to its intersection with the Norfolk Southern Railway right-of-way and Charlottesville's northern city limits, the point of origin.

C. *Polling places.* Each precinct shall have a polling place at the location identified below:

1. *Agnor-Hurt Precinct.* Agnor-Hurt Elementary School, 3201 Berkmar Drive.
2. *Branchlands Precinct.* Senior Center, 1180 Pepsi Place.
3. *Dunlora Precinct.* Charlottesville-Albemarle Technical Education Center, 1000 East Rio Road.
4. *Northside Precinct.* Earlysville Volunteer Fire Station, 283 Reas Ford Road.
5. *Woodbrook Precinct.* Woodbrook Elementary School, 100 Woodbrook Drive.

(8-19-71, § 1; 9-5-72; 7-15-81; Code 1988, § 6-1; 5-15-91; Ord. 95-6(1), 1-11-95; Ord. 98-A(1), 8-5-98, § 2-100(1), § 2-101; Ord. 01-2(1), 5-9-01; Ord. 02-2(3), 5-1-02; Ord. 06-2(2), 7-12-06; Ord. 11-2(2), 5-4-11; Ord. 15-2(2), 10-7-15)

**State law reference**—Va. Code §§ 15.2-1211, 24.2-304.1 *et seq.*, 24.2-305 *et seq.*

### **Sec. 2-103 Rivanna Magisterial District.**

The Rivanna Magisterial District shall be bounded, and contain precincts and polling places, as follows:

- A. *Description of district.* Beginning at the intersection of Interstate 64 and the Albemarle/Fluvanna county line; then northeast along the Albemarle/Fluvanna county line to its intersection with the

Albemarle/ Louisa county line; then northeast along the Albemarle/Louisa county line to its intersection with the Albemarle/ Orange county line; then west along the Albemarle/Orange county line to its intersection with the Albemarle/ Greene county line; then west along the Albemarle/Greene county line to its intersection with Seminole Trail (U.S. Route 29); then southwest along Seminole Trail to its intersection with the South Fork Rivanna River; then meandering southeast along the South Fork Rivanna River to its confluence with the North Fork Rivanna River and the Rivanna River; then meandering south along the Rivanna River to its intersection with Interstate 64; then along Interstate 64 east to its intersection with the Albemarle/Fluvanna county line, the point of origin.

B. *Precincts.* The district shall be divided into six precincts, which are described as follows:

1. *Baker-Butler Precinct.* Beginning at the intersection of Seminole Trail (U.S. Route 29) and the Albemarle/Greene county line; then southeast along the Albemarle/Greene county line to its intersection with the Albemarle/Orange county line; then southeast along the Albemarle/Orange county line to its intersection with the Norfolk Southern Railway right-of-way; then southwest along the Norfolk Southern Railway right-of-way to its intersection with the drainage culvert of an unnamed tributary of Powell Creek (flowing under the railway right-of-way at the southern end of Proffit Station Road); then meandering west along the unnamed tributary of Powell Creek to its confluence with Powell Creek; then meandering north along Powell Creek to its confluence with an unnamed outlet to Lake Hollymead; then meandering west along the unnamed outlet to Lake Hollymead into the eastern end of Lake Hollymead; then west along the length of Lake Hollymead to an unnamed tributary to Lake Hollymead at the western end of Lake Hollymead; then meandering west along the unnamed tributary to Lake Hollymead to another unnamed tributary to Lake Hollymead (running roughly parallel to Broad Crossing Road to the south); then meandering west along the unnamed tributary to Lake Hollymead (running roughly parallel to Broad Crossing Road to the south) to its intersection with Seminole Trail (U.S. Route 29), immediately south of 3129 Seminole Trail; then north along Seminole Trail to its intersection with the Albemarle/Greene county line, the point of origin.
2. *Free Bridge Precinct.* Beginning at the intersection of the Rivanna River with Interstate 64; then meandering north along the Rivanna River to its intersection with a Dominion Power high voltage powerline right-of-way; then running southeast along the powerline right-of-way to its intersection with Shadwell Creek; then running south along Shadwell Creek to its intersection with Hansens Mountain Road; then running west along Hansens Mountain Road to its intersection with Richmond Road (US Route 250); then running southeast along Richmond Road/US Route 250 to its intersection with Interstate 64; then running west along Interstate 64 to its intersection with the Rivanna River, the point of origin.
3. *Hollymead Precinct.* Beginning at the intersection of the Norfolk Southern Railway right-of-way and the South Fork Rivanna River; then running northeast along the Norfolk Southern Railway right-of-way to its intersection with the drainage culvert of an unnamed tributary of Powell Creek (flowing under the railway right-of-way at the southern end of Proffit Station Road); then meandering west along the unnamed tributary of Powell Creek to its confluence with Powell Creek; then meandering north along Powell Creek to its confluence with an unnamed outlet to Lake Hollymead; then meandering west along the unnamed outlet to Lake Hollymead into the eastern end of Lake Hollymead; then west along the length of Lake Hollymead to an unnamed tributary to Lake Hollymead at the western end of Lake Hollymead; then meandering west along the unnamed tributary to Lake Hollymead to another unnamed tributary to Lake Hollymead (running roughly parallel to Broad Crossing Road to the south); then meandering west along the unnamed tributary to Lake Hollymead (running roughly parallel to Broad Crossing Road to the south) to its intersection with Seminole Trail (U.S. Route 29) immediately south of 3129 Seminole Trail; then south along Seminole Trail to its intersection with the South Fork Rivanna River; then meandering southeast along the South Fork Rivanna River to its intersection with the Norfolk Southern Railway right-of-way, the point of origin.
4. *Keswick Precinct.* Beginning at the intersection of the Albemarle/Orange/Louisa county line; then southwest along the Albemarle/Louisa county line to its intersection with the Albemarle/ Fluvanna county line; then southwest along the Albemarle/ Fluvanna county line to its intersection with Interstate 64; then west along Interstate 64 to its intersection with Barn Branch; then northwest along Barn Branch to its confluence with a western branch of Barn Branch whose origin lies near

the ridge of Trevillian Mountain of the Southwest Mountains; then meandering north along this western branch of Barn Branch to its origin near the ridge of Trevillian Mountain of the Southwest Mountains; then northeast along the ridge line of the Southwest Mountains to its intersection with the Albemarle/Orange county line; then east along the Albemarle/Orange county line to its intersection with the Albemarle/Orange/ Louisa county line, the point of origin.

5. *Pantops Precinct*. Beginning at the confluence of the Rivanna River and Redbud Creek; then east along Redbud Creek to its confluence with an eastern branch of Redbud Creek whose origin lies near the ridge of Long Mountain of the Southwest Mountains; then meandering southeast along this eastern branch of Redbud Creek to its origin near the ridge of Long Mountain of the Southwest Mountains; then Southwest along the ridge line of the Southwest Mountains (encountering Hammocks Gap, followed by Wolf Mountain, followed by Trevillian Mountain) to its intersection with the origin of a western branch of Barn Branch; then meandering south along this western branch of Barn Branch to its confluence with Barn Branch; then southeast along Barn Branch to its intersection with Interstate 64; then west along Interstate 64 to its intersection with Richmond Road (US Route 250); then northwest along Richmond Road/US Route 250 to its intersection with Hansens Mountain Road; then running east along Hansens Mountain Road to its intersection with Shadwell Creek; then running north along Shadwell Creek to its intersection with a Dominion Power high voltage powerline right-of-way; then running northwest along this powerline right-of-way to its intersection with the Rivanna River; then meandering northwest along the Rivanna River to its confluence with Redbud Creek, the point of origin.
6. *Stony Point Precinct*. Beginning at the intersection of the South Fork Rivanna River and the Norfolk Southern Railway right-of-way; then meandering southeast along the South Fork Rivanna River to its confluence with the North Fork Rivanna River and Rivanna River; then meandering south along the Rivanna River to its confluence with Redbud Creek; then east along Redbud Creek to its confluence with an eastern branch of Redbud Creek whose origin lies near the ridge of Long Mountain of the Southwest Mountains; then east along this eastern branch of Redbud Creek to its origin near the ridge of Long Mountain of the Southwest Mountains; then northeast along the ridgeline of the Southwest Mountains to its intersection with the Albemarle/Orange county line; then west along the Albemarle/Orange county line to its intersection with the Norfolk Southern Railway right-of-way; then southwest along the Norfolk Southern Railway right-of-way to its intersection with the South Fork Rivanna River, the point of origin.

C. *Polling places*. Each precinct shall have a polling place at the location identified below:

1. *Baker-Butler Precinct*. Baker-Butler Elementary School, 2740 Proffit Road.
2. *Free Bridge Precinct*. Elk's Lodge Hall, 389 Elk Drive.
3. *Hollymead Precinct*. Hollymead Elementary School, 2775 Powell Creek Drive.
4. *Keswick Precinct*. Zion Hill Baptist Church, 802 Zion Hill Road.
5. *Pantops Precinct*. Broadus Memorial Baptist Church, 1525 Stony Point Road.
6. *Stony Point Precinct*. Stony Point Elementary School, 3893 Stony Point Road.

