



Albemarle County

Legislation Text

File #: 20-385, **Version:** 1

AGENDA DATE: 7/1/2020

TITLE:

Civil War Monuments and Memorials

SUBJECT/PROPOSAL/REQUEST: Schedule a public hearing on whether to remove, relocate, contextualize, or cover Civil War monuments and memorials

ITEM TYPE: Regular Action Item

STAFF CONTACT(S): Richardson, Henry, Kamptner, Stewart, Kilroy, Russell

PRESENTER (S): Greg Kamptner

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: Until July 1, 2020, Virginia Code § 15.2-1812 made it unlawful for localities to “disturb or interfere with” any war monuments or memorials. “Disturb or interfere with” included removing, damaging, or defacing the monuments or memorials.

Senate Bill 183 and House Bill 1537 (2020) amend Section 15.2-1812, effective July 1, 2020, to authorize a locality to remove, relocate, contextualize, or cover war monuments and memorials from its public property, provided that the locality complies with the procedures required by the new law.

STRATEGIC PLAN: Mission: To enhance the well-being and quality of life for all citizens through the provision of the highest level of public service consistent with the prudent use of public funds.

DISCUSSION: Virginia Code § 15.2-1812(B) establishes a four-step process before the County may remove, relocate, contextualize, or cover a war monument or memorial: (1) the Board publishes notice of its intention in the newspaper at least 30 days before it holds a public hearing on the matter; (2) the Board holds the public hearing; (3) the Board votes whether to remove, relocate, contextualize, or cover any monument or memorial; and (4) if it votes to do so, the Board must first, for a period of 30 days, offer the monument or memorial for relocation and placement to any museum, historical society, government, or military battlefield.

The Board has received many public comments regarding the Civil War monuments and memorials on the County courthouse grounds.

BUDGET IMPACT: There is no expected budget impact to hold the recommended public hearing. Staff will provide information regarding budget impacts resulting from removing or relocating any Civil War monuments or memorials in the executive summary for the public hearing.

RECOMMENDATION:

Staff recommends that the Board schedule a public hearing and authorize notice of the public hearing to be

advertised in a newspaper of general circulation.

ATTACHMENTS: None