

<p style="text-align: center;">ACTIONS Board of Supervisors Meeting of August 7, 2019</p>		
		August 8, 2019
<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>	<u>VIDEO</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> Meeting was called to order at 1:01 p.m., by the Chair, Mr. Gallaway. All BOS members were present with the exception of Mr. Dill. Also present were Jeff Richardson, Greg Kamptner and Travis Morris. 		Link to Video
<p>4. Adoption of Final Agenda.</p> <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> Requested that the Board add to the end of the agenda, discussion of potential drafting of a letter in support of an application for solar projects grant money for the Ivy landfill. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> Requested that the Board add to the end of the agenda, discussion of a presentation at a future meeting regarding the concept for on-demand service by Brad Sheffield of JAUNT. By a vote of 5:0, ADOPTED the final agenda as amended. 		
<p>5. Brief Announcements by Board Members.</p> <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> Announced that the North Garden Community Day would be held Saturday, August 17, 2019, 11:00 a.m. until 4:00 p.m., at the field with Cutright's Lake at the junction of 29 South and Red Hill School Road. Mentioned that in July, the McIntire Recycling Center began accepting #1 and #2 plastics and added that Whole Foods accepts #5 plastics. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> Mentioned that on Thursday, August 1, 2019, she attended the graduation ceremony for the summer Academy of the Junior Chapter of the National Society of Black Engineers, which is a partnership between Albemarle County Public Schools, The University of Virginia Office of Diversity and Engagement, and the University of Virginia School of Engineering. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Mentioned that she attended a standing room only memorial send off for Karenne Wood, of the Monacan tribe, who dropped out of school and later became a PhD, and worked with the Museum of Natural History to develop educational materials on Virginia Indians, as well as with the Virginia Foundation for the Humanities. Mentioned that she attended a change-in-command ceremony at the National Ground Intelligence Center (NGIC) at Rivanna Station for new Commander Sean Stanton <p><u>Rick Randolph:</u></p> <ul style="list-style-type: none"> Announced that the decennial census would be conducted this year, as required by the Constitution. He expressed concern that parts of the County, as well as much of rural 		

<p>America, does not have internet service and the Board of Supervisors should regularly remind residents over the next year to respond to the census.</p> <ul style="list-style-type: none"> Mentioned that he recently learned of a pilot program being conducted by the city of San Jose, CA, with GreenWaste Recovery and BioCellection, to break down #2, #4, and film plastics into a set of chemical ingredients. He said he will keep the Board updated as he learns more about their efforts. <p><u>Ned Gallaway:</u></p> <ul style="list-style-type: none"> Announced that there would be several community-driven events throughout the City of Charlottesville under the Unity Days Banner and that the full schedule is available on Facebook by searching Unity Days 2019 or Charlottesville.org/Unity days. 		
<p>7. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> <u>Teri Kent</u>, a resident of Belvedere, Founder of Better World Betty and Director of Programs and Communications for the Charlottesville Climate Collaborative, encouraged the Board to act swiftly and applauded the Board for being timely on climate action. She urged the Board of Supervisors to establish a best in class climate goal of 45% reduction by 2030 to 2010 greenhouse gas emissions levels and to achieve carbon neutrality by 2050. <u>Kent Schlusell</u>, resident of the Rio District lives in Dunlora, urged the Board to deny the upcoming rezoning of 999 Rio Road. <u>Judy Schlusell</u>, resident of the Rio District, lives in Dunlora, urged the Board to deny the upcoming rezoning of 999 Rio Road. <u>Heidi Dhivya Berthoud</u>, resident of Buckingham County, expressed her delight that the Virginia DCR would conduct a study of the James River for a possible scenic river designation. <u>Sean Tubbs</u>, Piedmont Environmental Council, said the PEC supports the designation of the James River as a scenic river and commented that this designation would help to promote and protect a natural, cultural, and social resource and would be a great way to celebrate the program's 50th anniversary. <u>Abigail Turner</u>, Samuel Miller District, expressed concern about the about rules for the use of County buildings and that the rule on Page 13 that reduces the number of nights the 5th Street building would be open from five to three days per week and asked the Board to make the building available for more than three nights a week and to have staff investigate the demand for meeting space.. 		
<p>8.2 FY 19 Appropriations.</p> <ul style="list-style-type: none"> ADOPTED Resolution to approve appropriations #2019094 and #2019095 for local government and school division projects. 	<p><u>Clerk:</u> Forward copy of signed resolution to OMB and County Attorney's office. (Attachment 1)</p>	

8.3	<p>Proposed Lease for Office Space for the Office of Economic Development at 110 Old Preston Avenue, Charlottesville, VA 22902.</p> <ul style="list-style-type: none"> • ADOPTED Resolution to APPROVE a lease of 110 Old Preston Avenue, contingent on the Board's approval of the August 21, Appropriation. 	<p><u>Clerk:</u> Forward copy of signed resolution to FES and County Attorney's office. (Attachment 2)</p> <p><u>County Attorney:</u> Provide Clerk with fully executed copy of lease.</p>	
8.4	<p>Proposed Lease for Office Space for the Finance Department at 400 Preston Avenue, Suite 200, Charlottesville, VA 22902.</p> <ul style="list-style-type: none"> • ADOPTED Resolution to APPROVE a lease of 400 Preston Avenue, Suite 200, contingent on the Board's approval of the August 21 Appropriation. 	<p><u>Clerk:</u> Forward copy of signed resolution to FES and County Attorney's office. (Attachment 3)</p> <p><u>County Attorney:</u> Provide Clerk with fully executed copy of lease.</p>	
8.5	<p>Request for Authorization for Carr-Greer Farmhouse to be Evaluated for Historic Registers.</p> <ul style="list-style-type: none"> • AUTHORIZED County Executive to sign the Preliminary Information Form. 	<p><u>County Executive:</u> Proceed as authorized.</p>	
8.6	<p>Belvedere Special Exception to modify Section 4.16.3.3 (Recreational Amenity deadline).</p> <ul style="list-style-type: none"> • ADOPTED Resolution to approve the Special Exception, subject to condition of approval. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 4)</p>	
9.	<p>Proposed 2020 Legislative Priorities.</p> <ul style="list-style-type: none"> • CONSENSUS to proceed. 	<p><u>County Attorney:</u> Proceed as directed.</p>	
10.	<p>Work Session: Rules for the Public's Use of the County Office Buildings and Their Grounds.</p> <ul style="list-style-type: none"> • HELD. • By a vote of 5:0 (Dill absent), AUTHORIZED staff to schedule for public hearing an ordinance to amend County Code §§ 10-103 and 10-120. 	<p><u>Clerk:</u> Schedule on agenda when ready.</p> <p><u>FES:</u> Notify Clerk when ready.</p>	
	<p>Recess.</p> <ul style="list-style-type: none"> • At 2:53 p.m. the Board recessed and reconvened at 3:13 p.m. 		
11.	<p>Work Session: State Scenic River Designation for the James River.</p> <ul style="list-style-type: none"> • HELD. • By a vote of 5:0 (Dill absent), AUTHORIZED the County Executive to send a request to VDCR to conduct a study to determine if a segment of the James River meets the requirements to qualify as a State Scenic River. 	<p><u>County Executive:</u> Proceed as authorized.</p>	
13.	<p>Charlottesville-Albemarle SPCA (CASPCA) Annual Presentation.</p> <ul style="list-style-type: none"> • RECEIVED. 		
12.	<p>FY17-FY19 Strategic Plan Final Report.</p> <ul style="list-style-type: none"> • RECEIVED. 		
25.	<p>From the County Executive: Report on Matters Not Listed on the Agenda. <u>Jeff Richardson:</u></p> <ul style="list-style-type: none"> • Mentioned he went out in the field with Fire/Rescue on Friday, July 19, 2019, for seven hours during a period of extreme heat. He visited many stations throughout the community accompanied by Battalion Chief Steve Elliot. • Recognized Firefighter/EMT, Mr. Ryan Mullen, for coming to the station with his young son to check on staff on his day off. 		

