

ACTIONS
Board of Supervisors Meeting of January 7, 2015

January 8, 2015

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>	<u>PODCAST</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> Meeting was called to order at 1:02 p.m. by the County Executive, Mr. Foley. All BOS members were present. Also present were Larry Davis, Ella Jordan and Travis Morris. 		Listen
<p>4. Election of Chairman.</p> <ul style="list-style-type: none"> By a vote of 6:0, ELECTED Jane Dittmar as Chair for Calendar Year 2015. 		
<p>5. Election of Vice-Chairman.</p> <ul style="list-style-type: none"> By a vote of 6:0, ELECTED Liz Palmer as Vice-Chair for Calendar Year 2015. 		
<p>6. Appointment of Clerk and Senior Deputy Clerk.</p> <ul style="list-style-type: none"> By a vote of 6:0, REAPPOINTED Ella Jordan as Clerk and Travis Morris as Senior Deputy Clerk for Calendar Year 2015. 		
<p>7. Board 2014 Calendar.</p> <p>a. Set Meeting Times, Dates and Places for Calendar Year 2015.</p> <ul style="list-style-type: none"> By a vote of 6:0, SET the meeting times, dates and places for Calendar Year 2015 as follows: first Wednesday of the month - 1:00 p.m., and the second Wednesday of the month - 6:00 p.m., with said meetings to be held in the County Office Building on McIntire Road; and SET the meeting dates for January 2016 as January 6 – 1:00 p.m., and January 13 – 6:00 p.m. The Board cancelled August 12, 2015 as a regular scheduled meeting date. <p>b. Set Dates for Hearing Zoning Text Amendments Requested by Citizens.</p> <ul style="list-style-type: none"> By a vote of 6:0, SET the dates hearing Zoning Text Amendments requested by citizens for September 9, 2015, December 9, 2015, March 6, 2016 and June 8, 2016. 	<p><u>Clerk:</u> Advertise in <u>The Daily Progress</u> and post notice on door of Lane Auditorium.</p> <p><u>Clerk:</u> Advertise in <u>The Daily Progress</u> as required by Section 33.10.2 of the Zoning Ordinance.</p>	
<p>8. Adoption of Rules of Procedures/Policies.</p> <p>a. Rules of Procedure.</p> <ul style="list-style-type: none"> By a vote of 6:0 ADOPTED the Rules of Procedures/Polices. 	<p><u>Clerk:</u> Forward copy to Board members, County Attorney and Community Development. (Attachment 1)</p>	
<p>9. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> Moved to Item 12a. 		
<p>10. Brief Announcements by Board Members.</p> <p><u>Ken Boyd:</u></p> <ul style="list-style-type: none"> Announced that he will be holding a town hall meeting on January 29, 2015, 6:30 p.m. to 8:30 p.m., at Sutherland Middle School. <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> Announced that the weather is very cold outside and asked residents to bring their pets inside. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Announced that her attendance at the 		Listen

	<p>OneVirginia2021 Redistricting effort.</p> <ul style="list-style-type: none"> Announced the recent death of Earlysville resident, Mr. James B. Murray. 		
11.	<p>Recognitions:</p> <p>a. Scott Keim – Executive Fire Officer.</p> <ul style="list-style-type: none"> Recognized. 		Listen
12.	<p>From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> The following individuals expressed support for the <u>Route 29 Solutions project</u>: <ul style="list-style-type: none"> Milton Moore, Dennis Rooker Saunders Midyette Scott Leake brought greetings from Congressman Hurt’s office, and reiterated their willingness to work with the Board. John Martin, resident of Free Union, expressed support for video live streaming. Neil Williamson, of the Free Enterprise Forum, asked Board to provide quarterly reports on its travel expenditures as part of consent agenda. Reiterated his opposition to the Route 29 Solutions project. <ul style="list-style-type: none"> Board members expressed support in providing information for this quarterly report. 		Listen
12a.	<p>Adoption of Final Agenda.</p> <ul style="list-style-type: none"> Brad Sheffield requested adding to the agenda a letter to the State expressing support on the satisfaction of the Route 29 process so far. Ken Boyd requested adding to the agenda completing an economic analysis of the Route 29 Solutions package, particularly the grade-separated interchanges. Ken Boyd requested adding to the agenda discussion of the \$2.0 million set aside in the CIP for the YMCA. By a vote of 6:0, ADOPTED final agenda. 		Listen
13.2	<p>ACE Easement Purchases.</p> <ul style="list-style-type: none"> ACCEPTED the Woodson and Stargell written offers to sell conservation easements to the County for \$72,000 and \$257,000, respectively, for a total amount of \$329,000. 	<u>Ches Goodall</u> : Proceed as directed.	Listen
13.2 a	<p>Cancel January 14, 2015 Board meeting.</p> <ul style="list-style-type: none"> APPROVED. 	<u>Clerk</u> : Notify appropriate individuals.	
14.	<p>Water Resources Program – Level of Service.</p> <ul style="list-style-type: none"> RECEIVED information on the work of the Committee to date and indicated support for the continued work of the Committee going forward. 		Listen
	Recessed at 3:12 p.m., and Reconvened at 3:27 p.m.		
15.	<p>Board-to-Board, School Board Chairman.</p> <ul style="list-style-type: none"> RECEIVED. Board members requested copy of resolution adopted by the School Board requesting the General Assembly to increase the State’s share of funding for public education to the 	<u>Clerk</u> : Contact School Board Clerk to get copy of resolution.	Listen

