

NOTICE OF PUBLIC MEETINGS

DATE	TIME	EVENT/PLACE **	PERSONS ATTENDING
June 22	5:00 p.m.-7:00 p.m.	WWRC/US250 TRANS. STUDY (Wilson Middle School)	
June 26	11:30 a.m. 1:30 p.m.	EMERGENCY SERVICES COMMITTEE STAFF BRIEFING	Pyles & Kelley All Members
June 27	8:30 a.m.	DEPARTMENT OF SOCIAL SERVICES (W'boro)	Garber
June 28	7:00 p.m.	BOS MEETING	All Members
July 5	10:00 a.m.	MPO POLICY BOARD	Coleman
July 6	9:30 a.m. 1:30 p.m.	BZA STAFF BRIEFING BZA	
July 10	1:30 p.m. 1:30 p.m.	ACSA CMPT	Pyles, Bragg & Shull
July 11	3:00 p.m. 7:00 p.m.	GART PLANNING COMMISSION	
July 12	3:00 p.m. 3:00 p.m. 7:00 p.m.	LOCAL EMERGENCY PLANNING COMMITTEE ORDINANCE COMMITTEE BOS MEETING	Pyles Shull & Bragg All Members
July 17	7:00 p.m.	RECYCLING COMMITTEE	Pattie
July 18	10:00 a.m. 10:30 a.m. 6:30 p.m.	HEADWATERS SOIL & WATER CONSERVATION VPAS AG INDUSTRY BOARD	Garber
July 19	7:00 p.m.	PARKS & REC COMMISSION	Coleman
July 20	11:00 a.m.	ECONOMIC DEVELOPMENT AUTHORITY	
July 22		SWEET DREAMS	
July 24	10:00 a.m. 11:30 a.m. 1:30 p.m.	ECONOMIC DEVELOPMENT COMMITTEE EMERGENCY SERVICES COMMITTEE STAFF BRIEFING	Pyles & Kelley Pyles & Kelley All Members
July 25	8:30 a.m. 7:00 p.m.	DEPT OF SOCIAL SERVICES AUGUSTA COUNTY EMERGENCY SERVICES OFFICER	Garber Pyles & Kelley
July 26	7:00 p.m.	BOS MEETING	All Members
July 27	4:00 p.m.	LIBRARY BOARD-Craigsville	Pattie
Aug 1-5		AUGUSTA COUNTY FAIR	
Aug 2	10:00 a.m.	MPO POLICY BOARD	Coleman
Aug 3	9:30 p.m. 1:30 a.m.	BZA STAFF BRIEFING BZA	
Aug 7	1:30 p.m. 1:30 p.m.	ACSA CMPT	Pyles, Bragg & Shull
Aug 8	2:00 p.m. 7:00 p.m.	JAIL AUTHORITY PLANNING COMMISSION	
Aug 9	3:00 p.m. 7:00 p.m.	ORDINANCE COMMITTEE BOS MEETING	Shull & Bragg All Members
Aug 15	10:00 a.m. 10:30 a.m. 5:30 p.m.	HEADWATERS SOIL & WATER CONSERVATION VPAS CAP-SAW	Pyles & Coleman
Aug 16	7:00 p.m.	PARKS & RECREATION COMMISSION	Coleman
Aug 21	10:00 a.m. 11:30 a.m. 1:30 p.m.	ECONOMIC DEVELOPMENT COMMITTEE EMERGENCY SERVICES COMMITTEE STAFF BRIEFING	Pyles & Kelley Pyles & Kelley All Members
Aug 22	8:30 a.m.	DEPARTMENT OF SOCIAL SERVICES	Garber
Aug 23	7:00 p.m.	BOS MEETING	All Members

DATE: June 22, 2017  
H:calendar

\*\*All meetings are at the Government Center unless otherwise noted.



**M E M O R A N D U M**

June 22, 2017

TO: Augusta County Board of Supervisors

FROM: Timothy K. Fitzgerald, County Administrator

SUBJECT: STAFF BRIEFING, MONDAY, June 26, 2017, 1:30 p.m.  
Board Meeting Room, Government Center, Verona, VA

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ITEM NO.	DESCRIPTION
* * *	
S/B-01	1:30 p.m. <b><u>VDOT ROADS (SEE ATTACHED)</u></b> Report by VDOT
S/B-02	<b><u>LEGISLATIVE UPDATE (SEE ATTACHED)</u></b> Report from Legislative Liaison on General Assembly action
S/B-03	<b><u>ECONOMIC DEVELOPMENT (SEE ATTACHED)</u></b> Report by Staff
S/B-04	<b><u>FIRE AND RESCUE (SEE ATTACHED)</u></b> Report by Staff
S/B-05	<b><u>LADD ELEMENTARY</u></b> Discuss authorizing the Board Chair to execute the Ladd Elementary School contract.
S/B-06	<b><u>PLANNING COMMISSION/PUBLIC HEARING (SEE ATTACHED)</u></b> <ol style="list-style-type: none"><li>1) An ordinance to amend Section 25-72.1 of the Augusta County Code to permit 6 agricultural dogs as an accessory use in general agriculture districts.</li><li>2) An ordinance to amend Section 25-72 of the Augusta County Code to clarify agriculture in addition to agriculture related uses is a permitted use in general agriculture districts.</li><li>3) An Ordinance to amend Section 25-73 of the Augusta County Code to permit the storage of commercial vehicles and/or trailers in general agriculture districts by administrative permit.</li><li>4) An ordinance to amend Section 25-4 of the Augusta County Code to revise the definition of Day Care home inspection.</li><li>5) An ordinance to amend Section 25-518 of the Augusta County Code to clarify that underground petroleum storage tanks over 660 gallons require a Special Administrative Permit in Source Water Protection Area 2 designations.</li><li>6) An ordinance to amend Chapter 5 of Augusta County Code to incorporate definitions related to animals from Virginia State Code, incorporate Virginia State Code requirements concerning cruelty to animals, incorporate Virginia State Code requirements concerning rabies inoculation of companion animals, correct</li></ol>

when a dog license tax is payable, eliminate destructive dog provisions that are not established by Virginia State Code, eliminate dangerous and vicious dog provisions that are regulated through Virginia State Code, revise impoundment procedures, eliminate provisions for dogs killing other domestic animals other than livestock or poultry, incorporate Virginia State Code regulations on dogs killing, injuring or chasing livestock or poultry with an additional provision which permits an animal control officer with reason to believe that a dog is killing livestock or poultry to confine the animal until such time as evidence shall be heard and a verdict rendered, incorporate penalties as detailed by Virginia State Code for violation of County ordinance, and incorporate penalties for the giving of false reports and interfering with an animal control officer.

- 7) An ordinance to amend Section 9-11 of the Augusta County Code to correct a mistake in terminology where the word "quality" was used instead of "quantity" when referring to water quantity calculations submitted to demonstrate compliance with 9 VAC 25-870-66C (Flood Protection) and D (sheet flow).

S/B-07

**WAIVERS**

S/B-08

**MATTERS TO BE PRESENTED BY THE BOARD**

S/B-09

**MATTERS TO BE PRESENTED BY STAFF**

S/B-10

**CLOSED SESSION (SEE ATTACHED)**

VDOT Report  
June 26, 2017

Mr. Shull (Riverheads)

- RTE 681 Mt Herman Rd. – Preliminary survey and planning of deficient structure replacement completed. Waiting on delivery of new structure and environmental permit to schedule installation.
- RTE 252 (Middlebrook) and RTE 620 (Newport Rd) –Rock outcropping review and removal will be scheduled this summer.
- RTE 654 (Old White Hill Rd) - Crossline pipes scheduled for replacement has been completed.
- RTE 693 (Sinking Springs Rd.) Rural Rustic project – Tree and brush removal Completed. Pipe replacements, new pipe installs and grading will continue the third week of June.
- Additional roads in the Riverheads district scheduled for Surface Treatment overlays in September have been prepped and ready for overlay.
- RTE 11 (Greenville) - drainage concerns still under review. Storm sewer stub onto county property not shown on original RTE 11 plans.
- Grading, adding stone and calcium chloride on all non-hard surfaces as needed.
- Exit 213 - extend NB and SB acceleration lanes, relocate crossovers. Kickin Asphalt; construction this summer/fall with a tentative completion date of December, 2017.
- 1<sup>st</sup> Cut Mowing operations have begun on all secondary routes.

Mrs. Bragg (South River)

- Update on Route 610 (Howardsville Turnpike) – Tentative advertisement date May 1<sup>st</sup>. Utility relocations have begun. Receiving bids at the end of June.
- RTE 664 (Reed's Gap Rd.) - Hydraulic study completed. Pipe replacements, ditch line rehabilitations and roadway scratching scheduled this summer.
- RTE 970 (Hall School rd.) in the South River district is scheduled for Surface Treatment overlays in September have been prepped and ready for overlay.
- 1<sup>st</sup> Cut Mowing operations have begun on all secondary routes.
- RTE 340 between Rte 654 (White Hill Rd) and Rte 657 (Indian Ridge Rd) – pavement marking carrying Route 340 southbound left lane all the way to the left turn lane at Rte 657 has been completed, eliminating the merge right movement in this segment.

**Mr. Coleman (Wayne)**

- RTE 358 Wilson Workforce & Rehabilitation Center Complex small area study update. Open House meeting scheduled for Thursday, June 22, 2017, 5-7 pm at Wilson Middle School.
- Additional roads in the Wayne district scheduled for Surface Treatment overlays in September have been prepped and ready for overlay.
- RTE 250 (WCL to Afton Mtn) shoulder widening and plant mix overlay completed
- RTE 1024 (Chinquapin Rd) flooding damage, pipe replacements and shoulder repairs completed. Environmental review has been requested for additional pipe replacement locations
- RTE 250 at intersection Rt. 358/Lifecore Drive – pedestrian crosswalk marking has been improved by adding painted “ladder” bars, making crosswalk more visible. The signs saying “Turning Vehicles Yield to Pedestrians” will be made larger and placed on the upright signal poles to improve visibility to motorists. Sign work should be completed during the month of June.
- RTE 250 – RTE 1306 (Birchwood Dr.) – Drainage concerns and property access questions. Sending letter to property owner to identify location for new access entrance off RTE 250.
- 1<sup>st</sup> Cut Mowing operations have begun on all secondary routes

**Mr. Kelley (Beverly Manor)**

- Update on RTE 612 (Laurel Hill Rd) - Project has been completed
- RTE 613 (Old Greenville Rd) – Springlake subdivision had a walk thru inspection with Land Use engineer for final punch list items and acceptance into the system. Waiting on the finalization of public right of way acceptance forms to be completed.
- Speed study being conducted on Rte. 901 (Mill Place Parkway) - 40 mph speed limit signs have been installed.
- RTE 649 (Round Hill Drive) was added to ST scheduled to be completed September, 2017 have been prepped and ready for overlay
- RTE 608 (Tinkling Springs) – Roadway improvement project from Sheetz to Dominion Outdoors has begun with a proposed completion date of October 2017. (Branch Const. Co)
- 1<sup>st</sup> Cut Mowing operations have begun on all secondary routes

**Mr. Garber (Middle River)**

- RTE 774 (Broad Run Rd.) - Replacing existing pipe with concrete box culvert. Hydraulic survey has been completed. Required box size 8'x 4' has been determined. Environmental permit obtained and box fabrication has been requested. Planned installation Fall 2017.
- I81 – Turning lanes on RTE 256 and RTE 11 at Weyers Cave was submitted under a Smart Scale project for recommended funding scenario. Funding has been approved.
- Grading and adding stone on all non-hard surfaces and dust control applied as needed.
- Additional roads in the Middle River district scheduled for Surface Treatment overlays in September have been prepped and ready for overlay.
- RTE 778 (Harriston Rd.)- Crossline pipes replaced, asphalt scratching completed.
- RTE 994 (Samuel Bears Rd) Drainage concerns have been addressed.
- 1<sup>st</sup> Cut Mowing operations have begun on all secondary routes

**Dr. Pattie (North River)**

- RTE 42 (Scenic Highway) – Drainage concerns with property owner of Zak's Country Store is under review. Survey and Hydraulic studies have been completed. Workable solution is still under review.
- RTE 738 (Roudabush Ln.) & RTE 42 – Test installation of mirror conducted – result not ideal because of the distance of the crest of the vertical curve from Roudabush Lane and the difference in elevations.
- All non-hard surface (Gravel) roads are being machined and spot gravel being placed.
- Speed study being conducted on Rte. 626 (Berry Farm Rd) in the residential area just north of Rte. 613 (Spring Hill Rd). Area currently does not have a posted speed limit. Study nearing completion. Tentative recommendation to establish a 45 mph zone from Route 613 to approximately ½ mile north of Route 613.
- RTE 646 (Fadley Rd) – Asphalt patching completed from RTE 11 to RTE 699 (Centerville Rd.)
- RTE 616 (Gray Fox Rd) – Tree trimming and brush removal concerns have been scheduled
- RTE 756 (Fairburn Rd) Drainage concerns under review.
- 1<sup>st</sup> Cut Mowing operations have begun on all secondary routes

**Mr. Pyles (Pastures)**

- RTE 250 – Whiskey Creek bridge project –new bridge opened to traffic on June 13, 2017. Contractor beginning removal of temporary bridge. Tentative July 2017 completion.
- RTE 840 (Old Churchville Rd) Triple line of CMP pipes to be replaced with 7'x 5' box culvert has been delivered, waiting on environmental clearances due to wet land delineation. Scheduled installation in July
- RTE 687 in Craigsville – upgrade flashing lights and gates at railroad crossing.
- RTE 250 bridge replacement over Bell Creek, tentative public hearing date July 13<sup>th</sup>.
- RTE 601 (Estaline Valley Rd.) Bridge replacement has been completed
- RTE 703 (Hewitt Rd.) Pipe replacement has been completed.
- RTE 629 (Deer Field Rd) Rock slope restoration is under review by Geologist and Environmental for permanent solution to rock falls.
- Additional roads in the Pastures district scheduled for Surface Treatment overlays in September have been prepped and ready for overlay
- RTE 42 (Buffalo Gap Hwy) – PM overlay from bridge at Hunters Trail to Shenandale Hunt Club scheduled to begin the second week of August.
- 1<sup>st</sup> Cut Mowing operations have begun on all secondary routes



**Augusta County Board of Supervisors****2017 General Assembly Highlights****June 26, 2017**

HB 1697-Danny Marshall/Extension of approvals to address the housing crisis. The bill passed, but we can consider this a small "win" for us. The extension is from 2017 to 2020 versus the introduced bill which would have been to 2022. We would like input from local staff on the problems that have been caused by these extension, such as unfinished subdivision roads not being taken into the state system, so we can begin laying the ground work to prevent further extensions (in the 2018 or 2019 session). It would also be helpful to track building permit activity over time to determine if housing starts are depressed or not.

HB 1774 – Keith Hodges/Stormwater management; work group to examine ways to address the impact of the "donut hole" of SW admin for small rural localities under the CBPA. Implementation of new VSMP regs delayed by 1 year.

HB 1766 – Greg Habeeb/Utility Facilities Act; associated facilities of an electrical transmission line. Although the Governor was asked for an amendment to limit its impact to SW Va., he signed it as passed. It becomes effective July 1.

SB 1343 – Scott Surovell/Guardian ad litem; reimbursement for cost. This was a win. Now excludes Social Services.

HB 2108 – Kathy Byron/Virginia Wireless Services. This Bill made innocuous --- However, in tandem with the Wireless Infrastructure bill (SB1282 below) ---- this was the industry's attempt to have their way with local government.

SB 1282 – McDougle/Wireless communication infrastructure; procedure for approval by localities. The Industry used local governments' concern about HB 2108 (above) to divide resources as a means of advancing this bill. Amended to not include new large towers in the streamlined review/approval process that was mandated for small cell facilities. BUT VACo/VML forced to agree to reexamine that issue in a GA appointed work group meeting this summer. A large tower bill in some form will be back in 2018.

HB 2145 – James LeMunyon/DPOR; regulation of land surveyor photogrammetrists. This bill will likely return in the 2018 session and represents burdensome regulation on local government GIS staff.

SB 795 – Glenn Sturtevant/Register of funds expended; required posting by localities and school divisions on public gov't website. This bill was "killed" again this year but it will return. The call for greater transparency is not going away. Suggest that a way be found to accomplish the most rudimentary of reporting "checkbook register." Exemptions must be carved out.

SB 962 – Emmett Hanger/Sales and use tax; nexus for out-of-state businesses. Would like to know if you see any impacts on local revenue.

SB 1578 – Tommy Norment/Short-term rental of property; registration of persons operating property for rental. Fair to say that the as-passed bill was clearly favorable to local governments and the hospitality industry. VACo/VML has put together some guiding principles to be helpful to local governments as they create/amend local ordinances.

**Local Fiscal Stress** - while Senator Emmett Hanger's resolution calling for an legislative study of local government fiscal stress did not make it through, there was language imbedded in the state budget dealing with local government fiscal stress that creates a joint subcommittee of the money committees to look at 1) savings opportunities from increased regional cooperation and consolidation of services; 2) local responsibilities for service delivery of state-mandated or high priority programs; 3) causes of local fiscal stress among local governments, potential financial incentives & other governmental reforms to encourage increased regional cooperation; and 4) the different taxing authorities of cities and counties.

SB 1491 – Richard Stuart/Agritourism activity; definition to include rental of a single-family residence. This one may be back

HB1728 – Margaret Ransone/Directs VDH to create a workgroup to review rules, regulations and protocols governing the use of air transportation services in emergency medical situations. Report to Assembly by December 1.

Lastly, budget language calls for a study of farm winery – Budget language calls on the Office of Secretary of Agriculture/Forestry to examine regulations related to noise, traffic and the viability of the farm winery industry. The Secretary's office has a call for proposals out to four universities for them to coordinate meeting/facilitation and information gathering/data collection. They hope to line that up in May, then schedule regional meetings in the June-August timeframe. Anticipating there will be regional meetings, perhaps two per location, that will allow voices of vineyard/winery owners to be heard separately from elected officials/concerned citizens. The number/location of meetings is TBD, depending on what they think is needed to best accommodate participation. Report due November 30.