(8-19-71, § 1; 9-5-72; 7-15-81; Code 1988, § 6-1; 5-15-91; Ord. 95-6(1), 1-11-95; Ord. 98-A(1), 8-5-98, § 2-100(3), § 2-103; Ord. 01-2(1), 5-9-01; Ord. 02-2(4), 7-3-02; Ord. 08-2(1), 2-6-08; Ord. 11-2(2), 5-4-11; Ord. 18-2(1), 3-14-18)

**State law reference** – Va. Code §§ 15.2-1211, 24.2-304.1 *et seq.*, 24.2-305 *et seq.*

#### **Sec. 2-104 Samuel Miller Magisterial District.**

The Samuel Miller Magisterial District shall be bounded, and contain precincts and polling places, as follows:

A. *Description of district.* Beginning at the intersection of the Mechums River and Garth Road (State Routes 614, 676 and 601); then east and south along Garth Road to its intersection with Ivy Creek; then meandering west and south along Ivy Creek to its intersection with Old Ballard Road (State Route 677); then south along Old Ballard Road to its intersection with Broomley Road (State Route 677); then south along Broomley Road to its intersection with the CSX Railway right-of-way; then east along the CSX Railway right-of-way to its intersection with the U.S. Route 29/250 Bypass; then south along the U.S. Route 29/250 Bypass to its intersection with the U.S. Route 29 Bypass; the south along the U.S. Route 29 Bypass to its intersection with Fontaine Avenue Extended/U.S. Route 29 Business; then east along Fontaine Avenue Extended /U.S. Route 29 Business to its intersection with the Charlottesville city limits; then south along the Charlottesville city limits to its intersection with Sunset Avenue Extended (State Route 781); then south along Sunset Avenue Extended to its intersection with Mountainwood Road; then east along Mountainwood Road to its intersection with Old Lynchburg Road (State Route 780); then south along Old Lynchburg Road (State Route 780) to Old Lynchburg Road (State Route 631); then south along Old Lynchburg Road (State Route 631) to its intersection with a western branch of Biscuit Run (immediately south of and running roughly parallel to Forest Lodge Drive); then east along this western branch of Biscuit Run to its confluence with Biscuit Run; then south along Biscuit Run approximately 375 feet to its confluence with an eastern branch of Biscuit Run; then continuing east along this eastern branch of Biscuit Run to its intersection with Scottsville Road (State Route 20) (just north of the intersection of Scottsville Road and Cedar Hill Farm road); then south along Scottsville Road to its intersection with Red Hill Road (State Route 708); then immediately west along Red Hill Road to its intersection with the North Fork Hardware River; then meandering southwest along the North Fork Hardware River to its confluence with the Hardware River and the South Fork Hardware River; then southwest along the South Fork Hardware River to its confluence with Eppes Creek; then southwest along Eppes Creek to its confluence with Beaver Branch; then meandering southwest along Beaver Branch to its intersection with Plank Road (State Route 712); then southeast along Plank Road to its intersection with Esmont Road (State Route 715); then continuing northeast along Plank Road to its intersection with Scottsville Road (State Route 20); then southeast along Scottsville Road to its intersection with Langhorne Road (State Route 626); then southwest along Langhorne Road to its intersection with James River Road (State Route 627); then southeast along James River Road to its intersection with Warren Ferry Road (State Route 627); then south along Warren Ferry Road to its intersection with the James River and the Albemarle/Buckingham county line; then southwest along the Albemarle/Buckingham county line to its intersection with the Albemarle/Nelson county line; then northwest along the Albemarle/Nelson county line to its intersection with Batesville Road (State Route 636); then east along Batesville Road to its intersection with Ortman Road (State Route 691); then north along Ortman Road to its intersection with Rockfish Gap Turnpike (U. S. Route 250); then east along Rockfish Gap Turnpike to its intersection with Interstate 64; then east along Interstate 64 to its intersection with the Mechums River; then meandering northeast along the Mechums River to its intersection with Garth Road, the point of origin.

B. *Precincts.* The district shall be divided into six precincts, which are described as follows:

1. *Country Green Precinct.* Beginning at Sunset Avenue Extended (State Route 781) and the overpass of Interstate 64; then south along Sunset Avenue Extended to its intersection with Mountainwood Road; then east along Mountainwood Road to its intersection with Old Lynchburg Road (State Route 780); then south along Old Lynchburg Road (State Route 780) to Old Lynchburg Road (State Route 631); then south along Old Lynchburg Road (State Route 631) to its intersection with a western branch of Biscuit Run (immediately south of and running roughly parallel to Forest Lodge Drive); then east along this western branch of Biscuit Run to its confluence with Biscuit Run; then south along Biscuit Run approximately 375 feet to its confluence with an eastern branch of Biscuit Run; then continuing east along this eastern branch of Biscuit Run to its intersection with Scottsville Road (State Route 20) (just north of the intersection of Scottsville Road and Cedar Hill Farm road); then south along Scottsville Road to its intersection with Red Hill Road (State Route 708); then northwest along Red Hill Road to its intersection with the Norfolk Southern Railway right-of-way; then northeast along the Norfolk Southern Railway right-of-way to its intersection with Interstate 64; then southeast along Interstate 64 to its overpass at Sunset Avenue Extended, the point of origin.

2. *East Ivy Precinct.* Beginning at the intersection of Charlottesville's western city limits and Sunset Avenue Extended (State Route 781); then south along Sunset Avenue Extended to its intersection with Interstate 64; then west along Interstate 64 to its intersection with Dick Woods Road (State Route 637); then north along Dick Woods Road to its intersection with Bloomfield Road (State Route 677); then northeast along Bloomfield Road to its intersection with Ivy Road (U.S. Route 250); then east along Ivy Road to its intersection with Broomley Road (State Route 677); then north along Broomley Road to its intersection with the CSX Railway right-of-way; then east along the CSX Railway right-of-way to its intersection with the U.S. Route 29/250 Bypass; then south along the U.S. Route 29/250 Bypass to its intersection with the U.S. Route 29 Bypass; then south along the U.S. Route 29 Bypass to its intersection with Fontaine Avenue Extended (U.S. Route 29 Business); then east along Fontaine Avenue Extended/U.S. Route 29 Business to its intersection with the Charlottesville city limits; then along the Charlottesville city limits south to the intersection with Sunset Avenue Extended, the point of origin.
3. *Ivy Precinct.* Beginning at the intersection of the Mechums River and Garth Road (State Routes 614, 676 and 601); then east and southeast along Garth Road to its intersection with Ivy Creek; then meandering west and south along Ivy Creek to its intersection with Old Ballard Road (State Route 677); then south along Old Ballard Road to its intersection with Broomley Road (State Route 677); then south along Broomley Road to its intersection with Ivy Road (U.S. Route 250); then west along Ivy Road to its intersection with Bloomfield Road (State Route 677); then southwest along Bloomfield Road to its intersection with Dick Woods Road (State Route 637); then southwest along Dick Woods Road to its intersection with Interstate 64; then west along Interstate 64 to its intersection with the Mechums River; then meandering northeast along the Mechums River to its intersection with Garth Road, the point of origin.
4. *Porter's Precinct.* Beginning at the intersection of Warren Ferry Road (State Route 627), the James River, and the Albemarle/Buckingham county line; then southwest along the Albemarle/Buckingham county line to its intersection with the Albemarle/Nelson county line; then northwest along the Albemarle/Nelson county line to its intersection with Bear Creek; then meandering northeast along Bear Creek to its confluence with an unnamed southern tributary of Bear Creek; then continuing northeast along the unnamed tributary to its intersection with Bear Creek Road (State Route 774); then continuing along Bear Creek Road to its intersection with Appleberry Mountain Trail; then northeast along Appleberry Mountain Trail to its intersection with Barbershop Hill Road; then northeast along Barbershop Hill Road to its intersection with Bungletown Road; then southeast along Bungletown Road to its intersection with Green Creek Road (State Route 630); then east along Green Creek Road to its intersection with Secretarys Sand Road (State Route 717); then briefly northeast along Secretarys Sand Road to its intersection with Alberene Road (State Route 719); then north along Alberene Road to its intersection with Plank Road (State Route 712); then southeast along Plank Road to its intersection with Esmont Road (State Route 715); then continuing northeast along Plank Road to its intersection with Scottsville Road (State Route 20); then southeast along Scottsville Road to its intersection with Langhorne Road (State Route 626); then southwest along Langhorne Road to its intersection with James River Road (State Route 627); then southeast along James River Road to its intersection with Warren Ferry Road (State Route 627); then south along Warren Ferry Road to its intersection with the James River and the Albemarle/Buckingham county line, the point of origin.
5. *Red Hill Precinct.* Beginning at the intersection of Interstate 64 and the Mechums River; then meandering southwest along the Mechums River to its confluence with the unnamed northern branch of the Mechums River; then continuing west along the unnamed northern branch of the Mechums River to the Albemarle/Nelson county line; then southeast along the Albemarle/Nelson county line to its intersection with Bear Creek; then meandering northeast along Bear Creek to its confluence with an unnamed southern tributary of Bear Creek; then continuing northeast along the unnamed tributary to its intersection with Bear Creek Road (State Route 774); then continuing along Bear Creek Road to its intersection with Appleberry Mountain Trail; then northeast along Appleberry Mountain Trail to its intersection with Barbershop Hill Road; then northeast along Barbershop Hill Road to its intersection with Bungletown Road; then southeast along Bungletown Road to its intersection with Green Creek Road (State Route 630); then east along Green Creek Road to its intersection with Secretarys Sand Road (State Route 717); then briefly northeast along Secretarys Sand Road to its intersection with Alberene Road (State Route 719); then north



