



**TOWN OF ABINGDON, VIRGINIA
TOWN COUNCIL REGULAR MEETING
MONDAY, NOVEMBER 7, 2022 – 6:30 pm
TOWN HALL - COUNCIL CHAMBERS**

DRAFT AGENDA

Please note there will be an opportunity during the meeting for citizens to address the Town Council when the Mayor declares public comments open. We request that anyone addressing the Council sign up, approach the podium when called, state your first and last name, and provide your complete mailing address.

- A. WELCOME** – *Mayor Webb*
- B. ROLL CALL** – *Kim Kingsley, Clerk*
- C. PLEDGE OF ALLEGIANCE** – *Mike Owens, Councilmember*
- D. PRAYER** – *Barbara Farmer, Associate Pastor – Pleasant View United Methodist Church*
- E. APPROVAL OF AGENDA** – *Mayor Webb*
- F. PUBLIC COMMENTS** – Please place your name on the sign-up sheet provided; comments are limited to three (3) minutes per person.
 - Town of Abingdon residents
 - Other public comments (e.g. property owners, organizations)
- G. APPROVAL OF MINUTES**
 - September 29, 2022 Joint meeting
 - October 3, 2022 meeting
 - October 20, 2022 meeting
- H. PROCLAMATIONS**
- I. PUBLIC HEARING** - Please place your name on the sign-up sheet provided; comments are limited to five (5) minutes per person.
 - 1. **Public Hearing** – pursuant to Virginia Code Section 15.2-980 and the Code of Virginia for the Town of Abingdon, amendment to Chapter 30 – Environment, Article II. – Noise, Sections 30-30 through 30-36.
 - 2. **Public Hearing** – pursuant to Virginia Code Sections 15.2-1425 and 46.2-1220 and the Code of Virginia for the Town of Abingdon, amendment to Chapter 70 – Traffic and Vehicles, Article V. – Stopping, standing and parking, Division 1. - Generally
- J. RESOLUTIONS**
 - 1. Resolution petitioning the Department of Transportation for maintenance payments for certain streets in the Urban Maintenance Inventory System – *Michael Surrett, Director of Public Works*
- K. FIRST READING OF ORDINANCES**
 - 1. Consideration of amendment to Chapter 30 – Environment, Article II. – Noise, Sections 30-30 through 30-36. – *Chief Jon Holbrook, APD*

2. Consideration of amendment to Chapter 70 – Traffic and vehicles, Article V. – Stopping, standing and parking, Division 1. – Generally – *Chief Jon Holbrook, APD and Chief Tim Estes, AFD*

L. SECOND READING OF ORDINANCES

M. CONSIDERATION OF BIDS

N. NEW BUSINESS

O. OLD BUSINESS

P. MISCELLANEOUS BUSINESS AND COMMUNICATIONS FROM TOWN MANAGER

1. Presentation by Tourism Advisory Committee – *Tonya Triplett, Director of Tourism and Economic Development*
2. Presentation from Abingdon Fiddlers Convention – *Jennifer Blankenship, Chair*

Q. COUNCIL MEMBER REPORTS

R. APPOINTMENTS TO BOARDS AND COMMITTEES

1. Sustain Abingdon
 - Reappointment of Laura Pennington, who is eligible to serve an additional term
 - Appointment to fill expired term of Ricky Bray
 - Appointment to fill unexpired term of Sydney deBriel
2. Economic Development Authority
 - Reappointment of Don Adams, who is eligible to serve an additional term
3. Tree Commission
 - Reappointment of Muhammad Hasham, who is eligible to serve an additional term

S. CLOSED SESSION

T. ADJOURNMENT

September 29, 2022

Joint meeting with the Washington Co. Bd. Of Supervisors

**TOWN OF ABINGDON
JOINT MEETING WITH THE WASHINGTON COUNTY BOARD OF SUPERVISORS
THURSDAY, SEPTEMBER 29, 2022 – 6:30 pm
BOARD ROOM – 1 GOVERNMENT CENTER PLACE**

A Joint Special Called meeting of the Abingdon Town Council and the Washington County Board of Supervisors was held on Thursday, September 29, 2022 at 6:30 pm in the Meeting Room, 1 Government Center Place, Abingdon, Virginia.

WELCOME- Washington County Board of Supervisors Vice Chairman Mike Rush called the Board of Supervisors meeting to Order, Invocation and Pledge of Allegiance.

Mayor Derek Webb called the Abingdon Town Council meeting to order.

Members of Council Present:	Dwyane Anderson
	Amanda Pillion
	Donna Quetsch, Vice Mayor
	Derek Webb, Mayor

Members of Council Absent:	Mike Owens
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D. On motion of Mrs. Pillion, seconded by Mr. Anderson, approved the agenda as presented.

The roll call vote was as follows:

Mr. Owens	Absent
Mr. Anderson	Aye
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

E. PUBLIC COMMENTS - None

F. UPDATE ON WASHINGTON COUNTY COURTHOUSE PROJECT

County Administrator Jason Berry provided an update regarding the Courthouse project, including site challenges, a construction completion date of spring 2024 and complete renovation in 2025, and street closures.

G. OPEN DISCUSSION/BRAINSTORM IDEAS FOR ADDITIONAL PUBLIC PARKING ON COURTHOUSE HILL

September 29, 2022

Joint meeting with the Washington Co. Bd. Of Supervisors

Discussion regarding additional public parking included history, challenges, a parking study to be conducted by Emory and Henry, and presentation by David Richards regarding the possibility of a parking garage. Mayor Webb suggested that a couple of members of the Town and the Board of Supervisors meet to further discuss. Mr. Berry and Mr. Cochran will discuss a meeting time and place.

H. DISCUSSION REGARDING JOIN MARKETING EFFORTS TO ATTRACT NEW INDUSTRY TO STONE MILL BUSINESS

Discussion included partnering to provide market advertising and the extension of French Moore, Jr Blvd.

I. CLOSED SESSION PERMITTED BY VIRGINIA CODE SECTION 2.203711(A)(5), A MATTER INVOLVING A PROSPECTIVE BUSINESS AND BUSINESS RETENTION

On motion of Mrs. Quetsch, seconded by Mr. Anderson, to convene in closed session pursuant to Code of Virginia, 1950, as amended, Section 2.2-3711(A)(5), a matter involving a prospective business and business retention.

Mayor Webb invited Mr. Cochran and Counsel Cameron Bell into the closed session.

The roll call vote was as follows:

Mr. Owens	Absent
Mr. Anderson	Aye
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

On motion by Mr. Anderson, seconded by Mrs. Pillion, reconvened in open session.

The roll call vote was as follows:

Mr. Owens	Absent
Mr. Anderson	Aye
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

Mrs. Quetsch moved that the Town Council certify that, in closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2)

September 29, 2022

Joint meeting with the Washington Co. Bd. Of Supervisors

lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act cited in the motion.

The certification was as follows:

Mr. Owens	Absent
Mr. Anderson	I so certify
Mrs. Pillion	I so certify
Mrs. Quetsch	I so certify
Mayor Webb	I so certify

Mayor Webb adjourned the meeting of the Council for the Town of Abingdon, Virginia.

Vice Chairman Rush adjourned the meeting of the Board of Supervisors.

Mayor Derek Webb

Kimberly Kingsley, Clerk

**TOWN OF ABINGDON
COUNCIL MEETING
MONDAY, OCTOBER 3, 2022 – 6:30 pm
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

The meeting of the Abingdon Town Council was held on Monday, October 3, 2022 at 6:30 pm in the Council Chambers of the Municipal Building.

A. WELCOME – *Mayor Webb*

B. ROLL CALL

Members of Council Present:

Dwyane Anderson
Mike Owens
Amanda Pillion
Donna Quetsch, Vice Mayor
Derek Webb, Mayor

C. PLEDGE OF ALLEGIANCE

D. PRAYER – Brad Farmer, Faith In Action

E. APPROVAL OF AGENDA (VIDEO 7:08 – 7:29)

On motion of Mrs. Quetsch, seconded by Mr. Anderson, approved the agenda as presented.

The roll call vote was as follows:

Mr. Anderson	Aye
Mr. Owens	Aye
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

F. PUBLIC COMMENTS (VIDEO 7:30 – 9:37)

- Katy Brown, Barter Theatre

G. APPROVAL OF MINUTES (VIDEO 9:40- 10:33)

- September 6, 2022 meeting
- September 22, 2022 meeting

On motion of Mrs. Pillion, seconded by Mr. Anderson, approved the September 6, 2022 and September 22, 2022 minutes as presented.

The roll call vote was as follows:

Mr. Anderson	Aye
Mr. Owens	Aye for September 6, 2022 minutes Abstain (absent) for September 22, 2022 meeting
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

H. PROCLAMATIONS

1. Proclamation honoring the Abingdon High School Boys Track team for capturing the VHSL Class 3 Triple Crown **(VIDEO 10:33 – 19:44)**

Mayor Webb addressed the Abingdon High School Boys Track team. Mrs. Pillion read the Proclamation into the record, and Council presented the track team with a framed proclamation.

2. Proclamation recognizing October 9-15, 2022, as Fire Prevention Week “*Fire Won’t Wait. Plan Your Escape!*” **(VIDEO 19:48 – 25:18)**

Mr. Owens read the Proclamation into the record, and Council presented Fire Chief Tim Estes with a framed proclamation.

I. PUBLIC HEARING - None

J. RESOLUTIONS

K. FIRST READING OF ORDINANCES

1. Consideration of an Ordinance to add Code, Chapter 50, Offenses and miscellaneous provision, Loitering and Obstructing Free Passage of Others, Section 50-10 – ***Chief Jon Holbrook, Abingdon Police Department (VIDEO 25:26 – 33:04)***

Chief Holbrook conveyed the Commonwealth of Virginia gives authority to adopt an Ordinance regarding loitering. Chief Holbrook said the goal of the proposed Ordinance was to allow the officers to enforce correctly and for the citizens and guests to enjoy the Town. Discussion ensued. Counsel Cameron Bell advised the Ordinance could be adopted and if Council desired, could waive the second reading, effective immediately. Discussion ensued.

