



PURSUANT TO THE GOVERNOR'S LATEST EXECUTIVE ORDER, IN-PERSON
ATTENDANCE IS NOT PERMITTED
MEETING WILL BE LIVE STREAMED ON YOU TUBE: [Page County, Virginia - YouTube](#)

THE MEETING WILL ALSO BE STREAMED ON ZOOM (AUDIO ONLY):

<https://us02web.zoom.us/j/83655902113?pwd=WitRK29JSTdWQVdzZkFTeUdJZTlvQT09>

DIAL: (646) 558-8656; MEETING ID: 836 5590 2113; PASSCODE: 107158

Agenda
Page County Board of Supervisors
Work Session
Board of Supervisors Room – County Government Center
103 South Court Street, Luray, VA
January 5, 2021 – 7:00 p.m.

Call to Order

- Moment of Silence/Invocation (District 2)
- Pledge of Allegiance

Organizational Meeting

Chairman Phenix

- Nomination of Vice Chair for 2021 (p. 2)
- Approval of 2021 Meeting Schedule (p. 3)
- Re-adoption of Rules of Procedure (p. 5)

Update on the Landfill

Jeff Blevins

Review of Code Amendments – Chapter 40 (Building Construction)

Nathan Miller (p. 17)

Adjourn



COUNTY OF PAGE

103 South Court Street, Suite F
Luray, Virginia 22835
(540) 743-4142
Fax: (540) 743-4533

Board of Supervisors:

Morgan Phenix – Chairman – At- Large
D. Keith Guzy, Jr. – District 1
Allen Louderback – District 2
Mark Stroupe – District 3
Larry Foltz – District 4
Jeff Vaughan – District 5

TO: Chairman Phenix and Board of Supervisors

FROM: Amity Moler, County Administrator

SUBJECT: Election of a Vice Chair for 2021

DATE: December 28, 2020

SUMMARY:

The Vice Chair of the Board needs to be selected for 2021. This selection is made from one of the members at the organizational meeting in January to serve for one year.

RECOMMENDATION:

The appointment of a Vice Chair.

BACKGROUND:

According to the Board's Rules of Procedure, the Board selects one of its members to serve as Vice Chair for a one year term on a rotating basis. Any nominee may decline to serve or may resign from that position, in which event the representative of the next district in ascending sequential order will be the nominee. The Vice Chair for 2020 was Supervisor Guzy (District 1). If the Board continues to follow ascending sequential order, then the next Vice Chair would be Supervisor Louderback (District 2).

ISSUES:

There are no issues to consider.

ALTERNATIVES:

There are no alternatives to consider.

FISCAL IMPACT:

There is no fiscal impact to consider.

MOTION(S):

I move to nominate _____ to serve as Vice Chair of the Board of Supervisors for 2021.



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Mark Stroupe – District 3
Larry Foltz – District 4
Jeff Vaughan – District 5

TO: Chairman Phenix and Board of Supervisors
FROM: Amity Moler, County Administrator
SUBJECT: Designation of Board Meeting Dates/Times/Locations
DATE: December 28, 2020

SUMMARY:

The annual meeting schedule is approved every year at the Board's organizational meeting in January. This sets forth the Board's meeting dates, times and locations.

RECOMMENDATION:

Approval of the 2021 meeting schedule is recommended.

BACKGROUND:

The Board previously designated that monthly work sessions will be held on the first Tuesday of each month and regular meetings will be held on the third Tuesday of each month. All meetings will be held in the Board Room beginning at 7:00 p.m.

ISSUES:

There are no issues to consider.

ALTERNATIVES:

There are no alternatives to consider.

FISCAL IMPACT:

There is no fiscal impact to consider.

MOTION(S):

I move to approve the 2021 Board meeting schedule.

