



JAMES CITY COUNTY 2019 LEGISLATIVE PROGRAM

Part I. Legislation Introduced on Behalf of the County

- 1-1. AMEND THE JAMES CITY COUNTY CHARTER TO ADD § 7.5 TO ALLOW JAMES CITY COUNTY TO REGULATE INOPERATIVE MOTOR VEHICLES PURSUANT TO VIRGINIA CODE § 15.2-905 ON LOTS EQUAL TO OR LESS THAN TWO ACRES.

James City County requests an amendment to its Charter to allow it to regulate inoperative motor vehicles under the provisions of § 15.2-905 only on lots equal to or less than two (2) acres. All other lots would be regulated under the current provisions set forth in Virginia Code § 15.2-904.

- 1-2. AMEND VIRGINIA CODE § 15.2-2242 TO ALLOW LOCALITIES THE OPTION OF INCREASED PROTECTION AGAINST DEVELOPERS WHO HAVE NOT MET ALL PREVIOUS LAND DEVELOPMENT OBLIGATIONS.

James City County requests an amendment of Virginia Code § 15.2-2242 to permit all localities the option of disallowing personal, corporate, or property bonds to secure the completion of public facilities for developers who have not met all previous land development obligations. In addition, the County desires the ability to increase its allowance for estimated administrative costs, inflation, and potential damage to existing roads or utilities be greater than 25% of the estimated construction costs, but not exceeding 50% of the estimated construction costs.

Currently, this ability is only given to localities operating under the Urban County Executive form of government.¹

- 1-3. AMEND VIRGINIA CODE § 15.2-2241.A.5 TO ALLOW LOCALITIES TO PROHIBIT CERTAIN DEVELOPERS FROM RECORDING REMAINING SECTIONS OF A SUBDIVISION IF PREVIOUS LAND DEVELOPMENT OBLIGATIONS REMAIN UNMET.

James City County requests an amendment of Virginia Code § 15.2-2241.A.5 to allow localities the ability to prohibit developers who have not met previous land development obligations from recording remaining sections of a subdivision.

- 1-4. AMEND VIRGINIA CODE § 15.2-2259 TO ALLOW THE PLANNING COMMISSION OR OTHER AGENT TO WITHHOLD ACTION ON A SUBDIVISION PLAT IF DEVELOPMENT OBLIGATIONS FOR PRIOR RECORDED SECTIONS REMAIN UNMET.

James City County requests the amendment of Virginia Code § 15.2-2259 to allow the local planning commission or other agent to withhold action when a proposed plat represents a section

¹ Va. Code § 15.2-851.1.A

of a valid preliminary subdivision plan and land development obligations for prior recorded sections of that preliminary subdivision plan have not been satisfied in accordance with all development agreements.

- 1-5. AMEND VIRGINIA CODE §§ 3.2-6540 AND 3.2-6540.1 TO PERMIT COURTS TO ORDER RESTITUTION FOR EMOTIONAL DISTRESS IN ADDITION TO ACTUAL DAMAGES CAUSED BY DANGEROUS OR VICIOUS DOGS.

James City County requests the amendment of Virginia Code §§ 3.2-6540 and 3.2-6540.1 to permit courts to order restitution for emotional distress caused by the actions of a dangerous or vicious dog.

- 1-6. AMEND TITLE 3.2 OF THE VIRGINIA CODE TO PERMIT LOCALITIES TO REQUIRE THAT, WHILE THEY ARE OUTSIDE, ALL DOGS BE CONTAINED IN AN ENCLOSURE APPROPRIATE TO THEIR SIZE AND STRENGTH.

- 1-7. AMEND TITLE 3.2 OF THE VIRGINIA CODE TO PERMIT LOCALITIES TO IMPOSE CIVIL FINES UPON OWNERS OF DOGS WHO ALLOW THE DOGS TO ROAM IN PACKS OF TWO DOGS OR MORE WHILE OFF THE OWNER'S PROPERTY, EXEMPTING DOGS USED FOR LAWFUL HUNTING ACTIVITY.



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Part II. Position/Legislation Supported by the County

2-1. IMPACT FEES

The County strongly urges the General Assembly to revise existing impact fee laws to encourage the use of statutorily-calculated impact fees in lieu of cash proffers.

2-2. PROFFERS

The County strongly urges the General Assembly to repeal Virginia Code § 15.2-2303.4. In the alternative, the County urges the General Assembly to broaden the areas defined in Virginia Code § 15.2-2303.4 that may be covered by a small area comprehensive plan.

2-3. UNDERGROUND ELECTRIC UTILITIES

The County urges the General Assembly to revise applicable State Corporation Commission laws, rules, and regulations to require Dominion Energy to place new, relocated, replaced, or improved electric distribution lines underground.

2-4. HOUSE BILL 1615

The County supports House Bill 1615, which seeks to change the primary date from the second to the third Tuesday in June.