On motion of Mrs. Quetsch, seconded by Mrs. Pillion, adopted the proposed Ordinance pertaining to loitering as presented, waived the second reading, effective immediately.

The roll call vote was as follows:

Mr. Anderson	Aye
Mr. Owens	Aye
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

L. SECOND READING OF ORDINANCES

M. CONSIDERATION OF BIDS

N. NEW BUSINESS

1. Update on The Meadows – *Kyle Pollard, Interim Director of Recreation* (VIDEO 33:15 – 51:03)

Mr. Pollard provided Council with an update on The Meadows since opening on April 30, 2022. Mayor Webb announced that a tentative date of October 20, 2022, around 4:30 pm, a celebration would be held at the playground for an announcement.

O. OLD BUSINESS

**P. MISCELLANEOUS BUSINESS AND COMMUNICATIONS FROM TOWN MANAGER
(VIDEO 51:12 – 53:00)**

Town Manager Mike Cochran conveyed that Chief Holbrook and Chief Estes discussed a plan for possible issues with Hurricane Ian. He also provided an update regarding the grading and pavement on Main Street.

Q. COUNCIL MEMBER REPORTS (VIDEO 53:01 – 58:49)

Councilmember Mike Owens requested information regarding the Town's Halloween event on October 29.

Mayor Webb stated that the Councilmembers were very busy with meetings, including a joint called meeting with the Washington County Board of Supervisors, where the discussion included a variety of topics. Mayor Webb and Council would like to forge that relationship closely.

R. APPOINTMENTS TO BOARDS AND COMMITTEES

Mayor Webb declared the meeting adjourned.

Mayor Derek Webb

Kimberly Kingsley, Clerk

**TOWN OF ABINGDON
COUNCIL MEETING
THURSDAY, OCTOBER 20, 2022 – 2:30 pm
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

The meeting of the Abingdon Town Council was held on Thursday, October 20, 2022 at 2:30 pm in the Council Chambers of the Municipal Building.

A. WELCOME – *Mayor Webb*

B. ROLL CALL

Members of Council Present:

Dwyane Anderson
Mike Owens
Amanda Pillion
Donna Quetsch, Vice Mayor
Derek Webb, Mayor

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF AGENDA (VIDEO 6:37 – 7:22)

On motion of Mrs. Quetsch, seconded by Mr. Anderson, tabled items K- 1 to the November 7, 2022 meeting, and approved the agenda as amended.

The roll call vote was as follows:

Mr. Owens	Aye
Mr. Anderson	Aye
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

E. PUBLIC COMMENTS

F. PUBLIC HEARING - Please place your name on the sign-up sheet provided; comments are limited to five (5) minutes per person.

1. **Public Hearing** – pursuant to Virginia Code §15.2-1800 and Article VII, Section 9 of the Constitution to consider a permanent easement measuring four-feet-three inches by nine-feet-three inches located at the East stairwell (Main Street location) of the building known commonly as the Summers Building located at 102 Court Street, parcel number 013-1-64. The easement is necessary for the construction of a small staircase and landing which is required to meet current building code as it relates to emergency egress (**VIDEO 7:31 – 22:09**)

Mayana Rice, Director of Community Development informed the Council that the building located at 102 Court Street had been in a design process for the last couple of years. As part of the project, a fourth floor was added, necessitating a stairwell be built and egress with a landing be provided for an emergency exit. This landing and staircase are proposed to extend into the public sidewalk. Mrs. Rice said that to allow for this to occur the applicants are seeking a permanent easement. The proposed design will need to gain appropriateness from the Historic Preservation Review Board. However, this project does not have the right to make an application for a Certificate of Appropriateness until the applicants have the permission to utilize the Town property for their proposal. In addition, Mrs. Rice stated that the Chair of the Historic Preservation Review Board is concerned about the design of the staircase and the total length of the easement requested. As such, staff is suggesting, that the Council consider if more area is needed to accomplish this project. Also, a cherry tree proposed to be removed and replaced along the clock with two (2) new street trees. The Tree Commission will provide their decision. Discussion ensued.

Mayor Webb declared the public hearing open for comment. Jeff Johnson addressed the Council. Hearing no further comments, Mayor Webb closed the public hearing.

G. PROCLAMATION

1. Proclamation recognizing November 2022 as Veterans and Military Families Month
(VIDEO 22:13 – 28:21)

Mayor Webb read the Proclamation into the record, and Council presented the Town of Abingdon Veterans Advisory Board with a framed proclamation. The Board members presented Council with Red Poppies.

H. RESOLUTIONS

I. FIRST READING OF ORDINANCES

J. SECOND READING OF ORDINANCES

K. CONSIDERATION OF BIDS

1. Consideration of bids for playground upgrade options for The Meadows Sports Complex
*- Kyle Pollard, Interim Director of Recreation - **Matter was tabled until November 7, 2022***

L. NEW BUSINESS

1. Pursuant to Virginia Code §15.2-1800 and Article VII, Section 9 of the Constitution to consider a permanent easement measuring four-feet-three inches by nine-feet-three inches located at the East stairwell (Main Street location) of the building known commonly as the Summers Building located at 102 Court Street, parcel number 013-1-64. The easement is necessary for the construction of a small staircase and landing which is required to meet current building code as it relates to emergency egress –
Mayana Rice, Director of Community Development (VIDEO 28:31 – 56:45)

Nathan Burg addressed the Council stating this was a very complex project, including building a fourth floor to a historic building. Discussion ensued. Chair Byrum Geisler, Historic Preservation

Review Board, discussed his concern regarding the current structure and noted that it would be historically correct to include symmetrical steps and handrails that would look appropriate for Main Street. Councilmember Owens stated that he was troubled that it would be precedence, if approved. Discussion continued. Mr. Burg noted that the formal request for 13' 4" x 4' 3" inclusive. Director of Community Development Mayana Rice advised Abingdon Fire Department Chief Estes that if the door doesn't swing 180 degrees, no one will ever be able to go down the other stairs. Councilmember Pillion spoke in favor of the discussed option.

On motion of Mrs. Quetsch, seconded by Mr. Anderson, approved an easement of 13' 4" x 4' 3", including reversionary language, and contingent upon the approval from the Historic Preservation Review Board.

The roll call vote was as follows:

Mr. Owens	Nay
Mr. Anderson	Aye
Mrs. Pillion	Aye
Mrs. Quetsch	Aye
Mayor Webb	Aye

M. OLD BUSINESS

1. Presentation of final draft of Zoning and Subdivision ordinance. – **Mayana Rice, Director of Community Development and The Berkley Group (VIDEO 56:45 – 1:41:32)**

Rebecca Cobb with The Berkley Group presented articles VI through XI of the final draft of Zoning and Subdivision ordinance to Councilmembers. Discussions were held on various topics, including use permissions; use performance standards; community design standards; nonconforming uses, lots and structures, subdivision; definitions and sign questions; and a guide to nonconformities. Ms. Cobb stated that these changes would go back to the Planning Commission for a public hearing.

N. MISCELLANEOUS BUSINESS AND COMMUNICATIONS FROM TOWN MANAGER

O. COUNCIL MEMBER REPORTS

P. CLOSED SESSION

Mayor Webb declared the meeting adjourned.

Mayor Derek Webb

Kimberly Kingsley, Clerk



**A RESOLUTION OF THE COUNCIL FOR THE TOWN OF ABINGDON, VIRGINIA
PETITIONING THE DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE
PAYMENTS FOR CERTAIN STREETS IN THE URBAN MAINTENANCE
INVENTORY SYSTEM (UMIS)**

WHEREAS, pursuant to the provision of Virginia Code Section 33.2-319, the Virginia Department of Transportation make payments to municipalities for the maintenance of qualifying highways; and

WHEREAS, Virginia Department of Transportation procedures require that municipalities requesting lane mileage additions and deletions for payments under Virginia Code Section 33.2-219 submit Form U-1, "Request for Street Additions, Deletions or Conversions for Municipal Assistance Street Payments," as approved by the municipality's governing body; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL FOR THE TOWN OF ABINGDON that:

1. The Town of Abingdon hereby petitions the Virginia Department of Transportation to accept (or delete) those streets listed on Form U-1 for street maintenance payments; a copy of said Form U-1 being attached hereto and made a part of this Resolution; and
2. Form U-1 and accompanying maps, and a copy of this Resolution, shall be transmitted to the Resident Engineer/Administrator of the Virginia Department of Transportation; and
3. This Resolution shall be in full force and effect upon its passage.

TOWN OF ABINGDON, VIRGINIA

By: _____
Mayor

The undersigned clerk of the Town of Abingdon, Virginia (the “Town”), hereby certifies that the foregoing constitutes a true and correct copy of a resolution duly adopted at a meeting of the Council held on November 7, 2022. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing resolution was as follows:

MEMBERS	ATTENDANCE	VOTE
Mayor Derek Webb		
Donna Quetsch		
Amanda Pillion		
Dwayne Anderson		
Mike Owens		

WITNESS MY HAND and the seal of the Town of Abingdon as of November 7, 2022.