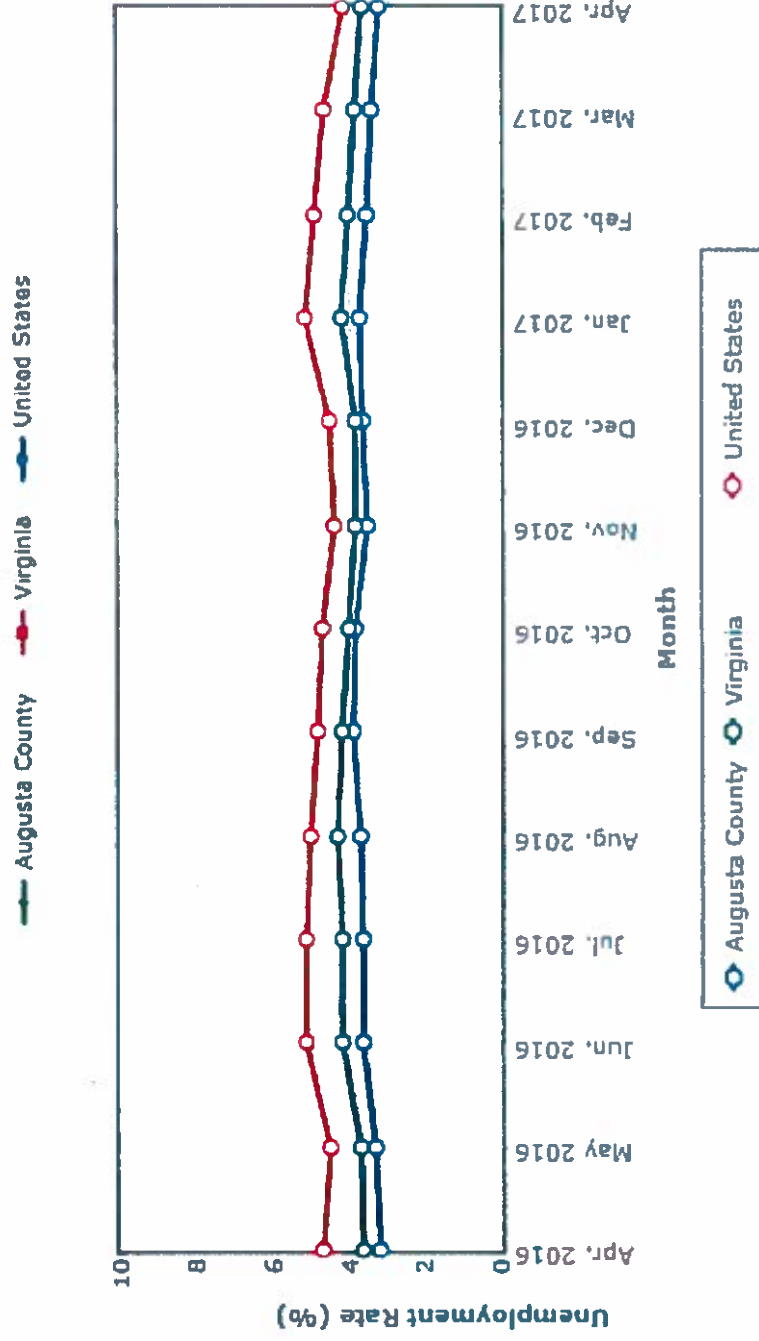
# Economic Development Monthly Report for June 2017

- Unemployment Rate
- Business Licenses Issued
- Prospect Generation
- Mill Place Commerce Park
- Virginia Business Ready Sites Program
- Economic Development Authority
  - Existing Industry Visits
  - Partner Agency Interaction
- Shenandoah Valley Partnership
- Small Business Development Center
  - Tourism Update
- Marketing Initiatives/Media



# Unemployment Rates

Past 12 Months



**April 3.2%**

**Labor Force:**

**37,641**

**Employed:**

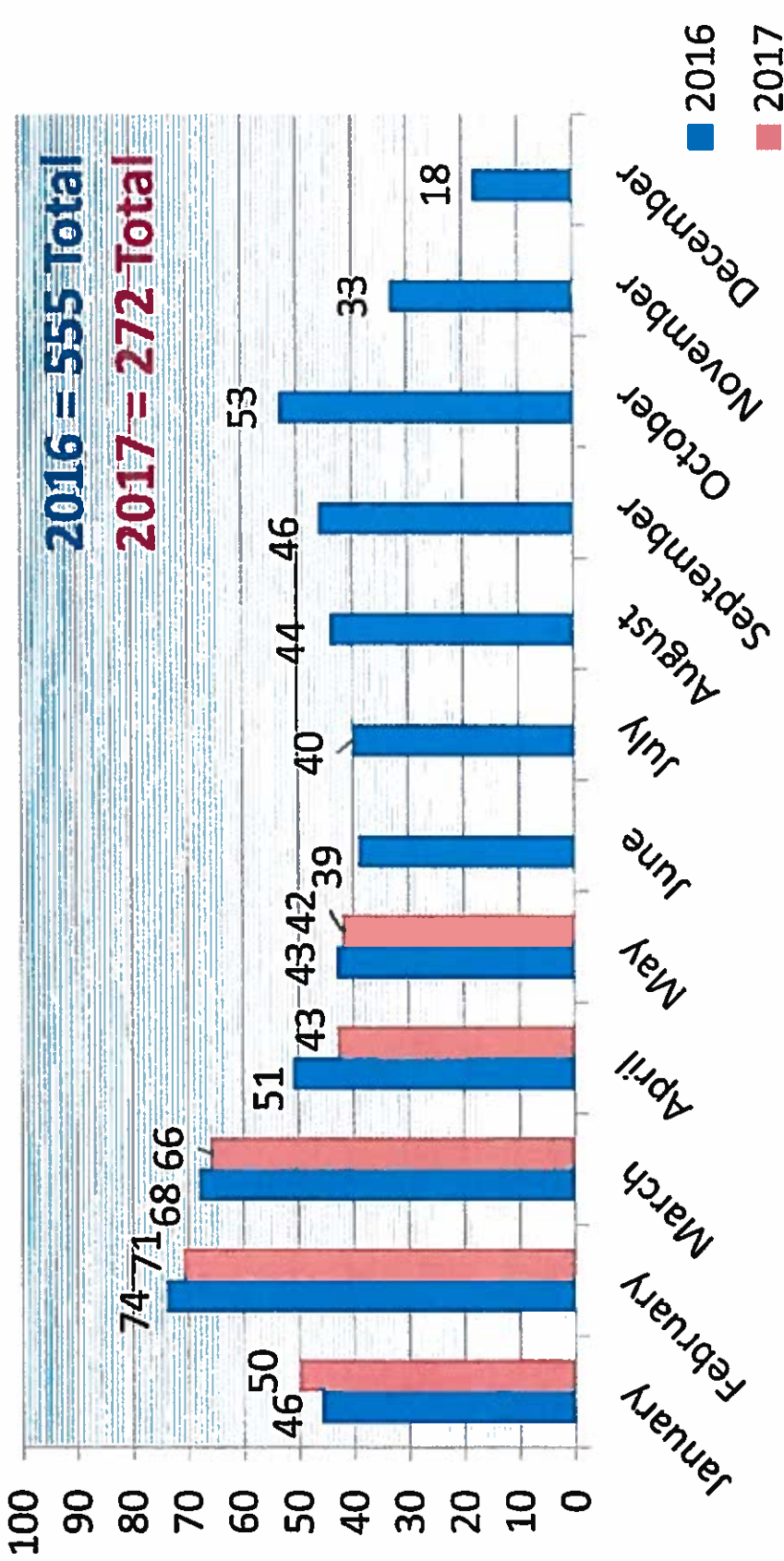
**36,440**

**Unemployed:**

**1,201**



# Business Licenses Issued



# Prospect Generation (CY 2017)

	2017 YTD	Goal	Prior Year
	Total	2017	2016
Marketing Missions	1	3	3
Outreach VEDP	1	1	1
<b>Total Outreach</b>	<b>2</b>	<b>4</b>	<b>4</b>
Leads/SVP/VEDP	8	12	11
Leads/Other	8	12	14
<b>Total Leads</b>	<b>16</b>	<b>24</b>	<b>25</b>
Prospect Visits/SVP/VEDP		2	4
Prospect Visits/Other	2	2	1
<b>Total Prospect Visits</b>	<b>2</b>	<b>4</b>	<b>5</b>
<b>ANNOUNCED ACTIVITY</b>	<b>3</b>	<b>4</b>	<b>5</b>
Expansion Projects Announced*	2	3	3
New Company Locations*	1	1	2
Capital Investment (millions)	\$78,700,000.00	\$75,000,000.00	\$25,520,000.00
Jobs Created	162	150	183
Jobs Retained	33		

*Announced Projects (YTD):	Investment	Jobs Created	Jobs Retained
InterChange/Sumitomo	\$ 8,000,000.00	15	33
Hershey Chocolate of Virginia	\$ 26,800,000.00	69	
Shamrock Farms	\$ 43,900,000.00	78	
<b>Total</b>	<b>\$ 78,700,000.00</b>	<b>162</b>	



# Mill Place Commerce Park

**BMP#3:** Stormwater detention basin is refilled, work complete

**Walking Trail:** Site plan in review

**Development Plan:** Development plan complete; zoning options in progress

**InterChange/Sumitomo:** Construction in progress

**Blue Ridge Machine Works:** Pad site prepared

**Centerview Drive:** Section 1 – 3<sup>rd</sup> design pending; Section 2 – 2<sup>nd</sup> design pending

[Mill Place Commerce Park Video](#)



# Virginia Business Ready Sites Program:

## *Mill Place Commerce Park*

- Development Grant Application submitted on 5/18/2017
- Award notification anticipated in June
- Currently ranked **Tier 3** Certified Site
- Requirements to advance to **Tier 4**:
  - 1' Topographic Survey (LiDAR)
  - ALTA and Boundary Survey
  - Wetlands Delineation & COE Confirmation
  - Total Cost: \$43,975; Grant Request (50%): \$21,987.50



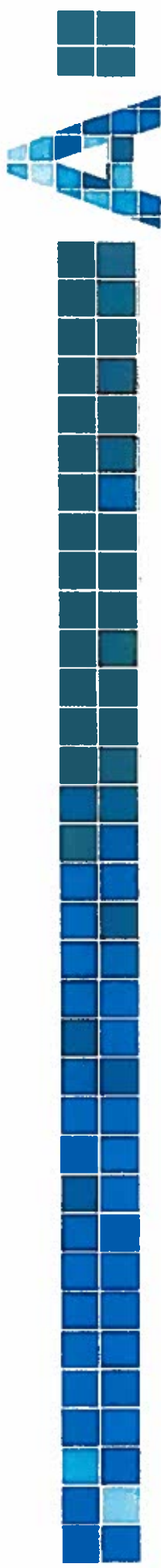


# Economic Development Authority

*(Regular meetings every other month  
on the third Thursday at 11am)*

- Last meeting: June 6, 2017  
(rescheduled from May)
- Next meeting: July 20, 2017

Remember to refer people to the  
**Augusta Small Business Loan Fund**



# Existing Industry Visits

(Goal: 40 visits/year)

- Parker Bows (May 4 and May 5)
- Wilson Trucking (May 17)
- Harmony Harvest Farm (May 18)



# Partner Agency Interaction

- Shenandoah Valley Tourism Partnership
  - Monthly Meeting 5/4
  - Media Launch Event 5/24
  - Marketing Committee 5/24
- GART
  - Beerwerks Meeting 5/9
  - IPW Journalist Dinner 5/30
- SAW Economic Development Staff Meeting 5/8
- Virginia Industrial Development Authorities Institute 5/17
- Public Relations Council 5/17



# Shenandoah Valley Partnership Update

- Spring Connect Event – May 16
- Marketing Committee and Directors’ Meeting – May 19
- Marketing Mission to NY/NJ – May 22-25
  - Met with 12+ site consultants and businesses



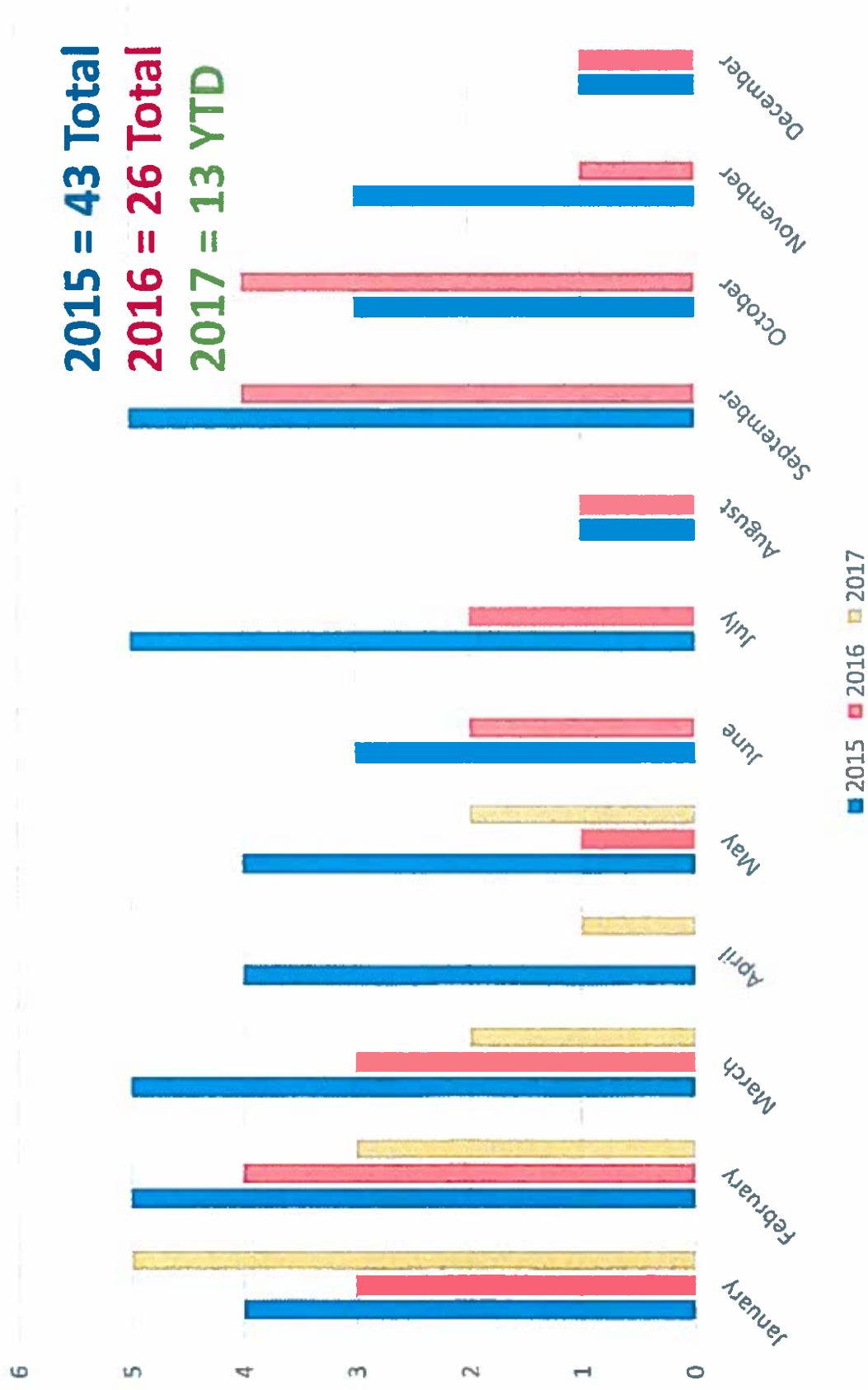
# Small Business Development Center

	Clients Seen	Sessions	Hours	Attendees	Events
SBDC-All Offices May 2016	35	42	90	65	6
Verona Office May 2016	1	2	4	0	0
SBDC-All Offices May 2017	28	42	90	42	3
Verona Office May 2017	2	3	5	5	1



# Small Business Development Center

## Clients Seen



# Tourism Update

## Shenandoah Valley Tourism Partnership



**SHENANDOAH  
VALLEY**

### Official Launch Celebration – May 24

**Formed by mountains.**

**Fed by family farms.**



Long ago, settlers discovered that the rich, fertile soil of the Shenandoah Valley was ideal for farming. Agriculture continues to be a leading industry in the region, which is great news to the local chefs who are offering the finest farm-to-table culinary experience in Virginia. That's Today's Shenandoah Valley.

[TodaysShenandoahValley.com](http://TodaysShenandoahValley.com)

VIRGINIA IS FOR HOME



**SHENANDOAH  
VALLEY**

**Formed by mountains.**

**Fueled by adrenaline.**



From atop the Blue Ridge, the scenic view of the Shenandoah Valley hasn't changed much in centuries. Now, instead of arriving by horse-drawn wagons, visitors bring kayaks, mountain bikes, snowboards and a quest for outdoor adventure. That's Today's Shenandoah Valley.

[TodaysShenandoahValley.com](http://TodaysShenandoahValley.com)

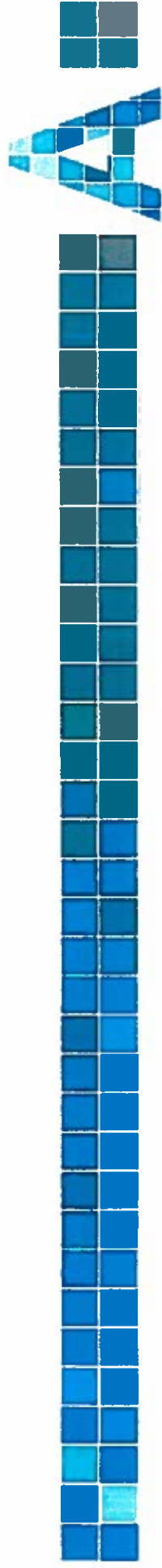
VIRGINIA IS FOR HOME



**SHENANDOAH  
VALLEY**

# Marketing Initiatives

- Facebook Pages
  - 158 “likes” and growing as of June ‘17
- “The Current View” Electronic Monthly Newsletter
  - List includes 340 names as of June ‘17
  - 43% open rate for May newsletter
- Update to Tourism website coming 2017





# Marketing Initiatives - Recent Media

- Shenandoah Beerwerks Trail hops over the competition – *News Virginian*, May 14
- Study shows manufacturing still leading sector in Valley economy – *News Virginian*, May 16
- Rockingham and Augusta counties lead Virginia in dairy and beef cattle – *WHSV*, May 17
- Partnership aims to attract more tourists to Shenandoah Valley – *NBC29*, May 24
- Thirteen communities come together for new tourism partnership – *WHSV*, May 24
- 13 communities launch Shenandoah Valley Tourism Partnership – *Northern Virginia Daily*, May 24
- ‘It’s time for us to capitalize’ – Marketing campaign promotes Valley strengths – *Daily News-Record*, May 24
- Partnership benefits battlefields, historic sites – *Daily News-Record*, May 24
- New Valley Partnership to promote tourism – *News Leader*, May 25
- Valley communities create regional tourism partnership – *News Virginian*, May 25
- Shenandoah Valley Tourism Partnership unveils new marketing partnership – *Augusta Free Press*, May 24





**AUGUSTA COUNTY FIRE-RESCUE**

County Government Center  
18 Government Center Lane  
P.O. Box 590, Verona, VA 24482

Main Office Line: (540) 245-5624 - Fax Line: (540) 245-5356

[www.co.augusta.va.us](http://www.co.augusta.va.us)  
[firerescue@co.augusta.va.us](mailto:firerescue@co.augusta.va.us)

June 20, 2017

**AUGUSTA COUNTY FIRE-RESCUE REPORT****May 2017**

In May, fire and rescue agencies that serve the County of Augusta received a combined total of 1,452 calls, of which 40 were calls turned over to next due agencies. Of those calls turned over 22 were due to being on a previous call. Fire agencies received 572 fire and EMS calls, of which 12 were turned over to next due agencies. Rescue agencies received 880 EMS calls, of which 28 were turned over to next due agencies.