ATTACHMENTS:

1 2021 Board Meeting Schedule

Page County Board of Supervisors 2021 - Meeting Schedule

Notice is hereby given to all media and citizens requesting notification of the Page County Board of Supervisors meetings that their 2021 meeting schedule is set as follows:

<u>Date</u>	<u>Type of Meeting</u>
January 5, 2021	Work Session
January 19, 2021	Regular Meeting
January 26, 2021 (Meeting begins at 6:00 p.m.)	Joint Meeting with the Planning Commission
February 2, 2021	Work Session
February 16, 2021	Regular Meeting
March 2, 2021	Work Session
March 16, 2021	Regular Meeting
March 18, 2021	Budget Work Session
March 25, 2021	Budget Work Session
March 30, 2021	Budget Work Session
April 6, 2021	Work Session
April 20, 2021	Regular Meeting
May 4, 2021	Work Session
May 18, 2021	Regular Meeting
June 1, 2021	Work Session
June 15, 2021	Regular Meeting
July 6, 2021	Work Session
July 20, 2021	Regular Meeting
August 3, 2021	Work Session
August 17, 2021	Regular Meeting
September 7, 2021	Work Session
September 21, 2021	Regular Meeting
October 5, 2021	Work Session
October 19, 2021	Regular Meeting
November 3, 2021	Work Session
November 16, 2021	Regular Meeting
December 7, 2021	Work Session
December 21, 2021	Regular Meeting

All meetings will be held in the Board Room located in the County Government Center, 103 South Court Street, 2nd Floor, Luray, VA 22835, beginning at 7:00 p.m., unless otherwise noted.

Meeting agendas are available at www.pagecounty.virginia.gov

Meetings of the Board may be cancelled, as needed, at the discretion
of the Chairman and County Administrator

PAGE COUNTY BOARD OF SUPERVISORS



RULES OF PROCEDURE

Readopted January 14, 2020

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**PAGE COUNTY BOARD OF SUPERVISORS
RULES OF PROCEDURE**

I. CREATION

Page County Board of Supervisors, hereinafter called the Board, is an elected body provided by the Code of Virginia, Section 15.2-1400. It consists of six (6) members, with five (5) members elected from each of the Voting Districts and one (1) member elected at large from all the Voting Districts who shall serve as the Chairman of the Board.

II. SEAL OF THE BOARD

When affixed to any paper or document by the Clerk of the Board, the Seal has the force and effect for authentication for the Board.

III. PRINCIPAL ADDRESS

103 South Court Street, Page County, Luray, Virginia; mailing address: 103 South Court Street, Luray, VA 22835

IV. CHAIR TO THE BOARD

The Supervisor elected as a member at large shall serve as the Chairman of the Page County Board of Supervisors.

V. VICE-CHAIR

At the first meeting of the year, the Board selects one of its members to serve as Vice-Chair for a one year term on a rotating basis. Any nominee may decline to serve or may resign from that position, in which event the representative of the next district in ascending sequential order will be the nominee.

VI. COUNTY ADMINISTRATOR

The County Administrator shall be Clerk to the governing body and his/her general duty is set forth in the Code of Virginia, Section 15.2-1540 and 15.2-1541. He/she shall maintain an office at the same address as the Board. The Assistant County Administrator is designated Deputy Clerk to the Board.

VII. COUNTY ATTORNEY

The County Attorney assists the Board in analyzing the facts; provides advice and action in legal matters and represents the Board in civil actions; provides advice and action in legal matters to the constitutional officers, zoning administrator, building code official and other departments and agencies of the County. Any item presented to the County Attorney for opinion, must be submitted in writing, and a written response shall be provided.

VIII. QUORUM FOR THE EXERCISE OF BOARD BUSINESS

Four (4) members of the Board shall constitute a quorum for the purpose of conducting Board business. A tie vote of the members present with a quorum or in excess of a quorum shall cause the motion or matter voted on to fail. There shall be no provision for a tiebreaker in the event of a tie of the voting members with a quorum present.

IX. MEETINGS AND ATTENDANCE

- A. The County Administrator, Chairman of the Board, and Vice-Chairman of the Board shall be responsible for drafting the agenda of any Board meeting.
- B. All meetings and business shall be conducted in accordance with the Code of Virginia, Robert's Rules of Order Revised, 12th edition, and these by-laws as interpreted by the Chair to the majority of the Board members.
- C. Regular Meetings will be held on the third Tuesday of each month at 7:00 p.m. at the designated location. The Board's calendar is attached and incorporated herein. Closed Meetings will be held as needed. The Board, at its pleasure, may continue its meeting beyond the normal adjournment/recess time. Meetings shall start at the appointed time, and if the Chair is not present, the Vice Chair shall preside. If neither the Chair nor the Vice Chair is present, the County Administrator shall call the meeting to order and preside for the election of a temporary Chair.
- D. The County Administrator shall list all items requested for the agenda. If, in the opinion of the County Administrator, an item is not appropriate for consideration by the Board, he/she shall inform the Chair.
- E. The County Administrator shall allocate time to items on the agenda to suit the convenience of the Board.
- F. The Board shall consider all items docketed on the agenda before taking any other items unless an undocketed item is brought by consent of the Board, provided no Board Member objects.

