



**GLOUCESTER COUNTY BOARD OF SUPERVISORS
AGENDA**

Tuesday, April 1, 2025, 6:00 p.m.

Colonial Courthouse

6504 Main Street

Gloucester, VA 23061

	Pages
1. Call to Order and Roll Call	
2. Invocation and Pledge of Allegiance – Pastor Mike Freeman – Transforming Life Church and Haylee Hawthorne – Page Middle School	
3. Approval of the Minutes - January 25, 2025	3
4. Adoption of the Agenda	
5. Approval of the Consent Agenda	
a. Resolution to Officially Name Certain Streets in Gloucester County – Heather Burch – GIS Analyst	12
6. Matters Presented by the Board	
7. County Administrator Items	
8. Scheduled Presentations	
a. Discussion on Financing for Capital Needs – Carol Steele – County Administrator and Ted Cole – Senior Vice President, Davenport & Company	15
9. Public Comment Period - (Speakers should provide 10 copies of handouts if any)	
10. Public Hearings	
a. Public Hearing to Consider an Ordinance Revising Certain Utility Fees, Rates, and Charges Imposed by Chapter 19 – Waters, Sewers, and Sewage – Katey Legg – Director of Public Utilities	16
11. Regular Agenda	
a. Comprehensive Plan Review – Planning Commission Steering Committee Concept – Anne Ducey-Ortiz, AICP – Director of Planning, Zoning, & Environmental Programs	24
b. Consideration of Ordinance Amending Several Sections of Chapter 9 of the County Code - Garbage and Refuse – Ted Wilmot – County Attorney	27
c. Board Appointments	48
d. Discussion/Decision on Change to Meeting Calendar	51
12. County Attorney Items	

13. Boards and Commissions Reports
14. Supervisors Discussion
15. Closed Meeting - no closed meeting scheduled
16. Adjournment

AT A RETREAT OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS HELD ON SATURDAY, JANUARY 25, 2025, AT 8:30 A.M., IN THE BUILDING ONE, FIRST FLOOR CONFERENCE ROOM, 6467 MAIN STREET, GLOUCESTER, VIRGINIA:

1. Call to Order and Roll Call

Mr. Smith called the meeting to order, and Ms. Steele took roll call.

THERE WERE PRESENT: Kevin M. Smith, Chair
Ashley C. Chriscoe, Vice Chair
Phillip N. Bazzani
Christopher A. Hutson
Kenneth W. Gibson
Michael A. Nicosia
Robert J. Orth

THERE WERE ABSENT: None

ALSO IN ATTENDANCE: Edwin "Ted" Wilmot, County Attorney
Carol Steele, County Administrator

2. Morning Retreat Topics

a. Personnel Salary Assessment

Ms. Nunn, Director of Human Resources, stated that the presentation was previously sent to the Board in December.

Mr. Bazzani asked if the Board could choose to offer pay raises for only one segment of employees.

Ms. Nunn stated that the Board could choose to do that. She then began her presentation. She noted that internal promotions were a great practice. She reviewed that in FY24, 51 employees were promoted county-wide. She stated that most were in the Department of Social Services (DSS) and the Sheriff's Department. She reviewed that in risk management in Human Resources, they wanted to consider succession planning, cross training, and incentives to retain employees with years of experience. She stated that if salaries were not competitive enough, it was an issue. She noted that the County did not have to be the number one payer in the market. She reviewed that 10% of the workforce was eligible to retire right now. She advised that the FY24 turnover rate was 12.7%. She reviewed some of the reasons, to include money/advancement, retirements, unsatisfactory performance, and job fit. She noted that money/advancement was the number one reason. She advised that the County was behind in doing an outside compensation study, noting the last time an outside firm was used was in 2014. In FY2018, an internal analysis was completed. She reviewed the localities that competed with Gloucester for hires and the localities that were used for comparison.

There was a brief discussion on social services employees.

Ms. Nunn then provided a review of a current open position. She noted that both York County and Gloucester had a recreation supervisor position open. She reviewed the comparison in salaries for the positions. She noted that she also looked at the pay ranges for several positions across localities. She noted again that she was not saying

that Gloucester had to pay the same, but she felt it was time to do a salary study to identify needed market adjustments, and to ensure competitiveness and equity. She advised that this did not mean that there would be a higher number of employees or that everyone would get a pay raise. If the County could do this on a regular basis on a timeframe that made sense, it would be helpful. She reviewed that the County had looked at a number of companies and found Bolton. There was a cooperative contract that the County could use if approved. She noted the cost and that the study would take 12-14 weeks to complete.

Mr. Bazzani asked which department had the most attrition, and whether adjustments would be made for the size and scale of the locality.

Ms. Nunn stated that Social Services and the Sheriff's Department had the highest attrition rates with DSS being the highest. She advised that size and scale would have to be taken into consideration.

Mr. Chriscoe stated that he was in support of the study. He noted that last year it was proposed to hire someone for this process and the Board chose not to do that. He stated that the adjustments made in FY18 brought the County close, but it was falling back down. He noted that it was time to get this done, but the Board needed to be ready to make adjustments based on the results.

Mr. Hutson asked where the County was off the most in salaries.

Ms. Nunn stated that it was utilities, but she did not know the percentages. She advised that it was not just a salary comparison that was needed but also job descriptions.

There was additional discussion on the comparisons needed.

After the discussion, Ms. Steele noted that if the Board approved moving forward, the results would not be ready in time for the proposed budget. She stated that she would work with the Board to hold a block of funds separate to address any compensation adjustments.

Mr. Chriscoe moved, seconded by Mr. Hutson, to approve moving forward with the compensation study. The motion carried and was approved by the following roll call vote: Mr. Bazzani, Mr. Chriscoe, Mr. Gibson, Mr. Hutson, Mr. Nicosia, Dr. Orth, and Mr. Smith - yes.

b. Transportation & Growth

Ms. Rizzio, Assistant Director of Planning, Zoning, and Environmental Programs, stated that now that the zoning ordinance update was completed, staff would be embarking on the Comp (Comprehensive) Plan update. She reviewed that the Comp Plan was a vital document for the community, and it was best for everyone to be involved in the process. The future land use map was a big component of the plan. She reviewed that the first plan was adopted in 1974. She showed the future land use map from the 1974 plan and the 2016 update. She noted the historical residential growth patterns and identified the trend in relation to the Coleman Bridge toll removal in 1978 and reimplementation in 1996.

Board members discussed the Coleman Bridge toll history and impacts.

Ms. Rizzio then reviewed the types of housing units being built in the County. She showed the projected growth rate using the historical census data and annual projected growth rate. She showed the current residential capacity of the County using the build out analysis from the last retreat updated with the new multi-family units in the B-2 district. She then discussed land use. She advised that 49% of the acreage in the County was in the land use program. She reviewed that the land use parcels receive a tax deferment.

There was a brief discussion on the fees for removing property from land use and on data centers.

Ms. Rizzio reviewed the potential residential growth if all parcels were taken out of land use. She noted that there was capacity for growth but asked how much growth was desired or practical. She noted that the Comp Plan was a 20 year plan. On the recent Zencity survey, 51% of the respondents felt residential growth in the County was too fast, 39% said it was about right, and 10% said it was too slow. The current Comp Plan encouraged growth.

There was additional discussion on growth.

Ms. Steele stated that information was put together to help estimate the value of new developments by calculating the average number of household members and school aged children per household. She reviewed the information and noted the additional variable costs for fire and rescue, law enforcement, and community service per thousands of new residents. She advised that she was trying to refine a template that the Board could use for analysis. She provided an example using a previously submitted draft plan for a planned unit development.

There was discussion on the results and how the Board could use the information provided with the template.

Ms. Steele discussed housing growth. She noted that the Board would need to think about manageable growth, and she reviewed some of the issues. She discussed possible Department of Housing and Community Development revitalization projects. She noted that if there was an interest during Comp Plan development to look at affordable housing, that may be an avenue.

Ms. Ducey-Ortiz, Director of Planning, Zoning, & Environmental Programs, advised that the State required affordable housing to be addressed in the Comp Plan, there was additional discussion on that matter.

Ms. Rizzio noted that the Comp Plan supported special districts which could aid desired growth. She reviewed that the 2016 Comp Plan discussed enhancement of the downtown historic district, preservation of working waterfronts, and enhancement of the village development areas.

Ms. Ducey-Ortiz stated that the department would be getting an intern to help write the working waterfront ordinance. The intern would be paid through the National Working Waterfront Network and there would be no cost to the County. She noted that

the Planning District Commission had done a great deal of work already. The goal was to create a district that would work for the current and future watermen.

Ms. Rizzio stated that there was interest in forming a historic, arts and cultural district from the current historic district. It would be another way to promote and encourage tourism.

Ms. Steele asked if the Board was ready to have a proposal for this matter. She noted this would not be a typical district with a tax incentive, but a marketing concept. She noted other features and stated that if there was interest, she would like to bring a proposed ordinance change for consideration.

There was some discussion on the T. C. Walker House.

Ms. Rizzio discussed business improvement districts and a technology overlay district. She stated that the Planning Commission was currently working on the technology overlay. She advised that the idea of the Comp Plan was that once the vision was established, there would also be concrete steps to achieve that vision.

There was additional discussion on data centers and some issues of concern.

Ms. Rizzio then discussed transportation. She noted that Route 17 was considered a corridor of statewide significance. She showed the average annual daily weekday traffic on Route 17 based on data from 2016. She advised that based on that data, Route 17 was nearing or over capacity from the Coleman Bridge to Main Street South. She reviewed the transportation patterns, noting the high percentage of the work force that commuted out of the County. She advised that Route 17 was not built out yet, so more development was coming. She showed the Route 17 widening plan from Farmwood Road to Tidemill Road. She stated that the cost to widen farther would be high and there was limited right of way available.

There was additional discussion on Route 17 traffic and alternate transportation routes from the 2016 Comp Plan.

Ms. Rizzio stated that the Board would want to consider the alternate routes that were in the 2016 plan and whether they should be kept in the update. She noted the community input on transportation from the Zencity survey was that the biggest issue with the Route 17 corridor was traffic congestion. She stated in summary that Gloucester had capacity for both residential and commercial growth based on the current zoning ordinance. The public had mixed feelings about development. The Comp Plan update would help provide guidance. She reviewed the next steps for the Comp Plan update.

Mr. Smith called for a brief recess.

c. Crime Statistics

After the recess, Sheriff Warren provided some data to the Board members. He reviewed the calls for service from November 1 - October 31 for each of the last three years. He reviewed the types of calls that were received. He advised that he had provided the categories for law enforcement calls only and the number did not include animal control or fire and rescue calls.

Dr. Orth asked questions on response calls and what type of danger the responding deputies may face.

Sheriff Warren reviewed types of calls that would result in one deputy responding and those that would require two deputies or multiple responses. He discussed hospital calls.

There was a brief discussion on the calls and the possible impact if the tolls were removed from the Coleman Bridge.