Chief Carson Holloway continued to work on moving forward with the Strategic Plan. He drafted Verona and Deerfield Agreements, met with Chief Wilkes, Kim Craig, CSEMS Council, and attended several Admin staff meetings. Chief Holloway conducted the second interview with a part-time applicant and six fulltime applicants. He welcomed the Regional Advanced Fire School, attended BRCC HR training classes, and Skills Drill. In addition, he met with Deerfield on the transition of their EMS license. Chief Holloway attended the May Special BOS meeting, the Staff Briefing, and the ACESOA meeting. He visited multiple stations in the month and responded to two calls.

Revenue Recovery funds collected in May - \$149,957.25 transport numbers: Deerfield-10, Churchville-27, Stuarts Draft-100, Preston L. Yancey-113, Craigsville-Augusta Springs-26, New Hope Vol-10, New Hope Career-34, Mount Solon-15, Riverheads-53, and Weyers Cave-229, total for the month-417.

Volunteer Coordinator/Lieutenant Minday Craun continued to work on annual contributions for volunteers and helped in the migration of the new version of the TimeClock system. She worked with the Recruitment and Retention Advisory Group on a special event held at Shenandoah Acres, Fire and EMS Family FunFest 2017, which is June 24, 2017. Statistics for May 2017 include over 75 recruitment contacts, 72 public education contacts, 23 volunteer visits, 12 station visits, and she participated in several meetings.

The Training Division instructed and/or provided logistics for Fire Academy and ACFR Company Drills; 97 students with 1,304 student man-hours. They spent numerous hours on continuing projects, logistics for ACFR Company Drills, and assisting with the Regional Advanced Fire School. They attended stakeholder meetings with CSEMS, VDFP, and VFSB on training courses, policy changes, and grant review. Additional time was spent attending the Fire Officer I/II Train-the-Trainer update, meeting with volunteer Chiefs about program improvement, providing logistics to get the car fire prop completely mobile, and also assisting on one emergency incident.

Division Commander Greg Schacht attended Augusta County FD and Verona membership meetings, numerous meetings with staff, and met with the Chief on the Strategic Plan. He attended the Special BOS meeting, met with the hiring committee on upcoming process, and met with the Accident Committee. DC Schacht attended a site plan meeting, firefighter interviews, ALS Skills Drill, BRCC HR training classes,

and Firefighter Skills days. In addition, he attended the two day Virginia Highway Safety Summit and the ACFR Promotional Ceremony. He assisted with moving apparatus around, delivering station supplies, and reviewed timesheets, In May he reviewed 7 site plans, conducted 44 station visits, and responded to 6 Duty Officer calls.

Division Commander Jeff Hurst continued to schedule and follow up on all vehicle and small equipment maintenance, repairs, and service. He coordinated lettering and installation of radios on the ambulance from SDRS, delivered station supplies, and conducted monthly drug testing for staff. DC Hurst continued to provide input on the Strategic Plan, made contact with part-time employees not working and/or providing availability, and attended an ACFR Promotional Ceremony. The hiring team met and hired a part-time employee. He attended ACFR staff meetings, the Special BOS meeting, a Company Drill, ALS Skills Drill, and BRCC HR classes. In addition, he participated in the final inspection and delivery of Truck 11. DC Hurst responded to 3 Duty Officer calls, conducted 28 station visits, and made multiple volunteer contacts.

The Shift Captains made multiple station visits and responded to 15 calls as Duty Officer. They attended several meetings, participated in training, took care of monthly scheduling, coordinated or provided coverage, reviewed timesheets, and worked on various station projects.

EMS Captain Matt Lawler participated in several ACFR staff meetings and meetings with the OMDs. He made 33 station visits, responded to 3 EMS calls, and delivered EMS equipment and supplies. Captain Lawler attended state-level meetings including; the Workforce Development Committee, State EMS Advisory Board Executive Committee, Financial Assistance Review Committee, Provider Health and Safety Committee, Virginia Association of Governmental EMS Administrators, and the State EMS Advisory Board. He attended a Rescue Task Force meeting, a UVA Trauma Performance Improvement Committee meeting, and the Augusta Health Chest Pain Accreditation Committee meeting. Captain Lawler participated in a CSEMS Council meeting on local EMS education, the part-time hiring process, coordinated the transition of Deerfield ambulances, and reviewed Verona's EMS application/EMS Response Plan, as well as attending their VAOEMS inspection as support. He coordinated Physio-Control's maintenance of departmental cardiac monitors and AEDs, participated in meetings with the Finance Director and other ACFR staff on revenue recovery and quality assurance procedures, and attended the Virginia Heart Attack Coalition State meeting. On behalf of ACFR, he accepted bronze and gold level American Heart Association Mission Lifeline awards for exemplary care for cardiac patients. Captain Lawler attended two BOS meetings, the ACESOA meeting, and participated in a meeting with an ImageTrend representative to review new equipment.

EMS Supervisors responded to 80 incidents, 36 required ALS intervention. ACFR preceptors mentored students for a total of 365 hours. The QA committee continued to administer the CQI Program. EMS Supervisor Marcus Maust taught a class on the LUCAS 2 device for Augusta Health's Emergency Department Academy.

Respectfully submitted,



Carson Holloway, Fire-Rescue Chief  
DCH/cjh

## FIRE DEPARTMENT EMERGENCY INCIDENTS

May-17

FIRE AGENCIES	TOTAL	FIRES	EMS	MVC	PUBLIC SERVICE	OTHER	CALL TURNED OVER TO NEXT DUE
Staunton - SS1	7	5	1	1	0	0	0
Staunton - SS2	8	5	0	3	0	0	0
1 - Waynesboro	4	2	0	2	0	0	0
2 - Deerfield	8	1	0	1	2	4	0
3 - Middlebrook	13	5	2	3	0	3	0
4 - Churchville	17	4	2	7	0	4	0
5 - Weyers Cave	52	16	7	16	8	5	0
6 - Verona	55	12	10	21	1	11	6
7 - Stuarts Draft	37	9	0	11	1	16	0
8 - Craigsville	19	2	11	3	0	3	0
9 - Dooms	42	4	13	10	3	12	1
10 - Augusta County*	87	22	29	19	2	15	0
11 - Preston L. Yancey	57	17	7	14	2	17	0
12- Raphine	8	2	1	3	0	2	1
14 - Swoope	27	13	3	4	0	7	0
15 - Bridgewater	7	1	0	4	0	2	0
17 - Clover Hill	1	0	1	0	0	0	0
18 - New Hope	21	8	0	7	2	4	3
19 - Wilson	17	3	0	5	1	8	0
20 - Grottoes	12	2	4	2	1	3	0
21 - Mt. Solon	15	3	4	4	0	4	0
25 - Riverheads	38	16	11	7	1	3	1
80 - Walkers Creek	2	0	0	2	0	0	0
SVRA	10	1	0	1	0	8	0
Goshen	2	2	0	0	0	0	0
South River	0	0	0	0	0	0	0
Wintergreen	6	0	2	1	0	3	0
<b>TOTALS</b>	<b>572</b>	<b>155</b>	<b>108</b>	<b>151</b>	<b>24</b>	<b>134</b>	<b>12</b>
<b>PERCENTAGES</b>	<b>100.0%</b>	<b>27%</b>	<b>19%</b>	<b>26%</b>	<b>4%</b>	<b>23%</b>	<b>2.1%</b>

*\*Of the 87 calls listed above, Augusta County FD responded to 32 calls within the City of Staunton for a total of 152 YTD*

# RESCUE SQUAD EMERGENCY INCIDENTS

May-17

RESCUE AGENCIES	TOTAL	CARDIAC	BREATHING DIFFICULTY	UNRESPONSIVE	SICK	INJURY	MVC	FIRE	OTHER	CALL TURNED OUT TO NATURE
1 - Waynesboro	57	3	8	3	20	11	9	1	2	2
2 - Deerfield	15	1	0	1	10	2	1	0	0	0
4 - Churchville	45	3	9	2	20	5	5	0	1	1
5 - Staunton/Augusta	127	9	11	6	43	23	20	7	8	2
6 - Stuarts Draft	159	15	12	7	76	26	14	2	7	10
*Special Events - Reserve Amb	2	0	0	1	1	0	0	0	0	0
11 - Preston L. Yancey	163	12	17	7	70	35	12	2	8	0
15 - Bridgewater	12	2	1	0	3	3	3	0	0	0
16 - Craigsville/Aug. Sprs.	38	6	2	2	15	7	3	1	2	3
18 - New Hope	58	4	7	1	26	8	8	2	2	2
20 - Grottoes	23	4	1	1	10	3	2	0	2	1
21 - Mount Solon	26	4	4	2	10	5	1	0	0	1
25 - Riverheads	90	10	9	3	33	19	7	4	5	6
26 - Weyets Cave	61	4	3	2	31	6	12	2	1	0
Augusta Health Transport	0	0	0	0	0	0	0	0	0	0
Wintergreen	4	0	1	0	0	1	2	0	0	0
<b>TOTALS</b>	<b>880</b>	<b>77</b>	<b>85</b>	<b>38</b>	<b>368</b>	<b>154</b>	<b>99</b>	<b>21</b>	<b>38</b>	<b>28</b>
<b>PERCENTAGES</b>	<b>100%</b>	<b>8.8%</b>	<b>9.7%</b>	<b>4.3%</b>	<b>41.8%</b>	<b>17.5%</b>	<b>11.3%</b>	<b>2.4%</b>	<b>4.3%</b>	<b>3.2%</b>

MONTHLY REPORT FOR 2017

FIRE & RESCUE COMPANIES	January	February	March	April	May	June	July	August	September	October	November	December	Total Calls	% of Fire or Rescue Total	% of Combined Total
	Monthly Calls	Monthly Calls	Monthly Calls	Monthly Calls	Monthly Calls	Monthly Calls	Monthly Calls	Monthly Calls	Monthly Calls	Monthly Calls	Monthly Calls	Monthly Calls			
Staunton SS1	14	6	5	4	7								36	1.23%	0.49%
Staunton SS2	8	5	6	4	8								31	1.06%	0.42%
1 - Waynesboro	8	5	10	10	4								37	1.27%	0.50%
2 - Deerfield	6	4	4	2	8								24	0.82%	0.33%
3 - Middlebrook	20	17	20	19	13								89	3.05%	1.21%
4 - Churchville	27	18	23	14	17								99	3.40%	1.35%
5 - Weyers Cave	36	51	46	47	52								232	7.96%	3.16%
6 - Verona	68	66	46	30	55								285	9.78%	3.89%
7 - Stuarts Draft	36	37	43	42	37								195	6.69%	2.66%
8 - Craigsville	27	19	40	30	19								135	4.63%	1.84%
9 - Dooms	33	40	44	53	42								212	7.27%	2.89%
10 - Augusta County	111	83	93	82	87								456	15.64%	6.22%
11 - Preston L. Yancey	57	48	66	34	57								262	8.99%	3.57%
12 - Raphine	17	10	16	7	8								58	1.99%	0.79%
14 - Swoope	31	35	42	21	27								156	5.35%	2.13%
15 - Bridgewater	2	8	5	8	7								30	1.03%	0.41%
17 - Clover Hill	0	0	1	0	1								2	0.07%	0.03%
18 - New Hope	13	18	20	16	21								88	3.02%	1.20%
19 - Wilson	16	6	21	14	17								74	2.54%	1.01%
20 - Grottoes	15	19	12	17	12								75	2.57%	1.02%
21 - Mt. Solon	14	8	13	7	15								57	1.96%	0.78%
25 - Riverheads	31	35	57	30	38								191	6.55%	2.60%
80 - Walkers Creek	6	3	4	5	2								20	0.69%	0.27%
SVRA	1	5	20	14	10								50	1.72%	0.68%
Croshen	2	0	1	2	2								7	0.24%	0.10%
South River	3	1	1	0	0								5	0.17%	0.07%
Wintergreen	0	0	1	2	6								9	0.31%	0.12%
R1 - W'boro First Aid	66	70	73	70	57								336	7.60%	4.58%
R2 - Deerfield R.S.	10	5	7	6	15								43	0.97%	0.59%
R4 - Churchville R.S.	66	37	56	45	45								249	5.63%	3.39%
R5 - Staunton/Augusta R.S.	165	136	155	135	127								718	16.24%	9.79%
R6 - Stuarts Draft R.S.	126	157	174	139	159								755	17.08%	10.29%
*Special Events - Reserve Amb	2	0	2	4	2								10	0.23%	0.14%
R11 - Preston L. Yancey	161	145	155	120	163								744	16.83%	10.14%
R15 - Bridgewater R.S.	13	14	14	14	12								67	1.52%	0.91%
R16 - Craigs/Augusta Spr	51	40	56	45	38								230	5.20%	3.14%
R18 - New Hope	37	56	57	47	58								255	5.77%	3.48%
R20 - Grottoes R.S.	24	40	17	28	23								132	2.99%	1.80%
R21 - Mt. Solon R.S.	26	20	20	19	26								111	2.51%	1.51%
R25 - Riverheads	80	93	86	97	90								446	10.09%	6.08%
R26 - Weyers Cave R.S.	63	74	68	44	61								310	7.01%	4.23%
Augusta Health Transport	0	0	0	0	0								0	0.00%	0.00%
Wintergreen	2	2	3	3	4								14	0.32%	0.19%
<b>FIRE TOTALS</b>	<b>602</b>	<b>547</b>	<b>660</b>	<b>534</b>	<b>572</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2915</b>	<b>39.74%</b>	
<b>RESCUE TOTALS</b>	<b>892</b>	<b>889</b>	<b>943</b>	<b>816</b>	<b>880</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4420</b>	<b>60.26%</b>	
<b>TOTAL CALLS</b>	<b>1494</b>	<b>1436</b>	<b>1603</b>	<b>1350</b>	<b>1452</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7335</b>	<b>100.00%</b>	

EMERGENCY SERVICES  
DUE AGENCIES  
MONTHLY REPORT FOR 2017

FIRE & RESCUE COMPANIES	TOTAL CALLS	January	February	March	April	May	June	July	August	September	October	November	December	Total CALLS TURNED OVER TO NEXT DUE AGENCIES	% of Total
		CALLS TURNED OVER TO NEXT DUE AGENCY	CALLS TURNED OVER TO NEXT DUE AGENCY	CALLS TURNED OVER TO NEXT DUE AGENCY	CALLS TURNED OVER TO NEXT DUE AGENCY	CALLS TURNED OVER TO NEXT DUE AGENCY	CALLS TURNED OVER TO NEXT DUE AGENCY	CALLS TURNED OVER TO NEXT DUE AGENCY	CALLS TURNED OVER TO NEXT DUE AGENCY	CALLS TURNED OVER TO NEXT DUE AGENCY	CALLS TURNED OVER TO NEXT DUE AGENCY	CALLS TURNED OVER TO NEXT DUE AGENCY	CALLS TURNED OVER TO NEXT DUE AGENCY		
Stanton - SSI	36	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Stanton - SS2	31	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
1 Waynesboro	37	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
2 Deerfield	24	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
3 Middlebrook	89	0	1	0	0	0	0	0	0	0	0	0	0	1	1.1%
4 Churchville	99	1	2	2	0	0	0	0	0	0	0	0	0	5	5.1%
5 Weyers Cave	232	2	1	1	1	1	0	0	0	0	0	0	0	5	2.2%
6 Verona	285	1	1	3	2	6	0	0	0	0	0	0	0	13	4.6%
7 Stuarts Draft	195	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
8 Craigsville	135	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
9 Dooms	212	0	0	0	1	1	1	0	0	0	0	0	0	3	1.4%
10 Augusta County	456	5	1	0	0	0	0	0	0	0	0	0	0	6	1.3%
11 Preston L. Yancey	262	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
12 Rapline	58	1	0	3	1	1	0	0	0	0	0	0	0	6	10.3%
14 Swoope	156	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
15 Bridgewater	30	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
17 Clover Hill	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
18 New Hope	88	1	0	3	3	3	0	0	0	0	0	0	0	10	11.4%
19 Wilson	74	1	1	0	0	0	0	0	0	0	0	0	0	2	2.7%
20 Grottoes	75	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
21 Mt. Solon	57	0	0	1	0	0	0	0	0	0	0	0	0	1	1.8%
25 Riverheads	191	1	0	1	0	1	0	0	0	0	0	0	0	3	1.6%
80 Walkers Creek	20	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
SVRA	50	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Goshen	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
South River	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Wintergreen	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
R1 W'boro First Aid	336	1	3	0	0	2	0	0	0	0	0	0	0	6	1.8%
R2 Deerfield R.S.	43	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
R3 Churchville R.S.	249	0	0	7	2	1	0	0	0	0	0	0	0	10	4.0%
R5 Staunton/Augusta R.S.	718	3	1	1	0	2	0	0	0	0	0	0	0	7	1.0%
R6 Stuarts Draft R.S.	755	7	5	23	4	10	0	0	0	0	0	0	0	49	6.5%
*Special Events - Reserve Amb	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
R11 Preston L. Yancey	744	1	0	0	1	0	0	0	0	0	0	0	0	2	0.3%
R15 Bridgewater R.S.	67	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
R16 Craig/Augusta Spr.	230	6	0	2	1	3	0	0	0	0	0	0	0	12	5.2%
R18 New Hope	255	1	1	2	2	2	0	0	0	0	0	0	0	8	3.1%
R20 Grottoes R.S.	132	0	2	0	1	1	0	0	0	0	0	0	0	4	3.0%
R21 Mt. Solon R.S.	111	1	0	1	0	1	0	0	0	0	0	0	0	3	2.7%
R25 Riverheads R.S.	446	6	8	6	5	6	0	0	0	0	0	0	0	31	7.0%
R26 Weyers Cave R.S.	310	1	9	2	0	0	0	0	0	0	0	0	0	12	3.9%
Augusta Health Transport	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Wintergreen	14	1	0	0	0	0	0	0	0	0	0	0	0	1	7.1%
<b>FIRE TOTALS</b>	<b>2,915</b>	<b>13</b>	<b>7</b>	<b>15</b>	<b>8</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>55</b>	<b>1.9%</b>
<b>RESCUE TOTALS</b>	<b>4,420</b>	<b>28</b>	<b>29</b>	<b>44</b>	<b>16</b>	<b>28</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>145</b>	<b>3.3%</b>
<b>TOTAL CALLS TURNED OVER TO NEXT DUE AGENCY</b>	<b>7,335</b>	<b>41</b>	<b>36</b>	<b>59</b>	<b>24</b>	<b>40</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>200</b>	<b>2.7%</b>



AVERAGE RESPONSE TIMES  
MONTHLY REPORT FOR 2017

Average response time reflects a delayed response but not a no response. Response time is calculated when tones have been activated until the apparatus responds from their agency.