(SEAL)

Kimberly Kingsley, Clerk
Town of Abingdon

LOCAL ASSISTANCE DIVISION
VDOT
REQUEST FOR STREET ADDITION, DELETIONS AND CONVERSIONS FOR
STREET PAYMENTS SECTION 33.2-319
CODE OF VIRGINIA

MUNICIPALITY			Abingdon			DISTRICT			Bristol		
ACTION REQUIRED (SELECT BELOW)	STREET NAME ROUTE NUMBER	FROM	TERMINI	TO	R/W (Width) (FEET)	PAVEMENT WIDTH (FEET)	CENTER LINE (MILES)	NUMBER OF LANES	MOVING LANE MILES	Eligibility Code Reference Link	FUNC. CLASS. (TMPD USE except for HR and NOVA)
Change Existing Segment	Campbell Street	Colonial Rd to Gilliam St			43	18	0.08	2	0.16	5	
Change Existing Segment	Campbell Street	Gilliam St to Cul De Sac			43	18	0.14	2	0.28	2	
Change Existing Segment	Church Street N	Valley St to Valley St			28	20	0.19	2	0.38	5	
ADD (New Road)	Cook Street	Cummings St to Robertson Rd			50	30	0.34	2	0.68	1	
ADD (New Road)	Grant Street	Bradley Street to Dead End			40	12	0.05	2	0.10	2	
ADD (New Road)	Grove Terrace	Cummings St to Cumbow St			40	12	0.07	2	0.14	5	
ADD (New Road)	Grove Terrace	Cumbow St to Oakland St			40	14	0.06	2	0.12	5	
ADD (New Road)	Hickman Street	Highland St to Lowland St			40	23	0.07	2	0.14	5	
ADD (New Road)	High Street	Rose St to Reservoir St			41	18	0.05	2	0.10	5	
Change Existing Segment	Highland Street SE	Spring St to Court St			40	18	0.06	2	0.12	5	
ADD (New Road)	Humes Street	Trigg St to Cul De Sac			37.5	19	0.48	2	0.96	2	
ADD (New Road)	King Street	East Alley to Reservoir St			59	14	0.03	2	0.06	5	
ADD (New Road)	King Street	Reservoir St to Potts Lane			50	14	0.06	2	0.12	5	
ADD (New Road)	King Street	Potts Lane to Wall St			47	13	0.06	2	0.12	5	
ADD (New Road)	King Street	Wall St to Dale St			55	14	0.02	2	0.04	5	
Change Existing Segment	Locust Street	Ash St to Phillips St			29	15	0.16	2	0.32	5	
ADD (New Road)	Madison Street	Kings Mtn Dr to S Court St			38	19.5	0.08	2	0.16	5	
ADD (New Road)	Madison Street	S Court St to Hickman St			34	19.5	0.05	2	0.10	5	
ADD (New Road)	Madison Street	Hickman St to Spring St			40	19.5	0.20	2	0.40	5	
Change Existing Segment	Mosby Street	Fulkerson St to Hassinger St			48	18	0.06	2	0.12	5	
Change Existing Segment	Mosby Street	Hassinger St to Hughes St			48	18	0.05	2	0.10	5	
Change Existing Segment	Mosby Street	Hughes St to Cul De Sac			48	18	0.05	2	0.10	5	
Change Existing Segment	Nicholas Street	Deadmore St to Trigg St			44	20	0.17	2	0.34	5	
Change Existing Segment	Nicholas Street	Trigg St to Burke Ln			52	16	0.04	2	0.08	5	
Change Existing Segment	Old Eleven Court	E Main St to Cul De Sac			44	22	0.16	2	0.32	2	
ADD (New Road)	Robertson Road	Green Spring Rd to Cook St			50	30	0.29	2	0.58	1	
ADD (New Road)	Smartview Lane	Baugh Ln to Baugh Ln			50	30	0.09	2	0.18	1	
ADD (New Road)	Campus Drive	Russell Rd to McBroom St			50	32	0.18	2	0.36	1	
SELECT ONE									0.00	Select one	

* Council Resolution and Map Attached

SIGNED _____ SIGNED _____

MUNICIPAL OFFICIAL _____

AUTHORIZED VDOT OFFICIAL _____

DATE _____

Submit to: District Point of Contact in triplicate

CLASSIFIED BY _____

T&MPD ENGINEER _____

DATE _____



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219-2000

Stephen C. Brich, P.E.
Commissioner

July 1, 2022

To: Cities and Towns in the Urban System

Subject: Street Payments to Cities and Certain Towns under Section 33.2-319 of the Code of Virginia

In accordance with Section 33.2-319 of the *Code of Virginia*, the payment rates per lane mile for street payments have been updated for fiscal year 2023 as follows:

Principal/Minor Arterial Roads \$24,012.06 per lane mile

Collector/Local Streets \$14,098.26 per lane mile

These rates will be applied to eligible lane mileage for each classification as of July 1, 2022. The attached inventory and mileage summary reflects any approved adjustments in lane mileage that your municipality submitted to the Department during the past year. While we have made every effort to ensure the accuracy of the inventory, we recommend that you check for omissions and errors, etc., and advise this office of any changes needed.

Payments have been approved by the Commonwealth Transportation Board and will be made at the end of each quarter of the fiscal year by Electronic Data Interface (EDI).

Equipment rental rates can be found via the Blue Book, or rates through FEMA for declared emergencies only. The Rental Rate Blue Book can be found on the Equipment Watch webpage at <http://www.equipmentwatch.com/marketing/product/331/rental-rate-blue-book-equipment-costs>. For emergencies, the FEMA Equipment Rates can be found at (<http://www.fema.gov/government/grant/pa/eqrates.shtm>). The cost of the Rental Rate Blue Book purchase can be paid for utilizing maintenance funds.

Cities and Towns in the Urban System
June 23, 2021
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If you have questions or need additional information, please do not hesitate to contact me at (804) 225-4466. Thank you for your continued partnership.

Sincerely,

John Leonard
Urban Programs Manager
Local Assistance Division

Enclosure

Cc: District Administrators
Residency Administrators



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219-2000

Stephen C. Brich, P.E.
Commissioner

July 1, 2022

Mr. Jimmy Morani
Town Manager
133 W Main Street
P O Box 789
Abingdon, Virginia 24210

Re: Overweight Permit Fee Revenue Payments FY23

Dear Mr. Morani :

As you are aware, the 2012 General Assembly amended sections 46.2-1140.1, 46.2-1143, 46.2-1148 and 46.2-1149.1 authorizing the Commonwealth Transportation Board (CTB) to distribute overweight permit fee revenue on the basis of lane mileage to localities eligible for maintenance payments.

The CTB was authorized to begin making such payments for FY14. Your total supplemental payment for fiscal year 2023 will be \$978.55. These funds will be added to your maintenance payments and will be provided to you in equal quarterly payments beginning in September.

If you have any questions or need additional information, please contact me at 804-225-4466.

Sincerely,

John Leonard
Urban Programs Manager
Local Assistance Division

*An Ordinance of the Council for the Town of Abingdon, Virginia
to amend Chapter 30 – Environment
Article II. – Noise, Sections 30-30 through 30-36*

WHEREAS, pursuant to Virginia Code § 15.2-980, et seq., localities may regulate noise;
and

WHEREAS, Town Council wishes to amend its existing noise ordinance;

NOW, THEREFORE BE IT ORDAINED by the council of the Town of Abingdon that:

1. Should any section or provision of this ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or the Code of the Town of Abingdon, Virginia; and

2. The Town of Abingdon's current Code, Chapter 30 – Environment, Article II. – Noise, Sections 30-30 through 30-36 that is proposed for amendment currently states:

§ 30-30 Generally.

In order to promote the public policy of the Town in providing an environment for its citizens that is free from noise at levels which can jeopardize their health or welfare or which degrades the quality of life, the creation and continuation of any noise at such loud and disturbing levels, as specified within this article, in the Town limits are hereby prohibited.

§ 30-31 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

DEVICE

Any mechanism which is intended to, or which actually produces excessive noise when operated or handled.

DISCERNIBLE

The sound is sufficiently distinct such that its source can be clearly identified.

EMERGENCY WORK

Work made necessary to restore property to a safe condition following a public calamity, or work required to protect persons or property from immediate exposure to danger, including work performed by public service companies when emergency inspection, repair of facilities or restoration of services is required for the immediate health, safety or welfare of the community.

EXCESSIVE NOISE

Any sound which reaches a level that annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on human beings. Specific examples of prohibited excessive noise are set forth in Section 30-32 of this chapter.

INSTRUMENT

Any musical instrument, radio, phonograph, compact disc player, amplifier or any other device, which produces, reproduces or amplifies sound.

MIXED USE AREA

The parcel on which one or more residential dwellings and at least one other non-residential use are located and any contiguous rights-of-ways, roads, streets, lanes, sidewalks, or other such means of egress and ingress to any such parcel.

MOTOR VEHICLE

Any vehicle which is self-propelled or designated for self-propulsion, but not limited to, passenger car, trucks, truck-trailer, semi-trailer, recreational vehicles, motorboats and racing vehicles; and any motorcycle (including but not limited to motor scooters and mini-bikes) as defined in the Code of Virginia, § 46.2-100.

NOISE

The intensity, frequency, duration or character of sounds from a single source or multiple sources that may degrade the public health, safety or welfare.

PERSONS

Any individual, corporation, cooperative, company, partnership, firm, association, trust, estate, private institution, group, agency, or any legal successor, representative, agent or agency thereof. This term shall not include the federal, state, county, Town, city or local government, or any agency or institution thereof.

PLAINLY AUDIBLE

Any sound that can be heard clearly by a person using his or her unaided hearing faculties. When music is involved, the detection of rhythmic bass tones shall be sufficient to be considered plainly audible sound.

PUBLIC RIGHT-OF-WAY

Any street, avenue, boulevard, highway, alley or public space, which is owned or controlled by a public governmental entity.

QUIET ZONE

Whenever the protection of the public health, safety and welfare so require, after a duly advertised public hearing, the Town Council may designate any geographical area of the Town as a "quiet zone." Such designation shall include a description of the subject area, the reasons for its designation as a quiet zone and shall prescribe the level of noise which shall be permitted in such a quiet zone.