<ul style="list-style-type: none"> Presented photographs of a welcome lunch held for new Charlottesville City Manager, Taron Richardson, and his staff at which they discussed how to collaborate and work together. Informed the Board that from May–July, 2019, they have seen a 7% increase in building inspections, for a total of 9,114 during this three-month period, which does not include complaint investigations, or inspections for bed and breakfast, Department of Social Services daycare and adult care, and job site meeting request. Recognized three staff members for their recent graduation from the Senior Executive Institute: Ron Lantz, Chief of Police; Lorna Gerome, Human Resources Director; and Trevor Henry. Commented that he invited Dr. John Nalbandian, guest speaker at the Senior Executive Institute, former Mayor of Lawrence, Kansas, and Professor Emeritus at University of Kansas School of Public Administration, to spend half a day with 50 staff members at the County Office Building to learn how staff can work with elected officials and the community and work cross-departmentally on complex issues. <p><u>Emily Kilroy:</u></p> <ul style="list-style-type: none"> reminded the Board that September 4 is the 275th anniversary of the County’s founding in 1744, for which they would hold a celebration on Saturday, September 28, 2019 from 10:00 a.m.–2:00 p.m., at Lane ballfield. Provided an update on the website replacement project, which she noted was an organizational priority for FY 20. 		
<p>24. From the Board: Committee Reports and Matters Not Listed on the Agenda.</p> <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> Commented that she sent an email to Supervisors the previous day asking to discuss an application for solar projects grant money for the Ivy landfill. The community power group will be submitting two proposals to Dominion Energy in response to its 2019 Solar Energy RFPs. She mentioned Kathy Galvin would bring this same request before the City Council. Ms. Palmer offered to prepare the letter or to have the Communications Director prepare it and have the Chair sign. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> Requested Supervisors to set aside time on a future agenda to allow Brad Sheffield, of JAUNT, to present on an on-demand service pilot for the area of Loaves and Fishes. CONSENSUS to schedule on a future agenda. Requested the Board to review the 	<p><u>Clerk:</u> Coordinate with JAUNT director and schedule on future agenda.</p>	

<p>classifications of home occupation businesses in residential areas, as she has observed people operating food trucks and parking them at home as well as landscaping businesses using their homes to store equipment.</p> <p>a. Discussion of the process for subordinate public bodies to formally communicate to the Board; placing matters on the public body's agenda; informing affected parties of the proposed communication.</p> <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Requested that she would like to have the County Attorney share guidance with the Board at a future meeting as to the best ways and procedures to do things to have a more consistent approach. 		
<p>14. Closed Meeting.</p> <ul style="list-style-type: none"> At 4:43 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia: Under Subsection (1), to discuss and consider: <ul style="list-style-type: none"> 1. The annual performance of the Clerk to the Board and the County Attorney; and 2. Appointments to the ACE Committee and three County advisory committees; and 3. Candidates for appointment as Director of Community Development; and Under Subsection (7), to consult with legal counsel and briefing by staff members pertaining to actual litigation between the Board of Supervisors and the Scottsville Volunteer Rescue Squad; and Under Subsection (8), to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice relating to the requirements of the State Stormwater Management Act, the Water Protection Ordinance, and the Zoning Ordinance to fill waste activities. Under Subsection (19), to receive information pertaining to operations, procedures, tactical planning, security plans and measures, and personnel deployments for the weekend of August 9—12, where discussion in an open meeting would jeopardize the safety of people of the safety of County facilities and buildings. 		
<p>15. Certify Closed Meeting.</p> <ul style="list-style-type: none"> At 6:09 p.m., the Board reconvened into open meeting and certified the closed meeting. 		
<p>16. Boards and Commissions: Vacancies and Appointments.</p> <ul style="list-style-type: none"> APPOINTED Mr. Thomas Thorpe to the 5th & Avon Community Advisory Committee with said term to expire September 30, 2020. REAPPOINTED Mr. Richard Keeling to the Acquisition of Conservation Easement (ACE) Committee with said term to expire August 1, 2021. 	<p><u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.</p>	

<ul style="list-style-type: none"> • REAPPOINTED Ms. Olivia Branch to the Pantops Community Advisory Committee with said term to expire June 30, 2021. • APPOINTED Mr. Peter Thompson to the Places 29 (Rio) Community Advisory Committee with said term to expire September 30, 2021. 		
<p>Non-Agenda: Appointment of Community Development Director.</p> <ul style="list-style-type: none"> • By a vote of 5:0 (Dill absent), ADOPTED Resolution Appointing Jodie S. Filardo as the Director of Community Development. 	<p><u>Clerk:</u> Forward copy of signed resolution to Human Resources, County Executive and County Attorney's office. (Attachment 5)</p>	
<p>17. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • Harold Pilar, Scottsville District, commented on his support for the police range to be open to the public at scheduled times. He also suggested that County employees work 36 hours/week during the summer months, with half-days on Fridays. He also suggested taxing college degrees and master's degrees as assets. 		
<p>18. <u>Pb. Hrg.: FY 2020 Budget Amendment and Appropriations.</u></p> <ul style="list-style-type: none"> • By a vote of 5:0, ADOPTED Resolution to approve appropriations #2020008, #2020009, #2020010, #2020011, #2020012, #2020013, #2020014, and #2020015 for local government and school division projects. 	<p><u>Clerk:</u> Forward copy of signed resolution to OMB and County Attorney's office. (Attachment 6)</p>	
<p>19. <u>Pb. Hrg.: Ordinance to Update the Address of the Branchlands Precinct Polling Place Location.</u></p> <ul style="list-style-type: none"> • By a vote of 5:0 (Dill absent), ADOPTED ordinance. 	<p><u>Clerk:</u> Forward copy of signed ordinance to Registrar and County Attorney's office. (Attachment 7)</p>	
<p>20. <u>Pb. Hrg.: Ordinance to Amend County Code Chapter 9, Motor Vehicles (School Bus Arm).</u></p> <ul style="list-style-type: none"> • By a vote of 5:0, ADOPTED ordinance. 	<p><u>Clerk:</u> Forward copy of signed ordinance to County Attorney's office. (Attachment 8)</p>	
<p>21. <u>Pb. Hrg.: ZTA 201700001 Homestay (previously Transient Lodging).</u></p> <ul style="list-style-type: none"> • By a vote of 5:0 (Dill Absent), ADOPTED ordinance. 	<p><u>Clerk:</u> Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 9)</p>	
<p>22. <u>Pb. Hrg.: Ordinance to Amend County Code Chapter 7, Health and Safety.</u></p> <ul style="list-style-type: none"> • By a vote of 5:0 (Dill absent), ADOPTED ordinance. 	<p><u>Clerk:</u> Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 10)</p>	
<p>23. <u>Pb. Hrg.: Ordinance to Amend the Albemarle County Fire and Rescue Office of the Fire Marshal Fee Schedule.</u></p> <ul style="list-style-type: none"> • By a vote of 4:0 (Dill, Palmer absent), ADOPTED ordinance. 	<p><u>Clerk:</u> Forward copy of signed ordinance to Fire/Rescue and County Attorney's office. (Attachment 11)</p>	
<ul style="list-style-type: none"> • At 7:24 p.m., Liz Palmer left and returned at 7:28 p.m. 		
<p>26. Adjourn to August 21, 2019, 1:00 p.m., Lane Auditorium.</p> <ul style="list-style-type: none"> • The meeting was adjourned at 7:29 p.m. 		