Sherriff Warren stated that he felt the toll was a deterrent. He noted that was his gut instinct as he did not have information for that as the toll was still in place.

In response to a question, he stated Gloucester was absolutely a safe county.

Dr. Orth asked about the salary scales.

Sherriff Warren noted that they were almost crippled in corrections. He noted that two deputies left the jail for other locations due to pay. He stated that if Northern Neck Regional Jail were closer, he would close the jail. He advised that in the last study across comparison localities, jailors were paid less than law enforcement so that was Gloucester's practice. However, when he looked at other localities like New Kent, there was no distinction between the deputies in law enforcement and corrections.

There was additional discussion on the status of the School Resource Officer positions, reasons for staffing shortages, and the challenges caused by mental health situations.

Sheriff Warren then briefly discussed the personnel request he submitted for FY26 for a needed digital forensic investigator.

d. Media Contact During Emergencies

Mr. Sheppard, Director of Community Engagement & Public Information, noted that no one wanted an emergency to happen. He stated that many times during an emergency the media would contact the public information office, but elected officials had the right to speak to the media at any time. He noted that the local media were big supporters of the County and were good about printing positive things. Often the only time that media from across the river showed up was when something bad happened or there was a weather event. He reviewed that media coverage could shape perception of what was happening in the County. He stated that most outlets would provide notice if they were coming to the County and wanted to talk to someone. He reviewed the different types of media. He then noted that there were ways to prepare for interviews to include researching the outlet and reporter, defining key messages, and practicing responses. He recommended staying simple and direct when answering. He recommended remaining consistent across platforms and highlighting positive impacts. He reviewed some tactics to handling difficult questions. In times of crisis, he noted that it was important to respond quickly and transparently. He reviewed steps to building long-term positive relationships with the media, and methods to navigate social media.

3. Working Lunch**4. Afternoon Retreat Topics****a. Goals/Objectives - Strategic Priorities**

Mr. Bains, Deputy County Administrator, stated that staff wanted to ensure that the strategic priorities were the items that the Board wanted to have as the focus. He noted that the first priority was a diverse, thriving economy. He noted that there were several operational themes and goals. He stated that one would be to attract new businesses. He reviewed that staff needed direction on what types of businesses the Board envisioned. He reviewed several categories of businesses and asked for the Board's input. A second goal for this priority would be to enhance infrastructure to drive business growth. Did the Board want to expand utilities or provide County funds for infrastructure improvements? A third goal would be to support and retain local businesses. Were there steps that the Board wanted staff to pursue beyond the local grant program?

After a brief discussion, Mr. Bains stated that the second priority was high quality education. One of the goals may be cooperative capital programs to enhance or maintain schools. For instance, the County and School Division collaborated on the new transportation facility that allowed utilities to move to the old facility.

There was discussion on the high school renovation and a capacity study for the schools. One question was if the elementary school population increased, would it be best to build a new school or reopen T. C. Walker as a school? It was the consensus of the Board to reopen T. C. Walker.

Mr. Bains stated that the next priority was reliable, efficient, infrastructure and broadband. He noted one of the operational goals would be to update the transportation element of the Comp Plan.

Mr. Gibson noted in relation to broadband that the BEAD (Broadband Equity Access and Deployment) program provided billions of dollars in grant funding and Gloucester could not get homes connected. He suggested that the Delegates and Senator could put some pressure on Cox for faster connection.

There was a brief discussion on issues with broadband.

Ms. Steele noted that it may be best to end this discussion early and ask the Board to review and provide feedback, as the utilities discussion may take some time.

b. Public Comment Instructions & Submission Methods

Mr. Hutson stated that when he attended a Mayors and Chairs meeting, Hampton's mayor brought up issues that they had with public comment. The City of Hampton now has citizens sign in ahead of time and the clerk reads a statement at the start of their citizen comment period. He noted that given the issues that sometimes happen with comment periods, he wondered if this was something the Board wanted to evaluate or change.

Ms. Ducey-Ortiz noted also that since COVID the option had been given for citizens to write in comments and the clerk reads the comments during the meeting. She reviewed the recent issues during Planning Commission meeting. She asked if that still needed to be the practice.

Mr. Wilmot noted that the primary impetus for allowing submitted comments to be read during the meeting was COVID, and it was a good thing at the time. It had been problematic. He reviewed the previous issue with the form letters and noted the fix for that. He also noted the issue with hearing the recorded phone calls.

Mr. Chriscoe stated that the submission methods could still be the same, but the comments could be sent directly to the Board rather than read during the meeting.

After a brief discussion, it was the consensus of the Board to stop having the comments read during the meeting but to have them submitted to the Board instead.

Ms. Cronin noted that public hearing notices with the current submission instructions had been advertised for the Board and Planning Commission's February meetings and so the change would have to take effect after those dates.

c. Utilities Update Discussion

Ms. Legg, Director of Utilities, stated that she was going to provide an overall update and reviewed the topics that she would cover. She began with permit updates. She advised that the operating and maintenance certificate for the dam was successfully renewed conditionally through October 2026. She noted that there were scheduled action items that needed to be completed with the goal to renew with a permanent certificate by July 2026 and to remove the conditional. She stated that the groundwater withdrawal permit was a ten year permit expiring in March 2026. The renewal application was due in July. She noted that the application forms and process had changed and there were no resources to use as guides to navigate the new process. She then provided an update on the VPDES (Virginia Pollutant Discharge Elimination System) permit. She reminded the Board that the permit expired in November 2024 but was administratively continued. The draft renewal permit was received from DEQ (Department of Environmental Quality) on January 17th. She reviewed the timeline of the current permit. She advised that the official notice of violation had been received in May 2024. She noted the conversations with DEQ and the draft action plans that were developed and sent to DEQ. She stated that the official draft consent order was received from DEQ on January 22, 2025. She advised that the order included civil penalties of just under \$8,400. She noted that the schedule of compliance would begin when the order was fully executed. As she noted to the Board in her November update, DEQ would not tell the County how to solve the problem. She reviewed the action steps that would be required based on the third draft action plan developed by the department. In response to a question, she noted that the surface water treatment plant was operating 16 hours a day. Right now, they produce 1-1.25 million gallons a day. The long term goal, if the plant was expanded, was to go to 4 million gallons a day. She stated that finally having the consent order, she felt the

draft action plan was a good starting point depending on what the Board decided on capital.

Ms. Legg then began with an FY25 expense outlook updated as of January 24th. She advised that \$11 million was budgeted for expenses in FY25 and the expenses were projected to be \$9.9 million. She reviewed the status of the expenditure lines. She noted the large savings on capital projects was because she had stopped all capital projects due to the projected revenue shortfalls. She reviewed the FY25 revenue projection. She advised that the application and development fees were based on 80 new homes in the Reserve and those had not come to fruition.

There was a brief discussion on the AMI (Automated Metering Infrastructure) project.

Ms. Legg continued her review of the FY25 revenue outlook. She advised that the FY25 budget had planned \$1.3 million use of unassigned fund balance, and it was projected that an additional \$238,000 would be used. She reviewed the capital projects that were paused. She then moved to fund balance. She noted that there were two - the unrestricted fund balance and the development fund balance. She stated that the balance of the unrestricted fund balance at the start of FY25 was \$1.6 million and noted that was funded with excess revenue. She noted the development fund was funded with development fees only.

Mr. Chriscoe asked if there was information on how the development fund could be used.

Ms. Legg stated that it was in the County's code and reviewed that information.

There was discussion on the history of the use of the fund, the tight budget, and potential issues.

Ms. Legg stated that the ten year capital plan had been updated. She noted that as staff found issues that needed to be addressed, she was updating the plan. She showed the updated plan and noted that the Board had seen many of the items before. She reviewed updates to the plan to include additional funding in FY29 and FY30 for pump station upgrades, pump station generators, and force main expansion north along the Route 17 bypass.

After a brief discussion on the projects, Ms. Legg then stated that the funding options to accomplish the plan were cash only or debt. She reviewed the rate increase history, noting that rates have remained flat since 2014. She stated that she had pulled the FY25 consumption and billing history for every single account and explored abnormalities to ensure the accuracy of the data. She noted the number of accounts and stated that the average consumption was 5,000 gallons. However, she stated that half of the customers use between 0-2,000 gallons. She showed the monthly bill for an average of 5,000 gallons for water and then sewer.

She stated that for the ten year plan to be cash funded only, the rates would need to be raised by 60% in FY26 and an additional 50% in FY27. Rate increases would also need to happen annually. She showed the impact to a customer for FY26.

She noted that the reason for the higher increase in the initial two years was to front load the funds. She then looked at debt funding. She advised that rate increases would still need to happen annually with a 20% increase in FY26 and 10% in FY27. She showed the bill impact in FY26.

There was additional discussion on the capital plan, possible non-user service district, and need to act.

It was the consensus to have additional discussion at the next work session to determine which option to consider for a public hearing.

5. Adjournment

Mr. Chriscoe moved, seconded by Dr. Orth, to adjourn. The motion carried and the meeting was adjourned at 3:53 p.m. by a unanimous voice vote.

Kevin M. Smith, Chair

Carol E. Steele, County Administrator



BOARD AGENDA ITEM

TYPE OF AGENDA ITEM:

- CONSENT
- PRESENTATION
- REGULAR
- PUBLIC HEARING
 - Duly Advertised

PURPOSE OF ITEM:

- INFORMATION / DISCUSSION
- DISCUSSION AND / OR DECISION
 - Resolution
 - Ordinance
 - Motion

PRESENTER: Heather Burch

TITLE: GIS Analyst

AGENDA TITLE: Resolution to Officially Name Certain Streets in Gloucester County

BACKGROUND / SUMMARY: The Board of Supervisors has been granted naming authority by section 15.2-2019 of the Virginia Code. Chickadee St is a new street in Gloucester County. This is a private road that intersects Number Nine Rd. Chickadee St is located on Tax Map Key 113.

ATTACHMENTS:

Resolution
Screenshot of Road

REQUESTED ACTION: NO ACTION REQUESTED

Approve resolution naming streets.

FOR MORE INFORMATION:

Name: Heather Burch

Phone: (804) 693-0129

Email: hburch@gloucesterva.info
gis@gloucesterva.info

AT A REGULAR MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS, HELD ON TUESDAY, APRIL 1, 2025, AT 6:00 P.M., IN THE COLONIAL COURTHOUSE AT 6504 MAIN STREET, GLOUCESTER, VIRGINIA ON A MOTION MADE BY _____, AND SECONDED BY _____, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Phillip N. Bazzani, ___;
Ashley C. Chriscoe, ___;
Kenneth W. Gibson, ___;
Christopher A. Hutson, ___;
Michael A. Nicosia, ___;
Robert J. Orth, ___;
Kevin M. Smith, ___;

**RESOLUTION TO OFFICIALLY NAME CERTAIN STREETS
IN GLOUCESTER COUNTY**

WHEREAS, the Gloucester County Board of Supervisors has previously provided for the approval of names for all existing streets in the County; and

WHEREAS, since that time new streets have been added that require official sanction by the Board of Supervisors; and

WHEREAS, the Gloucester County Board of Supervisors has reviewed this list of street names and finds them to be appropriate.