RESIDENTIAL

Refers to single-unit, two-unit and multiunit dwellings, and residential areas of planned residential zoning district classifications, as set out in the Zoning Ordinance, Appendix B, the Code of Ordinances of the Town of Abingdon, Virginia, as amended.

RESIDENTIAL AREA

Any street, highway or alley in the Town where 60% of the improved property is occupied by dwellings not used for business purposes.

RESTAURANT

Any building or structure where in the normal course of business food or drink is available for eating on the premises, in consideration for payment. For purposes of this chapter, the term restaurant includes, but is not limited to, banquet halls, bars, lounges, taverns, coffee shops, nightclubs, cafeterias, cafes and similar dining facilities (including associated commercial kitchens).

SOUND

A temporal and spatial oscillation in pressure, or other physical quantity, in a medium with internal forces that causes compression and rarefaction of that medium, and which propagates at a finite to distance point. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

SOUND PRESSURE

The instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space.

STATIONARY NOISE SOURCE

Any equipment or facility, fixed or movable that is capable of emitting sound beyond the property boundary of the property on which it is used.

ZONING DISTRICT CLASSIFICATION

Refers to the scheme of land use classification.

§ 30-32 Specific prohibitions.

(a) The following acts are declared to be noise disturbances in violation of this article and are prohibited within the Town 24 hours a day, subject to the exemptions provided in Section 30-33:

(1) No motor vehicle shall be loaded with materials likely to create excessive noises by materials striking together without using every reasonable effort to prevent or eliminate the noise.

(2) It shall be unlawful for any person in operating a motor vehicle within the Town on public or private property to create in the operation thereof any excessive noise. In operating such vehicle, the following acts are deemed to be in violation of this section, but such enumeration shall not be exclusive:

a. To make, continue to make, or cause to be made, through use of a motor vehicle, an excessive noise disturbance within the Town;

b. The use of a vehicle so out of repair as to cause excessive noise such as grating, grinding, rattling or any/all such excessive noises;

c. The practice of unnecessarily racing or accelerating the motor of a vehicle while standing or moving, thereby causing excessive noise from such motor;

d. The practice of unnecessarily retarding the spark to the motor of a vehicle and thereby causing excessive noise, or back-fire from the motor;

e. In starting the vehicle from a standing position, the practice of gaining speed unnecessarily quickly and thereby causing excessive noise from the motor and/or the screening of tires;

f. The practice of coming to an unreasonably quick stop with a vehicle and thereby causing excessive noise through unnecessary grinding of brakes and/or the screening of tires;

g. The operating of vehicles off-road creating excessive noise plainly audible across property boundaries; and

h. The sounding of any horn, whistle or signaling device on any motor vehicle, except as a danger warning;

i. Operating or permitting another to operate any radio receiving set, sound-amplifying equipment or other device for the production of sound in or on motor vehicles within the Town in such a manner to create excessive noise which is plainly audible 50 feet from such motor vehicle;

j. The operation of a motor vehicle or motorcycle within the Town with a gutted muffler, muffler cutout, straight exhaust, or without an exhaust in good working order, as provided by Code of Virginia, §§ 46.2-1047 and 46.2-1049.

(3) To create noise in excess of that prescribed within an area designated as a "quiet zone" provided that conspicuous signs are displayed in adjacent or contiguous streets indicating that the area is a "quiet zone."

(b) The following acts are prohibited in the Town between the hours of 11:00 p.m. and 7:00 a.m.:

(1) Operating, playing or permitting the operation or playing of any radio, television, record, tape or compact disc player, drum, musical instrument, or similar device for the production

of sound in such a manner as to be plainly audible and discernible across a residential real property boundary or through partitions common to two residences within one building; or

(2) The operation of any equipment or other noise making device in such a manner as to be plainly audible at a distance of 50 feet or more from the building in which it is located; or

(3) The operation of any device emitting noise in such a manner that it is plainly audible at a distance of 50 feet from its source.

(4) It shall be unlawful for any person engaged in construction work in the Town to excavate, demolish or engage in alteration or repair of any building or improvement between the aforementioned hours, 11:00 p.m. — 7:00 a.m. except in the case of emergency and under a permit granted by the Town Manager. In considering the granting, conditioning or denial of the permit, the Town Manager shall be guided by the following standards:

- a. Nature of the emergency;
- b. Proposed extended hours of operation;
- c. Duration of period of requested extended hours;
- d. Character of the area surrounding the construction site; and
- e. Number of residential units which would be impacted.

(5) Owning, keeping possessing or harboring any animal which frequently or habitually howls, barks, meows, squawks, or makes such other noise that is plainly audible at a distance of 50 feet from its source or through partitions common to two residences within one building.

(6) Excessive noise created by yelling, shouting, hooting, whistling, singing or any other means of creating such on the public street which is plainly audible at a distance of 50 feet from its source.

§ 30-33 Exemptions.

(a) The following activities are exempt from the provisions of this article:

(1) The use of intercoms or paging systems by businesses located in commercial areas, provided that the sound system is used for paging purposes only.

(2) Sound amplifying equipment used at public parks or recreation fields, provided the operation has been approved by the park or field management.

(3) Clock chimes, bells and music played for a call to worship between the hours of 9:00 a.m. and 9:00 p.m.

(4) Motor vehicles driven in wedding processions are exempted from the provisions of Section 30-32(a)(1) only.

(5) Motor vehicles driven in duly authorized parades.

(6) The provisions of this article shall not apply to the emission of sound in the purpose of alerting persons to the existence of an emergency, nor the emission of sound in the performance of emergency work.

(7) The use of a loudspeaker, on a motor vehicle for making auction sales on streets or highways directly in front of property being sold and entirely outside of the business districts of the Town, provided said use is for the sale of such property only.

(8) The use of a loudspeaker for making auction sales on the property being sold provided

such use is for the sale of said property only.

(9) Commercial establishments located in areas zoned for mixed use as defined herein between the hours of 7:00 a.m. and 12:00 a.m.

§ 30-34 Issuance of permits.

(a) The Town Manager in his discretion, except as restricted below, shall be authorized to grant or issue permits to persons allowing said persons to deviate from the prohibitions of this article, provided however, that the issuance of said permit is for an otherwise lawful purpose.

(b) Any permit issued by the Town Manager for the use of sound-amplifying equipment shall be subject to the following:

(1) The only sound permitted is music and human speech.

(2) The person granted the permit may only operate during the hours specified by the Town Manager in the permit.

(3) Human speech and music amplified shall not be lewd, indecent, slanderous or inciting to riot or other unlawful conduct.

(4) Must operate within any restrictions as noted on the permit by the Town Manager.

§ 30-35 Enforcement and penalties.

(a) The criminal provisions of this article shall be enforced by the Town police department, who may administer measurement procedures, issue orders and regulations with regard to such enforcement. Any person violating any of the provisions of this chapter shall be deemed guilty of a Class 2 misdemeanor and, upon conviction thereof, shall be punished by imposing a fine of not less than \$300 for the first offense, \$500 for the second offense within a twelve-month period, and \$1,000 for any subsequent offense within the same twelve-month period. Each day the violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

(b) Instead of the criminal enforcement of this chapter the Town may bring a suit for injunction, abatement, penalty or other appropriate civil or criminal remedies that may be available to it. Each separate finding of violation of this ordinance shall impose a civil penalty liability of \$250 for the first offense and \$500 for subsequent offenses.

(c) Citizens of the Town believing that excessive noise constituting a public nuisance exists may utilize the procedure set forth in Code of Virginia, 1950, as amended § 48-1 et seq., or any other legal civil or criminal remedies that may be available to them.

BE IT FURTHER ORDAINED, that Code, Chapter 30 – Environment, Article II. – Noise, Sections 30-30 through 30-36 be amended as follows:

§ 30-30 Generally.

In order to promote the public policy of the Town in providing an environment for its citizens that is free from noise at levels which can jeopardize their health or welfare or which degrades

the quality of life, the creation and continuation of any noise at such loud and disturbing levels, as specified within this article, in the Town limits are hereby prohibited.

§ 30-31 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

DEVICE

Any mechanism which is intended to, or which actually produces excessive noise when operated or handled.

DISCERNIBLE

The sound is sufficiently distinct such that its source can be clearly identified.

EMERGENCY WORK

Work made necessary to restore property to a safe condition following a public calamity, or work required to protect persons or property from immediate exposure to danger, including work performed by public service companies when emergency inspection, repair of facilities or restoration of services is required for the immediate health, safety or welfare of the community.

EXCESSIVE NOISE

Any sound which reaches a level that annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on human beings. Specific examples of prohibited excessive noise are set forth in Section 30-32 of this chapter.

INSTRUMENT

Any musical instrument, radio, phonograph, compact disc player, amplifier or any other device, which produces, reproduces or amplifies sound.

MIXED USE AREA

The parcel on which one or more residential dwellings and at least one other non-residential use are located and any contiguous rights-of-ways, roads, streets, lanes, sidewalks, or other such means of egress and ingress to any such parcel.

MOTOR VEHICLE

Any vehicle which is self-propelled or designated for self-propulsion, but not limited to, passenger car, trucks, truck-trailer, semi-trailer, recreational vehicles, motorboats and racing

vehicles; and any motorcycle (including but not limited to motor scooters and mini-bikes) as defined in the Code of Virginia, § 46.2-100.

NOISE

Any sound that is either loud, boisterous, unpleasant, unreasonable or that causes a disturbance of the public peace. ~~The intensity, frequency, duration or character of sounds from a single source or multiple sources that may degrade the public health, safety or welfare.~~

PERSONS

Any individual, corporation, cooperative, company, partnership, firm, association, trust, estate, private institution, group, agency, or any legal successor, representative, agent or agency thereof. This term shall not include the federal, state, county, Town, city or local government, or any agency or institution thereof.