ckb/tom

Attachment 1 – Resolution to Approve Additional FY 19 Appropriations
Attachment 2 – Resolution to Approve A Lease for 110 Old Preston Avenue
Attachment 3 – Resolution to Approve A Lease for 400 Preston Avenue

Attachment 4 – Resolution to Approve Special Exception for ZMA200400007 Belvedere
Attachment 5 – Resolution Appointing the Director of Community Development
Attachment 6 – Resolution to Approve Additional FY 2020 Appropriations
Attachment 7 – Ordinance No. 19-2(2)
Attachment 8 – Ordinance No. 19-9(1)
Attachment 9 – Ordinance No. 18-18(6)
Attachment 10 – Ordinance No. 19-7(1)
Attachment 11 – Ordinance No. 19-A(12)

**RESOLUTION TO APPROVE
ADDITIONAL FY 19 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2019094 and #2019095 are approved; and
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2019.

**RESOLUTION TO APPROVE A LEASE
FOR 110 OLD PRESTON AVENUE**

WHEREAS, the Board finds that it is in the best interest of the County to enter into a lease for property located at 110 Old Preston Avenue, Charlottesville, VA 22902 for the Economic Development Office's use.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia hereby approves entering a lease for property located at 110 Old Preston Avenue, Charlottesville, VA 22902 for the Economic Development Office's use, or another County department's use if deemed necessary by the County Executive, and authorizes the County Executive to execute a lease on behalf of the County after approval as to form and substance by the County Attorney, and contingent on approval of Appropriation #2020016 by the Board of Supervisors on August 21, 2019 to appropriate the required FY 20 funding.

**RESOLUTION TO APPROVE A LEASE
FOR 400 PRESTON AVENUE**

WHEREAS, the Board finds that it is in the best interest of the County to enter into a lease for property located at 400 Preston Avenue, Suite 200, Charlottesville, VA 22902 for the Albemarle County Finance Department's use.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia hereby approves entering a lease for property located at 400 Preston Avenue, Suite 200, Charlottesville, VA 22902 for the Albemarle County Finance Department's use, or another County department's use if deemed necessary by the County Executive, and authorizes the County Executive to execute a lease on behalf of the County after approval as to form and substance by the County Attorney, and contingent on approval of Appropriation #2020016 by the Board of Supervisors on August 21, 2019 to appropriate the required FY 20 funding.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR ZMA200400007 BELVEDERE**

WHEREAS, the Owner of Tax Map Parcels 06100-00-00-16000 and 062A3-00-00-00100 filed a request for a special exception to modify the requirements of County Code § 18-4.16.3.3 that recreational facilities shall be completed when 50 percent of the units within each block of the development as identified on the application plan and code of development have received certificates of occupancy to allow the completion of recreational amenities within Block 4 of the Belvedere Development to occur on or before July 15, 2020.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the Memorandum prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-4.16.3.3, 18-8.2(b), 18-33.43, and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception as set forth above, subject to the condition attached hereto.

* * * *

Special Exception for ZMA200400007 Belvedere Condition

1. The Block 4 Neighborhood Center Greenspace and Amenities as described in the Belvedere Code of Development must be completed on or before July 15, 2020. The Block 4 Neighborhood Center Greenspace and Amenities does not include the private education center or daycare as proposed in the Belvedere Code of Development.

**RESOLUTION
APPOINTING THE DIRECTOR
OF COMMUNITY DEVELOPMENT**

BE IT RESOLVED by the Board of Supervisors of the County of Albemarle, Virginia (the "Board") that, upon the recommendation of the County Executive, Jodie S. Filardo ("Filardo") is hereby appointed the Director of Community Development for the County of Albemarle, Virginia pursuant to Virginia Code § 15.2-512; and

BE IT FURTHER RESOLVED that this appointment shall be effective on and after September 9, 2019; and

BE IT FURTHER RESOLVED that Filardo will serve as Director of Community Development at the pleasure of the Board and for an indefinite tenure pursuant to Virginia Code § 15.2-513; and

BE IT FURTHER RESOLVED that Filardo will act under the supervision of the County Executive.

**RESOLUTION TO APPROVE
ADDITIONAL FY 2020 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That the FY 20 Budget is amended to increase it by \$24,585,485.23;
- 2) That Appropriations #2020008; #2020009; #2020010; #2020011; #2020012; #2020013; #2020014; and #2020015 are approved; and
- 3) That the appropriations referenced in Paragraph #2, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2020.

ORDINANCE NO. 19-2(2)

AN ORDINANCE TO AMEND CHAPTER 2, ADMINISTRATION, ARTICLE 1, ELECTIONS, 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, Article 1, Elections, is hereby amended and reordained as follows:

By Amending:

Sec. 2-102 Rio Magisterial District.

Chapter 2. Administration**Article 1. Elections**

.....

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, 491 Hillsdale Drive.
 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; Ord. 18-2(2), 4-11-18)

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

ORDINANCE NO. 19-9(1)

AN ORDINANCE TO AMEND CHAPTER 9, MOTOR VEHICLES AND TRAFFIC, ARTICLE VIII, VIDEO-MONITORING SYSTEM, 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 9, Motor Vehicles and Traffic, Article VIII, Authorizations, is hereby amended and reordained as follows:

By Amending:

- Sec. 9-800 Definitions.
- Sec. 9-801 Authorizations
- Sec. 9-802 Passing stopped school buses violations; civil penalty.

Chapter 9. Motor Vehicles and Traffic**Article VIII. Video-Monitoring System**

.....