FIRE & RESCUE COMPANIES	TOTAL CALLS	January	February	March	April	May	June	July	August	September	October	November	December	YEARLY AVG.
		AVG. RESP. TIME	AVG. RESP. TIME	AVG. RESP. TIME	AVG. RESP. TIME	AVG. RESP. TIME	AVG. RESP. TIME	AVG. RESP. TIME	AVG. RESP. TIME	AVG. RESP. TIME	AVG. RESP. TIME	AVG. RESP. TIME	AVG. RESP. TIME	
Staunton SSI	36	1.43	1.5	1.5	1.25	1.17								1.37
Staunton SS2	31	2.13	2.00	1.23	2.15	1.88								1.88
1 - Waynesboro	37	1.38	2.00	1.90	2.20	2.00								1.82
2 - Deerfield	24	1.25	2.20	1.06	4.58	3.28								2.47
3 - Middlebrook	89	4.03	3.11	3.01	2.04	3.16								3.07
4 - Churchville	99	3.33	3.24	3.32	3.48	5.11								3.70
5 - Weyers Cave	232	3.44	3.38	3.47	2.55	2.27								3.02
6 - Verona	285	4.31	3.10	4.28	3.00	3.26								3.59
7 - Stuarts Draft	195	3.17	2.46	2.29	2.50	3.11								2.71
8 - Craigsville	135	6.08	3.06	3.28	3.03	3.00								3.69
9 - Dooms	212	1.45	2.23	2.41	2.06	2.11								2.05
10 - Augusta County	456	1.37	1.22	1.25	1.38	1.34								1.31
11 - Preston L. Yancey	262	1.20	1.25	1.27	1.15	1.23								1.22
12 - Raphine	38	5.24	5.49	8.31	0.38	6.39								5.16
14 - Swoope	156	3.34	2.11	2.24	3.08	1.56								2.47
15 - Bridgewater	30	2.44	2.25	2.18	3.41	2.22								2.50
17 - Clover Hill	2	0.00	0.00	2.00	0.00	14.00								3.20
18 - New Hope	88	2.54	1.36	3.02	2.16	2.23								2.26
19 - Wilson	74	4.17	3.54	2.57	2.39	6.03								3.74
20 - Grottoes	75	1.28	2.12	2.07	1.51	2.08								1.85
21 - Mt. Solon	57	2.49	2.42	3.52	3.32	4.19								3.19
25 - Riverheads	191	3.40	5.00	2.53	2.57	3.54								3.41
80 - Walkers Creek	20	2.59	0.33	1.51	2.51	4.00								2.19
SVRA	50	2.00	0.04	0.07	0.06	0.06								0.45
Coohen	7	1.50	0.00	2.00	2.00	3.00								1.70
South River	5	4.07	6.00	2.00	0.00	0.00								2.41
Wintergreen	9	0.00	0.00	2.00	0.50	5.24								1.53
R1 - W'boro First Aid	336	2.52	3.09	2.51	2.28	2.74								2.63
R2 - Deerfield R.S.	43	2.09	1.32	2.50	2.20	1.06								1.83
R4 - Churchville R.S.	249	2.16	2.12	2.07	1.38	1.40								1.83
R5 - Staunton/Augusta R.S.	718	2.17	2.10	1.58	1.46	1.50								1.76
R6 - Stuarts Draft R.S.	755	1.52	1.37	1.48	1.38	1.28								1.41
*Special Events Reserve Amb	10	0.00	0.00	0.00	1.00	0.08								
R11 - Preston L. Yancey	744	1.13	1.16	1.20	1.06	1.09								1.13
R15 - Bridgewater R.S.	67	2.10	0.53	2.50	1.91	1.24								1.58
R16 - Craigs/Augusta Spr	230	1.53	1.43	1.46	2.01	1.37								1.56
R18 - New Hope	255	1.38	1.53	1.42	1.19	1.27								1.40
R20 - Grottoes R.S.	132	1.30	2.10	1.29	2.03	1.56								1.66
R21 - Mt. Solon R.S.	111	2.26	1.30	3.08	2.09	1.41								2.03
R25 - Riverheads	446	1.40	1.31	1.35	1.23	1.22								1.30
R26 - Weyers Cave	310	1.28	1.39	1.45	1.11	1.17								1.28
Augusta Health Transport	0	0.00	0.00	0.00	0.00	0.00								0.00
Wintergreen	14	5.30	3.19	7.00	4.15	2.00								4.33
<b>FIRE CALL TOTALS &amp; MONTHLY AVG.</b>	<b>2915</b>	<b>2.58</b>	<b>2.28</b>	<b>2.44</b>	<b>2.05</b>	<b>3.24</b>	<b>3.24</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>	<b>2.52</b>
<b>RESCUE CALL TOTALS &amp; MONTHLY AVG.</b>	<b>4420</b>	<b>1.76</b>	<b>1.50</b>	<b>1.93</b>	<b>1.64</b>	<b>1.27</b>	<b>1.27</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>	<b>1.71</b>



2017 FIGURES

CALLER	NAME	2017 MONTHLY ACFR CAREER CALLS ANSWERED												CAREER		AGENCY		TOTAL CAREER %
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YEARLY TOTAL	YEARLY TOTAL	YEARLY TOTAL	CAREER %	
CO-11	Preston L. Yancy Fire	57	48	66	14	55										260	267	154%
CO-11	City of Wymeshoro	2		2												4		
R-11	Preston L. Yancy Rescue	160	145	155	118	161										741	744	0.81%
R-11	City of Wymeshoro	2		2												6		
CO-18	New Hope Fire	9	12	11	9	14										57		64.77%
CO-18	Extended Run Area															0		0.00%
CO-18	City of Wymeshoro															0		0.00%
CO-18	City of Stanton															0		0.00%
R-18	New Hope Rescue	11	42	47	37	43										200	215	28.41%
R-18	Extended Run Area															0		0.00%
R-18	City of Wymeshoro															0		0.00%
R-18	City of Stanton															0		0.00%
R-6	Stuarts Draft Rescue	52	69	68	56	74										319	335	42.25%
R-6	City of Stanton															0		0.00%
R-6	City of Wymeshoro															0		0.00%
R-6	Extended Run Area															0		0.00%
R-16	Craneville-Augusta Streets	43	40	54	44	33										218	230	6.88%
R-16	Rockbridge County	2	3	5	2	3										15		
CO-9	Thomas Fire	16	17	17	19	19										86	217	41.58%
CO-9	City of Wymeshoro	1		2	2	2										5		5.68%
CO-6	Vernon Fire	28	26	21	26	24										123	245	41.86%
CO-6	City of Stanton															2		1.60%
CO-1	Middlebrook	12	8	10	15	9										54	89	68.67%
CO-1	Extended Run Area															0		0.00%
CO-2	Doverfield Fire	4	3	3	6	6										16	24	0.00%
CO-2	Highland County															0		0.00%
CO-2	Extended Run Area															1		6.15%
RS-1	Doverfield Rescue	9	5	7	6	15										42	43	
RS-2	Highland County															1		2.36%
RS-2	Extended Run Area	2	1	1	1	1										4		9.13%
CO & R-4	Churchville Fire	5	5	6	6	6										28	99	28.28%
CO & R-4	Highland County															0		0.00%
CO & R-4	Extended Run Area	2		1	1	1										3		17.86%
CO & R-4	City of Stanton															0		0.00%
CO & R-4	Churchville Rescue	22	16	26	18	20										102	349	40.96%
CO & R-4	Highland County															0		0.00%
CO & R-4	Extended Run Area	7		4	4	6										17		16.67%
CO & R-4	City of Stanton	4		2	2	3										8		7.84%
CO & R-21	Mount Solon Fire	6	1	2	2	8										19	57	31.15%
CO & R-21	Rockingham County															3		26.15%
CO & R-21	Mount Solon Rescue	12	2	3	4	10										33	111	29.71%
CO & R-21	Rockingham County															1		3.07%
R-23	Riverbend Rescue	74	85	78	92	84										411	446	
R-23	Rockbridge County	1	14	3	10	8										36		8.77%
R-23	City of Stanton	1	1	4	1	0										7		1.69%
R-26	Wyers Cove Rescue	62	65	66	43	61										297	310	
R-26	Rockingham County	11	12	10	9	11										53		17.81%
R-26	City of Stanton															0		0.00%
CO-10	Augusta County	103	82	91	82	87										447	456	
CO-10	City of Stanton	12	28	31	28	31										132		31.00%
TOTAL MONTHLY ACFR CAREER CALLS ANSWERED		709	671	731	611	711	0	0	0	0	0	0	0	0	0	3459	4773	73.65%

FIGURES REPRESENT CALLS DURING HOURS CAREER ARE ASSIGNED TO STATIONS  
2017 FIGURES

CAREER	NAME	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YEARLY TOTAL
CO-11	Preston L. Yancy Fire	57	48	66	34	57	0	0	0	0	0	0	0	262
	Call Turned Over/Cancelled Prior to Response/Standby	0	0	0	0	0	0	0	0	0	0	0	0	2
	Career Only	57	48	66	34	57	0	0	0	0	0	0	0	229
	Career and Volunteer	9	4	9	3	6	0	0	0	0	0	0	0	31
	Volunteer Only	0	0	0	0	0	0	0	0	0	0	0	0	0
RES-11	Rescue 11	161	145	155	120	163	0	0	0	0	0	0	0	744
	Call Turned Over/Cancelled Prior to Response/Standby	1	0	0	2	0	0	0	0	0	0	0	0	3
	Career Only	157	135	145	118	163	0	0	0	0	0	0	0	717
	Career and Volunteer	3	9	9	0	3	0	0	0	0	0	0	0	24
	Volunteer Only	0	0	0	0	0	0	0	0	0	0	0	0	0
CO-18	New Hope Fire	1	0	1	1	1	0	0	0	0	0	0	0	4
	Call Turned Over/Cancelled Prior to Response/Standby	1	0	1	1	1	0	0	0	0	0	0	0	10
	Career Only	0	0	0	0	0	0	0	0	0	0	0	0	0
	Career and Volunteer	3	7	4	4	9	0	0	0	0	0	0	0	27
	Volunteer Only	3	6	4	4	4	0	0	0	0	0	0	0	21
RES-18	New Hope Rescue	1	1	2	2	3	0	0	0	0	0	0	0	9
	Call Turned Over/Cancelled Prior to Response/Standby	1	1	2	2	3	0	0	0	0	0	0	0	9
	Career Only	10	21	22	27	28	0	0	0	0	0	0	0	114
	Career and Volunteer	12	19	10	10	15	0	0	0	0	0	0	0	66
	Volunteer Only	3	13	8	8	12	0	0	0	0	0	0	0	46
RES-6	Stuarts Draft Rescue	61	82	77	62	83	0	0	0	0	0	0	0	365
	Call Turned Over/Cancelled Prior to Response/Standby	1	3	4	1	5	0	0	0	0	0	0	0	16
	Career Only	47	52	58	49	61	0	0	0	0	0	0	0	237
	Career and Volunteer	5	17	10	17	13	0	0	0	0	0	0	0	62
	Volunteer Only	6	10	5	5	4	0	0	0	0	0	0	0	30
RES-16	Craigsville-Augusta Springs	51	40	56	45	38	0	0	0	0	0	0	0	230
	Call Turned Over/Cancelled Prior to Response/Standby	6	0	2	1	3	0	0	0	0	0	0	0	12
	Career Only	44	34	49	41	33	0	0	0	0	0	0	0	201
	Career and Volunteer	1	6	5	3	2	0	0	0	0	0	0	0	17
	Volunteer Only	0	0	0	0	0	0	0	0	0	0	0	0	0
CO-9	Droma Fire	16	18	18	21	19	0	0	0	0	0	0	0	92
	Call Turned Over/Cancelled Prior to Response/Standby	0	0	1	1	0	0	0	0	0	0	0	0	2
	Career Only	5	11	11	11	10	0	0	0	0	0	0	0	48
	Career and Volunteer	11	6	6	8	9	0	0	0	0	0	0	0	40
	Volunteer Only	0	1	0	1	0	0	0	0	0	0	0	0	2
CO-8	Verona Fire	31	28	21	26	26	0	0	0	0	0	0	0	132
	Call Turned Over/Cancelled Prior to Response/Standby	0	0	0	0	0	0	0	0	0	0	0	0	0
	Career Only	19	10	18	11	16	0	0	0	0	0	0	0	73
	Career and Volunteer	13	16	3	13	6	0	0	0	0	0	0	0	53
	Volunteer Only	3	2	0	0	2	0	0	0	0	0	0	0	7
CO-3	Middlebrook Fire	12	8	10	15	9	0	0	0	0	0	0	0	54
	Call Turned Over/Cancelled Prior to Response/Standby	0	0	0	0	0	0	0	0	0	0	0	0	0
	Career Only	11	5	7	7	7	0	0	0	0	0	0	0	57
	Career and Volunteer	1	3	8	8	7	0	0	0	0	0	0	0	27
	Volunteer Only	0	0	0	0	0	0	0	0	0	0	0	0	0
CO-2	Deerfield Fire Department	8	4	4	7	8	0	0	0	0	0	0	0	31
	Call Turned Over/Cancelled Prior to Response/On Rescue	0	0	0	0	0	0	0	0	0	0	0	0	0
	Career Only	1	0	0	1	1	0	0	0	0	0	0	0	3
	Career and Volunteer	3	3	3	0	6	0	0	0	0	0	0	0	15
	Volunteer Only	2	1	1	2	2	0	0	0	0	0	0	0	8
RES-2	Deerfield Rescue Squad	10	5	7	6	15	0	0	0	0	0	0	0	43
	Call Turned Over/Cancelled Prior to Response/Standby	0	0	0	0	0	0	0	0	0	0	0	0	0
	Career Only	9	2	7	2	13	0	0	0	0	0	0	0	43
	Career and Volunteer	5	3	7	4	10	0	0	0	0	0	0	0	29
	Volunteer Only	1	0	0	0	0	0	0	0	0	0	0	0	1
CO-4	Churchville Fire Department	9	8	11	9	7	0	0	0	0	0	0	0	44
	Call Turned Over/Cancelled Prior to Response/On Rescue	1	1	2	0	0	0	0	0	0	0	0	0	4
	Career Only	0	2	2	4	2	0	0	0	0	0	0	0	10
	Career and Volunteer	3	3	4	2	4	0	0	0	0	0	0	0	18
	Volunteer Only	1	2	5	3	1	0	0	0	0	0	0	0	14
RES-4	Churchville Rescue Squad	2	1	1	1	0	0	0	0	0	0	0	0	5
	Call Turned Over/Cancelled Prior to Response/Standby	0	0	3	0	0	0	0	0	0	0	0	0	3
	Career Only	2	1	2	1	0	0	0	0	0	0	0	0	6
	Career and Volunteer	1	4	4	2	4	0	0	0	0	0	0	0	13
	Volunteer Only	5	1	1	1	0	0	0	0	0	0	0	0	8
CO-10	Augusta County	11	8	9	11	11	0	0	0	0	0	0	0	49
	Call Turned Over/Cancelled Prior to Response/Standby	5	1	0	0	0	0	0	0	0	0	0	0	6
	Career Only	6	7	7	7	11	0	0	0	0	0	0	0	43
	Career and Volunteer	7	22	19	6	6	0	0	0	0	0	0	0	60
	Volunteer Only	1	0	2	0	0	0	0	0	0	0	0	0	3
CO-21	Mount Solon Fire Department	8	7	4	7	4	0	0	0	0	0	0	0	30
	Call Turned Over/Cancelled Prior to Response/On Rescue	0	0	0	0	0	0	0	0	0	0	0	0	0
	Career Only	2	0	1	1	1	0	0	0	0	0	0	0	7
	Career and Volunteer	4	1	1	1	5	0	0	0	0	0	0	0	12
	Volunteer Only	2	0	0	2	3	0	0	0	0	0	0	0	7
RES-21	Mount Solon Rescue Squad	14	3	4	14	4	0	0	0	0	0	0	0	35
	Call Turned Over/Cancelled Prior to Response/Standby	1	0	0	0	1	0	0	0	0	0	0	0	3
	Career Only	9	7	5	7	6	0	0	0	0	0	0	0	34
	Career and Volunteer	3	1	0	1	4	0	0	0	0	0	0	0	9
	Volunteer Only	1	0	1	0	3	0	0	0	0	0	0	0	5
RES-25	Riverbends Rescue	80	91	86	97	90	0	0	0	0	0	0	0	446
	Call Turned Over/Cancelled Prior to Response/Standby	6	8	8	5	6	0	0	0	0	0	0	0	11
	Career Only	74	83	78	92	84	0	0	0	0	0	0	0	412
	Career and Volunteer	0	1	0	0	0	0	0	0	0	0	0	0	1
	Volunteer Only	0	0	0	0	0	0	0	0	0	0	0	0	0
RES-26	Weyers Cave Rescue	61	74	68	44	61	0	0	0	0	0	0	0	310
	Call Turned Over/Cancelled Prior to Response/Standby	1	9	2	1	0	0	0	0	0	0	0	0	13
	Career Only	60	65	66	43	61	0	0	0	0	0	0	0	297
	Career and Volunteer	0	1	0	1	0	0	0	0	0	0	0	0	2
	Volunteer Only	0	0	0	0	0	0	0	0	0	0	0	0	0

YTD TOTAL OF CALLS DURING HOURS CAREER ARE ASSIGNED TO STATIONS

3726

Augusta County Fire/Rescue  
 Calls Turned Over to Hurt Due  
 Per SOG: Response Check - Time Limit



Agency Dispatched	Agency Responding	Call Type	Date	Location	Time of Call	Resp. Arrive	On Scene	ELAPSED TIME from Call to On Scene	TOTAL ELAPSED TIME from Time of Call	Call Turnover Detail
Verona Fire	Verona Fire, Weyer's Cave, and Augusta Fire	Accident Involving an Animal	5/6/2017	141 148 Mt Zion	18:29	19:34	19:45	0:05	0:17	Co 8 not on any other call
Verona Fire	Verona Fire, Weyer's Cave, and Augusta Fire	Automobile Accident	5/11/2017	141 58 Mt Zion	0:20	0:23	0:26	0:02	0:07	Co 8 not on any other call
Verona Fire	Augusta County Fire, EMS, and Augusta-Augusta Rescue	Unresponsive/Incapacitated	5/20/2017	Augusta 08	10:51	10:52	10:57	0:01	0:06	Co 8 not on any other call
Verona Fire	ACSO Animal Fire and Rescue and Augusta-Augusta Rescue	Automobile Accident	5/21/2017	Lynch Mt	4:53	5:03	5:03	0:00	0:00	Co 8 not on any other call
Verona Fire	Augusta County Fire and Augusta-Augusta Rescue	Living Assistance	5/21/2017	Washington St	3:51	3:54	4:01	0:02	0:00	Co 8 not on any other call
Verona Fire	Augusta County Fire and Augusta-Augusta Rescue	Electricity Disruption	5/21/2017	Washington St	22:43	22:44	22:50	0:01	0:07	Co 8 not on any other call
Dixons Fire	Weyer's Cave Fire	Utility Disruption	5/19/2017	Reynolds Rd	1:45	1:48	2:00	0:02	0:11	Co 8 not on any other call
Raymond Fire	Raymond Fire, Weyer's Cave, and Augusta-Augusta Rescue	Accident Involving an Animal	5/6/2017	141 148 Mt Zion	10:00	10:01	10:19	0:00	0:19	Co 12 not on any other Augusta County call
New Hope Fire	New Hope Fire and Augusta-Augusta Rescue	Automobile Accident	5/2/2017	Lynch Mt Rd	6:49	6:51	6:59	0:01	0:10	Co 19 not on any other call
New Hope Fire	New Hope Fire and Augusta-Augusta Rescue	Living Assistance	5/2/2017	Barnhart Rd	1:40	1:40	1:40	0:00	0:00	Co 19 not on any other call
New Hope Fire	New Hope Fire and Augusta-Augusta Rescue	Automobile Accident	5/6/2017	Barnhart Rd	6:01	6:05	6:09	0:01	0:03	Co 19 not on any other call
Raymond Fire	Raymond Fire, Weyer's Cave, and Augusta-Augusta Rescue	Fire Alarm - 1st	5/25/2017	Shaw's Creek Hwy	5:51	5:54	5:59	0:02	0:04	Co 25 on another call