PLAINLY AUDIBLE

Any sound that can be heard clearly by a person using his or her unaided hearing faculties. When music is involved, the detection of rhythmic bass tones shall be sufficient to be considered plainly audible sound.

PUBLIC RIGHT-OF-WAY

Any street, avenue, boulevard, highway, alley or public space, which is owned or controlled by a public governmental entity.

QUIET ZONE

Whenever the protection of the public health, safety and welfare so require, after a duly advertised public hearing, the Town Council may designate any geographical area of the Town as a "quiet zone." Such designation shall include a description of the subject area, the reasons for its designation as a quiet zone and shall prescribe the level of noise which shall be permitted in such a quiet zone.

RESIDENTIAL

Refers to single-unit, two-unit and multiunit dwellings, and residential areas of planned residential zoning district classifications, as set out in the Zoning Ordinance, Appendix B, the Code of Ordinances of the Town of Abingdon, Virginia, as amended.

RESIDENTIAL AREA

Any street, highway or alley in the Town where 60% of the improved property is occupied by dwellings not used for business purposes.

RESTAURANT

Any building or structure where in the normal course of business food or drink is available for eating on the premises, in consideration for payment. For purposes of this chapter, the term restaurant includes, but is not limited to, banquet halls, bars, lounges, taverns, coffee shops, nightclubs, cafeterias, cafes and similar dining facilities (including associated commercial kitchens).

SOUND

A temporal and spatial oscillation in pressure, or other physical quantity, in a medium with internal forces that causes compression and rarefaction of that medium, and which propagates at a finite to distance point. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

SOUND PRESSURE

The instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space.

STATIONARY NOISE SOURCE

Any equipment or facility, fixed or movable that is capable of emitting sound beyond the property boundary of the property on which it is used.

ZONING DISTRICT CLASSIFICATION

Refers to the scheme of land use classification.

§ 30-32 Specific prohibitions.

(a) The following acts are declared to be noise disturbances in violation of this article and are prohibited within the Town 24 hours a day, subject to the exemptions provided in Section 30-33:

(1) No motor vehicle shall be loaded with materials likely to create excessive noises by materials striking together without using every reasonable effort to prevent or eliminate the noise.

(2) It shall be unlawful for any person in operating a motor vehicle within the Town on public or private property to create in the operation thereof any excessive noise. In operating such vehicle, the following acts are deemed to be in violation of this section, but such enumeration shall not be exclusive:

a. To make, continue to make, or cause to be made, through use of a motor vehicle, an excessive noise disturbance within the Town;

b. The use of a vehicle so out of repair as to cause excessive noise such as grating, grinding, rattling or any/all such excessive noises;

c. The practice of unnecessarily racing or accelerating the motor of a vehicle while standing

or moving, thereby causing excessive noise from such motor;

d. The practice of unnecessarily retarding the spark to the motor of a vehicle and thereby causing excessive noise, or back-fire from the motor;

e. In starting the vehicle from a standing position, the practice of gaining speed unnecessarily quickly and thereby causing excessive noise from the motor and/or the screening of tires;

f. The practice of coming to an unreasonably quick stop with a vehicle and thereby causing excessive noise through unnecessary grinding of brakes and/or the screening of tires;

g. The operating of vehicles off-road creating excessive noise plainly audible across property boundaries; and

h. The sounding of any horn, whistle or signaling device on any motor vehicle, except as a danger warning;

i. Operating or permitting another to operate any radio receiving set, sound-amplifying equipment or other device for the production of sound in or on motor vehicles within the Town in such a manner to create excessive noise which is plainly audible 50 feet from such motor vehicle;

j. The operation of a motor vehicle or motorcycle within the Town with a gutted muffler, muffler cutout, straight exhaust, or without an exhaust in good working order, as provided by Code of Virginia, §§ 46.2-1047 and 46.2-1049.

k. Any owner or person in control of any animal that allows or otherwise permits any such animal to bark, howl, bay, meow, squawk, quack, crow or make such other sound:

(1) Between 10 p.m. and 7 a.m. that is plainly audible in any other person's residential dwelling with doors and windows closed and the source of sound generation shall be discernible regardless of whether such doors or windows are closed; or

(2) Between 7 a.m. and 10 p.m. when the animal sound is plainly audible and discernible across real property boundaries or through partitions common to residential dwellings and such sound can be heard for more than five consecutive or non-consecutive minutes in any ten-minute period of time. Animal sounds that can be heard for less than five consecutive or non-consecutive minutes in any ten-minute period shall not be subject to this Chapter.

The provisions of this paragraph shall not apply to any animal that, at the time of the sound or sound generation, was responding to pain or injury or was protecting itself, its kennel, its offspring, or a person from an actual threat; when the animal is a police dog that is engaged in the performance of its duties at the time of making the sound; or when part of a bona fide agricultural operation. This provision shall apply to all animal sounds emanating from the same property. Notwithstanding the provisions of this paragraph, animals located in a dog park shall be subject to the provisions of Par. (l) below.

(l) The use of dog parks between dusk and 7 a.m. Sunday through Thursday, or between dusk and 8 a.m. on Friday, Saturday and the day before a Federal holiday.

(3) To create noise in excess of that prescribed within an area designated as a "quiet zone" provided that conspicuous signs are displayed in adjacent or contiguous streets indicating that the area is a "quiet zone."

(b) The following acts are prohibited in the Town between the hours of 11:00 p.m. and 7:00 a.m.:

(1) Operating, playing or permitting the operation or playing of any radio, television, record, tape or compact disc player, drum, musical instrument, or similar device for the production of sound in such a manner as to be plainly audible and discernible across a residential real property boundary or through partitions common to two residences within one building; or

(2) The operation of any equipment or other noise making device in such a manner as to be plainly audible at a distance of 50 feet or more from the building in which it is located; or

(3) The operation of any device emitting noise in such a manner that it is plainly audible at a distance of 50 feet from its source.

(4) It shall be unlawful for any person engaged in construction work in the Town to excavate, demolish or engage in alteration or repair of any building or improvement between the aforementioned hours, 11:00 p.m. — 7:00 a.m. except in the case of emergency and under a permit granted by the Town Manager. In considering the granting, conditioning or denial of the permit, the Town Manager shall be guided by the following standards:

- a. Nature of the emergency;
- b. Proposed extended hours of operation;
- c. Duration of period of requested extended hours;
- d. Character of the area surrounding the construction site; and
- e. Number of residential units which would be impacted.

~~(5) Owning, keeping, possessing or harboring any animal which frequently or habitually howls, barks, meows, squawks, or makes such other noise that is plainly audible at a distance of 50 feet from its source or through partitions common to two residences within one building.~~

~~(6)~~ (5) Excessive noise created by yelling, shouting, hooting, whistling, singing or any other means of creating such on the public street which is plainly audible at a distance of 50 feet from its source.

§ 30-33 Exemptions.

(a) The following activities are exempt from the provisions of this article:

(1) The use of intercoms or paging systems by businesses located in commercial areas, provided that the sound system is used for paging purposes only.

(2) Sound amplifying equipment used at public parks or recreation fields, provided the operation has been approved by the park or field management.

(3) Clock chimes, bells and music played for a call to worship between the hours of 9:00 a.m. and 9:00 p.m.

- (4) Motor vehicles driven in wedding processions are exempted from the provisions of Section 30-32(a)(1) only.
- (5) Motor vehicles driven in duly authorized parades.
- (6) The provisions of this article shall not apply to the emission of sound in the purpose of alerting persons to the existence of an emergency, nor the emission of sound in the performance of emergency work.
- (7) The use of a loudspeaker, on a motor vehicle for making auction sales on streets or highways directly in front of property being sold and entirely outside of the business districts of the Town, provided said use is for the sale of such property only.
- (8) The use of a loudspeaker for making auction sales on the property being sold provided such use is for the sale of said property only.
- (9) Commercial establishments located in areas zoned for mixed use as defined herein between the hours of 7:00 a.m. and 12:00 a.m.

§ 30-34 Issuance of permits.

(a) The Town of Abingdon may issue an operational or temporary use permit. This permit will be issued on a temporary basis. Permits for special events or exhibitions such as (but not limited to) music, speeches, or general entertainment as a part and in recognition of the community celebration of national, state or city events, concerts, festivals, parades, athletic and recreational events, to permit reasonable and limited exceptions to the provisions of this section. Any special event or exhibition permit issued shall contain specific provisions as to the activities that will be conducted and dates and times during which the provisions of this section are to be suspended. Specific sources of any noise shall be identified, and special conditions may be established in the permit which will minimize the noise impact of the special event or

(b) The Town Manager in his discretion, except as restricted below, shall be authorized to grant or issue permits to persons allowing said persons to deviate from the prohibitions of this article, provided however, that the issuance of said permit is for an otherwise lawful purpose.

(c) Any permit issued by the Town Manager for the use of sound-amplifying equipment shall be subject to the following:

- (1) The only sound permitted is music and human speech.
- (2) The person granted the permit may only operate during the hours specified by the Town Manager in the permit.
- (3) Human speech and music amplified shall not be lewd, indecent, slanderous or inciting to riot or other unlawful conduct.

(4) Must operate within any restrictions as noted on the permit by the Town Manager.

§ 30-35 Enforcement and penalties.

(a) The criminal provisions of this article shall be enforced by the Town police department, who may administer measurement procedures, issue orders and regulations with regard to such enforcement.