- G. Time permitting, items not on the agenda shall be heard as the final items of the Board's business. If time does not, in the opinion of the Chair or the Board, permit hearing items not on the agenda, they shall be carried over to the next regular or special meeting (provided no Board member objects).
- H. Once a notice for Public Hearing has been advertised, (regardless of the nature) the Public Hearing must be conducted, unless the scheduled Board meeting is cancelled by the Chair with the consent of a majority of the Board.
- I. Departmental reports, general correspondence, calendars and notices, financial reports and other matters not directly related to an agenda item are to be provided to the Board under separate cover from the Agenda Packet.
- J. Weather – A regular meeting shall be continued to the immediately following Tuesday at the same time and place as the regular meeting if the Chair, or Vice Chair when the Chair is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend regular meeting. Such finding shall be communicated to the members and the public and media as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.
- K. Legal Holiday – When a regularly scheduled meeting falls on a legal holiday, the meeting shall be held on the following business day unless the meeting is canceled by a majority vote of the Board.
- L. Should a member of the Board schedule a meeting with any individual, business, or Page County governmental unit having matters before the Board, the Board member is strongly encouraged to advise the County Administrator of the meeting. As appropriate and feasible, the County Administrator may notify other Board members of the time and place of such scheduled meeting, to ensure that Board members have been afforded opportunity to take part in the discussions and to ensure that no more than two (2) Board members attend the meeting unless a public notice is posted advising the public of the meeting. **[Added 7/2/2019]**

X. ELECTRONIC PARTICIPATION IN MEETINGS FROM REMOTE LOCATIONS

The Page County Board of Supervisors (the Board) shall not conduct any meeting wherein the public business is discussed or transacted through telephonic, audio, video, electronic, or other communication means where the members are not physically assembled, except as provided in Virginia Code §2.2-3708 or as provided hereafter. Nothing in this policy shall be construed to prohibit the use of interactive audio or video means to expand public participation.

A. A Board member may participate in a meeting through electronic communication means from a remote location that is not open to the public:

1. If, on or before the day of the meeting, the Board member notifies the Board Chair that he or she is unable to attend the meeting due to an emergency or personal matter and identifies with specificity the nature of the emergency or personal matter, the Board, by a majority vote, approves electronic participation by the Board member, and the Board records in its minutes the specific nature of the emergency or personal matter and the remote location from which the member participated.

Such participation by a Board member shall be limited each calendar year to two meetings or 25 percent of the meetings of the Board, whichever is fewer; or

2. If a Board member notifies the Board Chair that he or she is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance, the Board, by a majority vote, approves electronic participation by the Board member, and the Board records this fact and the remote location from which the member participated in its minutes.

B. A Board member may participate in a meeting by electronic means only when:

1. A quorum of the Board is physically assembled at the primary or central meeting location; and
2. The Board makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

XI ORDER OF BUSINESS

The Order of Business for the regular meeting on the third Tuesday, shall be as follows unless the County Administrator in drawing up the Agenda shall find good cause to change it:

Call to Order, Invocation, Pledge of Allegiance

Public Hearings

Presentations, Proclamations and Awards

Public Comments on Agenda Items

Action Matters

Consent Agenda
Old Business
New Business
Open Public Comments
Administrator's Report
Supervisors' Time
Closed Session (as needed)
Adjourn/Recess

XII. CONDUCT OF BUSINESS

- A. When the question is called, the Chair shall call for the vote.
- B. Any member abstaining on a vote shall so indicate following the call for the vote.
- C. Motions relating to committee reports and recommendations, or Consent Agenda, do not require a second.
- D. All votes of the Board shall be called in a rotational order, to include the Chairman, so that no member shall cast their vote first or last for every vote.
- E. Exhibits before the Board shall become the property of the Board and shall be filed with the County Administrator.
- F. Citizens shall not speak at a meeting unless they are recognized. Citizens shall request recognition by addressing "Mr. Chair" or "Madam Chair" (as appropriate) and await acknowledgment.
- G. Should it be desired by the Chair, any member, or by the County Administrator, the member making a resolution shall reduce the same to writing and deliver it to the County Administrator's Office. The County Administrator shall take down verbal resolutions as accurately as possible, but when loosely worded or incomplete "whereases" precede the motion, the County Administrator should use appropriate language to accomplish the intent of the Board.