Sec. 9-800 Definitions.

For the purposes of this article and, unless otherwise required by the context, "video-monitoring system" shall mean a system with one or more camera sensors and computers installed and operated on a school bus that produces live digital and recorded video of motor vehicles being operated in violation of Virginia Code § 46.2-859. Such system shall, at a minimum, produce a recorded image of the license plate and shall record the activation status of at least one warning device as prescribed in Virginia Code § 46.2-1090 and the time, date, and location of the vehicle when the image is recorded.

(Ord. 14-9(1), 7-2-14)

State law reference - Va. Code § 46.2-844

Sec. 9-801 Authorization

- A. *Authorization.* Pursuant to Virginia Code § 46.2-844(B)(1), the County authorizes the school division to install and operate video-monitoring systems in or on the division's school buses.
- B. *Private entities.* Pursuant to the Virginia Public Procurement Act, the school division may enter into an agreement with a private entity to provide the video-monitoring systems and all related support services, to include consulting, operations, and administration for the purpose of recording, charging, and prosecuting violations of Virginia Code § 46.2-844(A). Only a law enforcement officer employed by the County may authorize the issuance of a civil summons or ticket pursuant to this article.
- C. *Restricted collection of information.* Personal information collected by a video-monitoring system installed and operated pursuant to this article shall be limited exclusively to that information that is permitted by Virginia Code § 46.2-208(B)(30).

(Ord. 14-9(1), 7-2-14)

State law reference – Va. Code §§ 46.2-844, 46.2-208.

Sec. 9-802 Passing stopped school buses violations; civil penalty.

- A. *Elements of violation.* The driver of a vehicle will be deemed to be in violation of this section if the driver fails to stop the vehicle when approaching, from any direction, any school bus which is stopped on any highway, private road, or school driveway for the purpose of taking on or discharging children, the elderly, or mentally or physically handicapped persons, and if the vehicle fails to remain stopped until all of those persons are clear of the highway, private road, or school driveway and the bus is put in motion.
- B. *Evidence of violation.* In any prosecution for which a civil summons is issued within 10 days of the alleged violation, proof that the motor vehicle described in the summons was operated in violation of this

section, together with proof that the defendant was at the time of the violation the registered owner of the vehicle, as required by Chapter 6 of Title 46.2 of the Code of Virginia, shall give rise to a rebuttable presumption that the registered owner of the vehicle was the person who operated the vehicle at the place where, and for the time during which, the violation occurred.

The testimony of the school bus driver, the supervisor of school buses, or a law-enforcement officer that the vehicle was yellow, conspicuously marked as a school bus, and equipped with warning devices as prescribed in Virginia Code § 46.2-1090 is *prima facie* evidence that the vehicle is a school bus.

- C. *Civil summons.* A civil summons for a violation of this section may be executed as provided in Virginia Code § 19.2-76.2 and, notwithstanding the provisions of § 19.2-76, the summons may be executed by mailing by first-class mail a copy to the address of the owner of the vehicle contained in the records of the Virginia Department of Motor Vehicles. Every mailing shall include, in addition to the summons, a notice of: (i) the summoned person's ability to rebut the presumption that he was the operator of the vehicle at the time of the alleged violation through the filing of an affidavit as provided in Virginia Code § 46.2-844(A); and (ii) instructions for filing the affidavit, including the address to which the affidavit is to be sent. If the summoned person fails to appear on the date of return set out in the summons, the summons shall be executed in the manner set out in the Virginia Code. No proceedings for contempt or arrest of a person summoned by mailing shall be instituted for failure to appear on the return date of the summons. Any summons executed for violation of this section shall provide to the person summoned at least 30 business days from the mailing of the summons to inspect information collected by a video-monitoring system in connection with the violation.
- D. *Civil Penalties.* The operator of a vehicle deemed to be in violation of this section shall be subject to the following:
1. *Amount of civil penalty.* Any violation of this section shall be subject to a civil penalty of \$250.00, payable to Albemarle County.
 2. *Civil penalties are in lieu of criminal penalties.* A prosecution or proceeding under Virginia Code § 46.2-859 is a bar to a prosecution or proceeding under this section for the same act, and a prosecution or proceeding under this section is a bar to a prosecution or proceeding under Virginia Code § 46.2-859 for the same act.

(Ord. 14-9(1), 7-2-14)

State law reference – Va. .Code § 46.2-844

ORDINANCE NO. 18-18(6)

AN ORDINANCE TO AMEND CHAPTER 18, ZONING, ARTICLE I, GENERAL PROVISIONS, ARTICLE II, BASIC REGULATIONS, AND ARTICLE III, DISTRICT REGULATIONS, 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 18, Zoning, Article I, General Provisions, Article II, Basic Regulations, and Article III, District Regulations, are hereby amended and reordained as follows:

By Amending and Renaming:

Sec. 5.1.48 ~~Bed and Breakfast~~ Homestay

By Amending:

Sec. 3.1	Definitions
Sec. 4.12.6	Minimum Number of Required Parking Spaces for Scheduled Uses
Sec. 10.2.1	By Right
Sec. 12.2.1	By Right
Sec. 13.2.1	By Right
Sec. 14.2.1	By Right
Sec. 15.2.1	By Right
Sec. 16.2.1	By Right
Sec. 17.2.1	By Right
Sec. 18.2.1	By Right
Sec. 19.3.1	By Right
Sec. 20.3.1	By Right
Sec. 20A.6	Permitted Uses
Sec. 20B.2	Permitted Uses

By Repealing:

Sec. 5.1.17 Tourist Lodging

CHAPTER 18. ZONING**ARTICLE I. GENERAL PROVISIONS****3.1 DEFINITIONS**

...

Homestay: "Homestay" means an accessory residential use providing transient lodging and rooms for dining and meetings for use by homestay guests provided that the dining and meeting rooms are subordinate to the homestay use. A homestay use may offer no more than five guest rooms for lodging.

...

Responsible agent: "Responsible agent" means for a homestay use, an owner, manager, management company, rental agent or individual who is identified in the zoning clearance.

...

Whole house rental: "Whole house rental" means a homestay use during which the owner or manager is not required to be present. (See County Code § 18-5.1.48).

...

ARTICLE II. BASIC REGULATIONS

4.12.6 MINIMUM NUMBER OF REQUIRED PARKING SPACES FOR SCHEDULED USES

Except when alternative parking is approved as provided in section 4.12.8, the following schedule shall apply to determine the number of required off-street parking spaces to be provided in a particular situation. If a particular use is not scheduled, then section 4.12.7 shall apply.

...

Homestay. One off-street space per guest room in addition to the parking required for the dwelling unit.

...