(b) In the enforcement of standards established in this section, an enforcement officer may be required to exercise judgment in determining if a particular noise is sufficiently loud or otherwise so offensive that it would unreasonably disturb a person of ordinary sensibilities in the vicinity. When making the de-terminations, the enforcement officer shall consider the following factors:

- 1. The volume of the noise;*
- 2. The intensity of the noise;*
- 3. Whether the nature of the noise is usual or unusual;*
- 4. Whether the origin of the noise is natural or unnatural;*
- 5. The type and intensity of background noise, if any;*
- 6. The proximity of the noise to residential sleeping facilities;*
- 7. The nature of zoning of the area(s) in which the noise is heard;*
- 8. The time of day or night the noise occurs;*
- 9. The duration of the noise; and*
- 10. Whether the noise is recurrent, intermittent, or constant.*

(c) Any person violating any of the provisions of this chapter shall be deemed guilty of a Class 2 misdemeanor and, upon conviction thereof, shall be punished by imposing a fine of not less than \$300 for the first offense, \$500 for the second offense within a twelve-month period, and \$1,000 for any subsequent offense within the same twelve-month period. Each day the violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

(b) Instead of the criminal enforcement of this chapter the Town may bring a suit for injunction, abatement, penalty or other appropriate civil or criminal remedies that may be available to it. Each separate finding of violation of this ordinance shall impose a civil penalty liability of \$250 for the first offense and \$500 for subsequent offenses.

(c) Citizens of the Town believing that excessive noise constituting a public nuisance exists may utilize the procedure set forth in Code of Virginia, 1950, as amended § 48-1 et seq., or any other legal civil or criminal remedies that may be available to them.

CERTIFICATE

Pursuant to Section 2-100 of the Code of the Town of Abingdon, Virginia, I hereby certify that I have reviewed the foregoing proposed ordinance to Code, Chapter 30 – Environment, Article II. – Noise, Sections 30-30 through 30-36, and find it to be in correct form, as set forth above, this ____ day of November, 2022.

Cameron Bell, Counsel

This ordinance was adopted on _____, to take effect on _____.

Derek Webb, Mayor

The undersigned Clerk of the Town of Abingdon, Virginia (the “Town”), hereby certifies that the foregoing constitutes a true and correct copy of an ordinance duly adopted at a meeting of the Council held on November 7, 2022. I hereby certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing ordinance was as follows:

MEMBERS	ATTENDANCE	VOTE
Derek Webb, Mayor		
Donna Quetsch, Vice Mayor		
Amanda Pillion		
Dwayne Anderson		
Mike Owens		

WITNESS MY HAND and the seal of the Town of Abingdon as of _____, 2022.

(SEAL)

Kimberly Kingsley, Clerk

**Ordinance of the Town Council for the Town of Abingdon, Virginia
to amend Part II – Code, Chapter 70 – Traffic and Vehicles,
Article V. – Stopping, Standing and Parking,
Division 1. - Generally**

WHEREAS, § 15.2-1425 and § 46.2-1220 of the Code of Virginia 1950, as amended, **grant the local governing body in the performance of its duties, obligation and functions to adopt, as appropriate, ordinances, resolutions and motions, pursuant to § 27-98, the local governing may enforce the Fire Prevention Code, and Council has determined that it is in the best interests of the health, safety, and welfare of the citizens; and**

WHEREAS, the Town of Abingdon's current Part II - Code, Chapter 70 – Traffic and Vehicles, Article V. – Stopping, Standing and Parking, Division 1. - Generally, the Council for the Town of Abingdon has found it in the best interest to amend the body of its ordinance; and

NOW, THEREFORE BE IT ORDAINED by the council of the Town of Abingdon that:

1. Should any section or provision of this ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or the Code of the Town of Abingdon, Virginia; and

2. The Town of Abingdon's current Part II - Code, Chapter 70 – Traffic and Vehicles, Article V. – Stopping, Standing and Parking, Division 1 - Generally, that are proposed for amendment currently appear as follows:

ARTICLE V. – STOPPING, STANDING AND PARKING

DIVISION 1. - GENERALLY

Sec. 70-131. - Removal and disposition of unattended, illegally parked or immobilized vehicles.

(a) Whenever any motor vehicle, trailer or semitrailer is:

- (1) Left unattended on a public highway or other public property and constitutes a traffic hazard;
- (2) Illegally parked;
- (3) Left unattended for more than ten days either on public property or on private property without the permission of the property owner, lessee, or occupant; or
- (4) Immobilized on a public roadway by weather conditions or other emergency situation; such motor vehicle, trailer or semitrailer may be removed for safekeeping by or under the direction of a police officer to a storage area; provided, that no such vehicle shall be so removed from private property without the written request of the owner, lessee, or

occupant thereof. The person at whose request such motor vehicle, trailer or semitrailer is removed from private property shall indemnify the town against any loss or expense incurred by reason of removal, storage or sale thereof.

- (b) It shall be presumed that such motor vehicle, trailer or semitrailer, or part thereof, is abandoned if:
 - (1) It lacks either:
 - a. A current license plate;
 - b. A current county, city or town license plate or sticker; or
 - c. A valid state inspection certificate or sticker; and
 - (2) It has been in a specific location for four days without being moved.
- (c) As promptly as possible, each removal shall be reported to the chief of police, and notice thereof given to the owner of the motor vehicle, trailer or semitrailer. The owner of such vehicle or trailer or semitrailer, before obtaining possession thereof, shall pay to the persons entitled thereto all costs incidental to the removal, storage and locating the owner of the motor vehicle, trailer or semitrailer.
- (d) Should such owner fail or refuse to pay the cost or should the identity or whereabouts of such owner be unknown and unascertainable after a diligent search has been made, and after notice to him at his last known address and to the holder of any lien of record in the office of the state department of motor vehicles against the motor vehicle, trailer or semitrailer, or part of a motor vehicle, trailer, or semitrailer, the vehicle shall be treated as an abandoned vehicle under the provisions of Code of Virginia, § 46.2-1200 et seq.

Sec. 70-132. - Leaving vehicles on private property prohibited; removal and disposition; notice of disposition.

- (a) No person shall leave any motor vehicle, trailer, semitrailer, or part of a motor vehicle, trailer, or semitrailer on the private property of any other person without his consent. On complaint of the owner of the property on which such motor vehicle, trailer, semitrailer, or part thereof has been left for more than 72 hours, such motor vehicle, trailer, semitrailer, or part thereof, may be removed by or under the direction of a law-enforcement officer to a storage area. The owners of private property which is normally open to the public for parking shall post or cause to be posted signs warning that vehicles left on the property for more than 72 hours will be towed or removed at their owners' expense. The person at whose request the vehicle, trailer, semitrailer, or part thereof is so removed shall indemnify the town against any loss or expense incurred by reason of removal, storage, or sale thereof.
- (b) In the case of the removal of a motor vehicle, trailer, semitrailer, or part of a motor vehicle, trailer, or semitrailer from private property, when it cannot be readily sold, the motor vehicle, trailer, semitrailer, or part may be disposed of in whatever manner the council may provide.
- (c) In all other respects, the provisions of section 70-131 and Code of Virginia, § 46.2-1217 shall apply to these removals. Disposal of a motor vehicle, trailer, or semitrailer may at the option of the council be carried out under either the provisions of section 70-131, or under the provisions of this section after a diligent search for the owner, after notice to him at his last

known address and to the holder of any lien of record in the office of the state department of motor vehicles against the motor vehicle, trailer, or semitrailer, and after the motor vehicle, trailer, or semitrailer has been held at least 60 days.

Sec. 70-133. - Disposition of wrecked or discarded vehicles.

- (a) No person in charge or control of any property within the town, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked or discarded vehicle to remain on such property longer than 30 days. No person shall leave any such vehicle on any property within the town for a longer time than 30 days. A vehicle that would otherwise be considered "non-operating" shall not be considered "operating" due to the exemptions found in Code of Virginia, § 46.2-662 et seq., as amended from time to time.
- (b) This section shall not apply with regard to a vehicle in an enclosed building, a vehicle on the premises of a business enterprise operated in a lawful place and manner, when necessary to the operation of such business enterprise, provided such vehicle is stored in such a manner that it is not visible to public view from the street adjacent to the place of business, or to a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the town.

Sec. 70-134. - Temporary removal and disposition of vehicles involved in accidents.

Whenever a motor vehicle, trailer, or semitrailer involved in an accident is so located as to impede the orderly flow of traffic, the police may:

- (1) At no cost to the owner or operator remove the motor vehicle, trailer, or semitrailer to some point in the vicinity where it will not impede the flow of traffic;
- (2) Have the vehicle removed to a storage area for safekeeping and shall report the removal to the state department of motor vehicles and to the owner of the vehicle as promptly as possible.

If the vehicle is removed to a storage area under subsection (2) of this section, the owner shall pay to the parties entitled thereto all costs incidental to its removal and storage.

Sec. 70-135. - Notice of disposition of vehicle.

The state department of motor vehicles shall be notified of the disposition of any motor vehicle, trailer or semitrailer under sections 70-131 and 70-132.

Sec. 70-136. - Backing up to curbs.

No vehicle shall be backed up to a curb, except during the time actually engaged in loading or unloading merchandise therefrom.

Sec. 70-137. - Stopping vehicle for advertising, sales or display purposes.

No person shall stop a vehicle upon the street at any time for the purpose of advertising, displaying, selling or offering for sale therefrom any goods, wares, merchandise, or any other property.

Sec. 70-138. - Parking vehicle for display for sale.

No person shall park a vehicle upon any roadway in the town for the principal purpose of displaying such vehicle for sale.

Sec. 70-139. - Parking vehicle for washing, greasing or repairing.

No person shall park a vehicle upon any roadway in the town for the principal purpose of washing, greasing or repairing such vehicle, except when such repairs are necessitated by an emergency.

Sec. 70-140. - Parking in alleys.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic. No person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

Sec. 70-140.1. - Using two spaces.

It shall be unlawful to park any vehicle such that the vehicle is not entirely within a single marked parking space.

Sec. 70-140.2. - Parking too close to intersection.

It shall be unlawful to park a vehicle upon the street such that the vehicle extends beyond a marked parking space into an adjacent intersection.