IF YOU ARE HAVING  
 TROUBLE VIEWING  
 THESE CALLS  
 CONTACT US AT  
 800-800-8000

EMERGENCY CALLS HAVE BEEN IDENTIFIED ABOVE



Augusta County Fire/Rescue  
 Dispatched Agency On Another Call  
 Per SOG: Response Check - Time Limit

Agency Dispatched	Agency Responding	Call Type	Date	Location	Time of Call	Time Resp	On Scene	ELAPSED TIME from Call to Response	TOTAL ELAPSED TIME from Time of Call to On Scene
Waynesboro FRI Aid	Waynesboro FRI Aid	Living Assistance	5/1/2017	Rockfish Rd	11:26	11:30	11:39	0:04	0:13
Waynesboro FRI Aid	Preston L. Yancey Rescue	Pain (Non Traumatic)	5/18/2017	Whippoorwill Way	18:04	19:06	19:16	0:01	0:11
Staurton-Augusta Rescue	Preston L. Yancey Rescue	Seizure Disorder	5/8/2017	Jefferson Hwy	18:59	19:04	19:09	0:04	0:09
Staurton-Augusta Rescue	Riverheads Rescue and Swoope Fire	Difficulty Breathing	5/12/2017	C-Bo-G Ln	8:58	7:00	7:12	0:02	0:14
Suarts Draft Rescue	Riverheads Rescue	Stroke	5/10/2017	Old White Hill Rd	10:13	10:15	10:25	0:01	0:11
Suarts Draft Rescue	Preston L. Yancey Rescue	Injury (Traumatic)	5/10/2017	Clements Ct	10:14	10:15	10:28	0:01	0:13
Suarts Draft Rescue	Preston L. Yancey Rescue	Headache	5/10/2017	Gloucester Rd	10:23	10:25	10:39	0:01	0:16
Suarts Draft Rescue	Riverheads Rescue	Unresponsive/Unconscious	5/15/2017	Old White Hill Rd	18:09	18:10	18:17	0:00	0:06
Suarts Draft Rescue	Waynesboro FRI Aid	Abdominal Pain	5/18/2017	Mount Tenny Rd	9:05	9:07	9:25	0:01	0:19
Crigsville-Augusta Springs Rescue	Churchville Rescue and Crigsville Fire	Stroke	5/12/2017	W Railroad Ave	16:30	16:31	16:51	0:00	0:20
Crigsville-Augusta Springs Rescue	Churchville Rescue and Crigsville Fire	Difficulty Breathing	5/25/2017	Robertson Rd	13:03	13:06	13:28	0:03	0:23
Crigsville-Augusta Springs Rescue	Churchville Rescue, Staunton-Augusta Rescue, and Crigsville Fire	Unknown Situation	5/27/2017	Little Call Pasture Hwy	10:21	10:22	10:28	0:00	0:08
New Hope Rescue	Grobes Rescue	Lifting Assistance	5/1/2017	Rockfish Rd	11:28	11:30	11:39	0:04	0:13
New Hope Rescue	Grobes Rescue	Overdose	5/20/2017	Patterson Mill Rd	12:47	12:47	13:01	0:00	0:14
Grobes Rescue	New Hope Rescue	Fall	5/11/2017	Berdley Cr	16:24	16:26	16:37	0:02	0:13
Mount Solon Rescue	Churchville Rescue	Allergic Reaction	5/1/2017	George Watsons Rd	10:42	10:44	10:50	0:02	0:15
Riverheads Rescue	Suarts Draft Rescue	Unknown Situation	5/8/2017	Lee-Jackson Hwy	21:10	21:12	21:31	0:01	0:20
Riverheads Rescue	Suarts Draft Rescue	Fall	5/12/2017	Jenny Lou Ln	7:06	7:11	7:17	0:04	0:11
Riverheads Rescue	Staunton-Augusta Rescue	Abdominal Pain	5/12/2017	Armedale Farm Ln	14:32	14:35	14:48	0:00	0:13
Riverheads Rescue	Suarts Draft Rescue	Sickness Symptoms	5/22/2017	Lee-Jackson Hwy	9:50	9:52	10:01	0:01	0:10
Riverheads Rescue	Staunton-Augusta Rescue	Difficulty Breathing	5/28/2017	Lee-Jackson Hwy	1:04	1:00	1:21	0:02	0:17
Riverheads Fire	Preston L. Yancey Fire, Suarts Draft Fire, and Wilson Fire	Fire Alarm - 1st	5/25/2017	Suarts Draft Hwy	5:51	5:54	5:56	0:02	0:04
2000-1000 11-7		16	Time						
7 1000-000 11-7		4	Time						
1000-000 11-7		2	Time						
1000-000 11-7		2	Time						





**Augusta County Fire/Rescue  
Responded - No Medic  
Per SOG: Response Check - Time Limit**

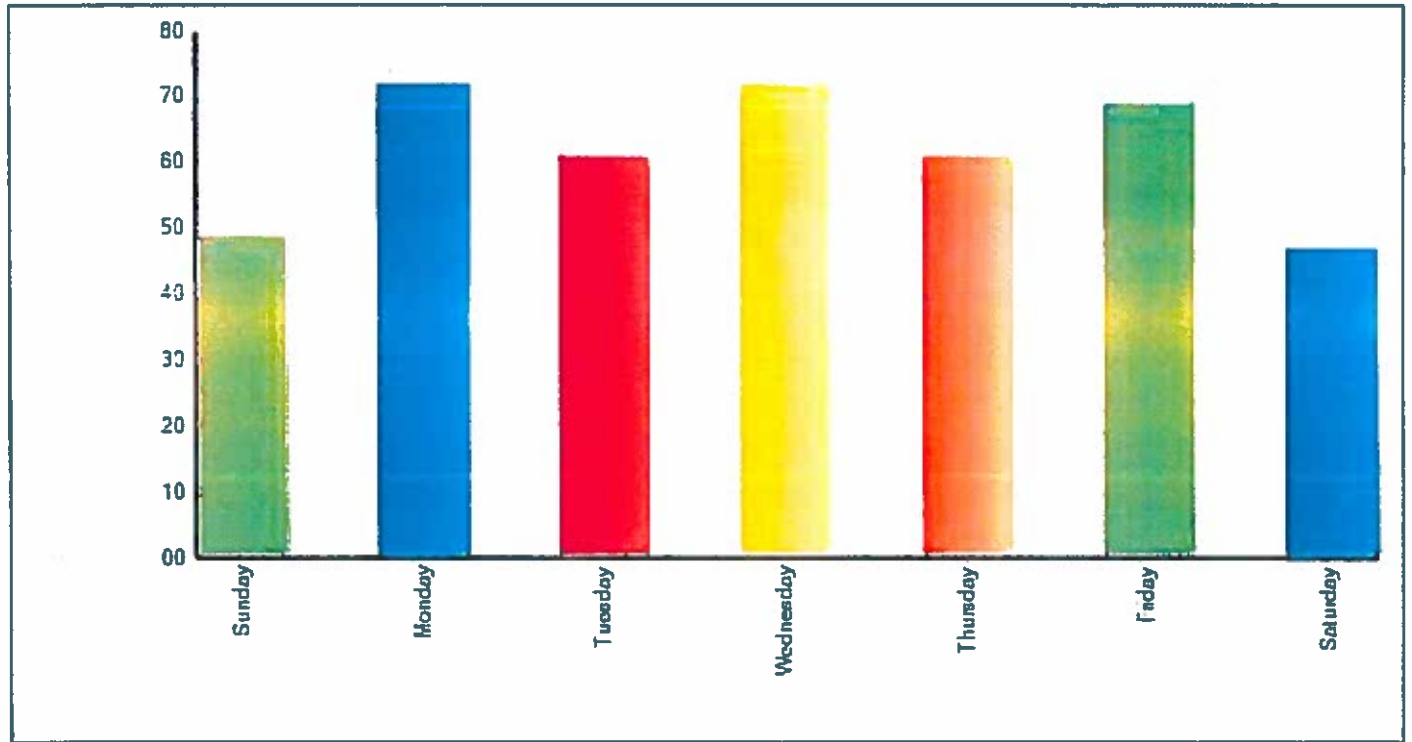
Agency Dispatched	Agency Responding	Call Type	Date	Location	Time of Call	Time Resp	On Scene Response	ELAPSED TIME from Call to	TOTAL ELAPSED TIME from Time of Call to On Scene
May 2017									
Fire/Rescue									
Agency Dispatched	Agency Responding	Call Type	Date	Location	Time of Call	Time Resp	On Scene Response	ELAPSED TIME from Call to	TOTAL ELAPSED TIME from Time of Call to On Scene
AY 0600-1800 M-F			#D/W/01						
GH-T 1800-0600 M-F			#D/W/01						
WEEKEND CALLS			#D/W/01						

WEEKEND CALLS HAVE BEEN HIGHLIGHTED ABOVE.

# Communications

## Calls For Service by Day of Week

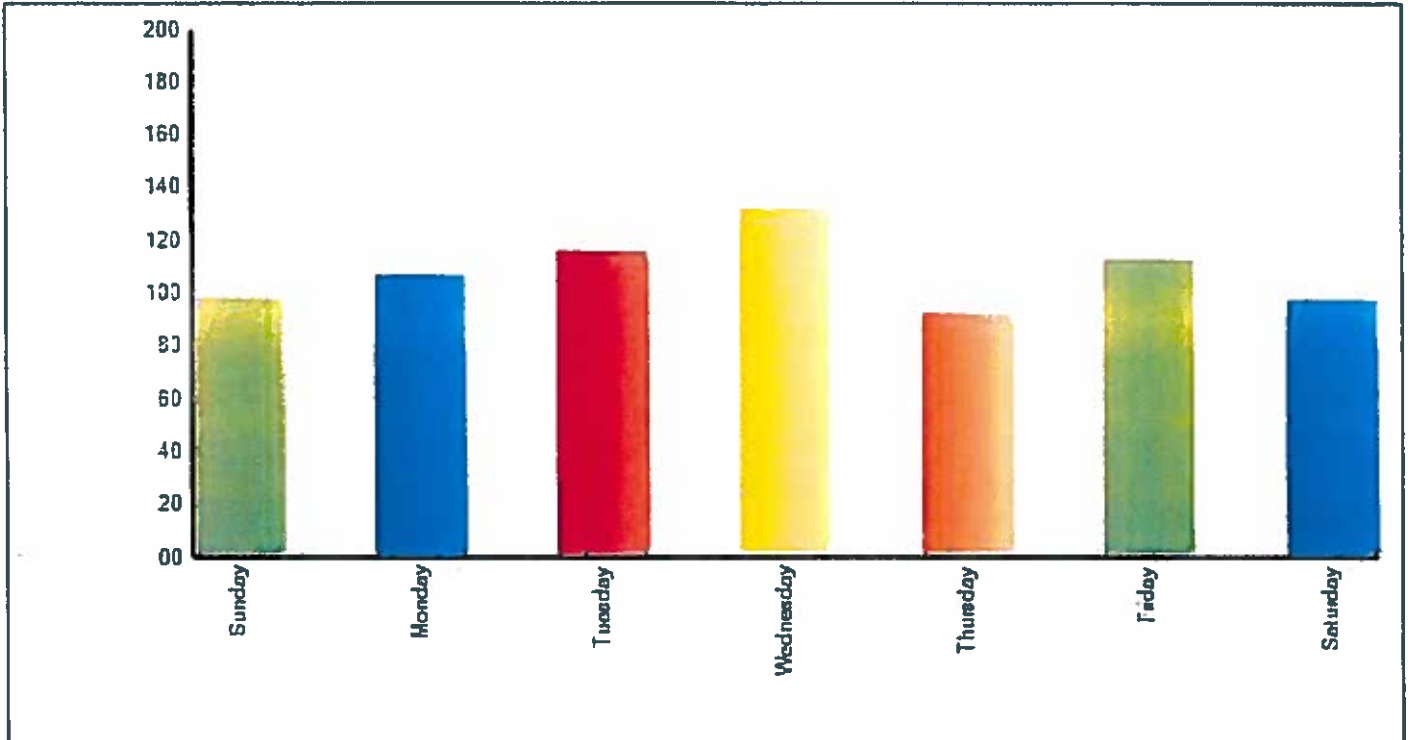
Agency: AFD Date: 5/1/2017 - 5/31/2017



# Communications

## Calls For Service by Day of Week

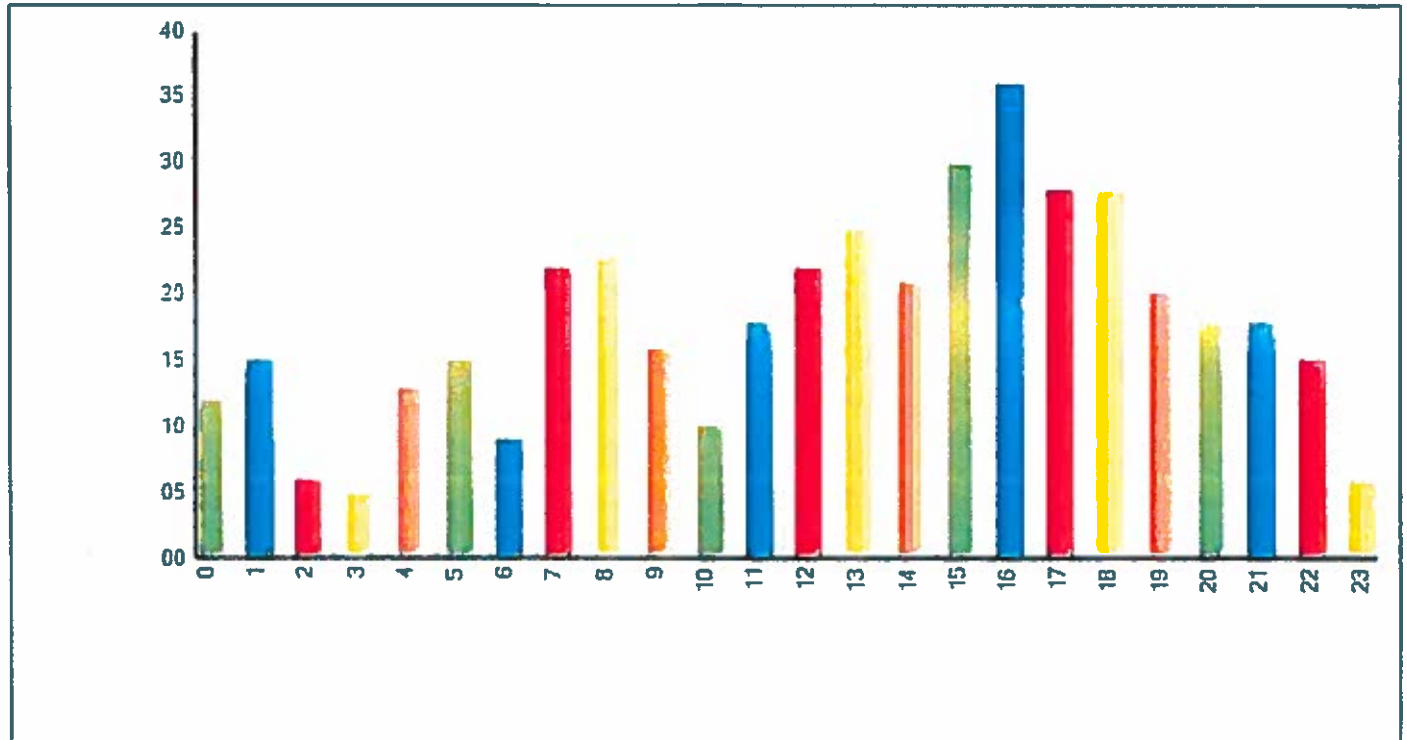
Agency: ARES Date: 5/1/2017 - 5/31/2017



# Communications

## Calls For Service by Hour of Day

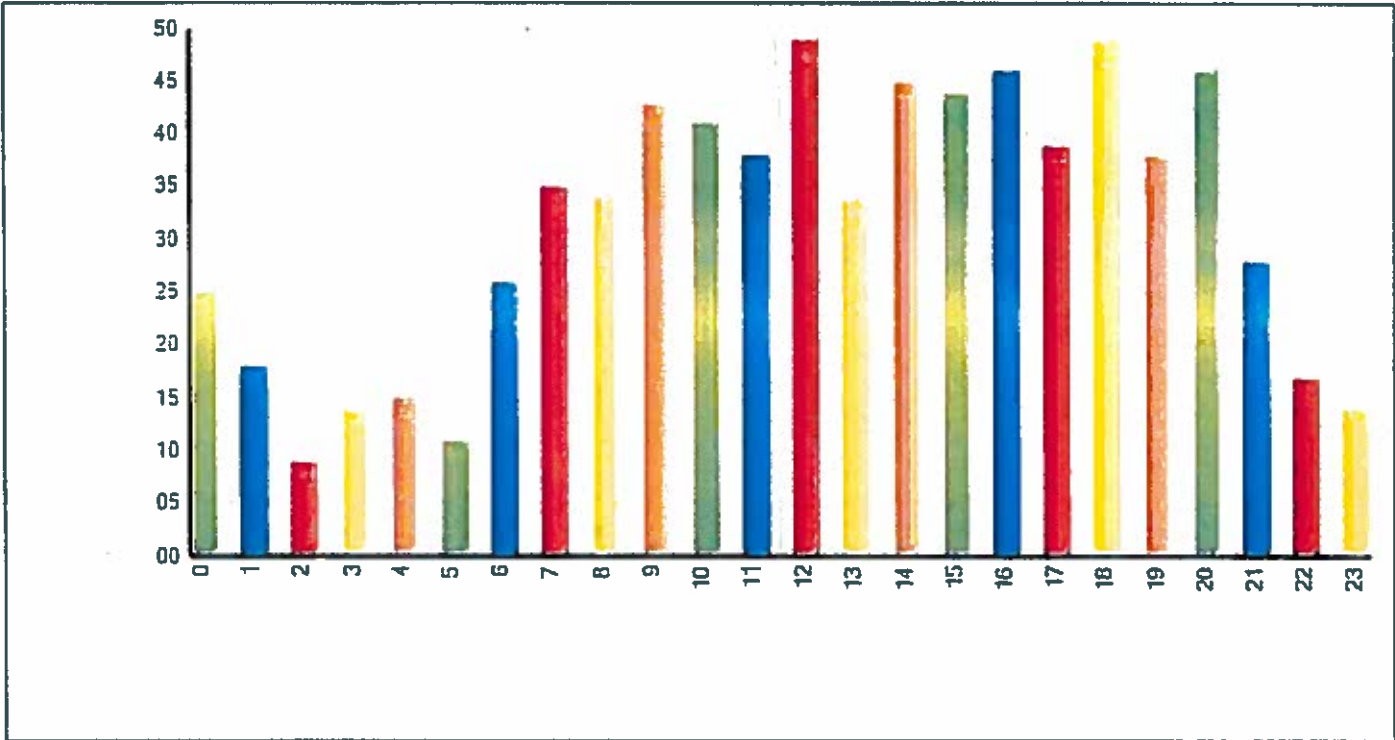
Agency: AFD Date: 5/1/2017 - 5/31/2017



# Communications

## Calls For Service by Hour of Day

Agency: ARES Date: 5/1/2017 - 5/31/2017





**COUNTY OF AUGUSTA**

**STAFF REPORT**

**Keeping of dogs used for agricultural purposes**

**June 13, 2017**

**Revised June 14, 2017**

**An ordinance to amend Section 25-72.1 of the Augusta County Code to permit 6 agricultural dogs as an accessory use in general agriculture districts.**

Requirements for such accessory use include the dogs be used primarily for the maintenance, protection, or herding of livestock on a bona fide agricultural operation and the parcel contain a minimum of 6 acres in area.