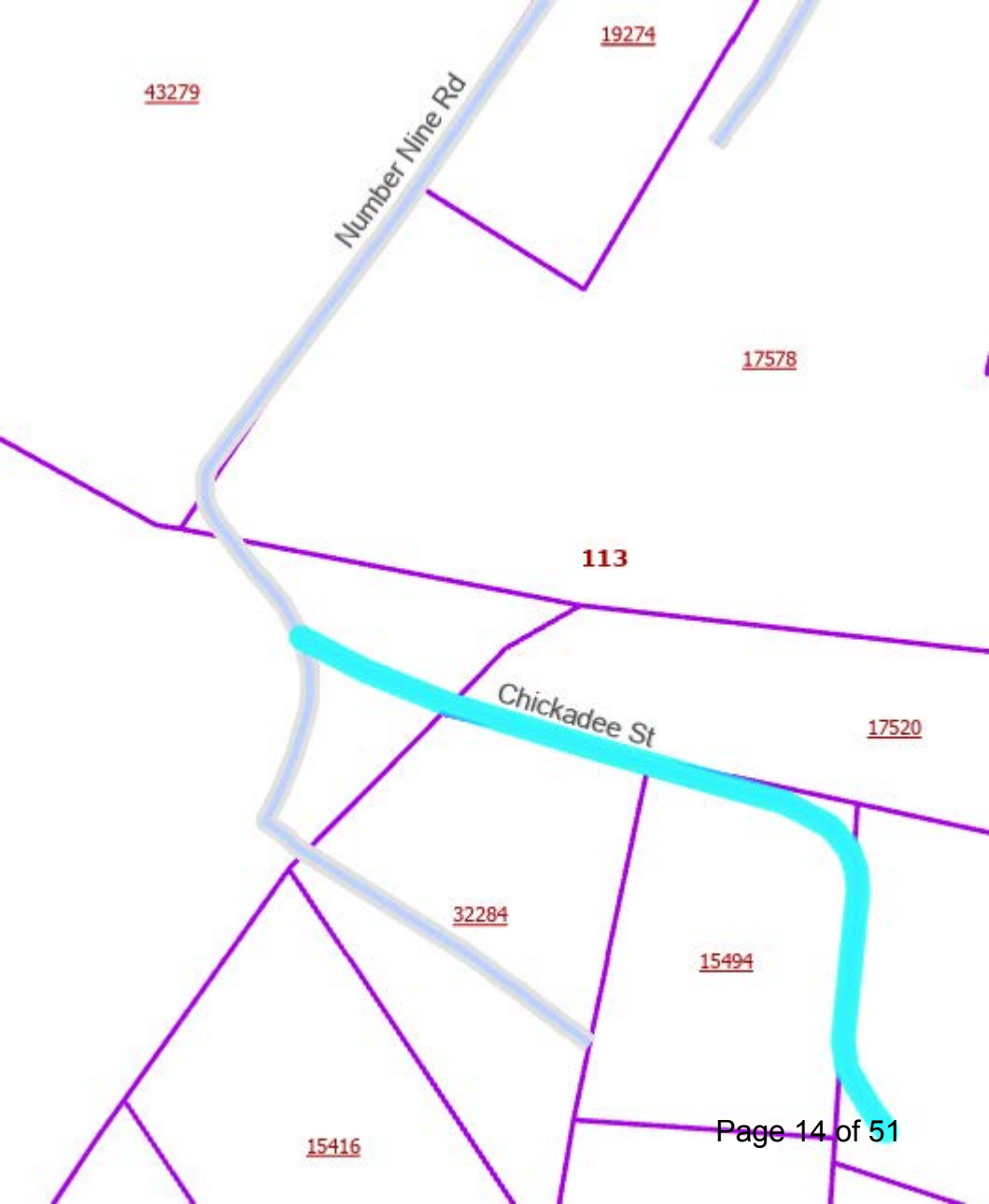
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Gloucester County that the list of proposed street names provided this day to the Board be hereby approved as follows:

New Roads:

Chickadee St

A Copy Teste:

Carol E. Steele, County Administrator



43279

19274

Number Nine Rd

17578

113

Chickadee St

17520

32284

15494

15416



BOARD AGENDA ITEM

TYPE OF AGENDA ITEM:

- CONSENT
- PRESENTATION
- REGULAR
- PUBLIC HEARING
 - Duly Advertised

PURPOSE OF ITEM:

- INFORMATION / DISCUSSION
- DISCUSSION AND / OR DECISION
 - Resolution
 - Ordinance
 - Motion

PRESENTER: Carol Steele
Ted Cole

TITLE: County Administrator
Senior Vice President, Davenport & Company

AGENDA TITLE: Discussion on Financing for Capital Needs

BACKGROUND / SUMMARY: As discussed during the Board’s March 24 budget work session meeting and presented in the County Administrator’s proposed budget, there are two General Fund projects projected to be funded through debt financing in FY2026. The School Division’s HVAC and the Gloucester Volunteer Fire and Rescue Station 1 project. After discussion of these items, the Board asked that Davenport representatives attend the April 1st meeting to provide information on debt capacity and financing options.

ATTACHMENTS:

None

REQUESTED ACTION:

- NO ACTION REQUESTED

FOR MORE INFORMATION:

Name: Carol Steele

Phone: 804-693-4042

Email: county.administrator@gloucesterva.info



BOARD AGENDA ITEM

TYPE OF AGENDA ITEM:

- CONSENT
- PRESENTATION
- REGULAR
- PUBLIC HEARING
 - Duly Advertised

PURPOSE OF ITEM:

- INFORMATION / DISCUSSION
- DISCUSSION AND / OR DECISION
 - Resolution
 - Ordinance
 - Motion

PRESENTER: Katey Legg

TITLE: Director of Public Utilities

AGENDA TITLE: Public Hearing to Consider an Ordinance Revising Certain Utility Fees, Rates and Charges Imposed by Chapter 19 – Waters, Sewers and Sewage

BACKGROUND / SUMMARY: Ms. Legg has provided several updates to the Board over the last several months on the ten year capital plan for the Public Utilities Department. She presented options for funding the plan at the Board’s retreat in January and at the February work session which included an increase to water and sewer rates. The Board authorized a public hearing for April 1 to consider a 14% increase effective May 1, 2025.

ATTACHMENTS:

Draft ordinance
Public Hearing notice

REQUESTED ACTION: NO ACTION REQUESTED

Hold public hearing and consider changes to water and sewer rates.

FOR MORE INFORMATION:

Name: Katey Legg

Phone: (804) 693-4044

Email: klegg@gloucesterva.info

AT A REGULAR MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS, HELD ON TUESDAY, APRIL 1, 2025, AT 6:00 P.M., IN THE COLONIAL COURTHOUSE AT 6504 MAIN STREET, GLOUCESTER, VIRGINIA ON A MOTION MADE BY _____, AND SECONDED BY _____, THE FOLLOWING ORDINANCE WAS ADOPTED BY THE FOLLOWING VOTE:

Phillip N. Bazzani, ___;
 Ashley C. Chriscoe, ___;
 Kenneth W. Gibson, ___;
 Christopher A. Hutson, ___;
 Michael A. Nicosia, ___;
 Robert J. Orth, ___;
 Kevin M. Smith, ___;

AN ORDINANCE REVISING CERTAIN UTILITY FEES, RATES, AND CHARGES IMPOSED BY GLOUCESTER COUNTY CODE CHAPTER 19 – WATER, SEWERS AND SEWAGE, EFFECTIVE MAY 1, 2025

WHEREAS, the provisions of Gloucester County’s Code governing water, sewers and sewage are contained in Gloucester County Code, Chapter 19; and

WHEREAS, pursuant to Virginia Code Section 15.2-107, utility fees, rates, and charges are required to be set by ordinance; and

WHEREAS, the Board is desirous of revising certain utility fees, rates, and charges associated with Chapter 19 of the Gloucester County Code.

NOW THEREFORE BE IT ORDAINED AND ENACTED that the Gloucester County Board of Supervisors hereby sets the fees, rates, and charges associated with Chapter 19 of the Gloucester County Code as follows, to be effective May 1, 2025 (rates in bold are modified; rates in regular typeface remain the same):

CHAPTER 19 - FEES, RATES, AND CHARGES				
Fiscal Year 2025				
Section	Fee/Charge		Current Fee/Charge	Fee/Charge to be set by Ordinance of the Board:
19-4.4	Monthly Equipment Fee	Per Consumer Account	\$ 2.50	\$ 2.50

19-50	Sewer Service Application for Service:	Application Fee 3/4 in. Meter:	\$ 3,300.00	\$ 3,300.00
		Application Fee 1 in. Meter:	\$ 5,000.00	\$ 5,000.00
		Application Fee 1 1/2 in. Meter:	\$ 9,500.00	\$ 9,500.00
		Application Fee 2 in. Meter:	\$ 14,000.00	\$ 14,000.00
		Application Fee 3 in. Meter:	\$ 18,500.00	\$ 18,500.00
		Application Fee 4 in. Meter:	\$ 23,000.00	\$ 23,000.00
		Application Fee 6 in. Meter:	\$ 37,500.00	\$ 37,500.00
		Application Fee 8 in. Meter:	\$ 68,000.00	\$ 68,000.00
		Application Fee - Multifamily dwellings, duplexes, condominiums, apartments, townhouses:	\$ 3,300.00 [per unit]	\$ 3,300.00 [per unit]
19-50	Sewer Service Development Fee:	Development Fee 3/4 in. Meter:	\$ 1,200.00	\$ 1,200.00
		Development Fee 1 in. Meter:	\$ 3,000.00	\$ 3,000.00
		Development Fee 1 1/2 in. Meter:	\$ 5,000.00	\$ 5,000.00
		Development Fee 2 in. Meter:	\$ 9,000.00	\$ 9,000.00
		Development Fee 3 in. Meter:	\$ 12,000.00	\$ 12,000.00
		Development Fee 4 in. Meter:	\$ 15,000.00	\$ 15,000.00
		Development Fee 6 in. Meter:	\$ 25,000.00	\$ 25,000.00
		Development Fee 8 in. Meter:	\$ 30,000.00	\$ 30,000.00
		Development Fee - Multifamily dwellings, duplexes, condominiums, apartments, townhouses:	\$ 1,200.00 [per unit]	\$ 1,200.00 [per unit]
19-52.4	Deposit:	Deposit required when property owner not to be billed for sewer.	\$ 40.00	\$ 40.00
19-52.6	Charge:	Charge for discontinuance of sewer service due to violation.	\$ 35.00	\$ 35.00