along Alberene Road to its intersection with Plank Road (State Route 712); then east along Plank Road to its intersection with Beaver Branch; then meandering northeast along Beaver Branch to its confluence with Eppes Creek; then northeast along Eppes Creek to its confluence with the South Fork Hardware River; then meandering northeast along the South Fork Hardware River to its confluence with the North Fork Hardware River and the Hardware River; then meandering northeast along the North Fork Hardware River to its intersection with Red Hill Road (State Route 708); then northwest along Red Hill Road to its intersection with the Norfolk Southern Railway right-of-way; then northeast along the Norfolk Southern Railway right-of-way to its intersection with Interstate 64; then west on Interstate 64 to its intersection with the Mechums River, the point of origin.

6. *Yellow Mountain Precinct.* Beginning at the intersection of the Albemarle/Nelson county line and Batesville Road (State Route 636); then east along Batesville Road to its intersection with Ortman Road (State Route 691); then north along Ortman Road to its intersection with Rockfish Gap Turnpike (U. S. Route 250); then east along Rockfish Gap Turnpike to its intersection with Interstate 64; then east along Interstate 64 to its intersection with the Mechums River; then meandering southwest along the Mechums River to its confluence with an unnamed northern branch of the Mechums River; then meandering west along the unnamed northern branch of the Mechums River to its intersection with the Albemarle/Nelson county line; then northwest on the Albemarle/Nelson county line to its intersection with Batesville Road (State Route 636), the point of origin.

C. *Polling places.* Each precinct shall have a polling place at the location identified below:

1. *Country Green Precinct.* South Ridge Christian Fellowship Church, 1284 Sunset Avenue Extended.
2. *East Ivy Precinct.* The Miller Center of Public Affairs, 2201 Old Ivy Road.
3. *Ivy Precinct.* Meriwether Lewis Elementary School, 1610 Owensville Road.
4. *Porter's Precinct.* Yancey Elementary School, 7625 Porters Road.
5. *Red Hill Precinct.* Red Hill Elementary School, 3901 Red Hill School Road.
6. *Yellow Mountain Precinct.* Mount Ed Baptist Church, 1606 Craigs Store Road.

(8-19-71, § 1; 9-5-72; 7-15-81; Code 1988, § 6-1; 5-15-91; Ord. 95-6(1), 1-11-95; Ord. 98-A(1), 8-5-98, § 2-100(4), § 2-104; Ord. 01-2(1), 5-9-01; Ord. 04-2(2), 8-4-04; Ord. 11-2(2), 5-4-11; Ord. 15-2(2), 10-7-15)

**State law reference**—Va. Code §§ 15.2-1211, 24.2-304.1 *et seq.*, 24.2-305 *et seq.*

## **Sec. 2-105 Scottsville Magisterial District.**

The Scottsville Magisterial District shall be bounded, and contain precincts and polling places, as follows:

- A. *Description of district.* Beginning at Sunset Avenue Extended (State Route 781) and Charlottesville's southern city limits; then south along Sunset Avenue Extended to its intersection with Mountainwood Road; then east along Mountainwood Road to its intersection with Old Lynchburg Road (State Route 780); then south along Old Lynchburg Road (State Route 780) to Old Lynchburg Road (State Route 631); then south along Old Lynchburg Road to its intersection with a western branch of Biscuit Run (immediately south of and running roughly parallel to Forest Lodge Drive), then east along this western branch of Biscuit Run to its confluence with Biscuit Run; then south along Biscuit Run approximately 375 feet to its confluence with an eastern branch of Biscuit Run; then continuing east along this eastern branch of Biscuit Run to its intersection with Scottsville Road (State Route 20) (just north of the intersection of Scottsville Road and Cedar Hill Farm road); then south along Scottsville Road to its intersection with Red Hill Road (State Route 708); then immediately west along Red Hill Road to its intersection with the North Fork Hardware River; then meandering southwest along the North Fork Hardware River to its confluence with the Hardware River and the South Fork Hardware

River; then southwest along the South Fork Hardware River to its confluence with Eppes Creek; then southwest along Eppes Creek to its confluence with Beaver Branch; then meandering southwest along Beaver Branch to its intersection with Plank Road (State Route 712); then southeast along Plank Road to its intersection with Esmont Road (State Route 715); then continuing northeast along Plank Road to its intersection with Scottsville Road (State Route 20); then southeast along Scottsville Road to its intersection with Langhorne Road (State Route 626); then southwest along Langhorne Road to its intersection with James River Road (State Route 627); then southeast along James River Road to its intersection with Warren Ferry Road (State Route 627); then south along Warren Ferry Road to its intersection with the James River and the Albemarle/Buckingham county line; then east along the Albemarle/ Buckingham county line to its intersection with the Albemarle/Fluvanna county line; then northeast along the Albemarle/Fluvanna county line to its intersection with Interstate 64; then west along Interstate 64 to its intersection with the Rivanna River; then meandering northwest along the Rivanna River to its intersection with the Charlottesville city limits; then along the Charlottesville city limits west to its intersection with Sunset Avenue Extended, the point of origin.

B. *Precincts.* The district shall be divided into five precincts, which are described as follows:

1. *Biscuit Run Precinct.* Beginning at the intersection of Sunset Avenue Extended (State Route 781) and Charlottesville's southern city limits; then east along Charlottesville's southern city limits to its intersection with Avon Street Extended (State Route 742); then running Southwest along Avon Street Extended/State Route 742, to its intersection with Interstate 64; then running west along Interstate 64 to its intersection with Biscuit Run; then meandering south and west along Biscuit Run to its confluence with a western branch of Biscuit Run (approximately 1650 feet east of the eastern end of Forest Lodge Lane, and approximately 1650 feet southeast of the eastern end of Forest Lodge Drive); then west along this western branch to its intersection with Old Lynchburg Road (State Route 631); then north along Old Lynchburg Road (State Route 631) to its intersection with Old Lynchburg Road (State Route 780); then northwest along Old Lynchburg Road (State Route 780) to its intersection with Mountainwood Road; then west along Mountainwood Road to its intersection with Sunset Avenue Extended (State Route 781); then north along Sunset Avenue Extended to its intersection with Charlottesville's southern city limits, the point of origin.
2. *Cale Precinct.* Beginning at the intersection of Charlottesville's southern city limits with Monticello Avenue (State Route 20); then south along Monticello Avenue to its intersection with Interstate 64 and Scottsville Road (State Route 20); then south along Scottsville Road to its intersection with an eastern branch of Biscuit Run (just north of the intersection of Scottsville Road and Cedar Hill Farm road); then west along this eastern branch to its confluence with Biscuit Run; then north along Biscuit Run to its intersection with Interstate 64; then east along Interstate 64 to its intersection with Avon Street Extended/State Route 742; then northeast along Avon Street Extended/State Route 742 to its intersection with Charlottesville's southern city limits; then east along Charlottesville's southern city limits to its intersection with Monticello Avenue/State Route 20, the point of origin.
3. *Monticello Precinct.* Beginning at the intersection of Scottsville Road (State Route 20) and Thomas Jefferson Parkway (State Route 53); then east along Thomas Jefferson Parkway to the Albemarle/ Fluvanna county line; then southwest along the Albemarle/Fluvanna county line to its intersection with Rolling Road South (State Route 620); then north along Rolling Road South to its intersection with Rolling Road (State Route 620); then northwest along Rolling Road to its intersection with Secretarys Road (State Route 708); then west along Secretarys Road to its intersection with Carters Mountain Road (State Route 627); then south along Carters Mountain Road to its intersection with Scottsville Road (State Route 20); then north along Scottsville Road to its intersection with Thomas Jefferson Parkway, the point of origin.
4. *Scottsville Precinct.* Beginning at the intersection of Rolling Road South (State Route 620) and the Albemarle/Fluvanna county line; then southwest along the Albemarle/Fluvanna county line to its intersection with the James River and the Albemarle/Buckingham county line; then southwest along the Albemarle/Buckingham county line to its intersection with Warren Ferry Road (State Route 627); then north along Warren Ferry Road to its intersection with James River Road (State Route 627); then northwest along James River Road to its intersection with Langhorne Road (State Route 626); then northeast along Langhorne Road to its intersection with Scottsville Road

