



TOWN COUNCIL
Work Session
Civic Center
August 13, 2015
6:00 PM

1. Call to Order: Roll Call

2. Order of Business
 - A. Electronic Summons System Ordinance
 - B. Parking of Trailers on Streets
 - C. Harbor Access Road
 - D. Wayfinding Signs
 - E. Mason Avenue Reverse-Angle Parking

3. Motion to Adjourn

ORDINANCE 2015XXXX

TO ESTABLISH THE ASSESSMENT OF ADDITIONAL FEE IN CRIMINAL AND TRAFFIC CASES FOR THE COSTS OF AN ELECTRONIC SUMMONS SYSTEM

WHEREAS, Code of Virginia §§ 17.1-275.5 and 17.1-279.1 were revised by the General Assembly and approved by Governor McAuliffe, effective July 1, 2015, allowing towns the ability to assess an additional sum not to exceed \$5 as part of costs in each criminal or traffic case in the Northampton County district or circuit courts for a violation of any statute or ordinance, which violation in the case arose within the Town for the purpose of funding software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system; and

WHEREAS, the assessment shall be collected by the Clerk of the Court of Northampton County and remitted to the town treasurer who shall hold such disbursements solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system; and

WHEREAS, the imposition of such assessment shall be by ordinance of the governing body; now

THEREFORE, BE IT ORDAINED, by the Town Council of Cape Charles, this ____ day of ____ 2015, that in order to have sufficient funds available when the Commonwealth of Virginia mandates use of an electronic summons system, an additional fee of \$5 shall be assessed as part of the costs in each criminal and traffic case within the Town of Cape Charles.

BE IT FURTHER ORDAINED that the Cape Charles Town Code be revised as follows and shall take effect immediately upon its adoption or passage:

Section 42.2.1 Additional assessment for electronic summons

For each criminal or traffic violation within the Town, an additional fee of \$5 shall be assessed as part of the costs and collected by the Clerk of the Court of Northampton County and remitted to the town treasurer who shall hold such disbursements solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

Adopted by the Town Council of Cape Charles on _____, 2015

By: _____
Mayor

ATTEST:

Town Clerk

§ 17.1-275.5. Amounts to be added; judgment in favor of the Commonwealth.

A. The clerk shall assess, in addition to the fees provided for by § 17.1-275.1, 17.1-275.2, 17.1-275.3, 17.1-275.4, 17.1-275.7, 17.1-275.8, 17.1-275.9, 17.1-275.10, 17.1-275.11, 17.1-275.11:1, or 17.1-275.12, the following costs:

1. Any amount paid by the Commonwealth for legal representation of the defendant;
2. Any amount paid for trial transcripts;
3. Extradition costs;
4. Costs of psychiatric evaluation;
5. Costs taxed against the defendant as appellant under Rule 5A:30 of the Rules of the Supreme Court;
6. Any fee for a returned check or disallowed credit card charge assessed pursuant to subdivision A 28 of § 17.1-275;
7. Any jury costs;
8. Any assessment made pursuant to subdivision A 10 of § 17.1-275;
9. Any fees prescribed in §§ 18.2-268.8 and 46.2-341.26:8;
10. Any court costs related to an ignition interlock device;
11. Any fee for testing for HIV;
12. Any fee for processing an individual admitted to jail as prescribed in § 15.2-1613.1;
13. Any fee for courthouse security personnel as prescribed in § 53.1-120;
14. Any fee for a DNA sample as prescribed in § 19.2-310.2;
15. Reimbursement to the Commonwealth of medical fees as prescribed in § 19.2-165.1;
16. Any fee for a local criminal justice training academy as prescribed in § 9.1-106;
17. Any fee prescribed by §§ 16.1-69.48:1.01 and 17.1-275.11;
18. Any expenses charged pursuant to subsection B or F of § 19.2-187.1; and
19. Any fee for an electronic summons system as prescribed in § 17.1-279.1.

B. The total amount of assessments described in subsection A, including (i) the fees provided for by § 17.1-275.1, 17.1-275.2, 17.1-275.3, 17.1-275.4, 17.1-275.7, 17.1-275.8, 17.1-275.9, 17.1-275.10, 17.1-275.11, 17.1-275.11:1, or 17.1-275.12 and (ii) all other fines and costs, shall be docketed by the clerk as a judgment against the defendant in favor of the Commonwealth in accordance with § 8.01-446.

1999, c. 9; 2002, c. 831; 2003, cc. 1001, 1022, 1039; 2010, c. 555; 2012, c. 714; 2013, c. 263; 2014, c. 325; 2015, c. 641.