5.1.48 HOMESTAYS

Each homestay is subject to the following regulations:

- a. *Residency.* The owner of the parcel or a manager of the homestay must reside on the parcel for a minimum of 180 days in a calendar year.
- b. *Notice.* The owner of a parcel conducting a homestay use must provide the name, telephone number, and emergency contact information of the owner and of any manager or other designated agent to abutting property owners on an annual basis. The owner must retain and provide a copy of the notice to the Zoning Administrator within five business days upon request.
- c. *Parking.* In addition to the parking required for a single-family dwelling, the number of off-street parking spaces required by County Code § 18-4.12.6 must be provided on-site.
- d. *Information and sketch plan to be submitted with request for zoning clearance.* The following documents must be submitted to the zoning administrator with each request for a zoning clearance under County Code § 18-31.5:
 1. *Information.* Information pertaining to the following: (i) the proposed use; (ii) the maximum number of guest rooms; (iii) the provision of authorized on-site parking; (iv) the location, height and lumens of outdoor lighting; and (v) two forms of verification of the permanent residency of an owner or manager. Acceptable proof of permanent residence includes: driver's license, voter registration card, U.S. passport, or other document(s) that the zoning administrator determines provide equivalent proof of permanent residence at the subject property.
 2. *Sketch plan.* A schematic drawing of the premises with notes in a form and of a scale approved by the zoning administrator depicting: (i) all structures that would be used for the homestay; (ii) the locations of all guest rooms; and (iii) how access, on-site parking, outdoor lighting, signage and minimum yards will be provided in compliance with this chapter.
 3. *Signatures.* The responsible agent and the owner of the parcel must sign the application.
- e. *Building code, fire and health approvals.* Before the zoning administrator approves a zoning clearance under County Code § 18-31.5, the owner of the parcel or a manager of the homestay must obtain approval of the use from the building official, the fire official, and the Virginia Department of Health.
- f. *Uses prohibited.* The following uses are not permitted as uses accessory to a homestay use: (i) restaurants; and (ii) special events serving attendees other than homestay guests.
- g. *Responsible agent.* Each applicant for a homestay must designate a responsible agent to promptly address complaints regarding the homestay use. The responsible agent must be available within 30 miles of the homestay at all times during a homestay use. The responsible agent must respond and attempt in good faith to resolve any complaint(s) within 60 minutes of being contacted. The responsible agent may initially respond to a complaint by requesting homestay guest(s) to take such action as is required to resolve the complaint. The responsible agent also may be required to visit the homestay if necessary to resolve the complaint.
- h. *Lawfully pre-existing uses.* Any bed and breakfast or tourist lodging use approved prior to June 19,

2019 may continue, subject to conditions of the prior approval(s).

i. *Special exception.*

(1) Waiver or modification of this section is prohibited except to permit:

- (i) More than two guest rooms and/or the use of an accessory structure in association with a homestay on parcels in the Residential or Planned Development districts, or Rural Areas district parcels of less than five acres;
- (ii) Reduction in minimum applicable yards for a structure or parking used in whole or in part for a homestay.

(2) Special exceptions may be granted after notice to abutting property owners upon consideration of the following:

- (i) There is no detriment to any abutting lot; and
- (ii) There is no harm to the public health, safety, or welfare.

j. *Parcel-based regulations.*

(1) Each homestay located on (a) a parcel of less than five acres in the Rural Areas Zoning District or (b) a parcel of any size that allows residential use in the Residential Zoning Districts or Planned Development Zoning Districts is subject to the following regulations:

- (i) *Number of homestay uses.* Any parcel may have only one homestay use. An accessory apartment may not qualify as a dwelling unit for a homestay use.
- (ii) *Dwelling types.* Homestay uses may only be conducted in a single-family dwelling.
- (iii) *Number of guest rooms.* A maximum of two guest rooms may be permitted with each homestay use.
- (iv) *Owner or resident manager occupancy.* The owner or resident manager of a parcel with a homestay use must reside on and be present at the subject parcel during the homestay use.
- (v) *Minimum yards.* 1) In the Residential or Planned Development districts, the minimum applicable front, side, and rear yard requirements for primary structures apply to all structures used for homestays; 2) In the Rural Areas district, the minimum front, side, and rear yard shall be 125 feet from any abutting lot not under the same ownership as the homestay, for parking and for structures used in whole or in part to serve a homestay.

(2) Each homestay located on a parcel of five acres or more in the Rural Areas district is subject to the following regulations:

- (i) *Number of homestay uses.* Any parcel may have up to two homestay uses, provided all other applicable requirements are met.
- (ii) *Accessory structures.* Homestay uses may be conducted in accessory structures.
- (iii) *Number of guest rooms.* A maximum of five guest rooms may be permitted with each homestay use.
- (iv) *Required development rights, density and limitation.* Each single-family dwelling to which a homestay use is accessory must comply with the following regulations:
 - (a) on any parcel less than 21 acres in size, the single family dwelling shall be authorized by a development right as provided in County Code § 18-10.3;
 - (b) on any parcel, regardless of size, the single family dwelling shall comply with the permitted density; and

- (c) no single family dwelling may have more than one accessory homestay use.
- (v) *Minimum yards.* The minimum front, side, and rear yard for parking and for structures used in whole or in part to serve a homestay shall be 125 feet from any abutting lot not under the same ownership as the homestay use.
- (vi) *Owner or resident manager occupancy.* The owner or resident manager of a parcel conducting a homestay use must reside on and be present at the subject property during the homestay use except during approved whole house rentals.
- (vii) *Owner or resident manager occupancy during whole house rental.* The owner or resident manager of a parcel conducting a homestay use that is approved for whole house rental may be absent during the rental period for up to seven days in any calendar month and up to 45 days in any calendar year. The owner shall maintain a log of all homestay uses including the date of each rental for which the owner is absent. This log shall be provided within five business days to the Zoning Administrator upon request.

...

ARTICLE III. DISTRICT REGULATIONS

SECTION 10. RURAL AREAS DISTRICT, RA

10.2 Permitted Uses

10.2.1 By right

...

14. Homestays (reference 5.1.48).

...

SECTION 12. VILLAGE RESIDENTIAL - VR

12.2 Permitted Uses

12.2.1 By right

...

10. Homestays (reference 5.1.4748).

...

SECTION 13. RESIDENTIAL - R-1

13.2 Permitted Uses

13.2.1 By right

...

10. Homestays (reference 5.1.48).

...

SECTION 14. RESIDENTIAL - R-2

14.2 Permitted Uses

14.2.1 By right

...

10. Homestays (reference 5.1.48).

...

SECTION 15. RESIDENTIAL - R-4

15.2 Permitted Uses

15.2.1 By right

...

12. Homestays (reference 5.1.48).

...

SECTION 16. RESIDENTIAL - R-6

16.2 Permitted Uses

16.2.1 By right

...

8. Homestays (reference 5.1.48).

...

SECTION 17. RESIDENTIAL - R-10

17.2 Permitted Uses

17.2.1 By right

...

8. Homestays (reference 5.1.48).

...

SECTION 18. RESIDENTIAL - R-15

18.2 Permitted Uses

18.2.1 By right

...

8. Homestays (reference 5.1.48).

...

SECTION 19. PLANNED RESIDENTIAL DEVELOPMENT - PRD

19.3 Permitted Uses

19.3.1 By right

...

14. Homestays (reference 5.1.48).

...