(State Route 20); then northwest along Scottsville Road to its intersection with Plank Road (State Route 712); then southwest along Plank Road to its intersection with Esmont Road (State Route 715); then northwest along Plank Road to its intersection with Beaver Branch; then northeast along Beaver Branch to its confluence with Eppes Creek; then northeast along Eppes Creek to its confluence with the South Fork Hardware River; then meandering northeast along the South Fork Hardware River to its confluence with the North Fork Hardware River and the Hardware River; then meandering northeast along the North Fork Hardware River to its intersection with Red Hill Road (State Route 708); then east along Red Hill Road to its intersection with Scottsville Road (State Route 20); then south along Scottsville Road to its intersection with Carters Mountain Road (State Route 627); then north along Carters Mountain Road to its intersection with Secretarys Road (State Route 708); then east along Secretarys Road to its intersection with Rolling Road (State Route 620); then southeast along Rolling Road to its intersection with Rolling Road South (State Route 620); then south along Rolling Road South to its intersection with the Albemarle/Fluvanna county line, the point of origin.

5. *Stone-Robinson Precinct.* Beginning at the intersection of Scottsville Road (State Route 20) and Thomas Jefferson Parkway (State Route 53); then southeast along Thomas Jefferson Parkway to its intersection with the Albemarle/Fluvanna county line; then northeast along the Albemarle/Fluvanna county line to its intersection with Interstate 64; then west along Interstate 64 to its intersection with the Rivanna River; then meandering northwest along the Rivanna River to its intersection with the Charlottesville city limits; then along the Charlottesville city limits southwest to its intersection with Monticello Avenue (State Route 20); then south along Monticello Avenue to its intersection with Interstate 64 and Scottsville Road (State Route 20); then south along Scottsville Road to its intersection with Thomas Jefferson Parkway, the point of origin.

C. *Polling places.* Each precinct shall have a polling place at the location identified below:

1. *Biscuit Run Precinct.* Monticello High School, 1400 Independence Way.
2. *Cale Precinct.* Cale Elementary School, 1757 Avon Street Extended.
3. *Monticello Precinct.* Monticello High School, 1400 Independence Way.
4. *Scottsville Precinct.* Scottsville Elementary School, 7868 Scottsville Road.
5. *Stone-Robinson Precinct.* Stone-Robinson Elementary School, 958 North Milton Road.

(8-19-71, § 1; 9-5-72; 7-15-81; Code 1988, § 6-1; 5-15-91; Ord. 95-6(1), 1-11-95; Ord. 98-A(1), 8-5-98, § 2-100(5), § 2-105; Ord. 01-2(1), 5-9-01; Ord. 11-2(2), 5-4-11; Ord. 18-2(1), 3-14-18)

**State law reference** – Va. Code §§ 15.2-1211, 24.2-304.1 *et seq.*, 24.2-305 *et seq.*

### **Sec. 2-106 White Hall Magisterial District.**

The White Hall Magisterial District shall be bounded, and contain precincts and polling places, as follows:

- A. *Description of district.* Beginning at the intersection of Batesville Road (State Route 636) and the Albemarle/Nelson county line; then east along Batesville Road to its intersection with Ortman Road (State Route 691); then north along Ortman Road to its intersection with Rockfish Gap Turnpike (U. S. Route 250); then east along Rockfish Gap Turnpike to its intersection with Interstate 64; then east along Interstate 64 to its intersection with the Mechums River; then continuing northeast along the Mechums River to its confluence with the Moormans River where they form the South Fork Rivanna River; then meandering southeast along the South Fork Rivanna River to its intersection with Reas Ford Road (State Route 660); then north along Reas Ford Road to its intersection with Bleak House Road (State Route 662); then north along Bleak House Road to its intersection with Buck Mountain Road (State Route 665); then northeast along Buck Mountain Road (State Route 665) to its intersection with Buck Mountain Road (State Route 664); then southeast along Buck Mountain Road (State Route 664) to its intersection with Buck Mountain Road (State Route 663); then southeast along Buck Mountain Road (State Route 663) to its intersection with Earlysville Road (State Route 743); then southeast along Earlysville Road to its intersection with Dickerson Road (State Route 606);

then north along Dickerson Road to its intersection with Dickerson Lane (State Route 763); then east along Dickerson Lane to its intersection with Seminole Trail (U.S. Route 29); then north along Seminole Trail to its intersection with the Albemarle/Greene county line; then west along the Albemarle/Greene county line to the Albemarle/Rockingham county line; then southwest along the Albemarle/Rockingham county line to its intersection with the Albemarle/Augusta county line; then south along the Albemarle/Augusta county line to its intersection with the Albemarle/Nelson county line; then southeast along the Albemarle/Nelson county line to its intersection with Batesville Road (State Route 636), the point of origin.

B. *Precincts.* The district shall be divided into five precincts, which are described as follows:

1. *Brownsville Precinct.* Beginning at the intersection of Jarmans Gap Road (State Route 611) and the Albemarle/Augusta county line; then southwest along the Albemarle/Augusta county line to its intersection with the Albemarle/Nelson county line; then southeast along the Albemarle/Nelson county line to its intersection with Batesville Road (State Route 636); then east along Batesville Road to its intersection with Ortman Road (State Route 691); then north along Ortman Road to its intersection with Rockfish Gap Turnpike (U. S. Route 250); then east along Rockfish Gap Turnpike to its intersection with Crozet Avenue (State Route 240); then north along Crozet Avenue to its intersection with Jarmans Gap Road (State Route 691); then west along Jarmans Gap Road (State Route 691) to its intersection with Jarmans Gap Road (State Route 611); then northwest along Jarmans Gap Road to its intersection with the Albemarle/Augusta county line, the point of origin.
2. *Crozet Precinct.* Beginning at the intersection of Jarmans Gap Road (State Route 611) and the Albemarle/Augusta county line; then northeast along the Albemarle/Augusta county line to its intersection with the Albemarle/Rockingham county line; then northeast along the Albemarle/Rockingham county line to its intersection with the gate on Skyline Drive where the Jones Run Trail originates (near Mile Post 84); then east and south along Jones Run Trail to its intersection with Jones Run; then east along Jones Run to its confluence with the Doyles River; then meandering southeast along the Doyles River to its intersection with Blackwells Hollow Road (State Route 810); then west along Blackwells Hollow Road to its intersection with Browns Gap Turnpike (State Route 810); then south along Browns Gap Turnpike to its intersection with the Moormans River; then meandering east along the Moormans River to its intersection with Millington Road (State Route 671); then southwest along Millington Road to its intersection with Garth Road (State Route 614); then southeast along Garth Road to its intersection with the Mechums River; then meandering southwest along the Mechums River to its intersection with Ivy Road (US Route 250); then west along Ivy road/US Route 250 to its intersection with Three Notchd Road (State Route 240); then northwest along Three Notchd Road to its intersection with Crozet Avenue (State Route 810); then south along Crozet Avenue to its intersection with Jarmans Gap Road (State Route 691); then west along Jarmans Gap Road (State Route 691) to its intersection with Jarmans Gap Road (State Route 611); then northwest along Jarmans Gap Road (State Route 611) to its intersection with the Albemarle/Augusta county line, the point of origin.
3. *Earlsville Precinct.* Beginning at the intersection of Seminole Trail (U.S. Route 29) and the Albemarle/Greene county line; then west along the Albemarle/Greene county line to its intersection with Dyke Road (State Route 810); then south along Dyke Road to its intersection with Markwood Road (State Route 664); then south along Markwood Road to its intersection with Davis Shop Road (State Route 671); then southwest along Davis Shop Road to its intersection with Buck Mountain Creek; then meandering southeast along Buck Mountain Creek to its confluence with the South Fork Rivanna River; then meandering southeast along the South Fork Rivanna River to its intersection with Reas Ford Road (State Route 660); then north along Reas Ford Road to its intersection with Bleak House Road (State Route 662); then north along Bleak House Road to its intersection with Buck Mountain Road (State Route 665); then northeast along Buck Mountain Road (State Route 665) to its intersection with Buck Mountain Road (State Route 664); then southeast along Buck Mountain Road (State Route 664) to its intersection with Buck Mountain Road (State Route 663); then southeast along Buck Mountain Road (State Route 663) to its intersection with Earlsville Road (State Route 743); then southeast along Earlsville Road to its intersection with Dickerson Road (State Route 606); then north along Dickerson Road to its intersection with Dickerson Lane (State Route 763); then east along Dickerson Lane to its

intersection with Seminole Trail (U.S. Route 29); then north along Seminole Trail to its intersection with the Albemarle/Greene county line, the point of origin.