§ 17.1-279.1. Additional assessment for electronic summons system.

Any county, city, or town, through its governing body, may assess an additional sum not in excess of \$5 as part of the costs in each criminal or traffic case in the district or circuit courts located where such cases are brought in which the defendant is charged with a violation of any statute or ordinance, which violation in the case of towns arose within the town. The imposition of such assessment shall be by ordinance of the governing body, which may provide for different sums in circuit courts and district courts. The assessment shall be collected by the clerk of the court in which the action is filed, remitted to the treasurer of the appropriate county, city, or town, and held by such treasurer subject to disbursements by the governing body to a local law-enforcement agency solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. The imposition of a town assessment shall replace any county fee that would otherwise apply.

2014, c. 325; 2015, cc. 546, 643.

Sec. 42-90. - Parking, storage or use of major recreational or mobile living equipment.

- (a) For the purpose of this section, major recreational or mobile living equipment includes travel trailers, coaches, motorized dwellings, tent trailers, boat trailers, amphibious houseboats and the like and case or boxes used for transporting recreational equipment, whether occupied by such equipment or not.
- (b) No major recreational or mobile living equipment shall be parked, stored or used except in approved locations and under the following restrictions and limitations.
 - (1) No such equipment shall be parked in any public street or public right-of-way for more than 48 hours.
 - (2) No such equipment shall be used for living, sleeping or housekeeping purpose except in locations lawfully established for such use; and
 - (3) In districts zoned single-family, two family, or multi-family, major recreational equipment shall be stored only as a use accessory to a permitted principal use.
- (c) Where there are conflicts between this section and other regulations, the provisions of this section shall govern.

(Ord. of 2-8-00; Ord. No. 2008-06-12A, 6-12-08)



Board of Supervisors of Northampton County
P.O. Box 66 • Fastville, Virginia 23347

BOARD OF SUPERVISORS
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County Administrator

PHONE: 757-678-0440
FAX: 757-678-0483

July 1, 2015

Mr. Brent Manuel, Town Manager
Town of Cape Charles
5 Plum Street
Cape Charles, Virginia 23310

Re: Harbor Access Road (VDOT number UPC 103391)

Dear Brent:

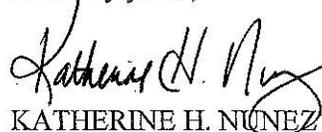
For several years now the County and Town have been cooperating on the improvement of access to the Town of Cape Charles harbor area for commercial traffic. This project has economic development value for the Town through enhanced logistics access to the business park, Bayshore Concrete Products, the Cape Charles Yacht Center and currently vacant property between the latter parcels. The road also greatly improves safety for the town by minimizing heavy commercial traffic via Mason Street and its 180 degree turn in town. Further the project also completely changes the approach to Bay Creek giving it the ambiance appropriate for a high end tourist destination and community. During the past few years the County has prioritized its VDOT allocation onto this project alone because of the economic development value.

Working closely with VDOT, legislative leadership, involved local businesses and other interested parties, the Town and County have shepherded this project through design and it is expected to reach the stage of right of way acquisition this fall. The County, as a service to VDOT in expediting the project, has agreed to assemble all the donation properties into one closing for transfer to the Virginia Land Trust. As the exact legal descriptions become available to us in September, we will prepare the transfer documents for approval by Town Council.

Bob Panek has been the principal party engaged for the Town through this long process especially after Tom departed as Town Planner. Charles McSwain has been the County's agent for this project. Beginning in August, please refer all questions for the County to me in his absence.

Thank you in advance for helping to facilitate this process.

Sincerely yours,


KATHERINE H. NUNEZ
County Administrator

 TOWN OF CAPE CHARLES	AGENDA TITLE: Wayfinding signs		AGENDA DATE: August 13, 2015
	SUBJECT/PROPOSAL/REQUEST: Request for approval to post a wayfinding sign on town-owned property and update on wayfinding sign project.		ITEM NUMBER: 2D
	ATTACHMENTS: Sign drawing		FOR COUNCIL: Action () Information (X)
	STAFF CONTACT (s): Larry DiRe	REVIEWED BY: Brent Manuel, Town Manager	

BACKGROUND:

The Town and various business partners have completed the creation and distribution of the new Town Map and Information brochure. The brochure features an updated wayfinding map showing the locations of commercial, recreational, and public properties around town. Staff contacted several major businesses about the benefits of cooperative directional signage. Both the Oyster Farm and Cape Charles Yacht Center expressed a willingness to site the Town’s wayfinding map sign board on their property, and expressed interest in working with the Town to site directional sign boards to their locations on town-owned property.