SECTION 20. PLANNED UNIT DEVELOPMENT - PUD

20.3 Permitted Uses-Residential

20.3.1 By right

...

14. Homestays (reference 5.1.48).

...

SECTION 20A. NEIGHBORHOOD MODEL – NMD

20A.6 Permitted Uses

The following uses shall be permitted in an NMD, subject to the regulations in this section and section 8, the approved application plan and code of development, and the accepted proffers:

- a. *By right uses.* The following uses are permitted by right if the use is expressly identified as a by right use in the code of development or if the use is permitted in a determination by the Zoning Administrator pursuant to County Code § 18-8.5.5.2(c)(1).

...

13. Homestays (reference 5.1.48).

SECTION 20B. DOWNTOWN CROZET DISTRICT - DCD

20B.2 Permitted Uses

The following uses shall be permitted in the DCD, subject to the regulations in this section

...

- D. *By right uses; residential.* The following residential uses are permitted by right, provided that the first floor of the building in which the residential use exists is designed for and occupied only by a use permitted by subsections 20B.2(A), (B), (C) or (E):

...

9. Homestays (reference 5.1.48)

ORDINANCE NO. 19-7(1)

AN ORDINANCE TO AMEND CHAPTER 7, HEALTH AND SAFETY, 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 7, Health and Safety, is hereby amended and reordained as follows:

By Adding:

- 7-601 Definitions.
- 7-602 Registration.
- 7-603 Penalties.
- 7-604 Administration.

Chapter 7. Health and Safety**Article VI. Short-term Rental Registry****Sec. 7-601 Definitions.**

For purposes of this Article:

Operator. "Operator" means the proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, license, or any other possessory capacity.

Short-term rental. "Short-term rental" means the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy. A "homestay," as defined and regulated in County Code Chapter 18, is a short-term rental.

Sec. 7-602 Registration.

- A. *Annual registration.* Each operator must register annually with the County's Department of Community Development, and provide at least the operator's complete name and the address of each property in the County offered for short-term rental by the operator.
- B. *Annual fee.* A fee of \$27.00 shall be charged for each registration to cover the actual costs of establishing and maintaining the registry.
- C. *Exemptions from registration.* Registration is not required if the operator is exempted from registration under Virginia Code § 15.2-983(B)(2).

Sec. 7-603 Penalties.

- A. *Nonregistration penalty.* Any operator required to register who offers for short-term rental a property that is not registered with the County is subject to a penalty of \$500.00 per violation. Each day that an unregistered property is offered for short-term rental constitutes a separate violation. Unless and until an operator pays the penalty and registers the property, the operator may not continue to offer the property for short-term rental. Upon repeated violations of this Article pertaining to the same property the operator shall be prohibited from registering and offering that property for short-term rental.
- B. *Multiple violations.* An operator required to register shall be prohibited from offering a specific property for short-term rental upon more than three violations of applicable State laws or any County ordinances or regulations, as they relate to the short-term rental.

Sec. 7-604 Administration.

The Department of Community Development shall administer and enforce the short-term rental registry program, and its responsibilities include, but are not limited to, receiving registrations, maintaining a registry, collecting fees, creating forms, and imposing penalties.

ORDINANCE NO. 19-A(12)

**AN ORDINANCE TO AMEND AND ADOPT
THE ALBEMARLE COUNTY FIRE RESCUE
OFFICE OF THE FIRE MARSHAL FEE SCHEDULE**

WHEREAS, pursuant to Virginia Code § 27-97, the Board has adopted the Virginia Statewide Fire Prevention Code as set forth in § 6-200 of the Albemarle County Code; and

WHEREAS, the Board is authorized by Virginia Code § 27-98 to establish such procedures or requirements, including the imposition of fees to defray costs, as may be necessary for the administration and enforcement of the Virginia Statewide Fire Prevention Code.

NOW, THEREFORE, BE IT ORDAINED THAT the Albemarle County Board of Supervisors hereby adopts the Albemarle County Fire Rescue Office of the Fire Marshal Fee Schedule, as amended, attached hereto and incorporated herein.

This ordinance shall be effective immediately.

* * * * *



ALBEMARLE COUNTY FIRE RESCUE /OFFICE OF THE FIRE MARSHAL

FEE SCHEDULE (Effective on May 15, 2015)

DESCRIPTION	PERMIT REQUIRED (Yes or No)	PERMIT FEE	INSPECTION FEE																
Aerosol products. An operational permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds (227 kg) net weight.	Yes (annual/per location)	\$200	See inspection fee below																
Amusement buildings. An operational permit is required to operate a special amusement building.	Yes (Fixed–Annual/location or mobile–30 days/location)	\$200	See inspection fee below																
Aviation facilities. An operational permit is required to use a Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.	Yes (annual/per location)	\$200	See inspection fee below																
Carnivals and fairs. An operational permit is required to conduct a carnival or fair.	Yes (30 days/location)	\$200	No																
Cellulose nitrate film. An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.	Yes (annual/per location)	\$200	See inspection fee below																
Combustible dust-producing operations. An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2.	Yes (annual/per location)	\$200	See inspection fee below																
Combustible fibers. An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 cubic feet (2.8 m ³). Exception: An operational permit is not required for agricultural storage.	Yes (annual/per location)	\$200	See inspection fee below																
Compressed gas. An operational permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed below. Exception: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle. PERMIT AMOUNTS FOR COMPRESSED GASES <table><tr><th>TYPE OF GAS</th><th>AMOUNT (cubic feet at NTP)</th></tr><tr><td>Corrosive</td><td>200</td></tr><tr><td>Flammable (except cryogenic fluids and liquefied petroleum gases)</td><td>200</td></tr><tr><td>Highly toxic</td><td>Any amount</td></tr><tr><td>Inert and simple asphyxiant</td><td>6,000</td></tr><tr><td>Oxidizing (including oxygen)</td><td>504</td></tr><tr><td>Pyrophoric</td><td>Any amount</td></tr><tr><td>Toxic</td><td>Any amount</td></tr></table> For SI: 1 cubic foot = 0.02832 m ³ .	TYPE OF GAS	AMOUNT (cubic feet at NTP)	Corrosive	200	Flammable (except cryogenic fluids and liquefied petroleum gases)	200	Highly toxic	Any amount	Inert and simple asphyxiant	6,000	Oxidizing (including oxygen)	504	Pyrophoric	Any amount	Toxic	Any amount	Yes (annual/per location)	\$200	See inspection fee below
TYPE OF GAS	AMOUNT (cubic feet at NTP)																		
Corrosive	200																		
Flammable (except cryogenic fluids and liquefied petroleum gases)	200																		
Highly toxic	Any amount																		
Inert and simple asphyxiant	6,000																		
Oxidizing (including oxygen)	504																		
Pyrophoric	Any amount																		
Toxic	Any amount																		
Covered and open mall buildings. An operational permit is required for: <table><tr><td>1.</td><td>The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.</td></tr><tr><td>2.</td><td>The display of liquid-fired or gas-fired equipment in the mall.</td></tr><tr><td>3.</td><td>The use of open-flame or flame-producing equipment in the mall.</td></tr></table>	1.	The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.	2.	The display of liquid-fired or gas-fired equipment in the mall.	3.	The use of open-flame or flame-producing equipment in the mall.	Yes (annual/per location)	\$200	See inspection fee below										
1.	The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.																		
2.	The display of liquid-fired or gas-fired equipment in the mall.																		
3.	The use of open-flame or flame-producing equipment in the mall.																		
Cryogenic fluids. An operational permit is required to produce, store, transport onsite, use, handle or dispense cryogenic fluids in excess of the amounts listed below. Exception: Operational permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading. PERMIT AMOUNTS FOR CRYOGENIC FLUIDS <table><tr><th>TYPE OF CRYOGENIC FLUID</th><th>INSIDE BUILDING (gallons)</th><th>OUTSIDE BUILDING (gallons)</th></tr><tr><td>Flammable</td><td>More than 1</td><td>60</td></tr><tr><td>Inert</td><td>60</td><td>500</td></tr><tr><td>Oxidizing (includes oxygen)</td><td>10</td><td>50</td></tr><tr><td>Physical or health hazard not indicated above</td><td>Any amount</td><td>Any amount</td></tr></table> For SI: 1 gallon = 3.785 L.	TYPE OF CRYOGENIC FLUID	INSIDE BUILDING (gallons)	OUTSIDE BUILDING (gallons)	Flammable	More than 1	60	Inert	60	500	Oxidizing (includes oxygen)	10	50	Physical or health hazard not indicated above	Any amount	Any amount	Yes (annual/per location)	\$200	See inspection fee below	
TYPE OF CRYOGENIC FLUID	INSIDE BUILDING (gallons)	OUTSIDE BUILDING (gallons)																	
Flammable	More than 1	60																	
Inert	60	500																	
Oxidizing (includes oxygen)	10	50																	
Physical or health hazard not indicated above	Any amount	Any amount																	