**PROPOSED ORDINANCE TEXT:**

**AN ORDINANCE TO AMEND**

**SECTION 25-72.1 OF THE**

**AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to create an accessory use for the keeping of 6 agricultural dogs in General Agriculture districts on a bona fide agricultural operation.

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-72.1 of the Augusta County Code is amended to read as follows:

**§ 25-72.1. Accessory buildings and uses.**

A. Accessory buildings and uses customary and clearly incidental to a permitted use and which will not create a nuisance or hazard shall be permitted in General Agriculture Districts, subject to the applicable provisions of ARTICLE V of DIVISION A of this chapter

**G. The keeping of dogs used for agricultural purposes provided:**

1. **Up to six (6) dogs over the age of six months if used primarily for the maintenance, protection, or herding of livestock on a bona fide agricultural operation; and**
2. **The parcel contains a minimum of six (6) acres in area.**

**COMMUNITY DEVELOPMENT STAFF COMMENTS:** Currently only 4 dogs are permitted in Augusta County at one residence unless a Special Use Permit is obtained for a Kennel. This ordinance amendment would allow 6 agricultural dogs in addition to the 4 dog current maximum. Agricultural dogs will only be permitted in General Agriculture zoned districts on a bona fide agricultural operation on parcels containing a minimum of six acres. Agricultural dogs must be used primarily for the maintenance, protection, or herding of livestock. A bona fide agricultural operation is defined as follows:

The agricultural operation is the primary use of the land. Factors in determining "primary use" shall be (a) the agricultural operation qualifies for land use taxation, (b) the agricultural operation is managed in good faith as a business activity, and (c) the operator can provide a Schedule F or other documentation showing gross receipts of farm income of at least \$10,000. However, an agricultural operation may never be deemed the primary use of the land if a reasonable person could conclude that the agricultural operation exists for the purpose of establishing eligibility for the exemption from local regulation under the State Code.

Nearly 95% of Augusta County is zoned General Agriculture. The Augusta County Comprehensive Plan states that "agriculture will continue to be the predominant land use in the county and a major part of the economy." Staff feels that this amendment will provide for a use that may be desirable for some farmers without them having to go through the Special Use Permit process; therefore, staff recommends approval.

**PLANNING COMMISSION RECOMMENDATION:** Planning Commission recommends approval of the ordinance amendment.



**COUNTY OF AUGUSTA  
STAFF REPORT**

**Clarify agriculture and agriculture related uses as  
permitted uses in General Agriculture Districts**

**June 13, 2017**

**Revised June 14, 2017**

**An ordinance to amend Section 25-72 of the Augusta County Code to clarify agriculture in addition to agriculture related uses is a permitted use in general agriculture districts.**

**PROPOSED ORDINANCE TEXT:**

**AN ORDINANCE TO AMEND  
SECTION 25-72 OF THE  
AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to clarify that agriculture and agriculture related uses are permitted in General Agriculture districts.

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-72 of the Augusta County Code is amended to read as follows:

**§ 25-72. Permitted uses.**

- A. **Agriculture and agriculture related uses, including but not necessarily limited to: wildlife areas, game refuges (where shooting wildlife is not allowed), forestry, forest preserves, stables and riding academies and fish hatcheries.**

**COMMUNITY DEVELOPMENT STAFF COMMENTS:** This ordinance amendment clarifies that agriculture in addition to agriculture related uses is a permitted use in General Agriculture districts. This ordinance amendment does not represent a change in interpretation but only clarifies the ordinance's intention. Staff recommends approval.

**PLANNING COMMISSION RECOMMENDATION:** Planning Commission recommends approval of the ordinance amendment.



**COUNTY OF AUGUSTA  
STAFF REPORT**

**Permit storage of commercial vehicles and/or trailers in  
General Agriculture Districts by administrative permit  
June 13, 2017  
Revised June 14, 2017**

**An ordinance to amend Section 25-73 of the Augusta County Code to permit the storage of commercial vehicles and/or trailers in general agriculture districts by administrative permit.**

Requirements for an administrative permit to store commercial vehicles and/or trailers in general agriculture districts include: the parcel is at least 6 acres in area, a maximum of 2 vehicles and/or trailers shall be permitted, the vehicles and/or trailers are setback 200 feet from all property lines, the sale of goods and services related to the commercial vehicles and/or trailers is not permitted on site, and no more than 2 employees pick up or drop off the commercial vehicles and/or trailers.

**PROPOSED ORDINANCE TEXT:**

**AN ORDINANCE TO AMEND  
SECTION 25-73 OF THE  
AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to create a procedure for the storage of commercial vehicles and/or trailers with an administrative permit for lots of at least six (6) acres in area in General Agriculture districts.

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-73 of the Augusta County Code is amended to read as follows:

**§ 25-73. Uses permitted by administrative permit.**

The uses listed in this section shall be permitted within General Agriculture Districts only upon the issuance of an Administrative Permit by the Zoning Administrator pursuant to the provisions of ARTICLE LVI of DIVISION I of this chapter. Administrative Permits are to be issued only for uses where they applicant can demonstrate that the proposal meets the standards required by this chapter and the uses will not have an undue adverse impact on the surrounding neighborhood. Among matters to be considered in this connection are traffic congestion, noise, lights, dust, odor, fumes and vibration.

**O. Storage of commercial vehicles and/or trailers.**

**Storage of commercial vehicles and/or trailers shall be permitted on lots at least six (6) acres in area in General Agriculture districts by Administrative Permit provided:**

- 1. There shall be no more than two (2) commercial vehicles and/or trailers permitted per lot; and**
- 2. The commercial vehicles and/or trailers are setback two hundred (200) feet from all property lines; and**
- 3. The sale of goods and services related to the commercial vehicles and/or trailers shall not be permitted on site; and**
- 4. No more than two (2) employees will pick up or drop off the commercial vehicles and/or trailers.**

**COMMUNITY DEVELOPMENT STAFF COMMENTS:** Currently, the storage of commercial vehicles and/or trailers in General Agriculture districts is permitted through the Special Use Permit process. This amendment would provide for the storage of up to 2 commercial vehicles and/or trailers on lots that can meet a 200 ft. setback from all property lines with an administrative permit. In addition, the sale of goods and services related to the vehicles is not permitted on site and no more than 2 employees will pick up or drop off the commercial vehicles and/or trailers. Staff believes that the setback requirement and limit on the number of vehicles mitigates impacts to surrounding property owners. For property owners unable to meet setback requirements, or other established conditions, the Special Use Permit process is still available. Staff recommends approval.

**PLANNING COMMISSION RECOMMENDATION:** Planning Commission recommends approval of the ordinance amendment.

**COUNTY OF AUGUSTA  
STAFF REPORT  
Revise definition of Day Care Home Occupation  
June 13, 2017  
Revised June 14, 2017**

**An ordinance to amend Section 25-4 of the Augusta County Code to revise the definition of Day care home occupation.**

Day care home occupation. Any facility operating in the residence of the operator for the purpose of providing care and protection during a part of the day to a group of ~~six (6)~~ five (5), but not more than twelve (12) children unrelated to the operator.

**PROPOSED ORDINANCE TEXT:**

**AN ORDINANCE TO AMEND  
SECTION 25-4 OF THE  
AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it necessary to revise the definition of Day care home occupation to comply with State Code Section 15.2-2292.

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-4 of the Augusta County Code is amended to read as follows:

**§ 25-4. Definitions.**

Day care home occupation. Any facility operating in the residence of the operator for the purpose of providing care and protection during a part of the day to a group of ~~six (6)~~ five (5), but not more than twelve (12) children unrelated to the operator.

**COMMUNITY DEVELOPMENT STAFF COMMENTS:** This definition revision brings the Augusta County code in compliance with State Code Section 15.2-2292. Staff recommends approval.

**PLANNING COMMISSION RECOMMENDATION:** Planning Commission recommends approval of the ordinance amendment.



**COUNTY OF AUGUSTA  
STAFF REPORT**

**Clarification for underground petroleum storage tanks over  
660 gallons in Source Water Protection Area 2**

**June 13, 2017**

**Revised June 14, 2017**

**An ordinance to amend Section 25-518 of the Augusta County Code to clarify that underground petroleum storage tanks over 660 gallons require a Special Administrative Permit in Source Water Protection Area 2 designations.**

**PROPOSED ORDINANCE TEXT:**

**AN ORDINANCE TO AMEND  
SECTION 25-518 OF THE  
AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to clarify that underground petroleum storage tanks *over 660 gallons* may be permitted by a Special Administrative Permit, but underground petroleum storage tanks less than 660 gallons shall be permitted by-right.

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-518 of the Augusta County Code is amended to read as follows:

**§ 25-518. Uses Permitted by Special Administrative Permit in Area 2.**

The uses listed in this section shall be permitted within Area 2 only upon the issuance of a Special Administrative Permit by the Director of Community Development in a manner consistent with the provisions of article LVI of division I of this chapter. Special Administrative Permits are to be issued only for uses where the applicant can demonstrate that the proposal meets the standards required by this chapter and the uses will not have an undue adverse impact on the public water supply.

The County may grant approval for a Special Administrative Permit only after written findings of fact are made that all of the following are true:

1. The proposed use is not expected to detrimentally affect the quality of the groundwater contained in the aquifer by directly contributing to pollution or by increasing the long-term susceptibility of the aquifer to potential pollutants; and

2. Sufficient recharge to the aquifer is not expected to be inhibited or prevented; and
3. The proposed use complies with all other applicable sections of this ordinance.

The Director of Community Development shall make a determination of whether or not to issue a Special Administrative Permit within 30 days of the receipt of an application.

A. Chemical manufacturing; dry cleaners; electrical or electronic manufacturing, on-site recycling or disposal; or electroplating facilities; which involve the collection, handling, manufacture, use, storage, transfer or disposal of any hazardous materials may be permitted by Special Administrative Permit provided:

1. The use is connected to public sewer; and
2. The use installs a secondary containment and spill detection and control system for any bulk storage of chemicals, whether underground or above ground; and
3. The applicant submits a Spill Containment and Prevention Plan; and
4. The use is otherwise permitted by the underlying district regulations or the required permits of the underlying district regulations are obtained.

B. Asphalt processing plants; extraction of minerals, rocks, gravel, sand, or similar materials; facilities with underground petroleum storage tanks over 660 gallons; commercial fertilizer storage facilities; commercial machine shops; railroad or heavy equipment maintenance or fueling facilities; storage of chemicals or petroleum products in structures for subsequent resale to distributors or retail dealers or outlets; and wood preserving facilities which involve the collection, handling, manufacture, use, storage, transfer or disposal of any hazardous materials may be permitted by Special Administrative Permit provided:

1. The use installs a secondary containment and spill detection and control system for any bulk storage of chemicals, whether underground or above ground; and
2. The applicant submits a Spill Containment and Prevention Plan; and
3. The use is otherwise permitted by the underlying district regulations or the required permits of the underlying district regulations are obtained.

C. Funeral homes and photo processing labs which involve the collection, handling, manufacture, use, storage, transfer or disposal of any hazardous materials may be permitted by Special Administrative Permit provided:

1. The use is connected to public sewer; and
2. The use is otherwise permitted by the underlying district regulations or the required permits of the underlying district regulations are obtained.

D. All such uses listed in §25-516 which do not involve the collection, handling, manufacture, use, storage, transfer or disposal of any hazardous materials may be permitted by Special Administrative Permit provided:



1. The applicant certifies that the use does not involve the collection, handling, manufacture, use, storage, transfer or disposal of any hazardous materials; and
2. The use is otherwise permitted by the underlying district regulations or the required permits of the underlying district regulations are obtained.

**COMMUNITY DEVELOPMENT STAFF COMMENTS:** Currently, the Source Water Protection ordinance prohibits underground petroleum storage tanks over 660 gallons in Area 1 but does not regulate underground petroleum storage tanks that do not reach that threshold. The way the ordinance currently reads, all underground petroleum storage tanks require a Special Administrative Permit in Area 2, which is intended to be less restrictive than Area 1. This amendment clarifies that only those underground petroleum storage tanks over 660 gallons in Area 2 require the Special Administrative Permit not those that do not meet that threshold. This ordinance amendment is correcting a mistake in which the language of the ordinance does not reflect the intent. Staff recommends approval.

**PLANNING COMMISSION RECOMMENDATION:** Planning Commission recommends approval of the ordinance amendment.



**COUNTY OF AUGUSTA  
STAFF REPORT  
Chapter 5. Animals  
June 19, 2017**

**An ordinance to amend Chapter 5 of the Augusta County Code to incorporate definitions related to animals from Virginia State Code, incorporate Virginia State Code requirements concerning cruelty to animals, incorporate Virginia State Code requirements concerning rabies inoculation of companion animals, correct when a dog license tax is payable, eliminate destructive dog provisions that are not established by Virginia State Code, eliminate dangerous and vicious dog provisions that are regulated through Virginia State Code, revise impoundment procedures, eliminate provisions for dogs killing other domestic animals other than livestock or poultry, incorporate Virginia State Code regulations on dogs killing, injuring or chasing livestock or poultry with an additional provision which permits an animal control officer with reason to believe that a dog is killing livestock or poultry to confine the animal until such time as evidence shall be heard and a verdict rendered, incorporate penalties as detailed by Virginia State Code for violation of County ordinance, and incorporate penalties for the giving of false reports and interfering with an animal control officer.**

**PROPOSED ORDINANCE TEXT:**

**CHAPTER 5. ANIMALS.**

**Article I. In General.**

- § 5-1. Lawful fences.
- § 5-2. Definitions
- § 5-3. Cruelty to animals.

**Article II. Licensing of Dogs.**

- § 5-11. Unlicensed dogs prohibited.
- § 5-12. Evidence showing inoculation for rabies prerequisite to obtaining dog license.
- § 5-12.1. Rabies inoculation of companion animals; availability of certificate.
- § 5-13. How to obtain license.
- § 5-14. Amount of license tax.
- § 5-15. When license tax payable.
- § 5-16. Effect of dog not bearing tag as evidence.
- § 5-17. ~~What dog license shall consist of.~~ Dog license; defined
- § 5-18. Duplicate license tags.
- § 5-19. Displaying receipts; dogs to wear tags.
- § 5-20. Payment of license tax subsequent to summons.

### Article III. Control of Dogs.

- § 5-21. Running at large defined.
- § 5-22. Dogs prohibited from running at large.
- § 5-23. Dogs not inoculated prohibited from running at large.
- ~~§ 5-24. Destructive dogs prohibited from running at large.~~
- ~~§ 5-24.1 Control of dangerous and vicious dogs.~~
- § 5-25. Impoundment.
- § 5-26. Records.
- ~~§ 5-27. Dogs killing other domestic animals other than livestock or poultry.~~
- § 5-28. **Dogs killing, injuring or chasing livestock or poultry.**

### Article IV. Compensation for Livestock and Poultry Killed by Dogs.

- § 5-31. Compensation provided.
- § 5-32. Requirements for compensation.
- § 5-33. Subrogation.
- § 5-34. Penalty for false claim.

### Article V. Diseased and Deceased Fowl.

- § 5-41. Importation of diseased fowl and carcasses of diseased fowl prohibited.
- § 5-42. Disposal of diseased fowl off-site prohibited.

### Article VI. Enforcement.

- § 5-51. ~~Penalties.~~ **Miscellaneous offences.**
- § 5-52. Power to issue summons.
- § 5-53. Issuance and service of summons in place of warrant.
- § 5-54. Violation of chapter; notice.
- § 5-55. **Violation of Chapter 5; penalty**
- § 5-56. **Giving false reports.**
- § 5-57. **Interfering with an animal control officer.**

### Article VII. Coyotes.

- § 5-61. Killing of coyotes.
- ~~§ 5-62. Payment of bounty for coyotes.~~
- ~~§ 5-63. Penalty for false claims.~~

## CHAPTER 5. ANIMALS.

### Article I. In General.

#### § 5-1. Lawful fences.

The boundary line of each lot or tract of land and any stream in the county shall be a lawful fence as to any livestock domesticated by man. (3/28/67)

State law reference--Virginia Code § 55-310. Sections 5-3 through 5-10 reserved.