	levels necessary to fully fund and meet the Standards of Quality.		
16.	Innovation Fund Round 2. • RECEIVED.		Listen
17.	Route 29 Solutions Update. • RECEIVED. • Added to the January 13, 2015 agenda, draft letter of support for Route 29 Solutions process.		Listen
18.	Office of the Commonwealth's Attorney's Funding Request. • By a vote of 5:1(Boyd), APPROVED request to fund one full time attorney position and one full-time Legal Services Assistant position for the Commonwealth's Attorney.	<u>OMB</u> : Proceed as approved.	Listen
19.	Courts Project Update. • Moved to the afternoon portion of the meeting.		
20.	Closed Session. Personnel and Legal Matters. • At 5:16 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia under subsection (1) to consider appointments to boards, committees and commissions in which there are pending vacancies or requests for reappointments; and under subsection (2) to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice relating to the negotiation of easements on the County Office Building property.		
21.	Certified Closed Meeting. • At 6:04 p.m., the Board reconvened into open meeting and certified the closed meeting.		Listen
22.	Boards and Commissions: a. Board Member Committee Appointments. <u>REAPPOINTED Board members to serve on the following committees:</u> <u>Ken Boyd:</u> • Fiscal Impact Advisory Committee with said term to expire December 31, 2015. • Darden Towe Park Memorial Committee with said term to expire December 31, 2015. • Hazardous Material Local Emergency Planning Committee with said term to expire December 31, 2015. • Jail Authority Board with said term to expire December 31, 2017. • Pantops Community Advisory Council with said term to expire December 31, 2015. • Places 29 Community Advisory Council with said term to expire December 31, 2015. • Property Committee with said term to expire December 31, 2015. <u>Jane Dittmar:</u> • Audit Committee with said term to expire December 31, 2015. • Village of Rivanna Community Advisory Council with said term to expire December 31, 2015.	<u>Clerk</u> : Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.	

<ul style="list-style-type: none"> • Workforce Investment Board with said term to expire December 31, 2015. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> • Acquisitions of Conservation Easement (ACE) Committee with said term to expire December 31, 2015. • Agricultural and Forestal Advisory Committee with said term to expire December 31, 2015. • CIP Oversight Committee with said term to expire December 31, 2015. • Crozet Community Advisory Council with said term to expire December 31, 2015. • Historic Preservation Committee with said term to expire December 31, 2015. • High Growth Coalition with said term to expire December 31, 2015. • Piedmont Workforce Network with said term to expire December 31, 2015. • Water Resources Advisory Committee with said term to expire December 31, 2015. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> • Charlottesville/Albemarle/UVA Planning Coordination Council (PACC) with said term to expire December 31, 2015. • Police Department Citizens Advisory Committee with said term to expire December 31, 2015. <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> • Audit Committee with said term to expire December 31, 2015. • CIP Oversight Committee with said term to expire December 31, 2015. • Long Range Solid Waste Solutions Advisory Committee with said term to expire December 31, 2015. <p><u>Brad Sheffield:</u></p> <ul style="list-style-type: none"> • Charlottesville/Albemarle/UVA Planning and Coordination Council (PACC) with said term to expire December 31, 2015. • Darden Towe Park Memorial Committee with said term to expire December 31, 2015. • High Growth Coalition with said term to expire December 31, 2015. • Places 29 Community Advisory Council with said term to expire December 31, 2015. • Property Committee with said term to expire December 31, 2015. <p>b. Boards and Commissions Vacancies and Appointments.</p> <p>c. APPOINTED Ms. Esther Volkan and Ms. Frances Lee-Vandell to the Agricultural and Forestal District Advisory Committee with said terms to expire April 17, 2019.</p>		
<p>23. From the Public: Matters not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • <u>Nancy Carpenter</u>, resident of the Scottville District, spoke on the unsheltered homeless population and their wellbeing with the current 		Listen

frigid temperatures.		
<p>Courts Project Update.</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTION of continuation of due diligence efforts currently underway for co-locating the General District Courts at the Levy Building; and APPROVED the concept of interim, temporary solutions to provide immediate space relief to the courts operations. 	<p><u>Trevor Henry:</u> Proceed as approved.</p>	<p>Listen</p>
<p>24. Pb. Hrg.: To solicit public input on local community development and housing needs in relation to Community Development Block Grant (CDBG) funding for potential projects in the locality.</p> <ul style="list-style-type: none"> By a vote of 6:0, SET public hearing for Wednesday, March 4, 2015 for the second required public hearing to review and approve the submission of any proposed applications. 	<p><u>Clerk:</u> Advertise and schedule on agenda.</p>	
<p>25. Pb. Hrg.: FY 15 Budget Amendment.</p> <ul style="list-style-type: none"> By a vote of 6:0, APPROVED FY 2015 Budget Amendment in the amount of \$4,497,519.56 and APPROVED appropriations #2015063, #2015065, #2015066, #2015067, #2015068, #2015069, #2015070, #2015072 and #2015073 for local government and school division programs and projects. 	<p><u>Clerk:</u> Approve appropriation forms and notify OMB, Finance and appropriate individuals.</p>	<p>Listen</p>
<p>26. Pb. Hrg.: To receive comments on its intent to adopt an ordinance to amend County Code Chapter 12, Regulated Enterprises, Article I, False Alarms.</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED ordinance. 	<p><u>Clerk:</u> Forward copy of signed ordinance to Police Department and County Attorney's office. (Attachment 2)</p>	<p>Listen</p>
<p>27. From the Board: Committee Reports and Matters Not Listed on the Agenda.</p> <p>a. Clarification of December 10, 2014 motion concerning evaluation of transfer station alternatives.</p> <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> Requested that a discussion on Solid Waste Alternative site be added to the February 4 meeting. <p><u>Ken Boyd:</u></p> <ul style="list-style-type: none"> Requested that a discussion on the County's funding of the YMCA facility be added to the February 4 agenda. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> Suggested that a letter be sent to legislators each time the County provides funding for unfunded state obligations. <p><u>Jane Dittmar:</u></p> <ul style="list-style-type: none"> Announced that she and Supervisor Mallek met with Congressman Hurt to discuss broadband opportunities. Mentioned that she would like to discuss the manner in which the Board receives annual reports from its appointed committees. Suggested that staff look into the stormwater management issue that was mentioned earlier about grandfather projects. Announced that she would not be present for the Comp Plan work session on January 13 	<p><u>Clerk:</u> Schedule on agenda.</p> <p><u>Clerk:</u> Schedule on agenda.</p> <p><u>County Executive:</u> Prepare letter as requested.</p>	<p>Listen</p>

	and that the Vice Chair would preside over that meeting.		
28.	<p>From the County Executive: Report on Matters Not Listed on the Agenda.</p> <p><u>Tom Foley:</u></p> <ul style="list-style-type: none"> • Highlighted various items on the Monthly County Executive's report. • Provided an update on the Economic Development Director hiring process. • Discussed community engagement strategies for the upcoming budget. 		
29.	<p>Adjourn to January 13, 2015, 5:00 p.m., Auditorium.</p> <ul style="list-style-type: none"> • The meeting was adjourned at 7:57 p.m. 		