Cutting and welding. An operational permit is required to conduct cutting or welding operations within the jurisdiction.	Yes (per event/location)	\$100	No
Dry cleaning plants. An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.	Yes (annual/per location)	\$200	See inspection fee below
Exhibits and trade shows. An operational permit is required to operate exhibits and trade shows.	Yes (per event/location)	\$200	See inspection fee below
Explosives, fireworks, and pyrotechnics. An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosive, explosive materials, fireworks, pyrotechnic special effects, or pyrotechnic special effects material within the scope of Chapter 56. Exception: Storage in Group R-3 or R-5 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale, and in accordance with the quantity limitations and conditions set forth in Section 5601.1, exception numbers four and twelve. <u>Note: Manufacture, storage, handling, sale of explosives, explosive materials and pyrotechnics requires annual permit and facility inspection with associated fees.</u> <u>Use of explosives/blasting requires a use permit every 30 days with associated fees.</u> <u>Fireworks and Pyrotechnic special effects require either wholesale (60 days), retail (60 days) or use/display (per event 1 day)</u>	Fixed Facility: Yes: (annual/location)	\$200	See inspection fee below
	Site Storage: in addition to use (30 days)	-----	
	Use/ Blasting : Yes (per event – 30 days maximum/location)	\$200	No
	Wholesale (fireworks): Yes (60 days/location)	\$500	No
	Retail (fireworks): yes (60 days/location)	\$500	See inspection fee below
	Display/Use (fireworks): Yes (per event 1 day/location)	\$600	No
Fire hydrants and valves. An operational permit is required to use or operate fire hydrants or valves intended for fire suppression purposes that are installed on water systems and accessible to a fire apparatus access road that is open to or generally used by the public. Exception: An operational permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or valves.	Yes (per event/location)	\$100	No
Flammable and combustible liquids. An operational permit is required: 1. To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the offsite transportation in pipelines regulated by the Department of Transportation (DOTn) nor does it apply to piping systems. 2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following: 2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the fire official, would cause an unsafe condition. 2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days. 3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment. 4. To remove Class I or Class II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes. 5. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel- dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used. 6. To install, alter, remove, abandon, place temporarily out of service (for more than 90 days) or otherwise dispose of an underground, protected above-ground or above-ground flammable or combustible liquid tank. 7. To change the type of contents stored in a flammable or combustible liquid tank to a material that poses a greater hazard than that for which the tank was designed and constructed. 8. To manufacture, process, blend or refine flammable or combustible liquids.	Yes (annual/per location)	\$200	See inspection fee below
Floor finishing. An operational permit is required for floor finishing or surfacing operations exceeding 350 square feet (33 m ²) using Class I or Class II liquids.	Yes (30 days/location)	\$75	No
Fruit and crop ripening. An operational permit is required to operate a fruit-ripening or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.	Yes (annual/per location)	\$200	See inspection fee below
Fumigation, thermal and insecticidal fogging. An operational permit is required to operate a business of fumigation, thermal or insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.	Yes (annual for facility/ location) (per event/location)	\$200 (annual) \$75 (event)	Facility : See inspection fee below

Hazardous materials. An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed below.

PERMIT AMOUNTS FOR HAZARDOUS MATERIALS

TYPE OF MATERIAL	AMOUNT
Combustible liquids	See flammable and combustible liquids
Corrosive materials	
Gases	See compressed gases
Liquids	55 gallons
Solids	1000 pounds
Explosive materials	See explosives
Flammable materials	
Gases	See compressed gases
Liquids	See flammable and combustible liquids
Solids	100 pounds
Highly toxic materials	
Gases	See compressed gases
Liquids	Any amount
Solids	Any amount
Oxidizing materials	
Gases	See compressed gases
Liquids	
Class 4	Any amount
Class 3	1 gallon ^a
Class 2	10 gallons
Class 1	55 gallons
Solids	
Class 4	Any amount
Class 3	10 pounds ^b
Class 2	100 pounds
Class 1	500 pounds
Organic peroxides	
Liquids	
Class I	Any amount
Class II	Any amount
Class III	1 gallon
Class IV	2 gallons
Class V	No permit required
Solids	
Class I	Any amount
Class II	Any amount
Class III	10 pounds
Class IV	20 pounds
Class V	No permit required
Pyrophoric materials	
Gases	See compressed gases
Liquids	Any amount
Solids	Any amount
Toxic materials	
Gases	See compressed gases
Liquids	10 gallons
Solids	100 pounds
Unstable (reactive) materials	
Liquids	
Class 4	Any amount
Class 3	Any amount
Class 2	5 gallons
Class 1	10 gallons
Solids	
Class 4	Any amount
Class 3	Any amount
Class 2	50 pounds
Class 1	100 pounds
Water reactive materials	
Liquids	
Class 3	Any amount
Class 2	5 gallons
Class 1	55 gallons
Solids	
Class 3	Any amount
Class 2	50 pounds
Class 1	500 pounds

Yes (annual/per location)