4. *Free Union Precinct.* Beginning at the Albemarle/Rockingham/Greene county line; then southwest along the Albemarle/Rockingham county line to its intersection with the gate on Skyline Drive where the Jones Run Trail originates (near Mile Post 84); then east and south along Jones Run Trail to its intersection with Jones Run; then east along Jones Run to its confluence with the Doyles River; then meandering southeast along the Doyles River to its intersection with Blackwells Hollow Road (State Route 810); then west along Blackwells Hollow Road to its intersection with Browns Gap Turnpike (State Route 810); then south along Browns Gap Turnpike to its intersection with the Moormans River; then meandering east along the Moormans River to its intersection with Millington Road (State Route 671); then southwest along Millington Road to its intersection with Garth Road (State Route 614); then southeast along Garth Road to its intersection with the Mechums River; then meandering northeast along the Mechums River to its confluence with the Moormans River where they form the South Fork Rivanna River; then meandering east along the South Fork Rivanna River to its confluence with Buck Mountain Creek; then meandering northwest along Buck Mountain Creek to its intersection with Davis Shop Road (State Route 671); then northeast along Davis Shop Road to its intersection with Markwood Road (State Route 664); then north along Markwood Road to its intersection with Dyke Road (State Route 810); then north along Dyke Road to its intersection with the Albemarle/Greene county line; then west along the Albemarle/Greene county line to its intersection with the Albemarle/Rockingham/Greene county line, the point of origin.

5. *Mechums River Precinct.* Beginning at the intersection of the Mechums River with Ivy Road (US Route 250); then meandering southwest along the Mechums River to its intersection with Interstate 64; then west along Interstate 64 to its intersection with the Rockfish Gap Turnpike (US Route 250) (at the I-64 Crozet exit); then east along the Rockfish Gap Turnpike to its intersection with Crozet Avenue (State Route 240); then north along Crozet Avenue to its intersection with Three Notchd Road (State Route 240); then southeast along Three Notchd Road to its intersection with Ivy Road (US Route 250); then east along Ivy Road to its intersection with Mechums River, the point of origin.

C. *Polling places.* Each precinct shall have a polling place at the location identified below:

1. *Brownsville Precinct.* Brownsville Elementary School, 5870 Rockfish Gap Turnpike.
2. *Crozet Precinct.* Crozet Elementary School, 1407 Crozet Avenue.
3. *Earlsville Precinct.* Broadus Wood Elementary School, 185 Buck Mountain Road.
4. *Free Union Precinct.* Free Union Country School, 4220 Free Union Road, Free Union.
5. *Mechums River Precinct.* Western Albemarle High School, 5941 Rockfish Gap Turnpike.

(8-19-71, § 1; 9-5-72; 7-15-81; Code 1988, § 6-1; 5-15-91; Ord. 95-6(1), 1-11-95; Ord. 98-A(1), 8-5-98, § 2-100(6), § 2-106; Ord. 01-2(1), 5-9-01; Ord. 03-2(2), 7-9-03; Ord. 11-2(2), 5-4-11; Ord. 17-2(1), 3-1-17; Ord. 18-2(1), 3-14-18)

**State law reference** – Va. Code §§ 15.2-1211, 24.2-304.1 *et seq.*, 24.2-305 *et seq.*

#### **Sec. 2-107 Central absentee voter precinct.**

A central absentee voter precinct is hereby established on the first floor of the Albemarle County Office Building, 1600 5<sup>th</sup> Street, Charlottesville, for the purpose of receiving, counting, and recording absentee ballots in all elections.

(11-14-84; Code 1988, § 6-9; Ord. 98-A(1), 8-5-98; Ord. 01-2(1), 5-9-01; Ord. 08-2(4), 7-2-08)

**State law reference**-Va. Code § 24.2-712.

## Article 2. Board of Supervisors

### Sec. 2-200 County executive form of government.

The County operates under the county executive form of government. This form of government was approved by the County voters in a referendum on May 2, 1933 and it became effective on and after January 1, 1934.

(Ord. 98-A(1), 8-5-98)

**State law reference**-Va. Code § 15.2-500 *et seq.*

### Sec. 2-201 Board of Supervisors; composition and terms.

The Board of Supervisors' composition and terms are as follows:

- A. *Composition.* The Board is composed of six members elected solely by the voters of the respective magisterial district in which each member is a qualified voter.
- B. *Terms.* Each Board member is elected to four year terms.

(Ord. 98-A(1), 8-5-98)

**State law reference**-Va. Code § 15.2-502.

### Sec. 2-202 Compensation of the Board of Supervisors.

The Board of Supervisors' compensation is as follows:

- A. *Salary.* The salary of each member is \$16,265 per year, effective July 1, 2017.
- B. *Stipend for the chairman.* In addition to the salary, the chairman shall receive an annual stipend of \$1,800.
- C. *Stipend for the vice-chairman.* In addition to the salary, the vice-chairman shall receive a stipend \$35 for each Board meeting chaired.

(6-13-84; 5-8-85; 5-14-86; 7-1-87; 7-6-88; 6-7-89; Ord. of 6-13-90; Ord. of 8-1-90; Ord. of 8-7-91; Ord. of 7-1-92; Ord. No. 95-2(1), 6-14-95; Ord. No. 98-2(1), 6-17-98; Code 1988, § 2-2.1; Ord. 98-A(1), 8-5-98; Ord. No. 99-2(1), 5-5-99; Ord. No. 00-2(1), 6-7-00; Ord. 01-2(2), 6-6-01; Ord. 02-2(2), 5-1-02; Ord. 03-2(1), 6-4-03; Ord. 04-2(1), 6-2-04; Ord. 05-2(1), 6-1-05; Ord. 06-2(1), 6-7-06; Ord. 07-2(1), 6-6-07; Ord. 08-2(2), 6-4-08; Ord. 11-2(1), 5-4-11; Ord. 12-2(1), 5-2-12; Ord. 13-2(1), 5-1-13; Ord. 14-2(1), 6-4-14; Ord. 15-2(1), 6-3-15; Ord. 16-2(1), 6-1-16; Ord. 17-2(2), 6-7-17)

**State law reference** -- Va. Code §§ 15.2-1414.1, 15.2-1414.3.

## Article 3. School Board

### Sec. 2-300 School Board; composition and terms.

The School Board's composition and terms are as follows:

- A. *Composition.* The Board is composed of seven members elected by the voters of the County. One member shall be a resident of each magisterial district who is elected by the voters of that magisterial district, and one member shall be a resident of the County at-large who is elected by the voters of the County at-large.
- B. *Terms.* Each Board member is elected to four year terms. The term of each member elected by the voters of a magisterial district is coterminous with the term of the member of the Board of Supervisors

elected from that district. The term of the at-large member shall begin in an even-numbered year that is not the same even-numbered year in which the governor's term begins.

(3-22-77; 1-4-78; 2-13-80; 4-13-88; Ord. of 5-11-94; Code 1988, § 2-1; Ord 98-A(1), 8-5-98)

**State law reference** -- Va. Code §§ 15.2-533, 22.1-57.1 *et seq.*

#### **Article 4. Planning Commission**

##### **Sec. 2-400 Planning Commission created.**

A Planning Commission is hereby created for the County.

(Code 1967, § 2-3; Code 1988, § 2-3; Ord. 98-A(1), 8-5-98)

**State law reference** -- Va. Code § 15.2-2210.

##### **Sec. 2-401 Composition, appointment, terms, and compensation.**

The composition of the Planning Commission and the appointment, terms, and compensation of its members are as follows:

- A. *Composition.* The Planning Commission is composed of eight members, seven of whom are voting members and one of whom is a non-voting member.
- B. *Qualifications.* All members of the Planning Commission shall be County residents and qualified by knowledge and experience to make decisions on questions of community growth and development. Members are not required to be residents of the magisterial district represented by the member of the Board of Supervisors who nominated them. At least one-half of the members shall be owners of real property.
- C. *Nomination and appointment.* Each member of the Planning Commission is appointed by the Board of Supervisors. Before being appointed by the Board, each member of the Planning Commission is nominated as follows:
  1. *Voting members.* Of the seven voting members, one is nominated from each of the six magisterial districts by the member of the Board of Supervisors representing that district, and one is nominated to serve at-large.
  2. *Non-voting member.* The non-voting member is nominated by the President of the University of Virginia.
- D. *Terms.* The terms served by members of the Planning Commission are as follows:
  1. *Voting members, other than at-large member.* The voting members, other than the at-large member, are appointed for four year terms. The terms are coterminous with the term of the member of the Board of Supervisors who nominated the member.
  2. *Voting member, at-large.* The at-large member is appointed for a two year term, and is appointed each even-numbered year following County elections for the Board of Supervisors.
  3. *Non-voting member.* The non-voting member is appointed for a one year term.
- E. *Compensation.* Each voting member of the Planning Commission shall be paid \$4,100 per year, to be paid in monthly installments. The chairman of the Planning Commission shall be paid an additional \$1,500 per year, to be paid in monthly installments.
- F. *Vacancies.* The Board of Supervisors may appoint a qualified person to fill a vacancy. The appointment shall be for the unexpired term only.