- H. Prior to initiating a public hearing, the Chair shall recount the rules under which the hearing shall be operated, but he/she may amend the rules during the hearing by giving notice of the change to those gathered.
- I.
1. Only those issues as addressed in the published notice for a public hearing shall be considered by the Board at a public hearing. Any citizen appearing before the Board at a public hearing shall speak only to those matters at hand.
 2. Any citizen speaking before the Board, during public comment period and/or public hearings, shall be brief and to the point, and will be allotted three (3) minutes in which to make his/her comments. The time limit and any further time allowance will be at the Board's discretion, and enforced by the Chair.
 3. After the public hearing is closed by the Chair, no citizen may speak before the Board on said public hearing unless the public hearing is reopened by a majority vote of the board.
 4. Any citizen speaking before the Board at a public hearing shall address the Board and shall conduct himself/herself in an orderly manner.
- J. At the beginning of the public hearing, the Chair shall call upon the County Administrator or the other staff member handling the matter at hand or shall himself/herself recount a description of the issue placed before the hearing.
- K. Subject to revocation or extension by the majority of the Board assembled, the Chair may in all matters establish a maximum time for consideration of any matter, and/or limit the amount of time available to each speaker, including Board members, on a matter and/or limit the number of times each speaker may address the Board on a matter. Notwithstanding the foregoing, every Board member shall be entitled to make a statement on every matter before the Board and the call for the question shall not be entertained until all members who wish to exercise this right shall have done so at least once.
- L. All members or citizens shall limit their comments before and to the Board. The Chair may prohibit questions from citizens until a speaker has finished his/her presentation and may, at his/her discretion, limit the amount of time available for each person based upon the number of individual speakers who wish to address the Board.
- M. The Board of Supervisors has set forth the following rules for presentation time limits:
1. Individual presentations placed on the Board's agenda shall be no longer than fifteen (15) minutes in duration.
 2. Presentation time limit may be extended by the Chair, with the Board's consent.

- N. At such times a Board member may find himself or herself with a conflict of interest the Board member shall state the nature of the conflict of interest and shall, at their election, remove himself or herself from voting or abstention or both.
- O. Comments should be addressed to the Chair. Persons may not yield their time. Persons may not speak more than once on an issue. Public comment periods are for citizen input and the Board should typically not respond to questions. However, the Chair may direct staff to respond to the citizen concern or need directly.
- P. Invocation – The Invocation shall be part of the agenda for every meeting of the Board, following the Call to Order and before the Pledge of Allegiance. Community leaders, including clergy, and representing a broad range of interest and denomination, may be invited to give the Invocation, on a rotational basis, by District.

XIII. ORDER

- A. It shall be the duty of the Chair to maintain order and decorum at meetings. The Chair shall speak to points of order in preference to all other members.
- B. In the event the Board wishes to debate a matter of order, the regular business may be suspended by vote of the Board to discuss the matter.
- C. No person shall use derogatory, slanderous, or abusive language, create disruption, speak out of order, or refuse to comply with rules or procedures set by the Board. The Chair, County Administrator, or Board Attorney will judge any potential breach, yet the Board may vote to overrule and allow a speaker's right to expression.
- D. If any person engages in a breach of order, the Chair may order that person to stand silent, or may, if deemed necessary, order the person to leave or be removed from the County property, and may, at the Chair's discretion, bring formal charges for disruption of a public meeting.
- E. The Rules of Procedure are posted on the County website. A copy of the document will be made available upon request to the County Administrator's Office.
- F. A law enforcement officer shall be in attendance at every meeting of the Board to assist in maintaining order.

XIV. STANDARDS OF CONDUCT

In keeping with the County of Page's Commitment to Service, Excellence, and Integrity, the citizens and businesses of Page County, Virginia, are entitled to fair, ethical and accountable local government, which strives to earn the public's full confidence for integrity. This includes personal integrity, work group integrity, and organizational integrity. The effective functioning of democratic government requires that public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; that public officials be independent, impartial and fair in their judgment and actions; that public office be used for the public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

XV. COMMITTEES

Ad hoc committees, being those committees appointed for a special limited purpose, may be appointed by the Chair as needed. Members of the Planning Commission and Board of Zoning Appeals may be appointed by the Board member serving the elected district in which the appointment is made. The elected Chairman of Board shall not have the right to make direct appointments to committees as a representative of his or her district.