	Charge:	Charge for discontinuance of sewer service due to property owner/tenant request.	\$ 25.00	\$ 25.00
	After Hours:	Charge for renewal of discontinued service outside of normal working hours(before 8am or after 4:30 Monday - Friday or on Saturday or Sunday	\$ 75.00	\$ 75.00
19-55(a)	Monthly Sewer Service Rate:	Monthly nonuser service charge:	\$ 11.17	\$ 12.73
		First 2,000 gallons or less:	\$ 11.17	\$ 12.73
		Next 2,000 gallons, per 1,000 gallons:	\$ 4.92	\$ 5.61
		Over 4,000 gallons, per 1,000 gallons:	\$ 4.68	\$ 5.34
19-55 (c)	Monthly non user service charges for multiple residential units:	Monthly nonuser service charge:	\$ 11.17 x See 19-55 (c) for formula	\$ 12.73 x See 19-55 (c) for formula
19-55 (d)	Monthly nonuser service charges for multiple business units:	Monthly nonuser service charge:	\$ 11.17 x See 19-55 (d) for formula	\$ 12.73 x See 19-55 (d) for formula
19-55.1 (c)	Overdue sewer accounts:	Late payment fee:	\$5.00 or 10% whichever is greater	\$5.00 or 10% whichever is greater
19-55.1 (d)	Overdue sewer accounts:	Collection fee:	\$ 10.00	\$ 10.00
19-66.	FOG Fees	FSE Registration fee:	\$ 40.00	\$ 40.00
		FSE annual inspection fee:	\$ 25.00	\$ 25.00
19-126	Water Service Application Fees:	Application Fee 3/4 in. Meter:	\$ 3,500.00	\$ 3,500.00
		Application Fee 1 in. Meter:	\$ 4,500.00	\$ 4,500.00
		Application Fee 1 1/2 in. Meter:	\$ 6,500.00	\$ 6,500.00
		Application Fee 2 in. Meter:	\$ 10,500.00	\$ 10,500.00
		Application Fee 3 in. Meter:	\$ 17,200.00	\$ 17,200.00
		Application Fee 4 in. Meter:	\$ 25,500.00	\$ 25,500.00

		Application Fee 6 in. Meter:	\$ 40,500.00	\$ 40,500.00
		Application Fee 8 in. Meter:	\$ 75,500.00	\$ 75,500.00
		Application Fee - Multifamily dwellings, duplexes, condominiums, apartments, townhouses:	10% of meter application fee	10% of meter application fee
	Water Service Development fees:	Development Fee 3/4 in. Meter:	\$ 500.00	\$ 500.00
		Development Fee 1 in. Meter:	\$ 1,000.00	\$ 1,000.00
		Development Fee 1 1/2 in. Meter:	\$ 1,500.00	\$ 1,500.00
		Development Fee 2 in. Meter:	\$ 4,000.00	\$ 4,000.00
		Development Fee 3 in. Meter:	\$ 8,000.00	\$ 8,000.00
		Development Fee 4 in. Meter:	\$ 15,000.00	\$ 15,000.00
		Development Fee 6 in. Meter:	\$ 25,000.00	\$ 25,000.00
		Development Fee 8 in. Meter:	\$ 30,000.00	\$ 30,000.00
		Development Fee - Multifamily dwellings, duplexes, condominiums, apartments, townhouses:	None	None
	Master Meter or Fire Service Meter for Manufactured Park or Travel Trailer Parks:	Additional Application Fee:	\$ 1,500.00	\$ 1,500.00
		Additional Development Fee:	\$ 250.00	\$ 250.00
19-128	Deposit for Water Service	When water service is not billed to the owner of the premises:	\$ 60.00	\$ 60.00
19-133 (a)	Transfer Fee; renewal of water service	When establishing new accounts or when customer transfers from one location to another within the system.	\$ 30.00	\$ 30.00
19-133 (b)	Renewal of water service	When water discontinued for violation:	\$ 35.00	\$ 35.00
		Irrigation meters:	\$ 35.00	\$ 35.00

		Reinstating water service for customer outside of normal working houses:	\$ 50.00	\$ 50.00
		Reinstating irrigation meter service for customer outside of normal working houses:	\$ 50.00	\$ 50.00
19-133 (c)	Reestablishment without authorization.	Fee for reestablishment of water service without authorization.	\$ 75.00	\$ 75.00
19-137 (a)	Monthly rates for water service	Monthly nonuser service charge:	\$ 20.18	\$ 23.01
		First 2,000 gallons or less:	\$ 20.18	\$ 23.01
		Next 6,000 gallons, per 1,000 gallons	\$ 10.00	\$ 11.40
		Over 8,000 gallons, per 1000 gallons	\$ 10.40	\$ 11.86
19-137 (b)	Multiple residential units, manufactured home park or travel trailer park.	Monthly nonuser service charge.	\$ 20.18 x See 19-137 (b) for formula.	\$ 23.01 x See 19-137 (b) for formula.
19-137 (c)	Multiple business units.	Monthly nonuser service charge.	\$ 20.18 x See 19-137 (c) for formula.	\$ 23.01 x See 19-137 (c) for formula.
19-137.1	Testing water meter.	Fee for examination and testing of meter:	\$ 50.00	\$ 50.00
19-138 (c)	Overdue water accounts:	Late payment fee:	\$5.00 or 10% whichever is greater	\$5.00 or 10% whichever is greater
19-138 (d)	Overdue water accounts:	Collection fee:	\$ 10.00	\$ 10.00

The rates, fees and charges for Chapter 19 of the Gloucester County Code, as reflected herein, shall be effective May 1, 2025.

A Copy Teste:

Carol E. Steele, County Administrator

**PUBLIC HEARING NOTICE
GLOUCESTER COUNTY BOARD OF SUPERVISORS**

Pursuant to the Code of Virginia, the Gloucester County Board of Supervisors will conduct a Public Hearing on Tuesday, April 1, 2025, beginning at 6:00 p.m. in the Colonial Courthouse, 6504 Main Street, Gloucester, Virginia to consider the following:

**AN ORDINANCE REVISING CERTAIN UTILITY FEES, RATES, AND CHARGES
IMPOSED BY GLOUCESTER COUNTY CODE CHAPTER 19 – WATER, SEWERS
AND SEWAGE, EFFECTIVE MAY 1, 2025**

The Board of Supervisors will consider an ordinance amending Chapter 19, Water, Sewers and Sewage, Sections 19-55 and 19-137 of the Gloucester County Code. The proposed amendment is intended to revise certain Utility fees, rates, and charges associated with Chapter 19 of the Gloucester County Code as follows, to be effective May 1, 2025: (Only the fees, rates, and charges being modified are listed.)

SECTION 19-55 - MONTHLY RATE FOR AVAILABILITY OF SEWAGE SERVICE			
19-55(a)	Monthly Sewer Service Rate:	Monthly nonuser service charge:	\$ 12.73
		First 2,000 gallons or less:	\$ 12.73
		Next 2,000 gallons, per 1,000 gallons:	\$ 5.61
		Over 4,000 gallons, per 1,000 gallons:	\$ 5.34
19-55 (c)	Monthly nonuser service charges for multiple residential units:	Monthly nonuser service charge:	\$ 12.73 x See 19-55 (c) for formula
19-55 (d)	Monthly nonuser service charges for multiple business units:	Monthly nonuser service charge:	\$ 12.73 x See 19-55 (d) for formula
SECTION 19-137 - MONTHLY RATES FOR WATER SERVICE			
19-137 (a)	Monthly rates for water service	Monthly nonuser service charge:	\$ 23.01
		First 2,000 gallons or less:	\$ 23.01
		Next 6,000 gallons, per 1,000 gallons	\$ 11.40
		Over 8,000 gallons, per 1000 gallons	\$ 11.86
19-137 (b)	Multiple residential units, manufactured home park or travel trailer park.	Monthly nonuser service charge.	\$ 23.01 x See 19-137 (b) for formula.
19-137 (c)	Multiple business units.	Monthly nonuser service charge.	\$ 23.01 x See 19-137 (c) for formula.

Virginia Code Section 15.2-2119 authorizes localities in the Commonwealth to set and charge fees for water and sewer service. The amount of current fees, rates, and charges not listed herein are unaffected by the Ordinance. For the complete list of fees, rates, and charges, a complete copy of the draft Ordinance is available and may be reviewed on the web at www.gloucesterva.gov, and in the County Administrator's Office at 6489 Main Street, Gloucester, Virginia.

The meeting will be broadcast live through the County website meeting portal at: <https://www.gloucesterva.gov/640/Meeting-Portal> and on Cox channel 48.

All interested parties are invited to express their views on this matter. Citizen comments may be submitted prior to the public hearing by three different methods:

- To submit comments online, complete the [Citizen Comment Submission](http://www.gloucesterva.gov/citizencomment) form (www.gloucesterva.gov/citizencomment). Please follow the instructions on the form to indicate the public hearing on which you want to comment.
- Comments may also be submitted by calling and leaving a message at 804-824-2760. Follow the prompts to leave comments for this specific public hearing, and clearly indicate your name (including spelling if needed) and your magisterial district.
- Finally, comments may be submitted by US Mail to County Administration, ATTN: PUBLIC HEARING, 6489 Main Street, Gloucester, VA 23061. Any mailed comments must include your name, your magisterial district, and the title of this public hearing clearly printed at the top, and all such comments must be received by the scheduled date of this hearing. Please type or print all comments legibly.

Comments submitted through these methods must be received by 4:30 p.m. on Tuesday, April 1, 2025, and will be read or played aloud during the public hearing up to the set time limit of 3 minutes.

“Form letters,” consisting of communications which are verbatim duplicates (other than the identifying information of the author/submitter) of one or more other communications received by the County pertaining to the matter to be considered at the public hearing, shall be read only once per letter, along with the list of persons submitting the same comments pursuant to such “form letter.”

Persons requiring assistance to submit comments for the meeting should contact the Gloucester County Administrator's office at (804) 693-4042.

Carol Steele, County Administrator



BOARD AGENDA ITEM

TYPE OF AGENDA ITEM:

- CONSENT
- PRESENTATION
- REGULAR
- PUBLIC HEARING
- Duly Advertised

PURPOSE OF ITEM:

- INFORMATION / DISCUSSION
- DISCUSSION AND / OR DECISION
 - Resolution
 - Ordinance
 - Motion

PRESENTER: Anne Ducey-Ortiz

TITLE: Director of Planning, Zoning & Env. Programs

AGENDA TITLE: Comprehensive Plan Review – Planning Commission Steering Committee Concept

BACKGROUND / SUMMARY: At the joint meeting between the Planning Commission and the Board of Supervisors, held on February 25, 2025, at TC Walker, it was decided to focus on aspects of the Comprehensive Plan that actually needed changing, rather than doing a complete re-write. At the March 6, 2025, Planning Commission meeting, staff proposed to the Planning Commission that we review the current Comprehensive Plan with them during the next few months to determine what they felt needed to be updated so that a proposed plan of action could be presented to the Board at the next joint meeting scheduled for August 19, 2025.