Sec. 70-140.3. - Parking with left side of vehicle to curb.

It shall be unlawful to park a vehicle upon the street such that the left side of the vehicle is adjacent to the curb, unless such parking is lawfully done on a one-way street and the vehicle as parked is consistent with the flow of traffic on such one-way street.

Sec. 70-140.4. - Unauthorized parking of vehicles.

The town manager shall have the authority to designate certain parking spaces as authorized only for the parking of certain vehicles, including but not limited to, service vehicles, official vehicles, emergency vehicles, vehicles parked for the purpose of loading and unloading, or any other designation as the town manager may see fit. Where such spaces have been so designated, no person shall park any vehicle in such space unless their purpose in so parking the vehicle conforms to the designation or type of authorized vehicle or authorized vehicle or authorized purpose for which such space has been designated.

Sec. 70-140.5. - Vehicle parked on sidewalk.

It shall be unlawful to park a vehicle such that one or more of the tires of that vehicle are on the curb or sidewalk.

Sec. 70-140.6. - Unauthorized parking of vehicle in loading zone.

It shall be unlawful to park any vehicle in a loading zone unless the vehicle is in fact parked in that space for the purpose of loading or unloading articles from such vehicle. In any event, it shall be unlawful to park a vehicle in such space for longer than 30 minutes between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Sec. 70-140.7. - Vehicle parked in no parking zone.

It shall be unlawful to park any vehicle in a no parking zone.

Sec. 70-140.8. - Vehicle parked too close to driveway.

It shall be unlawful to park any vehicle such that the vehicle extends beyond a marked parking space into an adjacent driveway.

Sec. 70-140.9. - Parking in traffic lane.

It shall be unlawful to park any vehicle within a lane of traffic. Such lane shall be defined as the area in which cars regularly drive which has not been reserved or designated as a marked parking space.

Sec. 70-141. - Parking for longer than 30 minutes between 2:00 a.m. and 6:00 a.m. on certain days.

No person shall park a vehicle on any street for a period of time longer than 30 minutes between the hours of 2:00 a.m. and 6:00 a.m. on such days as may be designated by the town manager and indicated by proper signs. This section shall not apply to physicians on emergency calls and authorized emergency vehicles.

Sec. 70-142. - Parking in spaces reserved for handicapped persons.

(a) Pursuant to the authority of Code of Virginia, § 46.2-1237, no vehicles other than those displaying disabled parking license plates, organizational removable windshield placards, permanent removable windshield placards, or temporary removable windshield placards issued under Code of Virginia, § 46.2-731 or DV disabled parking license plates issued under Code of Virginia, § 46.2-739B shall be parked in any parking spaces reserved for persons with disabilities on public property or at privately owned shopping centers and business offices.

(b) A penalty for the violation of this section shall not exceed that prescribed for a class 4 misdemeanor.

Sec. 70-143. - Display of lights upon parked vehicle.

Whenever any vehicle is parked in accordance with the provisions of this chapter at night upon any street in the town no lights need be displayed upon such parked vehicle.

Sec. 70-144. - Prohibited at specified times.

The council may from time to time determine portions of streets on which parking is prohibited at specified times.

Sec. 70-145. - Penalties.

Unless another penalty is expressly provided, every person convicted of a parking violation shall be punished by a fine of \$15.00.

Secs. 70-146—70-155. - Reserved.

BE IT FURTHER ORDAINED, that upon the recommendation of the Council for the Town of Abingdon, Part II – Code, Chapter 70 – Traffic and Vehicles, Article V. – Stopping, Standing and Parking, Division 1. – Generally, be amended as follows:

ARTICLE V. – STOPPING, STANDING AND PARKING

DIVISION 1. - GENERALLY

Sec. 70-131. - Removal and disposition of unattended, illegally parked or immobilized vehicles.

- (a) Whenever any motor vehicle, trailer or semitrailer is:
 - (1) Left unattended on a public highway or other public property and constitutes a traffic hazard;
 - (2) Illegally parked;
 - (3) Left unattended for more than ten days either on public property or on private property without the permission of the property owner, lessee, or occupant; or
 - (4) Immobilized on a public roadway by weather conditions or other emergency situation; such motor vehicle, trailer or semitrailer may be removed for safekeeping by or under the direction of a police officer to a storage area; provided, that no such vehicle shall be so removed from private property without the written request of the owner, lessee, or occupant thereof. The person at whose request such motor vehicle, trailer or semitrailer is removed from private property shall indemnify the town against any loss or expense incurred by reason of removal, storage or sale thereof.
- (b) It shall be presumed that such motor vehicle, trailer or semitrailer, or part thereof, is abandoned if:
 - (1) It lacks either:
 - a. A current license plate;
 - b. A current county, city or town license plate or sticker; or
 - c. A valid state inspection certificate or sticker; and
 - (2) It has been in a specific location for four days without being moved.
- (c) As promptly as possible, each removal shall be reported to the chief of police, and notice thereof given to the owner of the motor vehicle, trailer or semitrailer. The owner of such vehicle or trailer or semitrailer, before obtaining possession thereof, shall pay to the persons entitled thereto all costs incidental to the removal, storage and locating the owner of the motor vehicle, trailer or semitrailer.

- (d) Should such owner fail or refuse to pay the cost or should the identity or whereabouts of such owner be unknown and unascertainable after a diligent search has been made, and after notice to him at his last known address and to the holder of any lien of record in the office of the state department of motor vehicles against the motor vehicle, trailer or semitrailer, or part of a motor vehicle, trailer, or semitrailer, the vehicle shall be treated as an abandoned vehicle under the provisions of Code of Virginia, § 46.2-1200 et seq.

Sec. 70-132. - Leaving vehicles on private property prohibited; removal and disposition; notice of disposition.

- (a) No person shall leave any motor vehicle, trailer, semitrailer, or part of a motor vehicle, trailer, or semitrailer on the private property of any other person without his consent. On complaint of the owner of the property on which such motor vehicle, trailer, semitrailer, or part thereof has been left for more than 72 hours, such motor vehicle, trailer, semitrailer, or part thereof, may be removed by or under the direction of a law-enforcement officer to a storage area. The owners of private property which is normally open to the public for parking shall post or cause to be posted signs warning that vehicles left on the property for more than 72 hours will be towed or removed at their owners' expense. The person at whose request the vehicle, trailer, semitrailer, or part thereof is so removed shall indemnify the town against any loss or expense incurred by reason of removal, storage, or sale thereof.
- (b) In the case of the removal of a motor vehicle, trailer, semitrailer, or part of a motor vehicle, trailer, or semitrailer from private property, when it cannot be readily sold, the motor vehicle, trailer, semitrailer, or part may be disposed of in whatever manner the council may provide.
- (c) In all other respects, the provisions of section 70-131 and Code of Virginia, § 46.2-1217 shall apply to these removals. Disposal of a motor vehicle, trailer, or semitrailer may at the option of the council be carried out under either the provisions of section 70-131, or under the provisions of this section after a diligent search for the owner, after notice to him at his last known address and to the holder of any lien of record in the office of the state department of motor vehicles against the motor vehicle, trailer, or semitrailer, and after the motor vehicle, trailer, or semitrailer has been held at least 60 days.

Sec. 70-133. - Disposition of wrecked or discarded vehicles.

- (a) No person in charge or control of any property within the town, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked or discarded vehicle to remain on such property longer than 30 days. No person shall leave any such vehicle on any property within the town for a longer time than 30 days. A vehicle that would otherwise be considered "non-operating" shall not be considered "operating" due to the exemptions found in Code of Virginia, § 46.2-662 et seq., as amended from time to time.
- (b) This section shall not apply with regard to a vehicle in an enclosed building, a vehicle on the premises of a business enterprise operated in a lawful place and manner, when necessary to the operation of such business enterprise, provided such vehicle is stored in such a manner that it is not visible to public view from the street adjacent to the place of business, or to a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the town.

Sec. 70-134. - Temporary removal and disposition of vehicles involved in accidents.

Whenever a motor vehicle, trailer, or semitrailer involved in an accident is so located as to impede the orderly flow of traffic, the police may:

- (1) At no cost to the owner or operator remove the motor vehicle, trailer, or semitrailer to some point in the vicinity where it will not impede the flow of traffic;
- (2) Have the vehicle removed to a storage area for safekeeping and shall report the removal to the state department of motor vehicles and to the owner of the vehicle as promptly as possible.

If the vehicle is removed to a storage area under subsection (2) of this section, the owner shall pay to the parties entitled thereto all costs incidental to its removal and storage.

Sec. 70-135. - Notice of disposition of vehicle.

The state department of motor vehicles shall be notified of the disposition of any motor vehicle, trailer or semitrailer under sections 70-131 and 70-132.

Sec. 70-136. - Backing up to curbs.

No vehicle shall be backed up to a curb, except during the time actually engaged in loading or unloading merchandise therefrom.

Sec. 70-137. - Stopping vehicle for advertising, sales or display purposes.

No person shall stop a vehicle upon the street at any time for the purpose of advertising, displaying, selling or offering for sale therefrom any goods, wares, merchandise, or any other property.

Sec. 70-138. - Parking vehicle for display for sale.

No person shall park a vehicle upon any roadway in the town for the principal purpose of displaying such vehicle for sale.

Sec. 70-139. - Parking vehicle for washing, greasing or repairing.

No person shall park a vehicle upon any roadway in the town for the principal purpose of washing, greasing or repairing such vehicle, except when such repairs are necessitated by an emergency.

Sec. 70-140. - Parking in alleys.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic. No person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

Sec. 70-140.1. - Using two spaces.

It shall be unlawful to park any vehicle such that the vehicle is not entirely within a single marked parking space.

Sec. 70-140.2. - Parking too close to intersection.