Constitutional Officers may be appointed to committees.

XVI. PARLIAMENTARIAN

The Chair, with the majority of the Board, shall act as Parliamentarian to the Board.

XVII. RULES

- A. The Rules of Procedure may be suspended at any time, for a given board meeting, by a majority vote of the Board of Supervisors.
- B. The Rules of Procedure may be altered by a majority vote of the Board of Supervisors.

XVIII. OFFICIAL BOARD TRAVEL

- A. A Board member may travel officially in-state at the Board member's discretion. In-state travel shall include travel to Washington, D.C.
- B. A Board member shall obtain advance approval of the Board prior to official travel out-of-state.
- C. A report and accounting of funds shall be made for travel.

XIX. APPROVAL TO PAY PAYROLL AND ACCOUNTS PAYABLE WARRANTS

- A. Consistent with Code of Virginia paragraph 15.2-1243, the Board of Supervisors grants to the County Administrator the authority to audit and approve for payment on their behalf warrants for valid accounts payable and payroll activity.
- B. The County Administrator's approval will be documented in writing on a check transmittal that will accompany the warrants when they are forwarded to the Treasurer for signature.
- C. All warrants must be presented to the Board of Supervisors for action as a consent agenda item at their regular meeting.

XX. APPROVAL OF MINUTES

- A. Minutes taken during a previous Board meeting will be distributed to the members of the Board with the Board package for review prior to the meeting of the Board at which approval is requested. Minutes of prior board meetings will be deemed to be approved as submitted, unless a correction is requested by a member of the Board and approved by the vote of a majority of Board members.
- B. It is the policy of the Board that minutes shall be concise, enumerating the following terms:
 - 1. Time, date and place of the meeting, members of the Board and key staff members in attendance. The Clerk shall record in the minutes the absence of any member of the Board from any portion of the meeting.
 - 2. A concise statement of the matter before the Board, those persons speaking on the matter and a synopsis of the statements.
 - 3. A notation of specified issues or clarifications that have salient bearing on the matter being decided.
 - 4. A notation of the memorandum and exhibits which accompany the matter before the Board which shall be filed with the clerk's records of the meeting.
 - 5. A statement of the specific request or recommendation being presented to the Board.
 - 6. The specific and full text of each motion, substitute motion, and amendment considered by the Board. The result of the vote, passage or failure, shall be noted and the vote of each member recorded.
 - 7. Such specific items, issues, comments, or votes, as requested by any Board member during a meeting but prior to approval of the minutes by the Board.

8. Such other matters as the Clerk shall deem necessary to provide a complete, accurate and understandable record of the deliberations of the Board.

C. Minutes of workshops and other meetings of the Board where no formal action is taken shall be summary in nature, indicating the time, date and place of the meeting, members of the Board in attendance, persons making presentations before the Board, and the topic or topics of the workshop or discussion.

D. Recordings of Board meetings shall be made at all meetings. The recordings shall be retained by the Office of the County Administrator for two years from the date of the meeting.

XXI. CONSENT AGENDA

A. The purpose of the Consent Agenda is to provide a method for the expeditious handling of items, which, in the opinion of the County Administrator and the Chair, will not require discussion and will be approved unanimously by the Board.

B. Prior to the consideration of a motion to approve the consent agenda, the Chair shall ask if any member of the Board would like to have an item removed from the consent agenda for discussion, for further information, or in order that there might be a separate vote on the item.

C. Any item or items which one or more members of the Board wishes to remove from consent agenda shall be removed by the Chair, and, at that point, a motion to approve the remaining consent agenda shall be in order. Items which have been removed from the consent agenda may be taken up by the Board immediately after the approval of the remaining consent agenda or may be scheduled for consideration later in the meetings by the Chair with the concurrence of the Board.

**ORDINANCE TO AMEND CHAPTER 40 (“BUILDING CONSTRUCTION”)
OF THE PAGE COUNTY, VIRGINIA CODE**

WHEREAS, by Ordinance duly adopted, the Board of Supervisors of the County of Page adopted Chapter 40, Building Construction, of the Page County Code, which chapter has been further amended from time to time; and

WHEREAS, upon mature consideration, the Board of Supervisors has determined it is in the best interest of the County to further amend the ordinance.