ewj/tom

Attachment 1 – Rules of Procedures/Policies
Attachment 2 – Ordinance No.15-12(1) False Alarms

ALBEMARLE COUNTY BOARD OF SUPERVISORS

RULES OF PROCEDURE

Adopted January 7, 2015

Albemarle County Board of Supervisors Rules of Procedures

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RULES OF PROCEDURE
ALBEMARLE BOARD OF COUNTY SUPERVISORS

These rules of procedure are designed and adopted for the benefit and convenience of the Albemarle County Board of Supervisors. Their purpose is to help the Board conduct its affairs in a timely and efficient manner. They incorporate the general principles of parliamentary procedure found in *Robert's Rules of Order's Procedure in Small Boards* and applicable Virginia laws. The rules of procedure do not create substantive rights for third parties or participants in proceedings before the Board. Further, the Board reserves the right to amend the rules of procedure whenever a majority of the Board decides to do so or to suspend the rules by a majority plus one vote, as set forth herein. The failure of the Board to strictly comply with the rules of procedure shall not invalidate any action of the Board.

A. *Board Members*

Unless otherwise specifically provided herein, all Board members have equal rights, responsibilities, and authority. Board members will act in a collegial manner and will cooperate and assist in preserving the decorum and order of the meetings. Changes to rules, policies, or procedures can only be made at a public meeting of the Board.

B. *Officers*

1. *Chair.* The Board at its annual meeting shall elect a Chair who, if present, shall preside at such meeting and at all other meetings during the year for which elected. In addition to being presiding officer, the Chair shall be the head official for all the Board's official functions and for ceremonial purposes. The Chair shall have a vote but no veto. (Virginia Code §§ 15.2-1422 and 15.2-1423)
2. *Vice-Chair.* The Board at its annual meeting shall also elect a Vice-Chair, who, if present, shall preside at meetings in the absence of the Chair and shall discharge the duties of the Chair during the Chair's absence or disability. (Virginia Code § 15.2-1422)
3. *Term of Office.* The Chair and Vice-Chair shall be elected for one-year terms; but either or both may be re-elected for one or more additional terms. (Virginia Code § 15.2-1422)
4. *Absence of Chair and Vice-Chair.* If the Chair and Vice Chair are absent from any meeting, a present member shall be chosen to act as Chair.

C. *Clerk and Deputy Clerks*

The Board at its annual meeting shall designate a Clerk and one or more Deputy Clerks who shall serve at the pleasure of the Board. The duties of the Clerk shall be those set forth in Virginia Code § 15.2-1539 and such additional duties set forth in resolutions of the Board as adopted from time to time. (Virginia Code § 15.2-1416)

D. *Meetings*

1. *Annual Meeting.* The first meeting in January held after the newly elected members of the Board shall have qualified, and the first meeting held in January of each succeeding year, shall be known as the annual meeting. At such annual meeting, the Board shall establish the days, times, and places for regular meetings of the Board for that year. (Virginia Code § 15.2-1416)
2. *Regular Meetings.* The Board shall meet in regular session on such day or days as has been established at the annual meeting. The Board may subsequently establish different days, times, or places for such regular meetings by passing a resolution to that effect in accord with Virginia Code § 15.2-1416. If any day established as a regular meeting day falls on a legal holiday, the meeting scheduled for that day shall be held on the next regular business day without action of any kind by the Board. (Virginia Code § 15.2-1416)

If the Chair (or Vice Chair, if the Chair is unable to act) finds and declares that weather or other conditions are such that it is hazardous for Board members to attend a regular meeting, such meeting shall be continued to the next regular meeting date. Such finding shall be communicated

to the members of the Board and to the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement shall be required. (Virginia Code § 15.2-1416)

Regular meetings, without further public notice, may be adjourned from day to day or from time to time or from place to place, not beyond the time fixed for the next regular meeting, until the business of the Board is complete. (Virginia Code § 15.2-1416)

3. *Special Meetings.* The Board may hold special meetings as it deems necessary at such times and places as it deems convenient. A special meeting may be adjourned from time to time as the Board finds necessary and convenient. (Virginia Code § 15.2-1417)

A special meeting shall be held when called by the Chair or requested by two or more members of the Board. The call or request shall be made to the Clerk and shall specify the matters to be considered at the meeting. Upon receipt of such call or request, the Clerk, after consultation with the Chair, shall immediately notify each member of the Board, the County Executive, and the County Attorney. The notice shall be in writing and delivered to the person or to his place of residence or business, or if requested by a member of the Board, by electronic mail or facsimile. The notice shall state the time and place of the meeting and shall specify the matters to be considered. No matter not specified in the notice shall be considered at such meeting unless all members are present. The notice may be waived if all members are present at the special meeting or if all members sign a waiver for the notice. (Virginia Code § 15.2-1418) The Clerk shall notify the general news media of the time and place of such special meeting and the matters to be considered.

E. *Order of Business*

1. *Agenda.* The Clerk of the Board shall establish the agenda for all meetings in consultation with the County Executive and the Chair. The County Executive and Clerk shall review the agenda with the Chair and Vice Chair prior to the meeting. The first two items on the agenda for each regular meeting of the Board shall be the Pledge of Allegiance and a moment for silent meditation.

a. At regular meetings of the Board, the order of business shall generally be as follows:

1. Call to Order.
2. Pledge of Allegiance.
3. Moment of Silence.
4. Adoption of Final Agenda.
5. Brief Announcements by Board Members.
6. Proclamations and Recognitions.
7. From the Public: Matters Not Listed for Public Hearing on the Agenda.
8. Consent Agenda.
9. General Business.
10. From the Board: Committee Reports and Matters Not Listed on the Agenda.
11. From the County Executive: Report on Matters Not Listed on the Agenda.
12. Adjourn.

A Closed Meeting shall be held whenever necessary. Generally, a Closed Meeting will be scheduled either at the midpoint of the agenda or at the end of the agenda prior to adjournment.

b. The above order of business may be modified by the Clerk to facilitate the business of the Board.