Staff is awaiting the digital file of the wayfinding map to send to the printer for production into directional sign boards. These sign boards will be posted at public locations in the downtown, at the beach, at the Welcome Center, and at the Town Harbor. Specific locations at the Oyster Farm and Cape Charles Yacht Center are to be determined at this point.

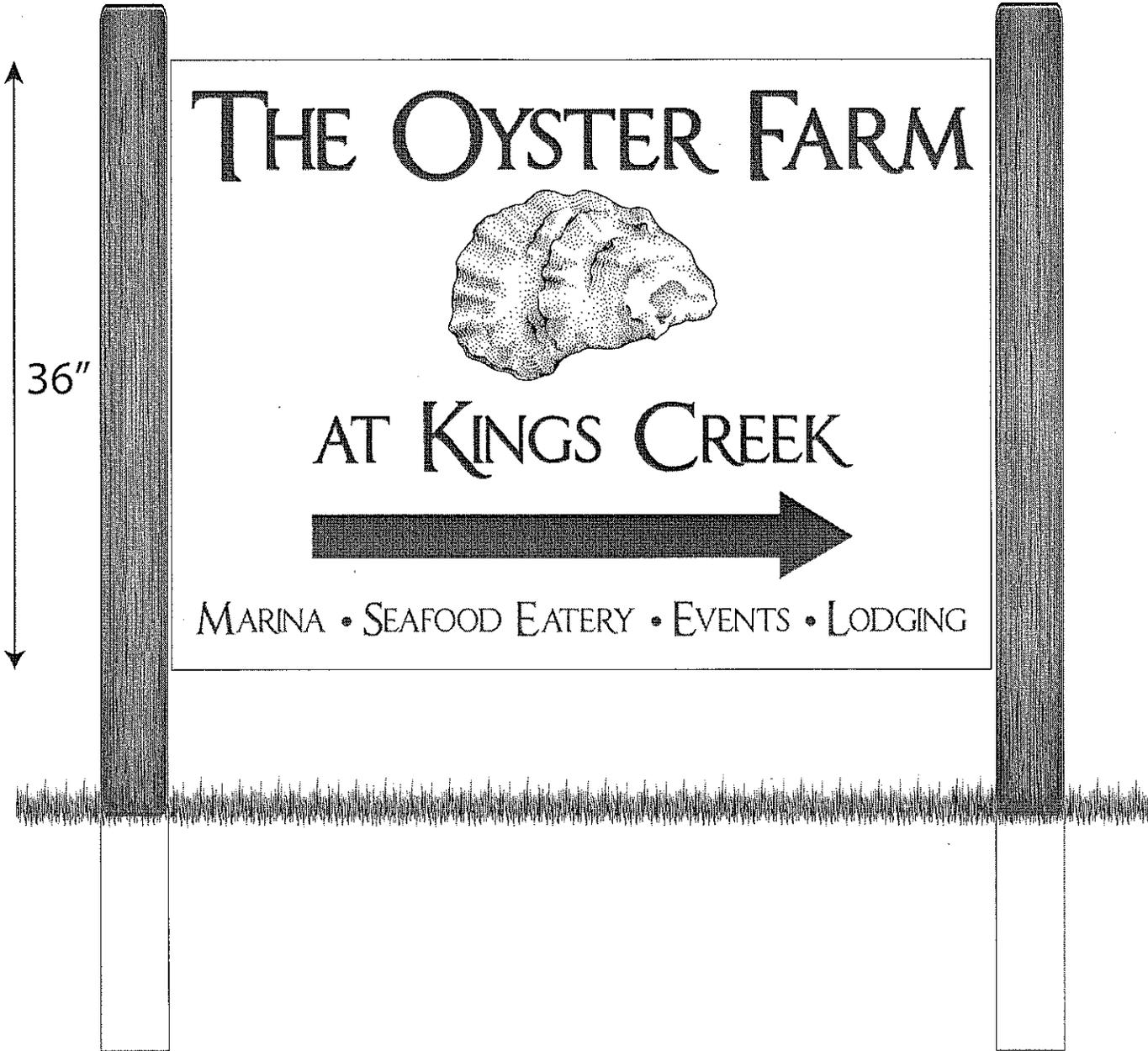
The Oyster Farm is requesting approval to site a directional sign on the town-owned property at Fig Street and Randolph Avenue. Those lots are currently the site of several directional and informational signs, and are frequently used as a location for temporary event signage. This is a request for a permanent free-standing sign. The proposed dimensions meet sign ordinance requirements.

ITEM SPECIFICS:

Staff will be bringing the request from the Oyster Farm to place a directional wayfinding sign on town-owned property to Council on August 20th for Council action.