NOW THEREFORE, be it resolved and ordained by the Board of Supervisors of the County of Page, Virginia, that all of Chapter 40 “Building Construction” Sections 40.1-40.15 are hereby deleted and replaced with the following:

**Chapter 40
Building Construction**

**Article I
Building Code**

§ 40-1 Adoption of Virginia Uniform Statewide Building Code.

A. The Virginia Uniform Statewide Building Code is hereby adopted as the Building Code of Page County. All matters concerning the design, construction, alterations, additions, enlargements, repairs, removals, demolition, conversion, use locations, occupancies and maintenance of buildings and other functions which pertain to installations of systems vital to all buildings and structures in their systems equipment, as defined by the Virginia Uniform Statewide Building Code, shall be under the control of this chapter.

[1] *Editor’s Note: See Code of Virginia 1950 § 36-97 et seq.*

B. The Building Official for the County of Page, Virginia, shall be designated as the Code Official who shall have designated powers to enforce the provisions of the Code.

§ 40-2 Building Inspection Department.

There is hereby created a Building Inspection Department whose responsibility is to enforce the provisions of this chapter. The Department shall have one or more building officials or inspectors who shall be appointed by the Page County Board of Supervisors. The building official(s) or inspector(s), in concurrence with the Board of Supervisors, shall be responsible for the organization and daily operation of the Department.

§ 40-3 Incorporated towns.

The Page County Building Inspection Department shall enforce the Virginia Uniform Statewide

Building Code in those incorporated towns with which contracted agreements are made to do so.

§ 40-4 Applicant Information, Application Processing.

Application for permit shall be made by the owner or lessee of the relevant property or the agent of either, or contractor, subcontractor associated with the work, or any of their agents. Should the applicant be a lessee, a fee simple owner of the property shall be notified and give their written or verbal consent to the application. The full name and address of the owner, lessee and applicant shall be provided in the application. If the owner or lessee is a corporate body, when and to the extent determined necessary by the building official, the full name and address of the responsible officers shall also be provided.

A permit application may be submitted and processed in person, by mail, or electronic submission. In no case shall an applicant be required to appear in person.

§ 40-5 Payment of fees.

No permit to begin work for new construction or other building as set down in this chapter shall be issued until the prescribed fees have been paid.

§ 40-6 Building permit fees.

- A. The governing body shall establish, by resolution, a schedule of fees, charges and expenses and collection procedures for building permits, certificates of use and occupancy and other matters pertaining to this chapter.
- B. The schedule of fees shall be available for inspection in the office of the Building Official and may be altered or amended by the governing body by resolution.
- C. Until all application fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal.

§ 40-7 Refunds.

Any permit issued by the Building Official pursuant to the provisions of the Virginia Uniform Statewide Building Code, under which no work is commenced within six months, may be canceled upon the application of the permit holder, and the permit holder shall be entitled to a refund for the portion of the work that was not completed, when requested in writing by the permit holder. A minimum fee of \$25 shall be nonrefundable. Any permit issued pursuant to this Code shall become null and void after the expiration of six months if no work is commenced thereunder during said six-month period; provided, however, that any permit so voided may be reinstated upon application of the original applicant within one year from issuance with no additional fee; and further provided that at the time of application for reinstatement, such plans and application comply with the then-existing building code and other applicable ordinances of the County.

§ 40-8 Other fees.

The payment of the fee for the construction, alteration, removal or demolition and for all work done in connection with the work contemplated by a building permit shall not relieve the

applicant or holder of the permit from the payment of other fees that are or may be prescribed by other laws or ordinances for water taps, sewer connections, electrical service, erection of signs and display structures or fees for inspections, certificates of use and occupancy or other privileges or requirements, both within and without the jurisdiction of the Building Official.

§ 40-9 State levy fee.

In addition to building permit fees, the levy set by the Virginia Department of Housing & Community Development shall be applied to fees charged and transmitted to such department.

§ 40-10 Failure to comply.

Any person, firm or corporation starting any aforesaid work without first obtaining a building permit shall be subject to a penalty. The residential structures penalty shall be, \$100, to be added to the cost of the permit. The penalty for all other buildings or structures shall be 25% of the permit cost but not less than \$100, to be added to the cost of same. In addition, any such violation shall be deemed a misdemeanor and shall be punished as provided in § 36-106 of the Code of Virginia (1950), as amended.

Article II

Electricians; Plumbers; Building Contractors

§ 40-11 License requirements.