2. *Adoption of Final Agenda.* The draft agenda will be provided to the Board six days prior to the regular meeting date. The first order of business for a regular meeting of the Board shall be to adopt a final agenda for that meeting. The Board may modify the order of business as part of the adoption of the final agenda. In addition, any Board member may propose to add additional items to the agenda presented by the Clerk for action if notice of that item has been given in writing or by email to all Board members, the Clerk, and the County Executive by 5:00 p.m. two days before the date of the meeting or upon the unanimous consent of all Board members present. Any such item

shall be added to the end of the agenda for discussion or action unless a majority of the members of the Board agree to consider the item earlier on the agenda. The final agenda shall be adopted by a majority vote of the members of the Board. No matter for action not included on the final agenda shall be considered at that meeting.

Resolutions may be proposed by a Board member requesting the Board to take a position on an issue of importance to the Board. A Board member requesting the Board to adopt a resolution should give notice of the intent to request action on such resolution on a specified meeting date and submit a draft of the proposed resolution. The Clerk will distribute the draft resolution with background information, if available, to all Board members. Board members may submit proposed changes to the proposed resolution to the Clerk in a redline format. The Clerk shall forward all comments received from Board members to the Board. The Board member requesting the resolution will then coordinate with the Clerk to prepare a resolution for consideration by the Board. The Clerk shall poll the Board members to determine if a majority of the Board members support adding the resolution to the agenda for consideration. If a majority of the Board members indicate support for considering the resolution, the resolution will be added to the proposed final agenda. If all Board members indicate support for the resolution, the resolution may be placed on the proposed consent agenda unless any member requests otherwise.

3. *Brief Announcements by Board Members.* “Brief Announcements by Board Members” are announcements of special events or other items of interest that are not considered committee reports and are not otherwise on the meeting agenda.

4. *Proclamations and Recognitions.* Proclamations are ceremonial documents or recognitions adopted by the Board to draw public awareness to a day, week, or month to recognize events, arts and cultural celebrations, or special occasions. Recognitions are ceremonial acknowledgements by the Board of a person for service or achievement.

A request to place a proclamation or recognition on the agenda must be made at least four weeks in advance of the meeting date. The request to advance a proclamation or recognition shall be submitted to the Clerk. If the request is made to a Board member, the person making the request will be directed to make the request to the Clerk. The Clerk will advise the person making the request of the process and submittal requirements. Upon the submittal of the request, the Clerk will review the submittal for completeness and forward it to Board members for review. The Clerk will poll Board members to determine if a majority of the Board supports adding the proclamation or recognition to the agenda. The Clerk will advise the person requesting the proclamation or recognition whether the proclamation or recognition will be considered by the Board.

5. *From the Public: Matters Not Listed for Public Hearing on the Agenda.* The procedures for receiving comment from the public for matters not on the agenda shall be at the discretion of the Board. Unless otherwise decided, due to the number of speakers or for other reasons, individuals will be allowed a three-minute time limit in which to speak during the time set aside on the agenda for “From the Public: Matters Not Listed for Public Hearing on the Agenda”.

6. *Consent Agenda.* The “Consent Agenda” shall be used for matters that do not require discussion or comment and are anticipated to have the unanimous approval of the Board. There shall be no discussion or comment on consent agenda matters. Board members should ask the County Executive or the staff member identified in the executive summary any questions regarding a consent agenda item prior to the Board meeting. Any Board member may remove an item from the consent agenda. Any item removed from the consent agenda shall be moved to a specific time or to the end of the meeting agenda for further discussion or action. A matter requiring only brief comment or discussion may be considered immediately after the approval of the consent agenda. A motion to approve the consent agenda shall approve consent agenda items identified for action and accept consent agenda items identified for information.

7. *General Business.* General Business shall include public hearings, work sessions, appointments and other actions, discussions, and presentations.

8. *From the Board: Committee Reports and Matters Not Listed on the Agenda.* “From the Board: Committee Reports and Matters Not Listed on the Agenda” shall be limited to matters that are not substantial enough to be considered as additional agenda items to be added to the final agenda. Such matters are not matters to be acted upon by the Board at that meeting. Routine committee reports and information updates by Board members shall be presented under this agenda item.
9. *Report from the County Executive.* The County Executive will report on matters that the County Executive deems should be brought to the Board’s attention and provide updates, if necessary, to the monthly County Executive’s Report.
10. *Zoning Public Hearings.* Zoning applications advertised for public hearing shall be on the agenda for public hearing on the advertised date unless the applicant submits a signed written deferral request to the Clerk no later than noon on Wednesday of the week prior to the scheduled public hearing. The first request for a deferral will be granted administratively by the Clerk. The Board will be notified of the deferral in the next Board package and the deferral will be announced at the earliest possible Board meeting to alert the public of the deferral. Any request received later than the Wednesday deadline and any subsequent request for a deferral for the same application previously deferred will be granted only at the discretion of the Board by a majority vote. The deferral shall not be granted unless the Board determines that the reason for the deferral justifies the likely inconvenience to the public caused by the deferral. The staff will make every effort to alert the public when a deferral is granted.

It is the Board’s preference that a public hearing for a zoning matter should not be advertised until all of the final materials for a zoning application have been received by the County and are available for public review. To achieve this preference, applicants should provide final plans, final codes of development, final proffers, and any other documents deemed necessary by the Director of Community Development, to the County no later than two business days prior to the County’s deadline for submitting the public hearing advertisement to the newspaper. Staff will advise applicants of this date by including it in annual schedules for applications and by providing each applicant a minimum of two weeks advance notice of the deadline.

If the applicant does not submit the required materials by this date, the public hearing shall not be advertised unless the applicant demonstrates to the satisfaction of the Director of Community Development that good cause exists for the public hearing to be advertised. If not advertised, a new public hearing date will be scheduled. If the public hearing is held without final materials being available for review throughout the advertisement period due to a late submittal of documents, or because substantial revisions or amendments are made to the submitted materials after the public hearing has been advertised, it will be the policy of the Board to either defer action and schedule a second public hearing that provides this opportunity to the public or to deny the application, unless the Board finds that the deferral would not be in the public interest or not forward the purposes of this policy.

Final signed proffers shall be submitted to the County no later than nine calendar days prior to the date of the advertised public hearing. This policy is not intended to prevent changes from being made to proffers resulting from comments received from the public or from Board members at the public hearing.