It shall be unlawful to park a vehicle upon the street such that the vehicle extends beyond a marked parking space into an adjacent intersection.

Sec. 70-140.3. - Parking with left side of vehicle to curb.

It shall be unlawful to park a vehicle upon the street such that the left side of the vehicle is adjacent to the curb, unless such parking is lawfully done on a one-way street and the vehicle as parked is consistent with the flow of traffic on such one-way street.

Sec. 70-140.4. - Unauthorized parking of vehicles.

The town manager shall have the authority to designate certain parking spaces as authorized only for the parking of certain vehicles, including but not limited to, service vehicles, official vehicles, emergency vehicles, vehicles parked for the purpose of loading and unloading, or any other designation as the town manager may see fit. Where such spaces have been so designated, no person shall park any vehicle in such space unless their purpose in so parking the vehicle conforms to the designation or type of authorized vehicle or authorized vehicle or authorized purpose for which such space has been designated.

Sec. 70-140.5. - Vehicle parked on sidewalk.

It shall be unlawful to park a vehicle such that one or more of the tires of that vehicle are on the curb or sidewalk.

Sec. 70-140.6. - Unauthorized parking of vehicle in loading zone.

It shall be unlawful to park any vehicle in a loading zone unless the vehicle is in fact parked in that space for the purpose of loading or unloading articles from such vehicle. In any event, it shall be unlawful to park a vehicle in such space for longer than 30 minutes between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Sec. 70-140.7. - Vehicle parked in no parking zone.

It shall be unlawful to park any vehicle in a no parking zone.

Sec. 70-140.8. - Vehicle parked too close to driveway.

It shall be unlawful to park any vehicle such that the vehicle extends beyond a marked parking space into an adjacent driveway.

Sec. 70-140.9. - Parking in traffic lane.

It shall be unlawful to park any vehicle within a lane of traffic. Such lane shall be defined as the area in which cars regularly drive which has not been reserved or designated as a marked parking space.

Sec. 70-141. - Parking for longer than 30 minutes between 2:00 a.m. and 6:00 a.m. on certain days.

No person shall park a vehicle on any street for a period of time longer than 30 minutes between the hours of 2:00 a.m. and 6:00 a.m. on such days as may be designated by the town

manager and indicated by proper signs. This section shall not apply to physicians on emergency calls and authorized emergency vehicles.

Sec. 70-142. - Parking in spaces reserved for handicapped persons.

- (a) Pursuant to the authority of Code of Virginia, § 46.2-1237, no vehicles other than those displaying disabled parking license plates, organizational removable windshield placards, permanent removable windshield placards, or temporary removable windshield placards issued under Code of Virginia, § 46.2-731 or DV disabled parking license plates issued under Code of Virginia, § 46.2-739B shall be parked in any parking spaces reserved for persons with disabilities on public property or at privately owned shopping centers and business offices.
- (b) A penalty for the violation of this section shall not exceed that prescribed for a class 4 misdemeanor.

Sec. 70-142.1. - Parking in fire lanes.

a) It shall be unlawful for any person to park a vehicle in any fire lane designated and marked, except as follows:

(1) Fire lanes within commercial or school properties may be used for temporary stopping to pick up or discharge passengers or supplies; provided that, a vehicle shall be so stopped parallel and immediately adjacent to the curb and a licensed operator shall occupy and be in control of the vehicle while it is so stopped.

(2) Fire lanes adjacent to commercial or business establishments which have no alternate loading zone or rear entrance may be used for temporary parking by vehicles engaged solely in loading or unloading supplies or merchandise to or from the establishment, provided the licensed operator of such a vehicle is engaged solely in the loading or unloading operation.

(3) Fire lanes within residential and industrial areas may be used for momentary stopping to pick up or discharge passengers or supplies; provided that, a vehicle shall be so stopped parallel and immediately adjacent to the curb and a licensed operator shall occupy and be in control of the vehicle while it is so stopped.

(b) The placement of a vehicle, for any purpose, within a fire lane perpendicular to the curb or edge is prohibited.

(c) A law enforcement officer who finds any vehicle in violation of this section shall have the authority to remove such vehicle at the owner's expense. This authority shall extend to any fire or rescue officer in charge of a fire or rescue operation who finds any such violation to be interfering with such emergency operations.

(d) No provision of this section shall apply to fire, rescue or police vehicles while they are operating in an official capacity.

Sec. 70-143. - Display of lights upon parked vehicle.

Whenever any vehicle is parked in accordance with the provisions of this chapter at night upon any street in the town no lights need be displayed upon such parked vehicle.

Sec. 70-144. - Prohibited at specified times.

The council may from time to time determine portions of streets on which parking is prohibited at specified times.

Sec. 70-145. - Penalties.

Unless another penalty is expressly provided, every person convicted of a parking violation shall be punished by a fine of \$15.00.

Sec. 70-146 —70-155. - Reserved.

CERTIFICATE

Pursuant to Section 2-100 of the Code of the Town of Abingdon, Virginia, I hereby certify that I have reviewed the foregoing proposed ordinance to amend Part II – Code, Chapter 70 – Traffic and Vehicles, Article V. – Stopping, Standing and Parking, Division 1. – Generally, and find it to be in correct form, as set forth above, this ____ day of November, 2022.

Cameron Bell, Counsel

This ordinance was adopted on _____, to take effect on _____.

Derek Webb, Mayor

The undersigned Clerk of the Town of Abingdon, Virginia (the “Town”), hereby certifies that the foregoing constitutes a true and correct copy of an ordinance duly adopted at a meeting of the Council held on November 7, 2022. I hereby certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of meeting was a regularly scheduled meeting and that, during the consideration of the foregoing ordinance, a quorum was present. I further certify that the minutes of such meeting reflect the attendance of the members and the voting on the foregoing ordinance was as follows:

MEMBERS	ATTENDANCE	VOTE
Derek Webb, Mayor		
Donna Quetsch, Vice Mayor		
Amanda Pillion		
Dwayne Anderson		
Mike Owens		

WITNESS MY HAND and the seal of the Town of Abingdon as of _____, 2022.

(SEAL)

Kimberly Kingsley, Clerk



**PUBLIC DOCUMENT –
SUBJECT TO FREEDOM OF INFORMATION ACT**

APPLICATION EXPIRES DECEMBER 31, 2022

Board and Commission Application

The Abingdon Town Council has adopted this application for use by individuals interested in appointment to any of the Town's advisory boards and commissions. To ensure your application will receive full consideration, please answer all questions completely. Questions? Call 276-492-2149

Please return this application either:

- **In person (3rd floor of the Town Hall), 133 West Main Street, Abingdon, VA;**
- **By mail, Boards and Commissions, Town of Abingdon, P.O. Box 789, Abingdon, VA 24212; or**
- **kkingsley@abingdon-va.gov**

*****PLEASE PRINT OR TYPE*****

Name Lara Nagle Date: October 14, 2022

Address 27234 Alpine Drive City/State Abingdon, VA Zip 24211

Do you live inside the Town limits of Abingdon? Yes No X

Telephone: 412-680-8665

Email Address: (required) laraknagle@gmail.com; lkn4187@vt.edu

Place of Employment: Virginia Tech Institute for Policy and Governance

Address: 201 W. Roanoke Street, Blacksburg, VA 24060

Description of job duties: Program evaluation, primary and secondary research analysis, technical assistance and capacity building for community development and public health projects.

Educational background:
BA (2009) in Environmental Studies from Oberlin College (Oberlin, OH)

MS (2017) in Landscape Architecture from Penn State (State College, PA)

Master's (2019) in Urban and Regional Planning from Virginia Tech (Blacksburg, VA)

Are you currently serving on a board or commission of the Town of Abingdon? Yes _____ No ☒

If so, which Board(s) or Commission(s)? n/a

When do(es) your present term(s) expire? (mm/yy) n/a

Have you ever served on any boards or commissions in the past, either Abingdon or in other localities?
Yes ☒ No ☐

If so, name and date(s) of service? Penn State Master Gardeners of Centre County, PA (2017); Community Change Journal Editorial Board (2021-current)

Why do you wish to serve the Town in this capacity? Do you have an area of interest or background that you believe would be a beneficial service in this capacity? If so, what is it and how would it be helpful?

I have a broad knowledge of environmental topics and subject matter expertise in green infrastructure, recycling, air quality, sustainable agriculture, and environmental planning. I have worked and volunteered with several environmental organizations including the U.S. Forest Service (NM), National Parks Service (UT), Group Against Smog and Pollution (GASP) in Pittsburgh, Shaver's Creek Environmental Center at Penn State, and Master Gardeners in three different counties. In my current job, I conduct research and capacity building focused on community development, public health, and housing, which gives me a more holistic understanding of how environmental issues fit into broader community development concerns.

Are you presently more than 30 days delinquent on Town of Abingdon taxes? Yes _____ No ☒

To the best of my ability, all information on this application is true and correct.

SIGNATURE



Thank you for your interest in appointment to the Town's Advisory Boards and Commissions. **

Members of the Planning Commission, Economic Development Authority, Board of Zoning Appeals, Housing and Redevelopment Authority, and Historic Preservation Review Board are required to complete a Statement of Economic Interest.

Board of Building Code Appeals **	Planning Commission */**
Board of Zoning Appeals	Recreation Advisory Commission
Economic Development Authority	Sinking Spring Cemetery Committee **
Infrastructure Advisory Committee	Sustain Abingdon Committee <input checked="" type="checkbox"/>
Historic Preservation Review Board */**	Tourism Advisory Committee **
Housing and Redevelopment Authority	Tree Commission
Abingdon Arts Commission	Virginia Highlands Small Business Incubator

*May be required to attend training and/or obtain certification during term

**Appointment contingent upon residency, qualified voter, or other qualifications as set forth in Ordinance and/or bylaws

Note: All applicants are subject to background verification.