All contractors and tradesman shall be licensed as required by the Code of Virginia, as amended, in Title 54.1, Chapter 11.

Article III

Appeals

§ 40-12 Establishment of appeals board.

There is hereby established within the building inspection department a local board of building code appeals (the "LBBCA") to hear and decide appeals of decisions of the building official concerning the application of the Uniform Statewide Building Code ("USBC").

§ 40-13 Membership of LBBCA.

The LBBCA shall consist of five (5) members who must reside in Page County appointed by the board of supervisors for, except as provided below, four-year terms. Members shall be appointed in a staggered manner such that no more than three (3) members' terms shall expire in the same year. Members may be reappointed without limitation. A member appointed to fill a vacancy shall serve the unexpired term of the member being replaced. At the request of the board of supervisors, a serving member may sit beyond the expiration of his term until such time as his successor may be appointed; however, the successor's term shall not be extended by such delay. A member missing three (3) consecutive meetings, or three (3) meetings at any time within any twelve-month calendar period, shall be subject to summary removal by the board of supervisors. The LBBCA shall meet at least once annually to assure a duly constituted board, appoint officers as necessary, and receive such training on the USBC as may be appropriate or necessary from staff of the locality.

§ 40-14 Officers and qualifications of members.

The LBBCA shall annually select one (1) of its members to serve as chairman. When the chairman is not present at an appeal hearing, the members present shall select an acting chairman. The county administrator shall appoint a secretary to the LBBCA to maintain a detailed record of all proceedings. Written records of current membership, including a record of the current chairman and secretary, shall be maintained in the local building official's office. Members of the LBBCA shall be selected by the board of supervisors on the basis of their ability to render fair and competent decisions regarding application of the USBC and shall to the extent possible, represent different occupational or professional fields relating to the construction industry. At least one (1) member should be an experienced builder, at least one (1) member should be a licensed architect or professional engineer, and at least one (1) member should be an experienced property manager. Employees and officials of the locality shall not serve as members of the LBBCA.

§ 40-15 Conduct of members.

No member shall hear an appeal in which that member has a conflict of interest in accordance with the State and Local Government Conflict of Interests Act (Section 2.2-311 et seq. of the Code of Virginia.) Members shall not discuss the substance of an appeal with any other party or their representatives prior to any hearings.

§ 40-16 Right of appeal; filing of appeal application.

Any person aggrieved by the local building department's application of the USBC or the refusal to grant a modification to the provisions of the USBC may appeal to the LBBCA. The applicant shall submit a written request for appeal to the LBBCA within thirty (30) calendar days of the receipt of the decision being appealed. The application shall contain the name and address of the owner of the building or structure and in addition, the name and address of the person appealing, when the applicant is not the owner. A copy of the building official's decision shall be submitted along with the application for appeal and maintained as part of the records. The application shall be marked by the LBBCA to indicate the date received. Failure to submit an application for appeal within the time limit established by this section shall constitute acceptance of a building official's decision.

Notwithstanding the foregoing, decisions of the local building official with respect to amusement devices, as that phrase is defined in the Virginia Amusement Device regulations, shall be appealed pursuant to such regulations.

§ 40-17 Meetings and postponements.

The LBBC shall meet within thirty (30) calendar days after the date of receipt of the application for appeal, except that a longer time period shall be permitted if agreed to by all the parties involved in the appeal. A notice indicating the time and place of the hearing shall be sent to the

parties in writing to the addresses listed on the application at least fourteen (14) calendar days prior to the date of the hearing, except that a lesser time period shall be permitted if agreed to by all the parties involved in the appeal. When a quorum of the LBBCA is not present at a hearing to hear an appeal, any party involved in the appeal shall have the right to request a postponement of the hearing. The LBBCA shall reschedule the appeal within thirty (30) calendar days of the postponement, except that a longer time period shall be permitted if agreed to by all the parties involved in the appeal.

§ 40-18 Hearings and decision.

All hearings before the LBBCA shall be open meetings and the appellant, the appellant's representative, the locality's representative and any person whose interests are affected by the building official's decision in question shall be given an opportunity to be heard. The chairman shall have the power and duty to direct the hearing, rule upon the acceptance of evidence and oversee the record of all proceedings. The LBBCA shall have the power to uphold, reverse or modify the decision of the building official by a concurring vote of a majority of those present. Decisions of the LBBCA shall be final if no further appeal is made. The decision of the LBBCA shall be by resolution signed by the chairman and retained as part of the record of the appeal. Copies of the resolution shall be sent to all parties by certified mail. In addition, the resolution shall contain the following wording:

“Any person who was party to the appeal may appeal to the State Review Board by submitting an application to such Board within 21 calendar days upon receipt by certified mail of this resolution. Application forms are available from the Office of the State Review Board, 600 East Main Street, Richmond, Virginia, 23219 (804) 371-7150.”