G. *Holdover until successor appointed.* Any member of the Planning Commission whose term has expired shall continue as a member until the Board of Supervisors re-appoints the member or appoints a successor.

(4-21-66, § 1; 2-15-68, § 1; 1-16-69; 10-16-69; 1-21-71; 7-19-73; 4-17-75; 1-15-76; 4-21-76; 1-3-77; 5-2-79; 2-13-80; 12-10-80; 2-10-82; 6-13-84; 11-14-84; 3-12-86; 9-10-86; Ord. of 8-1-90; Code 1988, § 2-4; Ord. 98-A(1), 8-5-98; Ord. 00-2(2), 8-2-00)

**State law references**-Va. Code § 15.2-2212.

**Sec. 2-402 Authority to appoint employees and contract with consultants; required appropriation.**

The Planning Commission is authorized to appoint employees it deems necessary for its work, and may contract with consultants to provide required services. Any expenditures for employees and consultants shall be within the amount appropriated for the purpose by the Board of Supervisors.

(Code 1967, § 2-8; Code 1988, § 2-8; Ord. 98-A(1), 8-5-98)

**State law reference**-Va. Code § 15.2-2217.

**Article 5. Law Enforcement**

**Sec. 2-500 Albemarle County Police Department established.**

The Albemarle County Police Department is hereby established as the department of law enforcement for the County, and is responsible for enforcing all criminal laws and local ordinances, safeguarding life and property, and preserving peace throughout the County.

The Chief of Police shall serve as the chief law enforcement officer of the County. The County Executive shall supervise the Police Department.

(5-11-83; 6-1-83; 7-13-83; 3-9-88; Code 1988, § 10.1-1; Ord. 98-A(1), 8-5-98)

**State law reference** -- Va. Code §§ 15.2-528, 15.2-1700 *et seq.*

**Sec. 2-501 Off-duty employment of police officers may be authorized by the Chief of Police.**

The Chief of Police may authorize police officers to engage in off-duty employment which may occasionally require the officers to use their police powers in the performance of their off-duty employment, subject to the following:

- A. *Application and approval.* Before engaging in off-duty employment, the police officer shall apply to the Chief of Police and obtain the Chief's approval to engage in the off-duty employment.
- B. *Rules.* The Chief of Police is authorized to promulgate reasonable rules regarding police officers engaging in off-duty employment.

(Ord. 98-A(1), 8-5-98)

**State law reference** -- Va. Code § 15.2-1712.

**Sec. 2-502 Disposition of unclaimed personal property in possession of law enforcement agencies.**

- A. *Authority to dispose of unclaimed personal property.* Any unclaimed personal property that has been in the possession of the Chief of Police, Sheriff, or any of their duly authorized and sworn officers or deputies, and which has remained unclaimed for more than 60 days, may be (i) sold at public auction in accordance with the provisions of this section or (ii) be retained for use by the law-enforcement agency, after payment of a reasonable storage fee to the Sheriff or other agency storing the property. No storage fee shall be charged or accounted for if the property has been stored by and is to be retained by the Sheriff's office or other law enforcement agency.



- B. *Prerequisites to disposing unclaimed personal property.* Before the sale or retention for use by the law enforcement agency of any unclaimed item, the Chief of Police, Sheriff, or their duly authorized agents shall do all of the following:
1. *Attempt to notify the rightful owner.* Make reasonable attempts to notify the rightful owner of the property.
  2. *Obtain a statement from the Commonwealth's Attorney.* Obtain from the Commonwealth's Attorney a written statement advising that the property is not needed in any criminal prosecution.
  3. *Publish notice of public display and sale of property.* Cause notice of the public display and sale of property to be published in a newspaper of general circulation in the County once a week for two successive weeks. The notice shall state that there will be a public display and sale of unclaimed personal property, and state the date, time, and place of the sale. The notice shall also generally describe the property to be displayed and sold and the property selected for retention by the law enforcement agency.
  4. *Allow the public to view the property at the sale.* The property shall be available for public viewing at the sale.
- C. *Use of the proceeds from the sale.* The Chief of Police, Sheriff, or their duly authorized agents shall use the proceeds from the sale of unclaimed personal property as follows:
1. *Pay for advertising and other costs.* Pay any costs to advertise, remove, store, investigate ownership and liens, and provide notice of the sale.
  2. *Retain balance of funds for the owner.* After the costs under subsection (C)(1) are paid, hold the balance of the funds to be claimed by the owner, which shall be paid to the owner upon satisfactory proof of ownership.
  3. *Deposit remaining funds in the County's general fund.* If no claim has been made by the owner for the property or proceeds of the sale within 60 days after the sale, deposit the remaining funds into the County's general fund.
- D. *Right of owner to claim remaining funds or unsold property.* An owner may apply to the County within three years after the date of the sale and, if the application is timely and the owner provides satisfactory proof of ownership of the funds or the property, the following apply:
1. *Pay the remaining funds.* If the property was sold, the County shall pay the remaining proceeds of the sale to the owner without interest or other charges or compensation.
  2. *Return the unsold property that was not disposed.* If the property was not sold and was not disposed, the County shall return the property to the owner.
  3. *Bar to make a claim.* No claim shall be made nor any suit, action, or proceeding be instituted to recover any remaining funds or property after three years from the date of the sale.
- E. *Unclaimed property retained by the law enforcement agency.* If no claim has been made by the owner for the property within 60 days after the sale, any retained property may be placed into use by the law enforcement agency. Any unclaimed property retained for use by a law enforcement agency shall become the property of the County and shall be retained only if, in the opinion of the Chief of Police, there is a legitimate use for the property by the agency and that retaining the property is a more economical alternative than purchasing a similar or equivalent item.
- F. *Definition of unclaimed personal property.* As used in this section, "unclaimed personal property" is any personal property belonging to another which has been acquired by a law-enforcement officer pursuant to his duties, which is not needed in any criminal prosecution, which has not been claimed by its rightful owner and which the State Treasurer has indicated will be declined if remitted under the Uniform Disposition of Unclaimed Property Act (Virginia Code §§ 55-210.1 et seq.).

G. *Alternative procedure for unclaimed bicycles and mopeds.* Any bicycle or moped may be disposed of as provided in this section or as provided in Virginia Code § 15.2-1720.

(1-11-84; Ord. No. 94-10.1(1), 12-7-94; Code 1988, § 10.1-2; Ord. 98-A(1), 8-5-98)

**State law reference** -- Va. Code § 15.2-1719.

### **Sec. 2-503 Albemarle County Community Service Force.**

The volunteer community service force known as the "Albemarle County Community Service Force" is hereby created, subject to the following:

- A. *Purpose.* The purpose and function of the Community Service Force is to provide assistance to the Chief of Police and the regular police force in maintaining police records and communications, and providing public education and information in crime prevention and detection and similar police activities.
- B. *Composition.* The Community Service Force is composed of unpaid volunteer citizens who are designated as "volunteer community service officers," who are under the direct supervision of the Chief of Police.
- C. *Outfitting, equipping, qualifications, training, duties, and operating procedures subject to approval by the Board of Supervisors.* The Chief of Police and the County Executive shall recommend to the Board of Supervisors for approval any regulations pertaining to uniforms and equipment, the qualification and training of candidates, duties and operating procedures, and all other matters not specified in this section. Uniforms and equipment are provided by the County from the budget of the Albemarle County Police Department.
- D. *Carrying weapons of deadly force prohibited; no power of arrest.* Volunteer community service officers shall not carry weapons of deadly force and do not have power of arrest.
- E. *Officers not County employees.* Volunteer community service officers are not deemed County employees for purposes of tenure, nor are they subject to the County employee grievance procedure.
- F. *Insurance coverage.* To the extent possible, volunteer community service officers shall be covered by the County's liability insurance.
- G. *Officers are not auxiliary police officers.* Volunteer community service officers are not deemed auxiliary police officers under Virginia Code § 15.2-1731.