F. *Travel Reimbursement*

Board members will be reimbursed travel expenses pursuant to uniform standards and procedures that will allow Board members to travel for official County business purposes consistent with the prudent use of County funds as follows:

1. Board members may be reimbursed for the following routine travel expenses at the County’s authorized car mileage reimbursement rate, provided there are available funds:
 - a. Mileage for travel by personal vehicle or other travel costs to scheduled Board meetings and Board committee meetings for committees to which a Board member is appointed, from home or work, if a work day, which is not part of routine personal travel;

- b. Mileage for travel by personal vehicle or other travel costs to events reasonably necessary to prepare for matters scheduled for consideration on the Board's agenda which is not part of routine personal travel (i.e., site visits, informational meetings); and
 - c. Parades and other community gatherings not advertised as Supervisor's town hall meetings to discuss County business. Travel to use the COB office between other personal travel or meetings, shall not be covered.
- 2. Board members may be reimbursed for the following educational conference travel expenses, provided there are available funds:
 - a. All necessary, actual and reasonable meal, travel and lodging costs (including gratuity and excluding alcohol) of attending regional, statewide or national meetings at which the Board member represents the County, as approved by the Board; and
 - b. All necessary, actual and reasonable meal, and travel (including gratuity and excluding alcohol) of attending legislative or congressional hearings relating to official County business.
- 3. Board members will not be reimbursed for the following travel expenses:
 - a. Travel to events which are political in nature (i.e., campaigning or partisan events);
 - b. Personal expenses incurred during travel; or
 - c. Other travel which is not part of the statutory governmental duties of the Board of Supervisors that are not provided for in Sections 1 or 2.
- 4. This policy will be applied and overseen in the following manner:
 - a. Reimbursement requests shall be made in writing on forms provided by the Clerk of the Board and shall itemize the date, number of miles of travel expenses and purpose of the meeting. Mileage for use of a personal vehicle shall be reimbursed at the County's authorized car mileage reimbursement rate. Other reimbursements shall be for the amount of costs expended and shall be documented by receipts for actual amounts paid.
 - b. The Clerk, or his/her designee, will review all travel reimbursement requests and the Director of Finance will approve all travel reimbursement requests prior to reimbursement. No payment will be made for incomplete submissions or information.
 - c. When all allocated funds for Board reimbursements have been expended, there will be no further reimbursement for that fiscal year unless the Board appropriates additional funding.

G. *Quorum*

A majority of the members of the Board shall constitute a quorum for any meeting of the Board. If during a meeting less than a majority of the Board remains present, no action can be taken except to adjourn the meeting. If prior to adjournment the quorum is again established, the meeting shall continue. (Virginia Code § 15.2-1415)

A majority of the members of the Board present at the time and place established for any regular or special meeting shall constitute a quorum for the purpose of adjourning such meeting from day to day or from time to time, but not beyond the time fixed for the next regular meeting.

H. *Remote Electronic Participation*

The Board will permit a Board member to participate in a Board meeting electronically from a remote location, provided that:

- 1. On or before the day of the meeting, the member shall notify the Chair that the member is unable to attend the meeting due to an emergency or a personal matter or that the member is unable to attend the meeting due to a temporary or permanent disability or other medical condition that

prevents the member's physical attendance. The member must identify with specificity the nature of the emergency or personal matter.

2. A quorum of the Board must be physically assembled at the primary or central meeting location. The Board members present must approve the participation; however, the decision shall be based solely on the criteria in Section F, without regard to the identity of the member or matters that will be considered or voted on during the meeting. The Clerk shall record in the Board's minutes the specific nature of the emergency, personal matter or disability and the remote location from which the absent member participated. If the absent member's remote participation is disapproved because such participation would violate this policy, such disapproval shall be recorded in the Board's minutes.
3. Electronic participation by the absent member due to an emergency or a personal matter shall be limited in each calendar year to two (2) meetings.
4. The Clerk shall make arrangements for the voice of the absent member to be heard by all persons in attendance at the meeting location. If, for any reason, the voice of the absent member cannot reasonably be heard, the meeting may continue without the participation of the absent member.

(Virginia Code § 2.2-3708.1)

I. Meeting Decorum

1. Meetings shall be conducted so as to provide a civil decorum. To preserve the order and decorum of the meeting, persons will use civil language and will not be permitted to clap or make sounds in support of or in opposition to any matter during the meeting (except for applause during the recognitions portion of the meeting) or act in any way to disturb or disrupt the presentation of any matter on the agenda or the conduct of any discussion, public hearing, or public comment time. Signs shall be permitted in the meeting room so long as they are not attached to any stick or pole and do not obstruct the view of persons attending the meeting. Cell phones and other electronic devices shall be muted so as not to disrupt or interrupt the meeting.
2. The Chair may ask any person whose behavior is so disruptive as to prevent the orderly conduct of the meeting to cease such conduct. If the conduct continues, the Chair may order the removal of that person from the meeting.

J. Voting Procedures

1. *Approval by Motion.* Unless otherwise provided, decisions of the Board shall be made by approval of a majority of the members present and voting on a motion properly made by a member and seconded by another member. Any motion that is not seconded shall not be further considered. The vote on the motion shall be by a voice vote. The Clerk shall record the name of each member voting and how he voted on the motion. If any member abstains from voting on any motion, he shall state his abstention. The abstention will be announced by the Chair and recorded by the Clerk. A tie vote shall defeat the motion voted upon. A tie vote on a motion to approve shall be deemed a denial of the matter being proposed for approval. (Article VII, § 7, Virginia Constitution)
2. *Special Voting Requirements.* A recorded affirmative vote of a majority of all elected members of the Board shall be required to approve an ordinance or resolution (1) appropriating money exceeding the sum of \$500; (2) imposing taxes; or (3) authorizing the borrowing of money. (Virginia Code § 15.2-1428)
3. *Public Hearings.* The Board shall not decide any matter before the Board requiring a public hearing until the public hearing has been held. The Board may, however, at its discretion, defer or continue the holding of a public hearing or consideration of such matter. The procedures for receiving comment from the applicant and the public for public hearings shall be at the discretion of the Board. Unless otherwise decided, the applicant shall be permitted no more than ten minutes to present its application. Following the applicant's presentation, any member of the public shall be permitted no more than three minutes to present public comment. Speakers are limited to one appearance at any public hearing. Following the public comments, the applicant shall be permitted no more than five minutes for a rebuttal presentation.