§ 40-19 Appeals to the state review board.

After final determination by the LBBCA in an appeal, any person who as a party to the appeal may further appeal to the state review board. In accordance with Section 36-98.2 of the Code of Virginia for state-owned buildings and structures, appeals by an involved state agency from the decision of the building official for state-owned buildings or structures shall be made directly to the state review board. The application for appeal shall be made to the state review board within twenty-one (21) calendar days of the receipt of the decision to be appealed. Failure to submit an application within that time limit shall constitute an acceptance of the building official's decision. For appeals from a LBBCA, a copy of the building official's decision and the resolution of the LBBCA shall be submitted with the application for appeal to the state review board. Upon request by the office of the state review board, the LBBCA shall submit a copy of all pertinent information from the record of the appeal. In the case of appeals involving state-owned buildings or structures, the involved state agency shall submit a copy of the building official's decision and other relevant information with the application for appeal to the state review board. Procedures of the state review board are in accordance with Article 2 (Section 36-108 et seq.) of Chapter 6 of Title 36 of the Code of Virginia. Decisions of the state review board

shall be final if no further appeal is made.

§ 40-20 Appeal fee.

An appeal fee of six hundred dollars (\$600.00) must be tendered with the filing of each appeal to the LBBCA.

§ 40-21 Member compensation, reimbursement.

Each LBBCA member shall be compensated by the county for each meeting attended as determined by resolution of the board of supervisors and shall be reimbursed for actual expenses on a schedule and in accordance with the procedures established by the county administrator.

Article IV
Electric Power Company

§ 40-22 Furnishing electricity in absence of building permits.

It shall be unlawful for any electrical supply company to furnish electrical power to any building or structure covered by this chapter until it has been verified that a building permit has been issued for the structure in question or that none was required and that all necessary inspections have been completed or that none were required.

§ 40-23 Violations and penalties.

Any electrical power supply company found guilty of a violation hereof shall be guilty of a misdemeanor and shall be punished as provided in § 36-106 of the Code of Virginia.

§ 40-24 Service to property without sewage disposal system.

Upon application, electrical service shall be allowed to any tract or parcel of land that meets the minimum qualifications for land use determination pursuant to Chapter 105, Taxation, Article III, of the Code of Page County, without requirement for an approved sewage disposal system located upon or serving said tract or parcel of land. Electrical service shall not be provided to any building larger in dimensions than six feet by eight feet without an approved sewage disposal system by the Local Health Department serving said tract or parcel of land upon which the building is located or unless such building is used primarily as an accessory building to operation engaged in agriculture, as defined in Chapter 125, Zoning, and on real estate that meets the minimum qualifications for land use determination pursuant to Chapter 105, Taxation, Article III, of the Code of Page County[SP1].

§ 40-25 Promulgation.

Other rules and regulations necessary for the enforcement of the Virginia Uniform Statewide Building Code may be promulgated by the Building Official, with the concurrence of the Board of Supervisors.

This Ordinance shall be in full force and effect from and after _____, 2020, as provided by Virginia law.

Dates of Notice Publication: _____, 2020

_____, 2020

Date of Adoption of Ordinance _____, 2020

Morgan Phenix, Chairman-at-Large
Board of Supervisors of the County of Page, Virginia

Attest:

Amity Moler, Clerk to Board of Supervisors

CERTIFICATE OF VOTES

The undersigned Clerk of the Board of Supervisors of Page County, Virginia, hereby certifies that the foregoing Ordinance constitutes a true and correct copy thereof adopted by the Board of Supervisors at a regular meeting duly held and called on _____, 2020. A record of the roll-call vote by the Board of Supervisors is as follows:

NAME	AYE	NAY	ABSTAIN	ABSENT
Morgan Phenix				
Mark Stroupe				
D. Keith Guzy, Jr.				
Larry Foltz				
Jeff Vaughan				
Allen Louderback				

Dated: _____, 2020

Amity Moler, Clerk, Board of Supervisors
Page County, Virginia