The commission came up with the idea of having a small, citizen-based steering committee – consisting of one member from each magisterial district – to work with the Planning Commission at their regular monthly meetings on determining the required updates. These 5 citizens would only participate in the meetings during the Comprehensive Plan discussions; if the agenda was too full to include Comp Plan discussions, we would inform them ahead of time so they wouldn't plan to attend those meetings.

1. Is the Board supportive of a 5-member citizen steering committee (one from each district) to work with the Planning Commission to identify changes needed to the existing Comprehensive Plan for the next update?
2. Is the Board willing to appoint the members from the Volunteer Board bank or does the Board prefer the Planning Commission or County Administrator choose them?

ATTACHMENTS:

Memo to the Board of Supervisors with additional details

REQUESTED ACTION:

- NO ACTION REQUESTED

Feedback on Planning Commission's proposal and if supportive, a decision on how the steering committee members will be appointed – by the BOS, PC or County Administrator.

FOR MORE INFORMATION:

Name: Anne Ducey-Ortiz

Phone: 804-693-1224

Email: aducey@gloucesterva.info



GLOUCESTER COUNTY
Planning, Zoning & Environmental
Programs Department
6489 Main Street
Gloucester, VA 23061
(804) 693-1224
www.gloucesterva.info

M E M O R A N D U M

TO: Members of the Board of Supervisors

CC: Carol Steele, County Administrator
George Bains, Deputy County Administrator
Ted Wilmot, County Attorney
Patricia Cronin, Deputy Clerk
Quinton Sheppard, Director of Community Engagement and
Public Information

FROM: Anne Ducey-Ortiz, Director of Planning, Zoning, and
Environmental Programs

DATE: March 10, 2025

SUBJECT: Comprehensive Plan Update – Proposed Steering Committee

At the joint meeting between the Planning Commission and the Board of Supervisors, held on February 25, 2025 at TC Walker, it was decided to focus on aspects of the Comprehensive Plan that actually needed changing, rather than doing a complete re-write. At the March 6, 2025 Planning Commission meeting, staff proposed to the Planning Commission that we review the current Comprehensive Plan with them during the next few months to determine what they felt needed updated so that a proposed plan of action could be presented to the Board at the next joint meeting scheduled for August 19, 2025.

We also asked about establishing a steering committee to help with the process once the areas for review were determined and what the composition of the steering committee would be. The commission came up with the idea of having a small, citizen-based steering committee – consisting of one member from each magisterial district – to work with the Planning Commission at their regular monthly meetings on determining the required updates. These 5 citizens would only participate in the meetings during the Comprehensive Plan discussions; if the agenda was too full to include Comp Plan discussions, we would inform them ahead of time so they wouldn't plan to attend those meetings.

Before we move forward with this approach, we wanted to make sure the Board of Supervisors was supportive of it, and if so, whether the Board would like to appoint the members of the Steering Committee (from the volunteer board bank) or have the Planning Commission appoint them. Since the Planning Commission is appointed by the Board, we felt like these “temporary” appointments should also be approved by the Board.

If the Board agrees with this approach, we will work with Community Engagement to encourage people to apply so that we can have the committee established and working with the Planning Commission as soon as possible.

We will also be asking the various County departments and Gloucester County Public Schools (GCPS) to participate in these discussions, particularly when they relate to the sections of the plan that apply to their areas of expertise, functionality, or regulatory framework.

In order to accommodate an additional 5 people, participating with microphones and the ability to see the monitors and being broadcast, we would need to meet at TC Walker Educational Center instead of the Historic Court House for a few months. We would coordinate that schedule once we have the committee established.

In summary, our questions are the following:

1. Is the Board supportive of a 5-member citizen steering committee (one from each magisterial district) to work with the Planning Commission to identify changes needed to the existing Comprehensive Plan for the next update?
2. Would the Board be willing to appoint the members from the Volunteer Board bank or does the Board prefer that the Planning Commission or County Administrator choose them?

Thank you in advance for your time and consideration.



BOARD AGENDA ITEM

TYPE OF AGENDA ITEM:

- CONSENT
- PRESENTATION
- REGULAR
- PUBLIC HEARING
- Duly Advertised

PURPOSE OF ITEM:

- INFORMATION / DISCUSSION
- DISCUSSION AND / OR DECISION
 - Resolution
 - Ordinance
 - Motion

PRESENTER: Ted Wilmot

TITLE: County Attorney

AGENDA TITLE: Consideration of Ordinance amending several sections of County Code Chapter 9 – Garbage and Refuse

BACKGROUND / SUMMARY:

The Gloucester County Clean Community Coordinator, the Commissioner of the Revenue, and County Administration have recommended several changes to Chapter 9 of the County Code, and there are a few other modifications to Chapter 9 of the current County Code which appear to be warranted. I am presenting a draft ordinance incorporating these amendments for your consideration. No public hearing is required in order to approve the ordinance.

ATTACHMENTS:

- Proposed Ordinance
- Current Chapter 9 of the Gloucester Code
- Public Notice

REQUESTED ACTION: NO ACTION REQUESTED

Consideration of the Ordinance

FOR MORE INFORMATION: Ted Wilmot Phone: 693-5575

AT A REGULAR MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS, HELD ON TUESDAY, APRIL 1, 2025, AT 6:00 P.M., IN THE COLONIAL COURTHOUSE AT 6504 MAIN STREET, GLOUCESTER, VIRGINIA ON A MOTION MADE BY _____, AND SECONDED BY _____, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Phillip N. Bazzani, ___;
Ashley C. Chriscoe, ___;
Kenneth W. Gibson, ___;
Christopher A. Hutson, ___;
Michael A. Nicosia, ___;
Robert J. Orth, ___;
Kevin M. Smith, ___;

AN ORDINANCE AMENDING GLOUCESTER COUNTY CODE CHAPTER 9, ARTICLE IV, SECTION 9-49, TO CHANGE THE REPORTING REQUIREMENTS FOR THE RECYCLING SURVEY REPORT FROM ANNUALLY TO EVERY FOUR YEARS, WITH THE NEXT REPORT TO BE SUBMITTED ON OR BEFORE MARCH 1, 2029 AND TO CORRECT AND CLARIFY CHAPTER 9, ARTICLE I, SECTIONS 9-5, 9-7, 9-12, ARTICLE II, SECTIONS 9-15 AND 9-16, ARTICLE III, SECTIONS 9-37, 9-39 AND 9-42, AND ARTICLE IV, SECTIONS 9-47, 9-50 AND 9-51

WHEREAS, the Virginia General Assembly amended the state reporting requirements for reporting recycling activities from annually to once every four (4) years, and the correction of minor errors make necessary and appropriate amendments to Chapter 9; and

WHEREAS, the Gloucester County Clean Community Coordinator has recommended that the County reporting for the recycling survey report be conducted every four (4) years; and

WHEREAS, the Gloucester County Commissioner of the Revenue has recommended several changes to make it clear that a business only needs one business license to cover all vehicles used by that business; and

WHEREAS, the Board is desirous of amending Chapter 9, Section 9-49 of the Gloucester County Code to change the annual reporting for the recycling survey report to every four years, with the first such report due for the year ending December 31, 2028, which report shall be submitted on or before March 1, 2029 and every four years thereafter. The Board is also desirous of amending Chapter 9, Sections 9-5, 9-7, 9-12, 9-15, 9-16, 9-37, 9-39, 9-42, 9-47, 9-50, and

9-51 to correct errors therein, to update the sections with current information, and to omit therefrom inaccurate and unnecessary verbiage.

NOW THEREFORE BE IT ORDAINED AND ENACTED that the following section of Gloucester County Code Chapter 9 – ARTICLE IV, is hereby amended as follows:

Chapter 9 GARBAGE AND REFUSE

ARTICLE I. IN GENERAL

Sec. 9-5. Notice of violation; method of issuance.

- (a) The sheriff, the codes compliance officer, or the health director or their designee may, and upon complaint by any responsible person that conditions exist on any real property in violation of ~~section 9-13~~ **this chapter** shall, investigate conditions existing on real property in the county at any time; and upon determination by either such officer, following investigation, that the owner, occupant or person in charge of any real property in the county stands in violation of his duty as provided in ~~section 9-13~~ **this chapter**, such officer shall give written notice to the owner of record of such property and to the person primarily responsible, if different from the owner, stating the facts which constitute violation of ~~section 9-13~~ **this chapter** and directing him to take such action as may be necessary to rectify such conditions within such time, not more than ten (10) days, as shall be stated in the notice.

- (b) If, ten (10) days after the service of any such notice, the directive thereof has not been complied with, the officer giving such notice ~~shall~~ **may** proceed to have such work done as may be necessary to abate any condition which might endanger the health or safety of residents of the county or otherwise constitute a nuisance, and all expenses resulting therefrom shall be chargeable to and paid by the owner of such property and may be collected by the county as taxes and levies are collected; and all charges not so collected shall constitute a lien against such property.

Sec. 9-7. Prohibited disposal of refuse generally.

~~Except as provided in section 9-8, it~~ **It** shall be unlawful for any person, firm or corporation, in person or by his agent, employee or servant, to dump, or bury, cast, throw, or deposit refuse within the county at other than the county-owned landfill or within the receptacles located at county-operated refuse

disposal sites or at privately owned refuse disposal sites expressly licensed under this chapter.

Sec. 9-12. Refuse disposal operations restricted to sites operated or licensed by county.

Refused disposal operations shall be conducted on sites selected and acquired by the board of supervisors and on such private sites as are licensed under the provisions of this chapter.

ARTICLE II. REFUSE DISPOSAL SITES AND OPERATIONS

Sec. 9-15. Supervisory authority of county administrator.

The construction and installation of facilities at refuse disposal sites operated or maintained by the county and the maintenance, operation, and administration of such sites and facilities shall be under the supervision and control of the county administrator **or designee**, acting under the direction of the board of supervisors.

Sec. 9-16. Structures at county-operated sites.

No structure shall be erected at a county-operated refuse disposal site except as approved by the county administrator **or designee**.

ARTICLE III. COLLECTORS FOR HIRE

Sec. 9-37. License required.

No person, for hire, shall collect or convey any refuse generated within the county in any vehicle through or on any street or highway of the county without first obtaining from the commissioner of the revenue a refuse hauling license ~~for each vehicle so used~~.

Sec. 9-39. Conditions precedent to issuance of license.

~~(a)~~ No license shall be granted under this article to any applicant if the proposed place and method of disposal of refuse to be collected does not conform to the requirements of this chapter.

~~(b)~~ ~~No license shall be issued under this article to an applicant until he presents a statement from the county public works department showing proof of inspection of the applicant's collection equipment within the preceding thirty (30) days.~~

Sec. 9-42. License year; annual renewal of licenses.

All refuse-hauling licenses issued under this article shall expire on ~~January~~ **December** 31 of the next ~~succeeding~~ year. Refuse-hauling licenses are to be renewed **for the calendar year on or before March 1** ~~during the month of January~~ of each year. A license may be renewed by presenting the commissioner of the revenue ~~a statement from the public works director showing proof of inspection of the applicant's collection equipment within the preceding thirty (30) days, and~~ a restatement by the applicant of information previously required under section 9-38.