4. *Motion to Amend.* A motion to amend a motion before the Board, properly seconded, shall be discussed and voted by the Board before any vote is taken on the original motion unless the motion to amend is accepted by both the members making and seconding the original motion. If the motion to amend is approved, the amended motion is then before the Board for its consideration. If the motion to amend is not approved, the original motion is again before the Board for its consideration.
5. *Previous Question.* Discussion of any motion may be terminated by any member moving the "previous question". Upon a proper second, the Chair shall call for a vote on the motion of the previous question. If approved by a majority of those voting, the Chair shall immediately call for a vote on the original motion under consideration. A motion of the previous question shall not be subject to debate and shall take precedence over any other matter.
6. *Motion to Reconsider.* Any decision made by the Board may be reconsidered if a motion to reconsider is made at the same meeting or an adjourned meeting held on the same day at which the matter was decided. The motion to reconsider may be made by any member of the Board. Upon a proper second, the motion may be discussed and voted. The effect of the motion to reconsider, if approved, shall be to place the matter for discussion in the exact position it occupied before it was voted upon.
7. *Motion to Rescind.* Any decision made by the Board, except for zoning map amendments, special use permit decisions, and ordinances, (these exceptions shall only be subject to reconsideration as provided above) may be rescinded by a majority vote of all elected members of the Board. The motion to rescind may be made by any member of the Board. Upon a proper second, the motion may be discussed and voted. The effect of the motion to rescind, if approved, is to nullify the previous decision of the Board. Zoning map amendments, special use permit decisions and ordinances may be rescinded or repealed only upon meeting all the legal requirements necessary for taking action on such matters as if it were a new matter before the Board for consideration.

K. *Board Members Appointed to Boards, Committees and Commissions*

The Board appoints its members to a variety of boards, committees and commissions to represent the interests of the Board on those entities. It is important that the Board have confidence that its policies and positions are being reflected in that representation.

1. *Voting Representatives.* The Board members who are appointed to boards, committees and commissions are required to vote on matters that come before those entities in a manner which is consistent with the policies and positions of the Board as reflected in previously adopted resolutions or official actions of the Board on such matters.
2. *Liaison Representatives.* The Board members who are appointed to boards, committees and commissions as liaisons are to act as a resource for the board, committee and/or commission and are to report to the Board on the activities of the board committee and/or commission.

L. *Boards and Commissions*

1. Review and creation of boards and commissions shall be as follows:
 - a. By October 1 of each year, all boards and commissions shall submit a report to the Board to include key activities that support their mission and a summary of their activities and attendance.
 - b. On an annual basis the list of active boards and commissions will be evaluated and purged of all bodies not required by Federal, State, County or other regulations, which have not met at least once during the prior twelve-month period.
 - c. Whenever possible and appropriate, the functions and activities of boards and commissions will be combined, rather than encouraging the creation of new bodies.

- d. Any newly created task force or ad hoc committee which is intended to serve for a limited time period may be comprised of magisterial or at-large members at the discretion of the Board. The appointment process shall follow that adopted in Section B for other magisterial and/or at-large positions.
2. Appointments to boards and commissions shall be as follows:
 - a. All appointments to boards and commissions based upon magisterial district boundaries will be made by the Board. The Board will consider and/or interview candidates recommended by the supervisor of that district.
 - b. Prior to each day Board meeting, the Clerk will provide the Board a list of expired terms and vacancies that will occur within the next sixty days. The Board will then advise the Clerk which vacancies to advertise.
 - c. In an effort to reach as many citizens as possible, notice of boards and commissions with appointment positions available may be published through available venues, such as, but not limited to, the County's website, A-mail, public service announcements and local newspapers. Interested citizens will be provided a brief description of the duties and functions of each board, length of term of the appointment, frequency of meetings, and qualifications necessary to fill the position. An explanation of the appointment process for both magisterial and at-large appointments will also be sent to all applicants.
 - d. All interested applicants will have a minimum of thirty days from the date of the first notice to complete and return to the Clerk a detailed application, with the understanding that such application may be released to the public, if requested. No applications will be accepted if they are postmarked after the advertised deadline, however, the Board, at its discretion, may extend the deadline.
 - e. Once the deadline for accepting applications is reached, the Clerk will distribute all applications received to the members of the Board prior to the day meeting for their review. For magisterial appointments, the Clerk will forward applications as they are received to the supervisor of that district who will then recommend his/her appointment.
 - f. From the pool of qualified candidates, the Board, at its discretion, may make an appointment without conducting an interview, or may select applicants to interview for the vacant positions. The Clerk will then schedule interviews with applicants to be held during the next day meeting.
 - g. All efforts will be made to interview selected applicants and make appointments within ninety days after the application deadline. For designated agency appointments to boards and commissions, the agency will be asked to recommend a person for appointment by the Board.
 - h. All vacancies will be filled as they occur, except that vacancies occurring in Community Advisory Councils will be filled on an annual basis at the time regular terms expire unless there are more than three vacancies on any Council at the same time with more than three months remaining from the annual appointment date.
 - i. As a condition of assuming office, all citizen members of boards and commissions shall file a real estate disclosure form as set forth in the State and Local Government Conflict of Interests Act and thereafter shall file such form annually on or before January 15.
 - j. If a member of a board or commission does not participate in at least fifty percent of a board's or commission's meetings, the Chair of the body may request the Board terminate the appointment, if permitted by applicable law, and refill it during the next scheduled advertising period.

M. *Amendment of Rules of Procedure*

These Rules of Procedure may be amended by a majority vote of the Board at the next regular meeting following a regular meeting at which notice of the motion to amend is given.

N. *Suspension of Rules of Procedure*

These Rules of Procedure may be suspended by a majority plus one vote of the Board members present and voting. The motion to suspend a rule may be made by any member of the Board. Upon a proper second, the motion may be discussed and voted. The effect of the motion to suspend a rule, if approved, is to make that rule inapplicable to the matter before the Board. Provided, however, approval of a motion to suspend the rule shall not permit the Board to act in violation of a requirement mandated by the Code of Virginia, the Constitution of Virginia, or any other applicable law.