\$ 200

See inspection fee below

See Note on following page

For SI: 1 gallon = 3.785 L, 1 pound = 0.454 kg. a. Twenty gallons when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 20 gallons or less. b. Twenty pounds when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 200 pounds or less.	Yes (annual/per location)	\$ 200	See inspection fee below
HPM facilities. An operational permit is required to store, handle or use hazardous production materials.	Yes (annual/per location)	\$ 200	See inspection fee below
High piled storage. An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m ²).	Yes (annual/per location)	\$ 200	See inspection fee below
Hot work operations. An operational permit is required for hot work including, but not limited to: 1. Public exhibitions and demonstrations where hot work is conducted. 2. Use of portable hot work equipment inside a structure. Exception: Work that is conducted under a construction permit. 3. Fixed-site hot work equipment such as welding booths. 4. Hot work conducted within a hazardous fire area. 5. Application of roof coverings with the use of an open-flame device. 6. When approved, the fire official shall issue a permit to carry out a Hot Work Program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in this chapter. These permits shall be issued only to their employees or hot work operations under their supervision.	Facility: Yes (annual/location) ----- Fixed Site: Yes (annual/location) ----- Other: per event/location Yes (30 day/location)	\$200 ----- \$200 ----- \$100	See inspection fee below See inspection fee below No
Industrial ovens. An operational permit is required for operation of industrial ovens regulated by Chapter 30.	Yes (annual/per location)	\$200	See inspection fee below
Lumber yards and woodworking plants. An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet (8,333 ft ³) (236 m ³).	Yes (annual/per location)	\$200	See inspection fee below
Liquid-fueled or gas-fueled vehicles or equipment in assembly buildings. An operational permit is required to display, operate or demonstrate liquid-fueled or gas-fueled vehicles or equipment in assembly buildings.	Yes (per event 30 days/location)	\$200	See inspection fee below
LP-gas. An operational permit is required for: 1. Storage and use of LP-gas. Exception: An operational permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L), serving occupancies in Group R-3. Operation of cargo tankers that transport LP-gas.	Yes (annual/per location)	\$200	See inspection fee below
Magnesium. An operational permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium.	Yes (annual/per location)	\$200	See inspection fee below
Miscellaneous combustible storage. An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71 m ³) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material.	Yes (annual/per location)	\$200	See inspection fee below
Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to. Exception: Recreational fires.	Yes (Land Clearing Operations Only – 60 days/location)	\$500	See inspection fee below
Open flames and candles. An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.	Yes (annual/per location)	\$200 (annual if sole permit) \$100 (if ancillary to another permit)	See inspection fee below
Open flames and torches. An operational permit is required to remove paint with a torch; or to use a torch or open-flame device in a wildfire risk area.	Yes (per event-30 days/location)	\$100	See inspection fee below
Organic coatings. An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day.	Yes (annual/per location)	\$200	See inspection fee below
Places of assembly. An operational permit is required to operate a place of assembly (greater than 50 persons)	Yes (annual/per location)	\$200	See inspection fee below
Private fire hydrants. An operational permit is required for the removal from service, use or operation of private fire hydrants. Exception: An operational permit is not required for private industry with trained maintenance personnel, private fire brigade or fire departments to maintain, test and use private hydrants.	Yes (annual/per location)	\$200	See inspection fee below
Pyrotechnic special effects material. An operational permit is required for use and handling of pyrotechnic special effects material.	Yes (per event-1 day/location)	\$200	See inspection fee below
Pyroxylin plastics. An operational permit is required for storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics.	Yes (annual/per location)	\$200	See inspection fee below
Refrigeration equipment. An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.	Yes (annual/per location)	\$200	See inspection fee below

Repair garages and service stations. An operational permit is required for operation of repair garages and automotive, marine and fleet service stations. Note: (If in conjunction with Flammable/Combustible Liquid permit than no fee for this permit)	Yes (annual/per location)	\$200	See inspection fee below
Rooftop heliports. An operational permit is required for the operation of a rooftop heliport.	Yes (annual/per location)	\$200	See inspection fee below
Spraying or dipping. An operational permit is required to conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 24.	Yes (annual/location) Yes (per event /30 days /location)	\$200 (fixed facility) \$100 (per event)	See inspection fee below
Storage of scrap tires and tire byproducts. An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71 m ³) of total volume of scrap tires and for indoor storage of tires and tire byproducts.	Yes (annual/per location)	\$200	See inspection fee below
Temporary membrane structures and tents. An operational permit is required to operate an air-supported temporary membrane structure or a tent. Exceptions: <ol style="list-style-type: none"> 1. Tents used exclusively for recreational camping purposes. 2. Tents and air-supported structures that cover an area of 900 square feet (84 m²) or less, including all connecting areas or spaces with a common means of egress or entrance and with an occupant load of 50 or less persons. Note: (permit good for 30 days with a maximum of 5 renewals (total of 180 days within a 12 month period allowed before tent must come down))	Yes (per event – good for 30 days/location)	\$100 if application received 30 days before event \$150 if application received 15-29 days before event \$200 if application received 8–15 days before event \$300 if application received 7 days or less before event	No
Tire-rebuilding plants. An operational permit is required for the operation and maintenance of a tire-rebuilding plant.	Yes (annual/per location)	\$200	See inspection fee below
Waste handling. An operational permit is required for the operation of wrecking yards, junk yards and waste material-handling facilities.	Yes (annual/per location)	\$200	See inspection fee below
Wood products. An operational permit is required to store chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m ³).	Yes (annual/per location)	\$200	See inspection fee below



ALBEMARLE COUNTY FIRE RESCUE /OFFICE OF THE FIRE MARSHAL

ADDITIONAL/MISCELLANEOUS FIRE PREVENTION FEE SCHEDULE

PURPOSE	DESCRIPTION	FEE
Facility Inspection Fees (in any fixed facility requiring a permit in Table 107. 2 of the Fire Prevention Code)	Inspection Fee	First two hours no charge \$100/hr thereafter
Required Fire Inspection for Social Service License (Ex: Day care/Adult Care etc)	1 – 8 persons 9 – 20 persons 21 – 50 persons 51 – 100 persons 101 – 150 persons 151 – 200 persons 201 or more persons	\$25 \$50 \$100 \$200 \$300 \$400 \$500 plus \$50 for every 100 persons over 201
Re-inspection Fee	After initial inspection, if all violations are corrected, no charge. If not, then each re-inspection incurs a fee until an agreement on remediation is reached or all violations are corrected.	\$0 (violations corrected) \$100 (per inspection)
Albemarle Fire Rescue Plan Review Fee	Site Plans Special Use Permit All Other	\$100 (per set of plans) \$50 (per application) \$75 (per event)
Request for Fire Code Variance/Modification and Albemarle County Fire Code Board of Appeals Request	Similar to the Zoning Variance and Appeals Process to offset Cost of the Fire Board of Appeals Operations	\$350 (application fee)
<u>Homestay Registry Inspection Fee</u>	<u>After initial inspection, annual inspections due by the inspection anniversary date</u>	<u>\$50</u>