ARTICLE IV. MANDATORY RECYCLING REPORTING

Sec. 9-47. Purpose.

The purpose of this article is the furtherance of solid waste management and the recycling of solid waste as provided for in Section 10.1-1411, Code of Virginia, 1950, as amended, as authorized by ~~Section 15.1-11.5:2, Code of Virginia~~ **Va. Code Section 15.2-927 et seq.**

Sec. 9-49. Reporting requirements for generators.

- (a) ~~Nonresidential solid waste generators and~~ businesses or commercial establishments that ~~manage solid waste or recycle~~ **generate recyclable** materials within the County of Gloucester, shall submit ~~an annual report for each calendar year ending on December 31 to the director of public works on or before March 1 of the following year~~ **a report to the clean community coordinator or other designated county official every four years. The report shall only be required to include information for the most recent single calendar year ending on December 31. The first such report shall be for the year ending December 31, 2028 and shall be submitted on or before March 1, 2029 and every four years thereafter.**
- (b) Such ~~annual~~ report shall be submitted on a form prescribed by the county administrator and shall include as a minimum the following information:
 - (1) The name and address of the reporting party.
 - (2) The total quantity of solid waste recycled by the reporting party, by commodity, during the reporting period.
 - (3) The name and address of the person to which the recyclables were delivered for recycling.

- (4) The total quantity by weight of solid waste, by commodity, that has been the subject of source reduction or reuse.

Sec. 9-50. Reporting requirements for haulers or recyclers.

- (a) Businesses licensed for waste hauling, recycling, or scrap metal recovery shall submit an annual report for each calendar ~~year~~ **year** ending on December 31 to the director of ~~public works~~ **engineering services** by March 1 of the following year.
- (b) Such annual report shall be submitted on a form prescribed by the county administrator and shall include as a minimum of the following information:
 - (1) The name and address of the reporting party.
 - (2) The total quantity of solid waste generated in Gloucester, by commodity, that was recycled by that business during the reporting period.

Sec. 9-51. Contents of reports.

- (a) The reports required under the preceding two (2) sections shall be based on actual weight. Where actual weight cannot be accurately determined, the weight may be reported using carefully estimated data. Any such report shall include a description of the basis for the reported data.
- (b) Recycled solid waste identified in the report shall include only those solid wastes delivered to market from within the County of Gloucester.
- ~~(c) For the year 1991 only, such reports shall provide an estimate of materials recycled from January 1, 1991 through the effective date of this article and actual data from the effective date of this article through December 31, 1991.~~

A Copy Teste:

Carol E. Steele, County Administrator

ARTICLE I. IN GENERAL**Sec. 9-1. Short title.**

This chapter shall be known and may be cited as the Refuse Disposal Ordinance of Gloucester County, Virginia, or simply as the Refuse Disposal Ordinance.
(Ord. of 9-19-89)

Sec. 9-2. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Bulky Waste: Items such as appliances, sofas, mattresses, tree limbs, shrubbery, and the like.

Collector: Any person engaged in the business of the collection and transportation of solid waste.

Commercial waste: All solid waste emanating from establishments engaged in business. This category includes, but is not limited to, solid waste resulting from the operation of stores, markets, office buildings, restaurants, shopping centers, and theatres.

County: The term "county" shall be deemed to include the county's contractual operator of the county landfill and convenience centers.

Demolition wastes: Lumber, roofing, and sheathing scraps, rubble, broken concrete, plaster, etc., conduit pipe, wire insulation, etc.

Disposal: "Disposal" includes the storage, collection, disposal and handling of refuse, or any one or more thereof.

Fire control plan: A document addressing the requirements established in section 9-33 of this chapter. It may include appropriate maps as well as any other management information the submitting party deems relevant.

Garbage: Animal and vegetable matter resulting from the handling, preparation, cooking or consumption of foods, and processing or packing of sea or agricultural products.

Hazardous waste: Those wastes in such quantities requiring special containment and disposal as required by federal and/or state law.

Industrial waste: All solid waste resulting from manufacturing and industrial processes such as, but not limited to, those carried on in factories, processing plants, refineries, slaughterhouses, and steel mills.

Institutional waste: All solid waste emanating from institutions such as, but not limited to, hospitals, nursing homes, orphanages, schools, and universities, public or private.

Litter: "Garbage," "refuse" and "rubbish," as defined in this section, and all other waste material which, if thrown or deposited as prohibited by this article, tends to create a danger to public health, safety and welfare.

Person: An individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state, any interstate body, or the federal government.

Residential waste: Solid wastes resulting from household operations.

Refuse: All solid wastes, except body wastes, including garbage and rubbish.

Refuse disposal site: Refuse disposal site shall mean any convenience center, dumpster site, refuse transfer station, landfill, or similar facility located within the county.

Rubbish: Waste material and trash, not to include garbage.

Solid waste: Garbage, refuse and other discarded solid materials, including solid-waste materials resulting from industrial, commercial, and agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows, or other common water pollutants.

Tire: Means a solid or air filled covering for a wheel, typically of rubber or a similarly elastic synthetic material, fitted around the wheel's rim to absorb shock and provide traction.

Unacceptable wastes: Any material, specified in section 9-19 of this Code, and any material the disposal of which would violate applicable federal or state laws, rules, regulations, permits or requirements in effect at the time of disposal.

Used tire storage: An accumulation of one thousand (1,000) or more used tires or any number of used tires covering more than ten thousand (10,000) square feet at a location, not under a roof or other similar structure.
(Ord. of 9-19-89; Ord. of 7-2-96)

Sec. 9-3. Rules and regulations.

The county or its contractor shall be authorized to establish reasonable operating rules and regulations for its refuse disposal sites which are in conformance with federal, state, and local regulations, and to establish reasonable rules and regulations to determine the origin and type of refuse presented at the landfill for disposal.
(Ord. of 9-19-89; Ord. of 7-2-96)

Sec. 9-4. Wastes not to be brought within county for deposit except by permit.

No waste, refuse, rubbish or by-product derived from any source shall be brought into the county from any location outside of the county and deposited at any refuse disposal site within the county without the express written authority of the board of supervisors who may require certain restrictions and limitations, and impose fees.

(Ord. of 9-19-89)

Sec. 9-5. Notice of violation; method of issuance.

(a) The sheriff, the codes compliance officer, or the health director or their designee may, and upon complaint by any responsible person that conditions exist on any real property in violation of section 9-13 shall, investigate conditions existing on real property in the county at any time; and upon determination by either such officer, following investigation, that the owner, occupant or person in charge of any real property in the county stands in violation of his duty as provided in section 9-13, such officer shall give written notice to the owner of record of such property and to the person primarily responsible, if different from the owner, stating the facts which constitute violation of section 9-13 and directing him to take such action as may be necessary to rectify such conditions within such time, not more than ten (10) days, as shall be stated in the notice.

(b) If, ten (10) days after the service of any such notice, the directive thereof has not been complied with, the officer giving such notice shall proceed to have such work done as may be necessary to abate any condition which might endanger the health or safety of residents of the county or otherwise constitute a nuisance, and all expenses resulting therefrom shall be chargeable to and paid by the owner of such property and may be collected by the county as taxes and levies are collected; and all charges not so collected shall constitute a lien against such property.

(Ord. of 9-19-89)

Sec. 9-6. Violations of chapter.

In addition to any other provisions of this chapter, any person who fails to comply with any provision of this chapter after the date of adoption shall be deemed to be in violation of this chapter. Each day that a violation exists shall constitute a separate violation. The penalty for conviction of a violation of any provision of this chapter shall be the imposition of a fine not exceeding one thousand dollars (\$1,000.00) or thirty (30) days imprisonment for each violation or both.

The county may apply to the circuit court for the County of Gloucester for injunctive relief to enjoin a violation or a threatened violation of the terms of this chapter without the necessity of showing that there does not exist an adequate remedy at law.

(Ord. of 9-19-89)

Sec. 9-7. Prohibited disposal of refuse generally.

Except as provided in section 9-8, it shall be unlawful for any person, firm or corporation, in person or by his agent, employee or servant, to dump, or bury, cast, throw, or deposit refuse within the county at other than the county-owned landfill or within the receptacles located at county-operated refuse disposal sites or at privately owned refuse disposal sites expressly licensed under this chapter.

(Ord. of 9-19-89)

Sec. 9-8. Burning of refuse.

It shall be unlawful for any person to attempt to burn any noncombustible refuse. The disposal of combustible refuse by burning shall be done only pursuant to a permit issued by the health director and in accordance with all local, state and federal laws, if any, regulating such burning.

(Ord. of 9-19-89)

Sec. 9-9. Storage of garbage—At dwellings of two-family units or less.

Garbage at dwellings of two-family units or less, pending final disposal, shall be stored in containers made of durable material and completely covered at all times with close-fitting lids to discourage flies, rats and other disease carriers.

(Ord. of 9-19-89; Ord. of 7-2-96)

Sec. 9-10. Same—At other places.

Garbage and animal remains (consisting of carcasses, organs and solid organic wastes) located at all places other than dwellings of two-family units or less, pending final disposal, shall be stored in watertight, rust-resistant containers and completely covered at all times with close-fitting lids to discourage flies, rats and other disease carriers. The use of commercial containers is recommended.

(Ord. of 9-19-89)

Sec. 9-11. Hauling of refuse to disposal site.

Persons electing to haul their own refuse to a county refuse disposal site or to a private site licensed under this chapter shall take the necessary precautions to prevent littering of roadways in violation of the laws of the state.

(Ord. of 9-19-89)

Sec. 9-12. Refuse disposal operations restricted to sites operated or licensed by county.

Refused disposal operations shall be conducted on sites selected and acquired by the board of supervisors and on such private sites as are licensed under the provisions of this chapter.

(Ord. of 9-19-89)

Sec. 9-13. Reserved.**Sec. 9-14. Title to and salvaging of refuse deposited at county refuse disposal sites.**

(a) All refuse delivered to a refuse disposal site shall, upon delivery, become the property of the county's authorized contractor, except for refuse defined as "unacceptable" elsewhere in this chapter.

(b) "Unacceptable waste," as elsewhere defined in this chapter, shall remain the property of the person, firm, or corporation transporting same to any refuse disposal site in the county, whether delivery occurs or not, and shall be removed and otherwise lawfully disposed of upon demand of the county or its authorized contractor.

(c) Salvaging within the area of any refuse disposal site maintained or operated by the county or its authorized contractor shall be prohibited entirely, with the exception of any and all activity carried on by the contractor.

(Ord. of 9-19-89; Ord. of 7-2-96)

ARTICLE II. REFUSE DISPOSAL SITES AND OPERATIONS**Sec. 9-15. Supervisory authority of county administrator.**

The construction and installation of facilities at refuse disposal sites operated or maintained by the county and the maintenance, operation, and administration of such sites and facilities shall be under the supervision and control of the county administrator, acting under the direction of the board of supervisors.