O. *Rules of Procedure.*

Necessary rules of procedure not covered by these Rules of Procedures shall be governed by *Robert's Rules of Order Procedure in Small Boards*. Such rules provide:

1. Members are not required to obtain the floor before making motions or speaking, which they can do while seated.
2. There is no limit to the number of times a member can speak to a question, and motions to close or limit debate generally should not be entertained.
3. Informal discussion of a subject is permitted while no motion is pending.
4. Sometimes, when a proposal is perfectly clear to all present, a vote can be taken without a motion having been introduced. Unless agreed to by unanimous consent, however, all proposed actions of a board must be approved by vote under the same rules as in other assemblies, except that a vote can be taken initially by a show of hands, which is often a better method in such meetings.
5. The chair need not rise while putting questions to vote.
6. The chair can speak in discussion without rising or leaving the chair; and, subject to rule or custom within the particular board (which should be uniformly followed regardless of how many members are present), the chair usually can make motions and usually votes on all questions.

* * * * *

(Adopted 2-15-73; Amended and/or Readopted 9-5-74, 9-18-75; 2-19-76; 1-3-77; 1-4-78; 1-3-79; 1-2-80; 1-7-81; 1-6-82; 1-5-83; 1-3-84; 1-2-85; 1-3-86; 1-7-87; 1-6-88; 1-4-89; 1-2-90; 1-2-91; 1-2-92; 1-6-93; 1-5-94; 1-4-95; 1-3-96; 1-2-97; 1-7-98; 1-6-99; 1-5-2000; 1-3-2001; 1-9-2002; 1-8-2003; 1-7-2004; 1-5-2005; 1-4-2006; 1-3-2007; 1-9-2008; 1-7-2009; 1-6-2010; 1-5-2011; 1-4-2012; 1-09-2013; 1-8-2014; 7-9-2014; 1-7-2015).

ORDINANCE NO. 15-12(1)

AN ORDINANCE TO AMEND CHAPTER 12, REGULATED ENTERPRISES, ARTICLE I, FALSE ALARMS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 12, Regulated Enterprises, Article I, False Alarms, is hereby amended and reordained as follows:

By Amending:**Sec. 12-101 Definitions****Sec. 12-102 Registration of alarm systems designed to seek a police response****Sec. 12-104 False alarms prohibited; service fees****Sec. 12-108 Appeals**

**CHAPTER 12. REGULATED ENTERPRISES
ARTICLE I. FALSE ALARMS**

Sec. 12-100 Purpose.

The board hereby finds that malfunctioning alarm systems, and the false alarms associated with them, constitute a hazard to public safety personnel and to the public in general. The regulation of alarm systems and false alarms is necessary to promote the health, safety and welfare of county citizens. False alerts of intrusions or robberies increase the county's public safety costs, divert public safety resources from other critical areas of work, and burden the Charlottesville-U.Va.-Albemarle Emergency Communications Center. In order to preserve the integrity and efficiency of the county's police and fire and rescue emergency services, those who utilize automatic alarm systems must be required to maintain those systems in good working order and to promptly repair any defects which may cause those systems to trigger false alarms.

Sec. 12-101 Definitions.

For the purposes of this article and, unless otherwise required by the context, the following words and terms shall have the meanings respectively ascribed to them by this section:

Alarm system means an assembly of equipment and devices arranged to signal the presence of a hazard requiring urgent attention and to which a police or fire and rescue response is expected.

Alarm system user means: (1) any person or entity owning or leasing an alarm system; or (2) any person or entity owning or leasing the premises on which such alarm system is maintained. An "alarm system user" shall not include the United States, the Commonwealth of Virginia, or their respective agencies or political subdivisions.

Automatic dialing device means any device, system or equipment that automatically transmits over telephone lines, by direct connection or otherwise, a prerecorded voice message or coded signal indicating the existence of an emergency situation to which a police, fire, or emergency medical services response is expected.

Emergency communications center means the regional 911 center known as the Charlottesville-U.Va.-Albemarle Emergency Communications Center.

False alarm means an alarm that causes a police or fire and rescue response when there is no actual or threatened criminal activity, fire, or other emergency requiring an immediate police or fire and rescue response. False alarms shall include, but not be limited to: negligently or accidentally activated signals; signals which are the result of faulty, malfunctioning or improperly installed or maintained equipment; signals which are purposefully activated to summon a police or fire and rescue response in nonemergency situations; and alarms for which the actual cause is not determined. False alarms shall not include any alarms caused by failure of the equipment at the emergency communications center, any alarms determined by the responding police or fire and rescue officer to have been triggered by criminal activity, or any alarms caused by a weather-related event. "Weather-related event" shall mean an event caused by weather conditions that results in either a) a disruption of electrical service to the building for four (4) consecutive hours or longer; or b) damage to the building that would activate the alarm.

State law reference--Va. Code §15.2-911

Sec. 12-102 Registration of alarm systems designed to seek a police response.

A. *General Requirements.* Prior to installing, using or maintaining on any premises within the county an alarm system which is designed to seek a police response, an alarm system user shall register such alarm system by providing the following information, using forms provided by the county, to the chief of police or his designee:

1. The street address of the premises at which the alarm system is to be installed or used (the "premises"); the name, mailing address and telephone number of the owner and lessee, if any, of such premises; and the name and mailing address of an individual (alarm user or designee of the alarm user) to whom notices regarding the alarm system may be sent; and

2. The names, street addresses and telephone numbers of at least two (2) individuals who will have day-to-day responsibility for the premises and alarm system, who will be immediately available to be contacted in the event an alarm is activated, and who are authorized and able to deactivate the alarm system; and

3. A description of the specific type of alarm system, manufacturer's name, and the name and telephone number of the alarm company monitoring, responding to or maintaining the alarm system; and

4. If registering an alarm system that has been disconnected or disabled following a notice to disconnect or disabled issued pursuant to §12-103, documentation that the alarm system has been repaired or passed inspection by an individual or entity qualified to repair or inspect alarm systems.