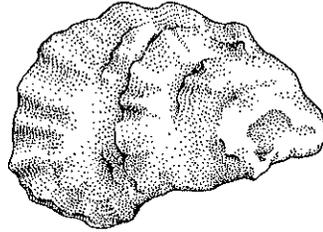
Way-point sign at Fig and Randolph

48"



36"

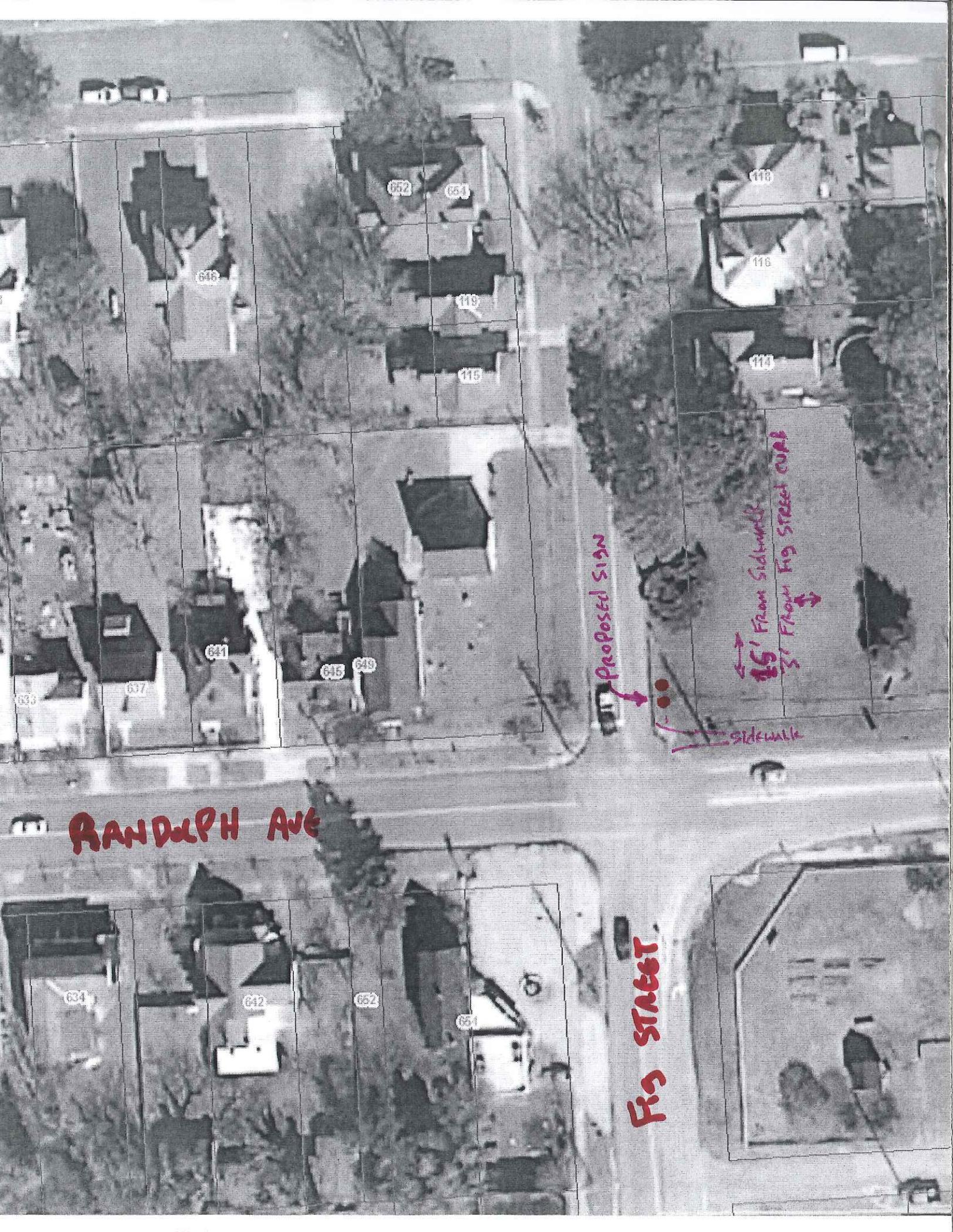
THE OYSTER FARM



AT KINGS CREEK



MARINA • SEAFOOD EATERY • EVENTS • LODGING



RANDOLPH AVE

FIG STREET

Proposed SIGN

15' From Sidewalk
3' From FIG STREET CURB

sidewalk

646

652

654

119

115

118

116

114

641

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637

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642

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