(8-10-88; Code 1988, § 10.1-3; Ord. 98-A(1), 8-5-98; Ord. 13-2(2), 12-4-13)

### **Sec. 2-504 Albemarle County Auxiliary Police Force.**

The auxiliary police force known as the "Albemarle County Auxiliary Police Force" is hereby created, subject to the following:

- A. *Composition.* The Auxiliary Police Force is composed of citizen volunteers selectively used to conduct a variety of operational support and administrative assignments.
- B. *Eligibility and appointment.* The Chief of Police is authorized to appoint as auxiliary police officers as many persons deemed necessary, not to exceed 15 percent of the paid regular police force subject to the following:
  - 1. *Eligibility for appointment.* Any citizen of the United States of good character may apply to be appointed to the Auxiliary Police Force.

2. *Application for appointment.* The Chief of Police is authorized to prescribe the form and manner by which a person applies to be appointed, and the criteria for appointment.
  3. *Revoking an appointment.* The Chief of Police may revoke an appointment at any time.
- C. *Outfitting and equipping; rules and regulations.* The Chief of Police is authorized to prescribe the uniform, equipment, organization, and rules and regulations deemed necessary to operate the Auxiliary Police Force. The members of the Auxiliary Police Force shall wear the uniform and equipment prescribed by the Chief of Police at all times while they are in service as auxiliary police officers.
- D. *When the force may be called into service.* The Chief of Police may call into service auxiliary police officers deemed necessary in the following circumstances:
1. *Emergencies.* When there is a public emergency.
  2. *Insufficient number of regular police officers.* When there is an insufficient number of regular police officers to preserve the peace, safety, and good order of the community.
  3. *Training.* To receive training.
- E. *Act within the County; exceptions.* Auxiliary police officers shall not be required to act beyond the limits of the jurisdiction of the County except:
1. *Protect County property.* When called upon to protect any public property belonging to the County which may be located beyond its boundaries.
  2. *When authorized by a mutual aid agreement.* When authorized by a mutual aid agreement pursuant to Virginia Code § 15.2-1736.
- F. *Officers are not County employees.* Auxiliary police officers are not deemed County employees and shall serve without compensation.
- G. *Insurance coverage.* To the extent possible, auxiliary police officers shall be covered by the County's liability insurance.

(Ord. 13-2(2), 12-4-13)

**State law reference**-Va. Code §§ 15.2-1731-15.2-1736.

## **Article 6. Economic Development Authority**

### **Sec. 2-600 Economic Development Authority created.**

The authority known as the "Economic Development Authority of Albemarle County, Virginia" is hereby created as an authority under the Industrial Development and Revenue Bond Act (Virginia Code § 15.2-4900 *et seq.*). It is referred to in this article as the "Economic Development Authority."

(5-12-76, §§ 1, 2; Ord. of 5-4-94; Code 1988, §§ 2-47, 2-48; § 2-600, Ord. 98-A(1), 8-5-98; Ord. 08-2(3), 6-4-08, effective 7-1-08; Ord. 16-2(2), 11-9-16)

**State law reference**-Va. Code § 15.2-4900 *et seq.*

### **Sec. 2-601 Powers, duties, and procedures.**

The Economic Development Authority has all of the powers granted by the Industrial Development and Revenue Bond Act (Virginia Code § 15.2-4900 *et seq.*). The Economic Development Authority shall exercise its powers and perform its duties as required by the Act, including obtaining the prior approval of the Board of Supervisors when approval is required by State or federal law before the Economic Development Authority may act.

(5-12-76, § 3; 11-1-78; 8-14-80; 12-2-81; 3-16-83; 12-21-83; Ord. of 12-16-92; Ord. of 5-4-94; Code 1988, § 2-49; § 2-601, Ord. 98-A(1), 8-5-98; Ord. 08-2(3), 6-4-08, effective 7-1-08; Ord. 16-2(2), 11-9-16)

**State law reference**-Va. Code § 15.2-4905.

#### **Sec. 2-602 Board of Directors.**

The Economic Development Authority shall be governed by a Board of Directors in which all powers of the authority shall be vested.

(Ord. of 5-4-94; Code 1988, § 2-52; § 2-604, Ord. 98-A(1), 8-5-98; Ord. 08-2(3), 6-4-08, effective 7-1-08; § 2-602, Ord. 16-2(2), 11-9-16)

**State law reference**-Va. Code § 15.2-4904.

#### **Sec. 2-603 Composition, appointment, and terms.**

The composition of the Board of Directions and the appointment and terms of the Directors are as follows:

- A. *Composition.* The Board of Directors is composed of seven members.
- B. *Nomination and appointment.* Each Director is appointed by the Board of Supervisors. Before being appointed by the Board, each Director is nominated from each of the six magisterial districts by the member of the Board of Supervisors representing that district, and one member is nominated to serve at-large. Directors are not required to be residents of the magisterial district of the Board member who nominated them.
- C. *Terms.* The terms of the Directors are four years. The terms are staggered as provided by State law.
- D. *Vacancies.* The Board of Supervisors may appoint a qualified person to fill a vacancy. The appointment shall be for the unexpired term only.
- E. *Holdover until successor appointed.* Any Director whose term has expired shall continue to act as a Director until the Board of Supervisors re-appoints the Director or appoints a successor and that person is qualified.
- F. *Oath required.* Each person appointed or re-appointed as a Director shall take or subscribe the oath required by Virginia Code § 49-1 before performing any duties as a Director.

**State law reference**-Va. Code § 15.2-4904.

### **Article 7. Albemarle County Service Authority**

#### **Sec. 2-700 Albemarle County Service Authority created.**

The authority known as the "Albemarle County Service Authority" is created as an authority under the Virginia Water and Waste Authorities Act (Virginia Code § 15.2-5100 *et seq.*) by a resolution adopted by the Board of Supervisors on April 2, 1964 (referred to in this article as the "Resolution") and a Certificate of Incorporation issued by the State Corporation Commission on April 23, 1964. It is referred to in this article as the "Service Authority."

(Code 1967, § 2-19; Code 1988, § 2-24; Ord. 98-A(1), 8-5-98)

**State law reference**--Va. Code § 15.2-5103.

#### **Sec. 2-701 Purposes and powers.**

The Service Authority is created for the purposes, and with the powers, stated in its Articles of Incorporation, which may be amended from time to time. The original Articles of Incorporation are stated in the Resolution.

(Code 1967, § 2-20; Code 1988, § 2-25; Ord. 98-A(1), 8-5-98)

**State law reference** -- Va. Code § 15.2-5103.

**Sec. 2-702 Composition, appointment, and terms.**

The composition of the Service Authority Board and the appointment and terms of the members of the Board are as follows:

- A. *Composition.* The Board is composed of six members, one from each magisterial district in the County.
- B. *Nomination and appointment.* Each member is appointed by the Board of Supervisors. Before being appointed by the Board of Supervisors, each member is nominated from each of the six magisterial districts by the member of the Board of Supervisors representing that district
- C. *Terms.* The terms of the members are four years. The terms are coterminous with the term of the member of the Board of Supervisors who nominated the member.
- D. *Vacancies.* The Board of Supervisors may appoint a qualified person to fill a vacancy. The appointment shall be for the unexpired term only.
- E. *Holdover until successor appointed.* Any member whose term has expired shall continue to act as a member until the Board of Supervisors re-appoints the member or appoints a successor and that person is qualified.

(Code 1967, 2-21; § 12-12-84; Code 1988, § 2-26; Ord. 98-A(1), 8-5-98)

**State law reference**-Va. Code § 15.2-5113.

**Article 8. Charlottesville-Albemarle Joint Airport Commission**

**Sec. 2-800 Airport Commission.**

There is hereby established a joint airport commission to be known as the "Charlottesville-Albemarle Joint Airport Commission". As used in this article, the term "Airport Commission" or "Commission" means the joint airport commission established pursuant to § 7(D) of the Charlottesville-Albemarle Airport Authority Act (2003 Acts of Assembly, Chapter 864), as set forth within section 2-801, below.

(8-18-54, § 1; 5-16-74, § 1; Code 1988, §§ 2-27 and 2-28; Ord. 98-A(1), 8-5-98; Ord. 03-2(3), 12-3-03)

**State law reference**-2003 Acts of Assembly, Chapter 864; Va. Code §§ 5.1-35, 5.1-36.

**Sec. 2-801 Composition and appointment.**

The Airport Commission shall consist of seven members. The members shall be citizens of the City of Charlottesville or the County who hold no other municipal or County office and who shall be appointed as follows: three members shall be appointed by the Charlottesville City Council, three members shall be appointed by the Board of Supervisors, and one member shall be appointed by the joint action of the City Council and Board of Supervisors, each for a three-year term. The member appointed by joint action of the City and County shall also serve as a member of the governing board of the Charlottesville-Albemarle Airport Authority. An appointment to fill any vacancy on the Commission resulting from the resignation, removal or other unavailability of a member shall be for the unexpired portion of the vacant term only.