2-5. INCREASED FUNDING FOR VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT

The County supports increased funding for the Virginia Department of Emergency Management without negatively affecting the Emergency Management Performance Grant to localities.

2-6. STATE FUNDING FOR TOURISM

The County urges the General Assembly to increase funding for the Virginia Tourism Corporation (“VTC”) to promote tourism in Virginia generally, and the Historic Triangle in particular.

2-7. SUPPORT WIDENING OF I-64 TO 295

James City County supports the immediate widening of I-64 to 295 given the volumes of traffic and the burden on the County’s Emergency Responders.

2-8. MAINTENANCE OF NEW AND EXISTING SECONDARY ROADS

James City County opposes any legislation that would transfer to counties the responsibilities to construct, maintain or operate new or existing roads. Should such transfer of responsibilities occur, the state must provide continuing funding for the costs incurred by the localities.

2-9. APPLICATION OF TRANSIENT OCCUPANCY TAX TO TRAVEL COMPANIES AND INTERNET SALES

James City County supports a clarification of Virginia Code § 58.1-3819 et seq., to make sure that the transient occupancy tax applies to the entire amount charged for rooms by travel companies and on Internet sales regardless of any discounted rates paid by such companies for such rooms. This would provide equal taxing of room sales by Virginia businesses and Internet sales companies.

2-10. ENHANCE RAIL SERVICE ON THE PENINSULA AND TO RICHMOND

The County supports improving commuter rail system from Richmond through the Peninsula to connect urban centers for commuters and provide transportation alternatives for tourism.

2-11. SUPPORT THOMAS NELSON COMMUNITY COLLEGE IN ITS EFFORTS TO BUILD THE ADVANCED INTEGRATED MANUFACTURING (AIM) CENTER IN JAMES CITY COUNTY.

James City County was provided the Thomas Nelson Community College capital project requests to the state and supports the AIM Center being built on the James City County campus.

2-12. SUBSTANCE ABUSE AND MENTAL HEALTH TREATMENT

James City County supports maintaining State funding for mental health and substance abuse treatment in jails and juvenile detention facilities given the overwhelming percentage of adults and juveniles in the system diagnosed with mental health and/or substance abuse conditions.

2-13. TAX EQUITY BETWEEN CITIES AND COUNTIES

James City County supports equal taxing authority for cities and counties.

2-14. ALLOW ADVERTISEMENT OF REQUIRED PUBLIC NOTICES ON A LOCALITY'S WEBSITE AND THROUGH OTHER MEANS INSTEAD OF PUBLICATION IN A NEWSPAPER HAVING GENERAL CIRCULATION

James City County requests an amendment of Virginia Code § 15.2-107.1 to provide that wherever newspaper advertisement is required for public notices, a locality may instead publish such notice on its website and shall also provide, at the request of any citizen of the Commonwealth, notice by electronic or telephonic means or through the U.S. postal mail.

2-15. STATE FUNDING FOR PUBLIC EDUCATION, PRE-K, K-12 AND HIGHER EDUCATION

The County supports restoring the funding cuts made to pre-K and K-12 funding. In addition, the County supports restoring the funding cuts made to higher education which could cripple some of the most

prestigious higher education institutions in the world, including the College of William & Mary.

2-16. ADEQUATE FUNDING FOR PUBLIC LIBRARIES

James City County supports the State maintaining funding to public libraries to make sure that the State and the localities maintain their proportionate share of funding.

2-17. NO NEW STATE MANDATES AND ELIMINATE OR ADEQUATELY FUND EXISTING STATE MANDATES

James City County calls upon the General Assembly to oppose unfunded mandates and to reduce existing State mandates commensurate with any reduction in State funding to localities.

2-18. LEGISLATIVE PROGRAMS OF THE VIRGINIA MUNICIPAL LEAGUE, THE VIRGINIA ASSOCIATION OF COUNTIES AND THE VIRGINIA COALITION OF HIGH GROWTH COMMUNITIES

James City County supports the legislative programs of the Virginia Municipal League, the Virginia Association of Counties and the Virginia Coalition of High Growth Communities.

2-19. JAMES CITY COUNTY SUPPORTS CONTINUED FUNDING OF THE STORMWATER LOCAL ASSISTANCE FUNDS (“SLAF”)

James City County supports providing continued state funding to the Department of Environmental Quality for Stormwater Local Assistance Funds.

2-20. STATE FUNDING FOR MANDATED SERVICES PROVIDED BY COMMUNITY SERVICES BOARDS

James City County supports Colonial Behavioral Health in its mission to provide needed services to individuals and families affected by mental illness, intellectual disabilities and substance use disorders and encourages the General Assembly to adequately fund state mandated services and programs for all Community Services Boards; in particular, James City County requests that any adjustments to funding related to Medicare expansion not disproportionately impact Colonial Behavioral Health.

2-21. NONPARTISAN REDISTRICTING.

James City County supports nonpartisan redistricting at the state and local levels.