(Ord. of 9-19-89; Ord. of 7-2-96)

Sec. 9-16. Structures at county-operated sites.

No structure shall be erected at a county-operated refuse disposal site except as approved by the county administrator.

(Ord. of 9-19-89; Ord. of 7-2-96)

Sec. 9-17. Reserved.

Editor's note—Formerly, § 9-17 contained provisions requiring a permit for deposit of certain wastes at county-maintained sites. Such section was derived from an ordinance adopted Sept. 19, 1989.

Sec. 9-18. Persons admitted to county-operated or maintained sites.

At county refuse disposal sites, only those persons concerned with the operation or maintenance thereof, persons authorized to dispose of refuse thereat, and law enforcement officers shall be admitted to the premises, except by written authority of the county.

All persons using a county disposal facility shall obey the orders and directives of the county employee or contractor in charge thereof.
(Ord. of 9-19-89; Ord. of 7-2-96)

Sec. 9-19. Unacceptable waste.

The following wastes are unacceptable and shall not be deposited at any county refuse disposal site:

Explosive waste;

Hazardous waste;

Infectious waste;

Bulk or noncontained liquid wastes (one (1) gallon size or larger);

Solid wastes, residuals, or soils containing more than 1.0 ppb (parts per billion) of dioxins;

Solid wastes, residues, or soil containing more than 50.0 ppm (parts per million) of polychlorinated biphenyls (PCBs).

Pesticide containers that have not been triple rinsed;

Metal or plastic drums that are not empty, properly cleaned and opened;

Waste oil (except when placed in special waste oil collection tanks for recycling);

Unstabilized sewage sludge or sludges that have not been dewatered; and

Unacceptable waste, as hereinabove defined.

(Ord. No. 9-19-89; Ord. of 7-2-96)

Sec. 9-20. Refuse containers.

Refuse containers shall be provided by the county at various locations. The usage of said containers shall be governed by the following provisions, and any other regulations established in accordance with section 9-3.

- (1) *Special refuse items.* The following are several types of special refuse items which shall be given special care and preparation before disposing of the same in any refuse container:
 - (a) Hypodermic instruments and other sharp articles. No person shall dispose of or discard any hypodermic syringe, hypodermic needle or any instrument or device for making hypodermic injections before first safeguarding by wrapping or securing the same in a suitable manner so as to avoid the possibility of causing injury to the collection personnel.
 - (b) Ashes. Ashes that are to be collected by the county must have been wetted and cooled to the touch prior to collection. Ashes shall be placed in suitable containers and shall not be placed with the normal refuse unless separately wrapped, so that they will not cause injury to the collection personnel.

- (c) Pressurized cans. All pressurized cans containing pesticides or any other dangerous materials shall be released of all pressure before being deposited in a refuse container for collection by the county or any private collection agency.
 - (d) Glass. All broken glass or any type of glass that may cause injury to refuse collection personnel shall be separately wrapped to prevent injury and placed with the normal refuse.
 - (e) Pesticides. All pesticide containers and other poisonous containers shall be empty before being placed for collection.
- (2) *Refuse collectors.* No person engaged in the business of collecting, transporting, or disposing of garbage or trash shall dispose of such refuse in any county containers. Private refuse collectors shall transport, collected refuse to the county landfill site or to another approved location outside the county.
- (Ord. of 9-19-89; Ord. of 7-2-96)

Sec. 9-21. Reserved.

Editor's note—An ordinance adopted July 2, 1996, repealed § 9-21, which pertained to soil and gravel, and derived from an ordinance adopted Sept. 19, 1989.

Sec. 9-22. Deposit of industrial wastes at any site requires permit.

No waste, refuse, rubbish or by-product resulting from any manufacturing or industrial process or processing shall be deposited at any refuse disposal site located within the county without the written license of the board of supervisors.

(Ord. of 9-19-89; Ord. of 7-2-96)

Sec. 9-23. Reserved.

Sec. 9-24. Bulk containers utilized by commercial establishments.

Any commercial establishment which desires to utilize a bulk container for its refuse shall employ the services of a private contractor to service that container. Such container shall at all times be clean, neat and in a good state of repair. Cleaning up materials spilled from the container when emptying shall be the responsibility of the private contractor or the property owner or occupant. No refuse shall be placed adjacent to any bulk container. The property owner of any establishment for which a bulk container screening requirement applies must maintain such screening in a clean and neat condition and in good state of repair. (Ord. of 9-19-89)

Sec. 9-25. Abuse of containers and container sites.

It shall be unlawful to tamper with, overturn or otherwise damage refuse containers. Additionally, it shall be unlawful to litter container sites, create any health problems thereon

or to place any refuse outside of, on top of or adjacent to any refuse container. If a container is filled, the trash must be placed in another refuse container which is not filled or taken to the county landfill site.

(Ord. of 9-19-89)

Sec. 9-26. Health and sanitary inspection of disposal sites.

A duly authorized representative of the county health department shall inspect the operation, maintenance and sanitary condition of each refuse disposal operation conducted within the county, not less often than once per month, and report his findings through the health director to the board of supervisors.

(Ord. of 9-19-89)

Secs. 9-27—9-31. Reserved.

Editor's note—An ordinance adopted July 2, 1996, repealed §§ 9-27—9-31. Prior to repeal such sections derived from an ordinance adopted Sept. 19, 1989, and pertained to fire precautions at disposal sites; licensing of private refuse disposal sites, license tax, renewal of licenses, and variation from approved plans.

Sec. 9-32. Tire storage and disposal—Generally.

All persons operating a used tire storage facility on the effective date of this ordinance shall submit to the board of supervisors a fire control plan. Such plan must be submitted within six (6) months of the effective date of this ordinance.

All persons operating a used tire storage facility that comes into existence after the effective date of this regulation shall submit to the board of supervisors a fire control plan. Such plan must be submitted prior to the date the facility comes into existence.

(Ord. of 9-19-89)

Sec. 9-33. Same—Fire control.

A fire control plan must adequately address compliance with the following requirements for used tire storage:

- (1) All tires must be stockpiled neatly in cells of one thousand (1,000).
- (2) A berm of soil must be provided between all cells of tires in the storage area. The berm shall extend as high as the height of the tires in the cells;
- (3) A passageway of twenty (20) feet in width must be maintained between the berms of all cells of tires except where cells consist of only one (1) or two (2) lanes and the cells can be approached directly;
- (4) For each cell of tires, a stockpile of twenty (20) cubic yards of soil must be maintained within two hundred (200) feet of the cell. This material shall be in addition to any berm material;

- (5) In lieu of stockpiled soil for fire suppression as described in (4) above, foam with all the necessary equipment for its effective use may be available on the site;
- (6) A fence a heavy gauge wire eight (8) feet in height with two (2) strands of barbed wire extending along the top must enclose the entire storage site;
- (7) The access to the site must be controlled with a gate equipped with a lock or some other suitable method of preventing access to the site.
- (8) The plan must specify how long the tires will be stored and the ultimate purpose for which they will be used;
- (9) Appropriate and adequate equipment to place soil over the tires in case of fire must either be on the site at all times or be readily available.

The board of supervisors shall review all fire control plans within a reasonable time. Approved plans must be fully implemented within sixty (60) days after the date of notification of approval. Rejected plans may be submitted within a reasonable time for further consideration.

No used tire storage facility shall be allowed to operate unless it has an approved fire control plan which it is implementing, or is making progress towards developing an adequate fire control plan. (Ord. of 9-19-89)

Sec. 9-34. Same—Permits required.

Used tire storage shall not occur without a permit from the Department of Environmental Quality. Nothing in this chapter shall be construed to affect, modify or change any requirement imposed by the State Department of Health or the Department of Environmental Quality. (Ord. of 9-19-89; Ord. of 7-2-96)

Sec. 9-35. Reserved.

Editor's note—An ordinance adopted July 2, 1996, repealed § 9-35, which pertained to hours of operation, and derived from an ordinance adopted Sept. 19, 1989.

Sec. 9-36. Placing refuse or refuse receptacles on, in or over storm drains.

No person shall place any refuse or refuse receptacle or container on, in or over any storm drain. (Ord. of 9-19-89)

ARTICLE III. COLLECTORS FOR HIRE

Sec. 9-37. License required.

No person, for hire, shall collect or convey any refuse generated within the county in any vehicle through or on any street or highway of the county without first obtaining from the commissioner of the revenue a refuse hauling license for each vehicle so used. (Ord. of 9-19-89; Ord. of 7-2-96)

Sec. 9-38. Application for license.

Every person who shall apply for a license under this article shall state the type or types of refuse to be collected, the manner of collection, the place and method of disposal, and provide any additional information considered pertinent by the commissioner of the revenue.

(Ord. of 9-19-89)

Sec. 9-39. Conditions precedent to issuance of license.

(a) No license shall be granted under this article to any applicant if the proposed place and method of disposal of refuse to be collected does not conform to the requirements of this chapter.

(b) No license shall be issued under this article to an applicant until he presents a statement from the county public works department showing proof of inspection of the applicant's collection equipment within the preceding thirty (30) days.

(Ord. of 9-19-89; Ord. of 7-2-96)

Sec. 9-40. Issuance or denial of license.

Within fifteen (15) days after application is made for a license under this article a license will be issued, or a full explanation given for refusal to issue such license. (Ord. of 9-19-89)

Sec. 9-41. Operating without a license.

In addition to any other penalty, any collector discovered illegally collecting refuse without a license or violating the terms of an issued license may be denied a refuse collection permit for a period of one year from the time of the offense. (Ord. of 9-19-89)

Sec. 9-42. License year; annual renewal of licenses.

All refuse-hauling licenses issued under this article shall expire on January 31 of the next succeeding year. Refuse-hauling licenses are to be renewed during the month of January of each year. A license may be renewed by presenting to the commissioner of the revenue a statement from the public works director showing proof of inspection of the applicant's collection equipment within the preceding thirty (30) days, and a restatement by the applicant of information previously required under section 9-38.

(Ord. of 9-19-89)

Sec. 9-43. Annual license tax.

The board of supervisors may require payment of a license tax, as set forth in the license tax ordinance, for the issuance or renewal of a refuse-hauling license.

(Ord. of 9-19-89)

Sec. 9-44. Variations from approved sites, methods, etc.

No licensed collector under this article shall make a variation from any of the specific conditions for the collection and disposal of refuse under which his individual license was granted without first receiving approval from the commissioner of the revenue.

(Ord. of 9-19-89; Ord. of 7-2-96)

Sec. 9-45. Collection vehicles.

(a) Vehicles used for the collection or transport of refuse shall not necessarily be equipped with compacting devices, but shall be required to have completely enclosed and drip-proof cargo space.

(b) All vehicles licensed under this article must be kept in a safe and clean condition, and in addition, the cargo space must be maintained in a completely enclosed and drip-proof condition.