B. *Changes in Alarm System Registration Information.* Whenever any registration information provided by an alarm system user pursuant to subsection A changes, the alarm system user shall provide correct, updated information to the chief of police or his designee within ten (10) business days of the change. When an individual or entity takes possession of premises equipped with an activated alarm system, the individual or entity must provide updated registration information within ten (10) business days of taking possession as required by subsection A.

C. *Failure to Register Alarm System.* Upon the first police response to an unregistered alarm system in response to a signal issued by the alarm system, the chief of police or his designee shall issue a written notice to the alarm system user that the alarm system must be registered. This notice shall be mailed to the physical address of the dwelling where the alarm system is located and to the address of the owner listed in the real estate tax assessment records of the County. If the physical address of the alarm system user is the same as the address of the owner listed in the real estate tax assessment records of the County, then only one notice shall be mailed. The alarm system user shall be assessed a service fee in the amount of \$150.00. The fee for the first offense may be waived if the alarm system user files an appeal pursuant to section 12-108, and presents satisfactory evidence that the alarm system has been registered. Upon the second or subsequent police response caused by an unregistered alarm system, the alarm system user shall be assessed a service fee in the amount of \$150.

D. Registration of an alarm system shall not create a contract, duty or obligation, either express or implied, for police to respond. Any and all liability and consequential damage resulting from the failure to respond to a notification from an alarm system is hereby disclaimed. By registering an alarm system, the alarm system user acknowledges that police responses may be based on factors such as the availability of responding units, staffing levels, priority of pending requests for services, weather conditions, traffic conditions and other emergency conditions.

Sec. 12-103 Maintenance of alarm systems required; disconnection of alarm systems.

A. *Maintenance of alarm systems.* Alarm system users shall maintain their alarm systems in good working order. Because alarm systems that generate multiple false alarms within a short period of time may be malfunctioning, the chief of police or his designee and the fire and rescue chief or his designee shall have the discretion to suspend responses to an alarm system after the second false alarm generated within a twenty-four (24) hour period; such suspension shall last for the remainder of the twenty-four hour period.

B. *Disconnection of alarm systems.* An alarm system user shall disconnect or disable any alarm system upon a written determination and notice by the chief of police or his designee or by the fire and rescue chief

or his designee that the installation, use, operation and/or maintenance of the alarm system would constitute an unreasonable burden on police or fire and rescue resources. Any alarm system which generates eight (8) or more false alarms within any four (4) day period shall be deemed an unreasonable burden on police or fire and rescue resources. An alarm system user required to disconnect or disable an alarm system shall be entitled to register a new or repaired alarm system at any time in accordance with §12-102.

Sec. 12-104 False alarms prohibited; service fees.

A. *Prohibition.* No alarm system user or other person shall send or activate a false alarm that causes a police or fire-and rescue response where there is no actual or threatened crime, fire, or other emergency requiring an immediate police or fire and rescue response. Violations of this section shall result in the assessment of service fees as provided below.

B. *Service fee amounts.* Alarm system users shall pay a service fee for false alarms within ninety (90) days of billing. The service fee shall be assessed for each false alarm during any twelve (12) month period as follows:

1. First false alarm: No charge
2. Second false alarm: No charge
3. Third false alarm: \$100
4. Fourth false alarm: \$150
5. Fifth false alarm: \$200
6. Sixth and subsequent false alarms: \$300

C. *Service fee assessments.* The county shall cause alarm system users to be billed for false alarms in accordance with the above schedule of service fees. All fees shall be paid within ninety (90) days of billing. Failure to pay a service fee within ninety (90) days of billing shall result in the initiation of civil action, as necessary, for the recovery of the unpaid fee.

(Ord. of 4-17-91; Code 1988, § 2.2-4; Ord. 98-A(1), 8-5-98, § 12-101)

State law reference--Va. Code § 15.2-911.

Sec. 12-105 Deliberate false alarms a criminal offense.

It shall be a class 1 misdemeanor for any person to knowingly and without just cause activate an alarm system to summon a police or fire and rescue response where there is no actual or threatened criminal activity, fire, or other emergency that required an immediate police or fire and rescue response.

(Ord. of 4-17-91; Code 1988, § 2.2-2; Ord. 98-A(1), 8-5-98, § 12-102)

State law reference--Va. Code § 27-97; false alarms,§18.2-212, 18.2-461

Sec. 12-106 Automatic dialing devices prohibited; penalty.

No person or entity shall install, use, or maintain on any premises within the county any automatic dialing device which delivers, or causes to be delivered, any prerecorded voice message or coded signal to the emergency communications center or any department of the county. Violations of this section shall constitute a class 4 misdemeanor.

Sec. 12-107 Administration.

The chief of police, the fire and rescue chief, in coordination with the director of finance, shall have joint responsibility for administering this article under the supervision of the county executive.

(Ord. of 4-17-91; Code 1988, § 2.2-5; Ord. 98-A(1), 8-5-98, § 12-104)

Sec. 12-108 Appeals.

A. *Appeals for Alarms Requiring a Police Response.* Any fee imposed by the police department pursuant to this article or notice to disconnect or disable an alarm system may be appealed in writing to the chief of police within thirty (30) days of the date of notice of such fee or decision. Upon receipt of such appeal, the chief of police or his designee may grant relief from the fee or notice or affirm the fee or notice. Should the fee or notice be affirmed, the alarm system user may appeal the decision of the chief of police or his designee to the county executive by filing a written appeal within thirty (30) days of the date of the decision. Upon receipt of such appeal, the county executive or his designee may grant relief from the fee or notice, or affirm the fee or notice. The decision of the county executive or his designee is final.

B. *Appeals for Alarms Requiring a Fire and Rescue Response.* Any fee imposed by the county department of fire and rescue pursuant to this article may be appealed in writing to the fire and rescue chief, using forms provided by the department, within thirty (30) days of the date of notice of such fee. Upon receipt of such appeal, the chief or his designee may grant relief from the fee, or affirm the fee. Should the fee be affirmed, the alarm system user may appeal the decision of the chief or his designee to the county executive by filing a written appeal within thirty (30) days of the date of the decision. Upon receipt of such appeal, the county executive or his designee may grant relief from the fee or affirm the fee. The decision of the county executive or his designee is final.

(Ord. of 4-17-91; Code 1988, § 2.2-6; Ord. 98-A(1), 8-5-98, § 12-105)