## **§ 5-2 Definitions.**

**As used in this chapter unless the context requires a different meaning:**

**"Abandon" means to desert, forsake, or absolutely give up an animal without having secured another owner or custodian for the animal or by failing to provide the elements of basic care as set forth in §3.2-6503 of the Code of Virginia for a period of five consecutive days.**

**"Adequate care" or "care" means the responsible practice of good animal husbandry, handling, production, management, confinement, feeding, watering, protection, shelter, transportation, treatment, and when necessary, euthanasia, appropriate for the age, species, condition, size and type of the animal and the provision of veterinary care when needed to prevent suffering or impairment of health.**

**"Adequate exercise" or "exercise" means the opportunity for the animal to move sufficiently to maintain normal muscle tone and mass for the age, species, size, and condition of the animal.**

**"Adequate feed" means access to and the provision of food that is of sufficient quantity and nutritive value to maintain each animal in good health; is accessible to each animal; is prepared so as to permit ease of consumption for the age, species, condition, size and type of each animal; is provided in a clean and sanitary manner; is placed so as to minimize contamination by excrement and pests; and is provided at suitable intervals for the species, age, and condition of the animal, but at least once daily, except as prescribed by a veterinarian or as dictated by naturally occurring states of hibernation or fasting normal for the species.**

**"Adequate shelter" means provision of and access to shelter that is suitable for the species, age, condition, size, and type of each animal; provides adequate space for each animal; is safe and protects each animal from injury, rain, sleet, snow, hail, direct sunlight, the adverse effects of heat or cold, physical suffering, and impairment of health; is properly lighted; is properly cleaned; enables each animal to be clean and dry, except when detrimental to the species; and for dogs and cats, provides a solid surface, resting platform, pad, floor mat, or similar device that is large enough for the animal to lie on in a normal manner and can be maintained in a sanitary manner. Under this chapter, shelters whose wire, grid, or slat floors: (i) permit the animals' feet to pass through the openings; (ii) sag under the animals' weight; or (iii) otherwise do not protect the animals' feet or toes from injury are not adequate shelter. In addition,**

- (A) Shelter, for livestock, includes structures or natural features such as trees or topography.**
- (B) Shelter, for a dog, includes 1 or more of the following:**
  - (a.) The residence of the dog's owner or other individual.**

**(b.) A shelter that is an enclosed structure with a roof, floor and at least three solid walls, or four solid walls with an opening in one side large enough to permit the dog to enter and exit comfortably, and of appropriate dimensions for the breed and size of the dog. The shelter shall have appropriate bedding. (ex. Shavings, hay, straw, leaves, pine needles)**

**"Adequate space" means sufficient space to allow each animal to: (i) easily stand, sit, lie, turn about, and make all other normal body movements in a comfortable, normal position for the animal; and (ii) interact safely with other animals in the enclosure. When an animal is tethered, "adequate space" means a tether that permits the above actions and is appropriate to the age and size of the animal; is attached to the animal by a properly applied collar, halter, or harness configured so as to protect the animal from injury and prevent the animal or tether from becoming entangled with other objects or animals, or from extending over an object or edge that could result in the strangulation or injury of the animal; and is at least three times the length of the animal, as measured from the tip of its nose to the base of its tail, except when the animal is being walked on a leash or is attached by a tether to a lead line. When freedom of movement would endanger the animal, temporarily and appropriately restricting movement of the animal according to professionally accepted standards for the species is considered provision of adequate space.**

**"Adequate water" means provision of and access to clean, fresh, potable water of a drinkable temperature that is provided in a suitable manner, in sufficient volume, and at suitable intervals appropriate for the weather and temperature, to maintain normal hydration for the age, species, condition, size and type of each animal, except as prescribed by a veterinarian or as dictated by naturally occurring state of hibernation or fasting normal for the species; and is provided in clean, durable receptacles that are accessible to each animal and are placed so as to minimize contamination of the water by excrement and pests or an alternative source of hydration consistent with generally accepted husbandry practices.**

**"Adoption" means the transfer of ownership of a dog or a cat, or any other companion animal, from a releasing agency to an individual.**

**"Agricultural animals" means all livestock and poultry.**

**"Ambient temperature" means the temperature surrounding the animal.**

**"Animal" means any nonhuman vertebrate species except fish. For the purposes of § 3.2-6522, of the Code of Virginia, animal means any species susceptible to rabies. For the purposes of § 3.2-6570 of the Code of Virginia, animal means any nonhuman vertebrate species including fish except those fish captured and killed or disposed of in a reasonable and customary manner.**

**"Animal control officer" means a person appointed as an animal control officer or deputy animal control officer as provided in § 3.2-6555 of the Code of Virginia.**

**"Boarding establishment"** means a place or establishment other than a public or private animal shelter where companion animals not owned by the proprietor are sheltered, fed, and watered in exchange for a fee.

**"Collar"** means a well-fitted device, appropriate to the age and size of the animal, attached to the animal's neck in such a way as to prevent trauma or injury to the animal.

**"Companion animal"** means any domestic or feral dog, domestic or feral cat, nonhuman primate, guinea pig, hamster, rabbit not raised for human food or fiber, exotic or native animal, reptile, exotic or native bird, or any feral animal or any animal under the care, custody, or ownership of a person or any animal that is bought, sold, traded, or bartered by any person. Agricultural animals, game species, or any animals regulated under federal law as research animals shall not be considered companion animals for the purposes of this chapter.

**"Dangerous dog"** is defined in § 3.2-6540 of the Code of Virginia.

**"Direct and immediate threat"** means any clear and imminent danger to an animal's health, safety or life.

**"Dump"** means to knowingly desert, forsake, or absolutely give up without having secured another owner or custodian any dog, cat, or other companion animal in any public place including the right-of-way of any public highway, road or street or on the property of another.

**"Emergency veterinary treatment"** means veterinary treatment to stabilize a life-threatening condition, alleviate suffering, prevent further disease transmission, or prevent further disease progression.

**"Enclosure"** means a structure used to house or restrict animals from running at large.

**"Euthanasia"** means the humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death or by a method that involves anesthesia, produced by an agent that causes painless loss of consciousness, and death during such loss of consciousness.

**"Farming activity"** means, consistent with standard animal husbandry practices, the raising, management, and use of agricultural animals to provide food, fiber, or transportation and the breeding, exhibition, lawful recreational use, marketing, transportation, and slaughter of agricultural animals pursuant to such purposes.

**"Humane"** means any action taken in consideration of and with the intent to provide for the animal's health and well-being.

**"Law-enforcement officer"** means any person who is a full-time or part-time employee of a police department or sheriff's office that is part of or administered by the Commonwealth or any political subdivision thereof and who is responsible for the prevention and detection of crime and

**the enforcement of the penal, traffic or highway laws of the Commonwealth. Part-time employees are compensated officers who are not full-time employees as defined by the employing police department or sheriff's office.**

**"Livestock" includes all domestic or domesticated: bovine animals; equine animals; ovine animals; porcine animals; cervidae animals; capradae animals; animals of the genus Lama; ratites; fish or shellfish in aquaculture facilities, as defined in § 3.2-2600 of the Code of Virginia; enclosed domesticated rabbits or hares raised for human food or fiber; or any other individual animal specifically raised for food or fiber, except companion animals.**

**"New owner" means an individual who is legally competent to enter into a binding agreement pursuant to subdivision B 2 of § 3.2-6574 of the Code of Virginia and who adopts or receives a dog or cat from a releasing agency.**

**"Owner" means any person who: (i) has a right of property in an animal; (ii) keeps or harbors an animal; (iii) has an animal in his care; or (iv) acts as a custodian of an animal.**

**"Poultry" includes all domestic fowl and game birds raised in captivity.**

**"Primary enclosure" means any structure used to immediately restrict an animal or animals to a limited amount of space, such as a room, pen, cage, compartment, or hutch. For tethered animals, the term includes the shelter and the area within reach of the tether.**

**"Private animal shelter" means a facility operated for the purpose of finding permanent adoptive homes for animals that is used to house or contain animals and that is owned or operated by an incorporated, nonprofit, and nongovernmental entity, including a humane society, animal welfare organization, society for the prevention of cruelty to animals, or any other similar organization.**

**"Properly cleaned" means that carcasses, debris, food waste, and excrement are removed from the primary enclosure with sufficient frequency to minimize the animals' contact with the above-mentioned contaminants; the primary enclosure is sanitized with sufficient frequency to minimize odors and the hazards of disease; and the primary enclosure is cleaned so as to prevent the animals confined therein from being directly or indirectly sprayed with the stream of water, or directly or indirectly exposed to hazardous chemicals or disinfectants.**

**"Properly lighted" when referring to a facility means sufficient illumination to permit routine inspections, maintenance, cleaning, and housekeeping of the facility, and observation of the animals; to provide regular diurnal lighting cycles of either natural or artificial light, uniformly diffused throughout the facility; and to promote the well-being of the animals.**

**"Properly lighted" when referring to a private residential dwelling and its surrounding grounds means sufficient illumination to permit routine maintenance and cleaning thereof, and**



**observation of the companion animals; and to provide regular diurnal lighting cycles of either natural or artificial light to promote the well-being of the animals.**

**"Public animal shelter" means a facility operated by the Commonwealth, or any locality, for the purpose of impounding or sheltering seized, stray, homeless, abandoned, unwanted, or surrendered animals or a facility operated for the same purpose under a contract with any locality.**

**"Releasing agency" means (i) a public animal shelter or (ii) a private animal shelter, humane society, animal welfare organization, society for the prevention of cruelty to animals, or other similar entity or home-based rescue that releases companion animals for adoption.**

**"Research facility" means any place, laboratory, or institution licensed by the U.S. Department of Agriculture at which scientific tests, experiments, or investigations involving the use of living animals are carried out, conducted, or attempted.**

**"Sanitize" means to make physically clean and to remove and destroy, to a practical minimum, agents injurious to health.**

**"Sterilize" or "sterilization" means a surgical or chemical procedure performed by a licensed veterinarian that renders a dog or cat permanently incapable of reproducing.**

**"Treasurer" includes the treasurer and his assistants or other officer designated by law to collect taxes in such county.**

**"Treatment" or "adequate treatment" means the responsible handling or transportation of animals in the person's ownership, custody or charge, appropriate for the age, species, condition, size and type of the animal.**

**"Veterinary treatment" means treatment by or on the order of a duly licensed veterinarian.**

**"Weaned" means that an animal is capable of and physiologically accustomed to ingestion of solid food or food customary for the adult of the species and has ingested such food, without nursing, for a period of at least five days.**

**State law reference Virginia Code § 3.2-6500**

### **§ 5-3. Cruelty to animals.**

**A. Any person who: (i) overrides, overdrives, overloads, tortures, ill-treats, abandons, willfully inflicts inhumane injury or pain not connected with bona fide scientific or medical experimentation, or cruelly or unnecessarily beats, maims, mutilates, or kills any animal, whether belonging to himself or another; (ii) deprives any animal of necessary food, drink, shelter or emergency veterinary treatment; (iii) sores any equine for any purpose or administers drugs or medications to alter or mask such sores for the purpose of sale, show, or exhibition of any kind, unless such administration of drugs or medications is within the context of a veterinary client-patient relationship and solely for therapeutic purposes; (iv) ropes, lassoes, or otherwise**

**obstructs or interferes with one or more legs of an equine in order to intentionally cause it to trip or fall for the purpose of engagement in a rodeo, contest, exhibition, entertainment, or sport unless such actions are in the practice of accepted animal husbandry or for the purpose of allowing veterinary care; (v) willfully sets on foot, instigates, engages in, or in any way furthers any act of cruelty to any animal; (vi) carries or causes to be carried by any vehicle, vessel or otherwise any animal in a cruel, brutal, or inhumane manner, so as to produce torture or unnecessary suffering; or (vii) causes any of the above things, or being the owner of such animal permits such acts to be done by another is guilty of a Class 1 misdemeanor.**

**In addition to the penalties provided in this subsection, the court may, in its discretion, require any person convicted of a violation of this subsection to attend an anger management or other appropriate treatment program or obtain psychiatric or psychological counseling. The court may impose the costs of such a program or counseling upon the person convicted.**

**B. Nothing in this section shall be construed to prohibit the dehorning of cattle conducted in a reasonable and customary manner.**

**C. This section shall not prohibit authorized wildlife management activities or hunting, fishing or trapping as regulated under other titles of the Code of Virginia, including Title 29.1, or to farming activities as provided under this title or regulations adopted hereunder.**

**D. It is unlawful for any person to kill a domestic dog or cat for the purpose of obtaining the hide, fur or pelt of the dog or cat. A violation of this subsection is a Class 1 misdemeanor.**

**E. If a dog or cat is attacked on its owner's property by a dog so as to cause injury or death, the owner of the injured dog or cat may use all reasonable and necessary force against the dog at the time of the attack to protect his dog or cat. Such owner may be presumed to have taken necessary and appropriate action to defend his dog or cat and shall therefore be presumed not to have violated this subsection. The provisions of this subsection shall not overrule § 3.2-6540, 3.2-6540.1, or 3.2-6552 of the Code of Virginia.**

**F. Any person convicted of violating this section may be prohibited by the court from possession or ownership of companion animals.**

**State law reference Virginia Code § 3.2-6570**

## **Article II. Licensing of Dogs.**

### **§ 5-11. Unlicensed dogs prohibited.**

**It shall be unlawful for any person to own a dog four months old or older in the county unless such dog is licensed as required by the provisions of this article. (Ords.6-13-62; 9-13-72; 11-28-72)**

**State law reference Virginia Code § 3.2-6524 and 3.2-6543.**

### **§ 5-12. Evidence showing inoculation for rabies prerequisite to obtaining dog license.**

No license tag shall be issued for any dog unless there is presented, to the treasurer or other duly authorized issuing agency, evidence satisfactory to him showing that such dog has been inoculated or vaccinated against rabies by a currently licensed veterinarian.

State law reference Virginia Code § 3.2-6529.

**§ 5-12.1. Rabies inoculation of companion animals; availability of certificate.**

**A. The owner or custodian of all dogs and cats four months of age and older shall have such animal currently vaccinated for rabies by a licensed veterinarian or licensed veterinary technician who is under the immediate and direct supervision of a licensed veterinarian on the premises unless otherwise provided by regulations. The supervising veterinarian on the premises shall provide the owner or custodian of the dog or the cat with a rabies vaccination certificate or herd rabies vaccination certificate and shall keep a copy in his own files. The owner or custodian of the dog or the cat shall furnish within a reasonable period of time, upon the request of an animal control officer, humane investigator, law-enforcement officer, State Veterinarian's representative, or official of the Department of Health, the certificate of vaccination for such dog or cat. The vaccine used shall be licensed by the U.S. Department of Agriculture for use in that species. At the discretion of the local health director, a medical record from a licensed veterinary establishment reflecting a currently vaccinated status may serve as proof of vaccination.**

**B. All rabies clinics require the approval by the appropriate local health department and governing body. The licensed veterinarian who administers rabies vaccinations at the clinic shall (i) provide the owner or custodian a rabies vaccination certificate for each vaccinated animal and (ii) ensure that a licensed veterinary facility retains a copy of the rabies vaccination certificate. The sponsoring organization of a rabies clinic shall, upon the request of the owner or custodian, an animal control officer, a humane investigator, a law-enforcement officer, a State Veterinarian's representative, a licensed veterinarian, or an official of the Virginia Department of Health, provide the name and contact information of the licensed veterinary facility where a copy of the rabies vaccination certificate is retained. However, the county or city shall ensure that a clinic is conducted to serve its jurisdiction at least once every two years.**

**C. Vaccination subsequent to a summons to appear before a court for failure to do so shall not operate to relieve such owner from the penalties or court costs provided under §16.1-69.48:1 or 17.1-275.7, Code of Virginia.**

**D. The Virginia Board of Health shall, by regulation, provide an exemption to the requirements of subsection A if an animal suffers from an underlying medical condition that is likely to result in a life-threatening condition in response to vaccination and such exemption would not risk public health and safety. For the purposes of § 3.2-6522, Code of Virginia such exemption shall mean that the animal is considered not currently vaccinated for rabies. For the purposes of § 3.2-5902, 3.2-6526, and 3.2-6527, Code of Virginia, such exemption shall be considered in place of a current certificate of vaccination.**

State law reference-- Virginia Code § 3.2-6521

**§ 5-13. How to obtain a dog license.**

A. Any person may obtain a dog license by making oral or written application to the treasurer of the county, accompanied by the amount of the license tax and current certificate of vaccination as required by this article.

B. Upon receipt of proper application and current certificate of vaccination as required by this article, the treasurer or other officer charged with the duty of issuing dog licenses shall issue a license receipt for the amount on which he shall record the name and address of the owner or custodian, the date of payment, the year or years for which issued and the serial number of the tag, and deliver the metal license tags or plates provided for in this article.

C. The treasurer may establish substations in convenient locations in the county and appoint agents for the collection of the license tax and issuance of such licenses. (6/13/62)

State law reference Virginia Code § 3.2-6527.

#### **§ 5-14. Amount of license tax.**

A. There is hereby imposed a license tax on the ownership of dogs within the county, unless otherwise exempted by law.

B. The annual license tax on a fertile dog not in a licensed kennel shall be Ten Dollars (\$10.00). A multi-year license tax that runs concurrently with the dog's rabies vaccination effective period shall be Twenty-five Dollars (\$25.00).

C. The annual license tax on a neutered or infertile dog shall be Six Dollars (\$6.00). A multi-year license tax that runs concurrently with the dog's rabies vaccination effective period shall be Fifteen Dollars (\$15.00). Any person who applies for a license tag for a neutered or infertile dog shall present at the time of application certification from a licensed veterinarian attesting the neutering or infertility of the dog. If such certification is not so presented, the dog shall be taxed the fee levied on fertile dogs.

D. The tax for each kennel shall be calculated at the rate of fifty Dollars (\$50.00) for each block of up to twenty dogs.

E. For purposes of this chapter, "kennel" means an enclosure with five or more dogs.

(Ords. 6/13/62; 9/13/72; 11/28/72; 5/5/92; 9/23/09; 3/10/10, eff. 1/10/10)

State law reference Virginia Code § 3.2-6528.

#### **§ 5-15. When license tax payable.**

A. On January 1 and not later than January 31 of each year a license tax is due, the owner of any dog four months old or older shall pay a license tax as prescribed in section 5-14 of this article.

~~B. If a dog becomes four months of age or comes into the possession of any person between January 1 and November 1 of any year, the license tax for the current calendar year shall be paid by the owner. Within thirty days after the dog becomes four months of age or older, or not later than thirty days after an owner acquires a dog four months of age or older, the license tax for the current calendar shall be paid.~~

~~C. If a dog becomes four months of age or comes into the possession of any person between October 31 and December 31 of any year, the license tax for the succeeding calendar year shall be paid by the owner and this license shall be valid from the date the license is purchased. (Ord. 6/13/62)~~

State law reference Virginia Code § 3.2-6530.

#### **§ 5-16. Effect of dog not bearing tag as evidence.**

Any dog not wearing a collar bearing a license tag of the proper calendar year shall prima facie be deemed to be unlicensed, and in any proceedings under this article the burden of proof of the fact that such dog has been licensed, or is otherwise not required to bear a tag at the time, shall be on the owner of the dog.

State law reference Virginia Code § 3.2-6533.

#### **§ 5-17. ~~Of what dog license shall consist.~~ Dog license; defined**

A. A dog license shall consist of a license receipt and a metal tag. The tag shall be stamped or otherwise permanently marked to show that the county issued the license and bear a serial number.

B. A kennel license shall consist of a license receipt which shall show that the county issued the license, shall show the number of dogs authorized to be kept under such license, and shall bear a serial number. It shall also consist of metal tags for the individual dogs, each of which shall be stamped or otherwise permanently marked to show that the county issued the license and bear a serial number. (6/13/62)

State law reference Virginia Code § 3.2-6526.

#### **§ 5-18. Duplicate license tags.**

If a dog license tag shall become lost, destroyed or stolen, the owner or custodian shall at once apply to the treasurer or his agent who issued the original license for a duplicate license tag, presenting the original license receipt. Upon affidavit of the owner or custodian before the treasurer or his agent that the original license tag has been lost, destroyed or stolen, he shall issue a duplicate license tag which the owner or custodian shall immediately affix to the collar of the dog. The treasurer or his agent shall endorse the number of the duplicate and the date issued on the face of the original license receipt. The fee for a duplicate tag for any dog shall be one dollar. (Ords. 6/13/62; 9/13/72)

State law reference Virginia Code § 3.2-6532.

**§ 5-19. Displaying receipts; dogs to wear tags.**

A. Dog and kennel license receipts shall be carefully preserved by the licensees and exhibited promptly on request for inspection by any animal ~~warden-control officer~~ or other officer.

B. Dog license tags shall be securely fastened to a substantial collar by the owner or custodian and worn by the licensed dog.

C. It shall be unlawful for the owner to permit any licensed dog four months old or older to run or roam at large at any time without a license tag.