(c) The licensee's name and the term "Lic. No. _____" must be on one door on each side of each vehicle licensed under this article.

(Ord. of 9-19-89)

Sec. 9-46. Liability of officers.

Any officer or agent of a corporation or member of a partnership or association, who shall personally participate in or be an accessory to any violation of this article by such corporation, partnership or association, shall be subject to the penalties provided for such violation.

(Ord. of 9-19-89)

ARTICLE IV. MANDATORY RECYCLING REPORTING**Sec. 9-47. Purpose.**

The purpose of this article is the furtherance of solid waste management and the recycling of solid waste as provided for in Section 10.1-1411, Code of Virginia, 1950, as amended, as authorized by Section 15.1-11.5:2, Code of Virginia.

(Ord. of 11-19-91)

Sec. 9-48. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Generator: Any business or commercial establishment whose act or process produces solid waste as defined herein, including the landlord or tenant association for any such establishment if the landlord or tenant association manages solid waste for its tenants or members, respectively, which produce solid waste.

Business or commercial establishment: Any person, association, partnership, or corporation engaged in manufacturing or in any business, profession, or occupation.

Manage: To collect, store, treat, transport, and dispose of solid waste as defined herein.

Reused: Once having been a waste and being:

- (1) Employed as an ingredient (including use as an intermediate) in a process to make a product, excepting those materials possessing distinct components that are recoverable as separate end products; or
- (2) Employed in a particular function or application as an effective substitute for a commercial product or natural resource.

Recycling: The process of separating a given waste material from the waste stream and processing it so that it is used again as a raw material for a product, which may or may not be similar to the original product.

Solid waste: Any garbage, refuse, sludge, and other discarded material, resulting from industrial, commercial, residential, mining, or agricultural operations, or community activities but does not include:

- (1) Solid or dissolved material in domestic sewage;
- (2) Solid or dissolved material in irrigation return flows or in industrial discharges which are sources subject to a permit from the state water control board; or
- (3) Source, special nuclear, or byproduct material as defined by the Federal Atomic Energy Act of 1954, as amended.

Source reduction: Any action that reduces or eliminates the generation of waste at the source, usually within a process. Source reduction measures include among others, process modifications, feedstock substitutions, improvements in feedstock purity, improvements in housekeeping and management practices, increases in the efficiency of machinery, and recycling within a process.

(Ord. of 11-19-91)

Sec. 9-49. Reporting requirements for generators.

(a) Nonresidential solid waste generators and businesses or commercial establishments that manage solid waste or recycle materials within the County of Gloucester, shall submit an annual report for each calendar year ending on December 31 to the director of public works on or before March 1 of the following year.

(b) Such annual report shall be submitted on a form prescribed by the county administrator and shall include as a minimum the following information:

- (1) The name and address of the reporting party.
- (2) The total quantity of solid waste recycled by the reporting party, by commodity, during the reporting period.

- (3) The name and address of the person to which the recyclables were delivered for recycling.
- (4) The total quantity by weight of solid waste, by commodity, that has been the subject of source reduction or reuse.

(Ord. of 11-19-91)

Sec. 9-50. Reporting requirements for haulers or recyclers.

(a) Businesses licensed for waste hauling, recycling, or scrap metal recovery shall submit an annual report for each calendar year ending on December 31 to the director of public works by March 1 of the following year.

(b) Such annual report shall be submitted on a form prescribed by the county administrator and shall include as a minimum the following information:

- (1) The name and address of the reporting party.
- (2) The total quantity of solid waste generated in Gloucester, by commodity, that was recycled by that business during the reporting period.

(Ord. of 11-19-91)

Sec. 9-51. Contents of reports.

(a) The reports required under the preceding two (2) sections shall be based on actual weight. Where actual weight cannot be accurately determined, the weight may be reported using carefully estimated data. Any such report shall include a description of the basis for the reported data.

(b) Recycled solid waste identified in the report shall include only those solid wastes delivered to market from within the County of Gloucester.

(c) For the year 1991 only, such reports shall provide an estimate of materials recycled from January 1, 1991 through the effective date of this article and actual data from the effective date of this article through December 31, 1991.

(Ord. of 11-19-91)

Sec. 9-52. Proprietary information.

Nothing in this article shall be construed to require any party to report information of a proprietary nature. Where any party fails to report any information otherwise required herein based upon determination that such information is of a proprietary nature, the party shall specify in its report the nature of the information withheld and the basis for its determination that such information is of a proprietary nature.

(Ord. of 11-19-91)



PUBLIC NOTICE
GLOUCESTER COUNTY BOARD OF SUPERVISORS

Notice is hereby given that on April 1, 2025, beginning at 6:00 p.m., in the Colonial Courthouse, 6504 Main Street Gloucester, Virginia, the Gloucester County Board of Supervisors intends to consider the following:

**AN ORDINANCE AMENDING GLOUCESTER COUNTY CODE
CHAPTER 9, ARTICLE IV, SECTION 9-49, TO CHANGE THE REPORTING
REQUIREMENTS FOR THE RECYCLING SURVEY REPORT FROM
ANNUALLY TO EVERY FOUR YEARS, WITH THE NEXT REPORT TO BE
SUBMITTED ON OR BEFORE MARCH 1, 2029 AND TO CORRECT AND
CLARIFY CHAPTER 9, ARTICLE I, SECTIONS 9-5, 9-7, 9-12, ARTICLE II,
SECTIONS 9-15 AND 9-16, ARTICLE III, SECTIONS 9-37, 9-39 AND 9-42,
AND ARTICLE IV, SECTIONS 9-47, 9-50 AND 9-51**

One purpose of this amendment is to change the reporting requirement for reporting recycling activities from annually to once every four years, consistent with legislation enacted by the General Assembly. In addition, the Commissioner of the Revenue requested a change to indicate that a business involved with conveying garbage and refuse only needs one business license to cover all vehicles used by that business. Other proposed changes correct errors and update the Chapter.

The preceding is a summary, not the full text, of the ordinance. It is not intended to be a comprehensive representation of all the ordinance provisions and does not substitute for the full text of the draft ordinance, which is available for review on the web at www.gloucesterva.info, and in the first floor outer lobby of County Building Two at 6489 Main Street, Gloucester, Virginia.

The meeting will be broadcast live through the County website meeting portal at: <https://www.gloucesterva.info/640/Meeting-Portal> and on Cox channel 48.

Carol E. Steele, County Administrator



County Administration
 6489 Main Street
 Gloucester, Virginia 23061
 Phone: 804-693-4042 Fax: 804-693-6004

MEETING DATE: April 1, 2025
AGENDA ITEM#: XI - C

DATE: March 24, 2025
TO: Carol E. Steele, County Administrator
FROM: Trish Cronin, Deputy Clerk
SUBJECT: Board Appointment Considerations

Board, Commission, Council or Committee	Type of Appointment	Current Term Expires	New Term Expires	Reappointment Desired	Board Member to Make Nomination
Board of Building Code Appeals Vacant	County-Wide	2/28/25	2/28/30	--	Any
Middle Peninsula Planning District Commission Dr. William Reay	Citizen Rep	1/31/28	1/31/28	Resignation	Any

***Note:** Magisterial districts are listed next to the names of appointees for those groups attempting to maintain equal geographical representation.

AT A REGULAR MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS, HELD ON TUESDAY, APRIL 1, 2025, AT 6:00 P.M., IN THE COLONIAL COURTHOUSE AT 6504 MAIN STREET, GLOUCESTER, VIRGINIA ON A MOTION MADE BY _____, AND SECONDED BY _____, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Phillip N. Bazzani, ___;
Ashley C. Chriscoe, ___;
Kenneth W. Gibson, ___;
Christopher A. Hutson, ___;
Michael A. Nicosia, ___;
Robert J. Orth, ___;
Kevin M. Smith, ___;

BOARD OF BUILDING CODE APPEALS

WHEREAS, the Gloucester County Board of Supervisors has previously appointed a Board of Building Code Appeals to hear appeals to decisions made by the Gloucester County Building Official; and

WHEREAS, the Gloucester County Board of Supervisors has learned of a need for an appointment on this Board; and

WHEREAS, the Gloucester County Board of Supervisors has considered qualified applicants and is now ready to appoint someone to this position.

NOW, THEREFORE BE IT RESOLVED by the Gloucester County Board of Supervisors that the following individual is hereby appointed to the Board of Building Code Appeals for a term that shall begin immediately and shall expire on February 28, 2030.

A Copy Teste:

Carol E. Steele, County Administrator

AT A REGULAR MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS, HELD ON TUESDAY, APRIL 1, 2025, AT 6:00 P.M., IN THE COLONIAL COURTHOUSE AT 6504 MAIN STREET, GLOUCESTER, VIRGINIA ON A MOTION MADE BY _____, AND SECONDED BY _____, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Phillip N. Bazzani, ___;
Ashley C. Chriscoe, ___;
Kenneth W. Gibson, ___;
Christopher A. Hutson, ___;
Michael A. Nicosia, ___;
Robert J. Orth, ___;
Kevin M. Smith, ___;

MIDDLE PENINSULA PLANNING DISTRICT COMMISSION

WHEREAS, it has been brought to the attention of the Gloucester County Board of Supervisors that a citizen appointment is need to the Middle Peninsula Planning District Commission; and

WHEREAS, the Gloucester County Board of Supervisors has considered this appointment and now wishes to act.

NOW, THEREFORE, BE IT RESOLVED by the Gloucester County Board of Supervisors that the following individual be appointed as the Middle Peninsula Planning District Commission Citizen Representative in accordance with the by-laws of the organization for a term that shall begin immediately and shall expire on January 31, 2028.

A Copy Teste:

Carol E. Steele, County Administrator



BOARD AGENDA ITEM

TYPE OF AGENDA ITEM:

- CONSENT
- PRESENTATION
- REGULAR
- PUBLIC HEARING
 - Duly Advertised

PURPOSE OF ITEM:

- INFORMATION / DISCUSSION
- DISCUSSION AND / OR DECISION
 - Resolution
 - Ordinance
 - Motion

PRESENTER: Carol Steele

TITLE: County Administrator

AGENDA TITLE: Discussion/Decision on Change to Meeting Calendar

BACKGROUND / SUMMARY: At the Board’s budget work session meeting on March 24, the Board expressed a desire to have a meeting added to the calendar to meet with representatives of Gloucester Volunteer Fire and Rescue in order to discuss Station 1. A doodle poll was sent out to find the best date and Thursday, April 10 received the most responses. Both the Colonial Courthouse and the T. C. Walker Auditorium are available for a possible meeting.

If the Board would like to move forward, it would be best to vote to modify the meeting calendar to add this meeting and specify the location.

ATTACHMENTS:

None

REQUESTED ACTION: NO ACTION REQUESTED

Decide on additional meeting and meeting location.

FOR MORE INFORMATION: Name: Carol Steele

Phone: 804-693-4042

Email: county.administrator@gloucesterva.info