(8-18-54, § 1; 11-21-68; 5-16-74, § 1; Code 1988, § 2-29; Ord. 98-A(1), 8-5-98; Ord. 03-2(3), 12-3-03).

**State law reference**-2003 Acts of Assembly, Chapter 864.

**Sec. 2-802 Compensation and term of office of members.**

- A. All members of the Airport Commission shall serve without compensation.
- B. All members will serve terms which expire on December 1 of the third year following their appointment. No member will be appointed to more than two consecutive three-year terms. A person initially appointed to serve the unexpired term of another may thereafter serve no more than two consecutive three-year terms of his own.
- C. In the event a member appointed to the Commission by the City or County is subsequently selected as the City/County joint appointee, and commencement of the term of the joint appointment does not coincide with the expiration of the appointee's then-current term, then he shall be deemed to have vacated the seat held on the Commission immediately prior to the joint appointment. Selection as the joint appointee of the City and County shall not extend the amount of time or the number of terms such person is eligible to serve on the commission, except that the time served in the seat vacated shall be treated the same as time served by persons initially appointed to fill the unexpired term of another.
- D. Any member serving on the Commission on January 1, 2003 and who is at that time serving a second three-year term of his own, shall be eligible for one additional three-year term.

(8-18-54, § 1; 12-17-64; 11-21-68; 5-16-74, § 1; 9-14-83; Code 1988, § 2-30; 10-8-97; Ord. 98-A(1), 8-5-98; Ord. 03-2(3), 12-3-03).

**Sec. 2-803 Officers and staff; minutes of meetings.**

As soon after their appointment as possible, the members of the Airport Commission shall convene and elect a chairperson and vice-chairperson from their members for a term of one year. The airport's executive director or his designee(s) shall serve as staff to the Airport Commission and shall perform such duties as are appropriate, including the keeping of proper minutes of the meetings of the Commission. Anyone designated by the airport's executive director to perform duties for the Airport Commission shall report to, and be subject to the supervision of, the airport's executive director in the performance of such duties.

(8-18-54, § 1; 4-6-70; 5-16-74, § 1; 9-14-83; Code 1988, § 2-31; Ord. 98-A(1), 8-5-98; Ord. 03-2(3), 12-3-03)

**Sec. 2-804 Re-eligibility.**

Any person who has served as a member of the Commission for the maximum amount of time authorized by this ordinance shall thereafter become re-eligible for appointment, following the passage of at least three years from the expiration of his last term.

(8-18-54, § 1; 5-16-74, § 1; Code 1988, § 2-32; Ord. 98-A(1), 8-5-98; Ord. 03-2(3), 12-3-03)

**Sec. 2-805 Powers and duties.**

The Airport Commission shall be an advisory body having the duty of keeping the governing bodies of the County and the City of Charlottesville and the Charlottesville-Albemarle airport board advised on all matters pertaining to the airport.

(8-18-54, § 2; 4-6-70; 5-16-74, § 1; Code 1988, § 2-33; Ord. 98-A(1), 8-5-98)

**Article 9. Personnel**

**Sec. 2-900 Designation of the County Executive to develop and administer personnel policies and procedures.**

The Board of Supervisors designates the County Executive to develop and administer personnel policies and procedures, which include a grievance procedure.

(Ord. 98-A(1), 8-5-98)

**State law reference**-Va. Code §§ 15.2-508, 15.2-1506.

**Sec. 2-901 Adoption of personnel policies and procedures by the Board of Supervisors.**

The Board of Supervisors hereby adopts the personnel policies and procedures stated in the Albemarle County Personnel Policy Manual, which includes a grievance procedure. The personnel policies and procedures may be amended from time to time.

(Ord. 98-A(1), 8-5-98)

**State law reference**-Va. Code §§ 15.2-504, 15.2-1506.

**Sec. 2-902 Designation of the County Executive as the Director of Emergency Management.**

The Board of Supervisors designates the County Executive to serve as the Director of Emergency Management.

**State law reference**--Va. Code § 44-146.19(B)(2).

**Sec. 2-903 Designation of the County's official safety program.**

The County's official safety program shall be carried into effect by the following organizations or departments which are deemed to be an integral part of the program:

- A. The Albemarle County Police Department and all of its law enforcement personnel.
- B. The Albemarle County Department of Fire and Rescue (*nunc pro tunc*, effective January 1, 1993).
- C. The following volunteer fire companies and volunteer rescue squads in the County:
  - 1. Charlottesville-Albemarle Rescue Squad.
  - 2. Crozet Volunteer Fire Department.
  - 3. Earlysville Volunteer Fire Company.
  - 4. East Rivanna Volunteer Fire Company.
  - 5. North Garden Volunteer Fire Company.
  - 6. Scottsville Volunteer Fire Department.
  - 7. Scottsville Volunteer Rescue Squad.
  - 8. Seminole Trail Volunteer Fire Department.
  - 9. Stony Point Volunteer Fire Company.
  - 10. Western Albemarle Rescue Squad.

D. Blue Ridge Mountain Rescue Group (*nunc pro tunc*, effective October 8, 1993)

E. Any other County law enforcement personnel not included in subsection (A).

(9-12-79; 11-14-84; Ord No. 94-15(8), 8-3-94; Code 1988, § 15-1, Ord. 98-A(1), 8-5-98)

**State law references** -- Va. Code § 9.1-400 *et seq.*

**Sec. 2-904 Identified appointed boards; compensation and reimbursement.**

The duly appointed members of the boards identified in this section shall be compensated and entitled to reimbursement for their travel and related expenses as follows:

- A. *Eligible boards.* Each member of the Architectural Review Board, the Board of Zoning Appeals, the Building Code Board of Appeals, the Board of Equalization, and the Fire Prevention Code Board of Appeals is entitled to compensation and reimbursement as provided in subsections (B) and (C).
- B. *Compensation to attend meetings.* Each member shall be paid \$45 for each regular and special meeting attended, provided that any member of the Board of Supervisors and any County employee appointed to a board shall not be compensated for attending meetings.
- C. *Reimbursement for travel and related expenses.* Each member shall be reimbursed for reasonable and necessary travel and related expenses incurred to attend regular and special meetings and to discharge duties.

**State law reference**--Va. Code § 15.2-514.

**Sec. 2-905 Deferred compensation plan established.**

The Board of Supervisors hereby re-adopts and re-establishes a deferred compensation plan for its employees as follows:

- A. *Purpose.* The purpose of the plan is to provide for the plan participants to defer compensation.
- B. *Plan is non-exclusive.* The plan is in addition to any other retirement, pension, or other benefit systems available to the plan participants and does not supersede, make inoperative, or reduce any benefits provided by any other retirement, pension, or other benefit systems.
- C. *County contributions are limited.* The County does not contribute to the deferred compensation program other than to pay the cost of incidental expenses to collect and disburse the employees' compensation being deferred and other minor administrative matters.
- D. *Contents of the plan.* The plan shall contain the terms and amendments approved in writing by the County Executive.

(9-14-83, art. I, § 1; 5-13-87; Ord. 1988, § 15-6; Ord. 98-A(1), 8-5-98; Ord. 14-2(2), 11-5-14)

**State law reference**--Va. Code § 51.1-600 *et seq.*

**Sec. 2-906 Designation of the County Executive to perform certain plan duties.**

The Board of Supervisors designates and authorizes the County Executive to:

- A. *Deliver the plan.* Deliver the deferred compensation plan to the plan administrator.
- B. *Execute agreements.* Execute, on behalf of the County, the individual plan participation agreements with each employee participating in the deferred compensation plan, and to act as the "administrator" of the plan on behalf of the County and to execute such agreements and contracts as are necessary to implement the deferred compensation program.

(9-14-83, art. I, § 1; 5-13-87; Ord. 1988, § 15-6; Ord. 98-A(1), 8-5-98; Ord. 14-2(2), 11-5-14)

**State law reference**--Va. Code § 51.1-600 *et seq.*

**Sec. 2-907 Deferred compensation committee created.**



A deferred compensation committee is hereby created. The County Executive shall appoint committee members.

(9-14-83, art. II, § 1; Code 1988, § 15-7; Ord. 98-A(1), 8-5-98)

**State law reference-Va.** Code § 51.1-600 *et seq.*

**Sec. 2-908 Powers of the Deferred Compensation Committee.**

The Deferred Compensation Committee is authorized to:

- A. *Supervise, administer, and implement.* Supervise, administer, and implement the deferred compensation plan, within the limits of the plan.
- B. *Contract for services.* Contract for services with private entities to provide services related to supervising, administering, and implementing the deferred compensation plan.

(9-14-83, art. III, § 1; Code 1988, § 15-8; Ord. 98-A(1), 8-5-98)

**State law reference-Va.** Code § 51.1-600 *et seq.*