D. The owner or custodian of the dog may remove the collar and license tag required by this section when (i) the dog is engaged in lawful hunting, (ii) the dog is competing in a dog show, (iii) the dog has a skin condition which would be exacerbated by the wearing of a collar, (iv) the dog is confined, or (v) the dog is under the immediate control of the owner or custodian.

E. A kennel dog shall not be permitted to stray beyond the limits of the enclosure but this shall not prohibit removing dogs therefrom temporarily while under the immediate control of the owner or custodian. (Ord. 6/13/62)

State law reference Virginia Code § 3.2-6531.

**§ 5-20. Payment of license tax subsequent to summons.**

Payment of the license tax subsequent to a summons to appear before a court for failure to pay the license tax within the time required shall not operate to relieve such owner from the penalties provided.

State law reference Virginia Code § 3.2-6536.

**Article III. Control of Dogs.**

**§ 5-21. Running at large defined.**

A. A dog shall be deemed to run at large while roaming, running or self-hunting off the property of its owner or custodian and not under its owner's or custodian's immediate control.

B. A dog shall not be deemed under its owner's or custodian's immediate control unless it is under restraint. A dog under restraint shall mean any dog (i) secured by leash or lead, (ii) under control of a responsible person and obedient to that person's commands, (iii) within the real property limits of its owner or other person consenting to its presence, or (iv) restrained as a hunting dog as provided by state law. (ord. 9/26/78)

State law reference Virginia Code § 3.2-6538.

**§ 5-22. Dogs prohibited from running at large.**

It shall be unlawful for any dog to run at large at any time anywhere in the county. Any person who permits his dog owns a dog to that runs at large shall be deemed to have violated the provisions of this section. (Ord. 9/26/78)

State law reference Virginia Code § 3.2-6538.

**§ 5-23. Dogs not inoculated prohibited from running at large.**

It shall be unlawful for any dog which has not been inoculated or vaccinated against rabies to run at large at any time anywhere in the county. A dog shall be deemed not inoculated if its owner or custodian cannot produce proof of current rabies vaccination. Any person who permits his owns a dog which is not inoculated to and such dog runs at large, shall be deemed to have violated the provisions of this section.

State law reference Virginia Code § 3.2-6522 and 6525.

~~§ 5-24. Destructive dogs prohibited from running at large.~~

~~It shall be unlawful for any destructive dog to run at large at any time anywhere in the county. For the purpose of this article, a dog shall be deemed destructive if it (i) has bitten a person, (ii) is of proven bad temper, (iii) has killed or injured a domestic pet, livestock or domestic fowl, or (iv) has damaged or destroyed personal property or real estate not belonging to its owner or custodian, and against which a complaint has been filed on an appropriate form supplied by the animal warden. A destructive dog shall not be considered under restraint unless it is properly muzzled so as to prevent it from biting any person, domestic pet, livestock or fowl. Any person who permits his destructive dog to run at large shall be deemed to have violated the provisions of this section. (Ords. 3/13/68; 10/23/02)~~

~~State law reference Virginia Code § 3.2-6525.~~

~~§ 5-24.1. Control of dangerous and vicious dogs.~~

~~A. If a canine or canine crossbreed previously declared a dangerous dog pursuant to Virginia Code § 3.1-796.93:1, when such declaration arose out of a separate and distinct incident, attacks and injures or kills a cat or dog that is a companion animal belonging to another person, the owner or custodian of such canine or canine crossbreed shall be guilty of a Class 2 misdemeanor.~~

~~B. If a canine or canine crossbreed previously declared a dangerous dog pursuant to Virginia Code § 3.1-796.93:1, when such declaration arose out of a separate and distinct incident, bites a human being or attacks a human being causing bodily injury, the owner or custodian of such canine or canine crossbreed shall be guilty of a Class 1 misdemeanor.~~

~~C. If the owner of any canine or canine crossbreed declared a dangerous dog pursuant to Virginia Code § 3.1-796.93:1 willfully fails to comply with the requirements imposed as a result of such declaration shall be guilty of a Class 1 misdemeanor.~~

~~D. The provisions of subsections A and B of this section shall not apply to any animal that, at the time of the acts complained of, was responding to pain or injury, or was protecting itself, its kennel, its offspring, a person, or its owner's or custodian's property, or when the animal is a police dog that is engaged in the performance of its duties at the time of the attack.~~

~~(Ord. 10/23/02; 8/23/06, eff. retroactively to 7/1/06)~~

~~State law reference—Virginia Code § 3.2-6540.~~

#### **§ 5-25. Impoundment.**

A. The board of supervisors shall maintain or cause to be maintained a ~~pound~~**public animal shelter** or enclosure in accordance with state law and shall cause dogs running at large in violation of article III of this chapter to be confined therein.

B. Any animal which has been so confined must be kept for a period of not less than five days, such period to commence on the day immediately following the day the animal is initially confined to the facility, unless sooner claimed by the owner thereof.

C. A reasonable effort must be made to ascertain whether the animal has a collar, tag, license, tattoo, or other form of identification. If such identification is found on the animal, the animal shall be held for an additional five days, unless sooner claimed by the rightful owner. If the rightful owner of the animal can be readily identified, the operator or custodian of the shelter shall make a reasonable effort to notify the owner of the animal's confinement within the next 48 hours following its confinement.

D. In the event that any animal confined in such facility is claimed by its rightful owner, the owner shall only be charged with the actual expenses incurred in keeping the animal impounded.

~~E. Unclaimed dogs shall be disposed of in accordance with applicable state laws.~~ If an animal has not been claimed upon expiration of the appropriate holding period as provided in subsection B; it shall be deemed abandoned and become the property of the public animal shelter.

F. The ~~pound~~**public animal shelter** shall be accessible to the public at reasonable hours during the week or by appointment.

~~(Ords. 9/26/78; 5/22/79; 9/23/09)~~

State law reference Virginia Code § 3.2-6546.

#### **§ 5-26. Records.**

An ~~animal-warden control officer~~ or the custodian of any ~~pound~~**public animal shelter**, upon taking custody of any animal in the course of his official duties, shall immediately make a record of the matter in a daily log. The record shall include a description of the animal including color, breed, sex, approximate weight, reason for seizure, location of seizure, the owner's name and address if known, all license or other identification numbers and the disposition of the animal.

State law reference Virginia Code § 3.2-6557.

#### ~~§ 5-27. Dogs killing other domestic animals other than livestock or poultry.~~



~~A. Dogs which kill other dogs or domestic animals other than livestock or poultry shall be confined as provided in this section.~~

~~B. Any animal warden who has reason to believe that any dog is killing, or has killed, other dogs or domestic animals, within or without the county, other than livestock or poultry shall apply to a magistrate of the county, city or town wherein the dog may be located for the issuance of a warrant requiring the owner or custodian, if known, to appear before a general district court at a specified time.~~

~~C. The animal warden or owner shall confine the dog until such time as evidence shall be heard and a verdict rendered.~~

~~D. If it appears from the evidence that the dog has habitually killed other dogs or domestic animals, the court may order the dog killed in accordance with state law. State law reference Virginia Code § 3.1-796.117.~~

#### **§ 5-28. Dogs killing, injuring or chasing livestock or poultry.**

**A. It shall be the duty of any animal control officer or other officer who may find a dog in the act of killing or injuring livestock or poultry to seize or kill such dog forthwith whether such dog bears a tag or not. Any person finding a dog committing any of the depredations mentioned in this section shall have the right to kill such dog on sight as shall any owner of livestock or his agent finding a dog chasing livestock on land utilized by the livestock when the circumstances show that such chasing is harmful to the livestock. Any court shall have the power to order the animal control officer or other officer to kill any dog known to be a confirmed livestock or poultry killer, and any dog killing poultry for the third time shall be considered a confirmed poultry killer. The court, through its contempt powers, may compel the owner, custodian, or harbinger of the dog to produce the dog.**

**B. Any animal control officer who has reason to believe that any dog is killing livestock or poultry shall confine the animal until such time as evidence shall be heard and a verdict rendered. Any animal control officer or other person who has reason to believe that any dog is killing livestock, or committing any of the depredations mentioned in this section, shall apply to a magistrate serving the locality wherein the dog may be, who shall issue a warrant requiring the owner or custodian, if known, to appear before a general district court at a time and place named therein, at which time evidence shall be heard. If it shall appear that the dog is a livestock killer, or has committed any of the depredations mentioned in this section, the district court shall order that the dog be: (i) killed immediately by the animal control officer or other officer designated by the court; or (ii) removed to another state that does not border on the Commonwealth and prohibited from returning to the Commonwealth. Any dog ordered removed from the Commonwealth that is later found in the Commonwealth shall be ordered by a court to be euthanized immediately.**

**C. Notwithstanding the provisions of subsection B, if it is determined that the dog has killed or injured other poultry, the district court may, instead of ordering killing, euthanasia, or removal to another state pursuant to this section, order either (a) that the dog be transferred to**

**another owner whom the court deems appropriate and permanently fitted with an identifying microchip registered to the owner or (b) that the dog be fitted with an identifying microchip registered to the owner and confined indoors or in a securely enclosed and locked structure to sufficient height and design to prevent the dog's escape; direct contact with the dog by minors, adults, or other animals; or entry by minors, adults, or other animals. The structure shall be designed to provide the dog with shelter from the elements of nature. When off its owner's property, any dog found to be a poultry killer shall be kept on a leash and muzzled in such a manner as not to cause injury to the dog or interfere with its vision or respiration, but so as to prevent it from biting a person or another animal.**

**State law reference--Virginia Code § 3.2-6552**

**Sections 5-2829 through 5-30 reserved.**

#### **Article IV. Compensation for Livestock and Poultry Killed by Dogs.**

##### **§ 5-31. Compensation provided.**

**Any person who has any livestock or poultry killed or injured by any dog not his own shall be entitled to receive as compensation the fair market value of such livestock or poultry, not to exceed limits established by state law, provided the requirements of this article have been met.  
(Ord.4/24/79)**

**State law reference Virginia Code § 3.2-6553.**

##### **§ 5-32. Requirements for compensation.**

**No person shall be entitled to receive compensation under section 5-31 unless:**

**A. The claimant has furnished evidence within sixty days of discovery of the quantity and value of the dead or injured livestock and the reasons the claimant believes that death or injury was caused by a dog;**

**B. The animal warden control officer shall have been notified of the incident within seventy-two hours of its discovery;**

**C. The animal warden control officer has conducted an investigation which included a visual examination of the dead or injured livestock;**

**D. The board of supervisors of Augusta County, Virginia, has determined that the claim is supported by the investigation of the animal warden control officer; and**

**E. The claimant first has exhausted his legal remedies against the owner, if known, of the dog doing the damage for which compensation under section 5-31 is sought. Exhaustion shall mean a judgment against the owner of the dog upon which an execution has been returned unsatisfied. (Ords. 4/24/79; 3/12/86)**

State law reference Virginia Code § 3.2-6553.

**§ 5-33. Subrogation.**

Upon payment under section 5-31, the board of supervisors of Augusta County, Virginia, shall be subrogated to the extent of compensation paid to the right of action to the owner of the livestock or poultry against the owner of the dog and may enforce the same in an appropriate action at law. (Ord. 4/24/79)

State law reference Virginia Code § 3.2-6553.

**§ 5-34. Penalty for false claim.**

For any person to present a false claim or to receive any money on a false claim under the provisions of this article shall constitute a Class 1 misdemeanor.

State law reference Virginia Code § 3.2-6587.

Sections 5-35 through 5-40 reserved.

**Article V. Diseased and Deceased Fowl.**

**§ 5-41. Importation of diseased fowl and carcasses of diseased fowl prohibited.**

It shall be unlawful for any person knowingly to import, haul or transport into or through Augusta County any diseased fowl or carcasses of diseased fowl from areas subject to any lawful quarantine declared by any federal, state or local governmental agency without being properly permitted by the Virginia Department of Health or the Virginia Department of Agriculture and Consumer Services and with the concurrence of the Augusta County Board of Supervisors. (Ord. 6/24/84).

State law reference Virginia Code § 15.2-1200.

**§ 5-42. Disposal of diseased fowl off-site prohibited.**

A. It shall be unlawful for any person knowingly to deposit, dump or bury diseased fowl or carcasses of diseased fowl, which have been determined to have contracted a disease within an area subject to any lawful quarantine declared by any federal, state or local governmental agency, on property located within Augusta County, unless the property is the site where said fowl were ordinarily maintained and kept at the time the disease was detected.

B. Nothing herein shall be deemed to require on-site disposal of such fowl and carcasses where a determination is made by the Virginia Department of Health or the Virginia Department of Agriculture and Consumer Services that on-site disposal would increase the risk of spread of contagious diseases among persons, animals or fowl or would be hazardous to the environment.

C. In the event on-site disposal is not approved by the Virginia Department of Health or the Virginia Department of Agriculture and Consumer Services, such fowl and carcasses may be

deposited and disposed of by methods approved by the Virginia Department of Health at locations within the county approved by the Virginia Department of Health or the Virginia Department of Agriculture and Consumer Services. (Ord. 4/24/84)

Sections 5-43 through 5-50 reserved.

#### Article VI. Enforcement.

##### **§ 5-51. ~~Penalties.~~ Miscellaneous offences.**

The following shall be unlawful acts and constitute misdemeanors, and any person convicted thereof shall be subject to the following authorized punishments:

A. For any dog owner to own a dog four months or older in the county without a license in violation of section 5-11, a fine of not less than ten dollars (\$10.00) and not more than two hundred fifty dollars (\$250.00).

B. For any dog owner to allow a dog to run at large in violation of section 5-22, a fine of not less than twenty five dollars (\$25.00) and not more than two hundred fifty dollars (\$250.00).

C. For any dog owner to allow a dog not inoculated to run at large in violation of section 5-23, a fine of not less than fifty dollars (\$50.00) and not more than two hundred fifty dollars (\$250.00).

~~D. For any dog owner to allow a vicious dog to run at large in violation of section 5-24, a fine of not less than one hundred fifty dollars (\$150.00) and not more than two hundred fifty dollars (\$250.00).~~ For any person to violate any other provision of this chapter for which specific penalty is not provided, a fine of not less than ten dollars (\$10.00) and not more than two hundred fifty dollars (250.00).

State law reference Virginia Code § 3.2-6587.

##### **§ 5-52. Power to issue summons.**

When in uniform or upon displaying a badge or other credentials of office, animal ~~wardens control officers~~ and deputy animal ~~wardens control officers~~ shall have the power to issue a summons to any person found in the act of violating any provision of this chapter.

State law reference Virginia Code § 3.2-6543 and 3.2-6555.

##### **§ 5-53. Issuance and service of summons in place of warrant.**

A. Whenever any person is found violating any provision of this chapter punishable as a Class 3 or Class 4 misdemeanor or any other misdemeanor for which he cannot receive a jail sentence, the animal ~~warden control officer~~ or other authorized authority shall take the name and address of such person and issue a summons or otherwise notify him in writing to appear at a time and place to be specified in such summons or notice.

B. Upon the giving by such person of his written promise to appear at such time and place, the animal ~~warden~~ **control officer** or other authorized authority shall forthwith release him from custody.

C. If any such person shall fail or refuse to discontinue the unlawful act, the animal ~~warden~~ **control officer** or other authorized authority may proceed according to the Commonwealth's procedures for arrest without warrant.

D. Any person refusing to give written promise to appear under the provisions of this section shall be taken immediately by the animal ~~warden~~ **control officer** or other authorized authority before a magistrate or other issuing authority having jurisdiction, who shall proceed according to the Commonwealth's procedures for arrest without warrant.

E. Any person who willfully violates his written promise to appear, given in accordance with this section, shall be treated in accordance with the Commonwealth's procedures and penalties for failure to appear.

State law reference Virginia Code § 3.2-6555 and 19.2-74.

#### **§ 5-54. Violation of chapter; notice.**

The treasurer may, on a form to be provided by the county, notify a dog owner by ~~certified~~ mail at his last known address, that the dog owner may pay the dog license fee within the time specified by the notice together with the added cost of the ~~certified~~ mailing and, if such fee is not paid within the time so prescribed, the treasurer will notify the animal ~~warden~~ **control officer** or other authorized authority that the dog owner has failed to pay such fee within the time so prescribed ~~and a summons will be issued to appear before the general district court.~~

(Ord. 9/23/09)

#### **§ 5-55 Violation of Chapter 5; penalty**

**Any person convicted of a violation of this chapter, unless a penalty is otherwise specified, shall be guilty a Class 4 misdemeanor and shall be punished by a fine of not more than two hundred fifty dollars (\$250.00)**

State law reference Virginia Code § 3.2-6587

#### **§ 5-56. Giving false reports.**

A. **It shall be unlawful for any person (i) to knowingly give a false report as to the commission of any crime to any animal control officer or law-enforcement official with the intent to mislead, or (ii) without just cause and with intent to interfere with the operations of any animal control officer or law-enforcement official. Any person knowingly giving false reports shall be guilty of a Class 1 misdemeanor.**

**B. Any person who knowingly and willfully makes any materially false statement or representation to a law-enforcement officer or an animal control officer employed pursuant to § 3.2-6555 of the Code of Virginia, who is in the course of conducting an investigation of a crime by another is guilty of a Class 1 misdemeanor.**

**State law reference** Virginia Code § 18.2-460 D and § 18.2-461

**§ 5-57. Interfering With an Animal Control Officer**

**No individual shall interfere with an animal control officer in the legal performance of his or her duties. This includes but not limited to, striking or attempting to strike the animal control officer; providing the animal control officer with false information; taking or attempting to take any animal from an animal control officer in the legal performance of his or her duties; or from any official vehicle used by the department to transport animals; or taking or damaging any county property used in conjunction with the animal control officer's duties. Any person interfering with an animal control officer's duties shall be by guilty of a Class 1 misdemeanor.**

**State law reference** Virginia Code § 18.2-460

**ARTICLE VII. Coyotes.**

**§ 5-61. Killing of coyotes.**

**It shall be lawful for any person to kill coyotes within the boundaries of Augusta County at any time, provided that, as to the property on which any such coyote is killed, (i) such person owns the property, (ii) such person is the lawful tenant in possession of the property, (iii) such person has the permission of the owner or lawful tenant in possession of the property to kill such coyote, or (iv) such property is owned by the Commonwealth of Virginia or the United States of America.**

**§ 5-62. Payment of bounty for coyotes and §5-63. Penalty for false claims repealed by ordinance dated May 12, 2010, effective July 1, 2010.**

(Ord. 10/12/05, eff. 1/1/06; 5/12/10, eff. 7/1/10)

**State law reference—Virginia Code §15.2-926.1.**

**AN ORDINANCE TO AMEND  
CHAPTER 5. ANIMALS OF THE  
AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to incorporate definitions related to animals from Virginia State Code, incorporate Virginia State Code requirements concerning cruelty to animals, incorporate Virginia State Code requirements concerning rabies inoculation of companion animals, correct when a dog license tax is payable, eliminate destructive dog provisions that are not established by Virginia State Code, eliminate dangerous and vicious dog provisions that are regulated through Virginia State Code, revise impoundment procedures, eliminate provisions for dogs killing other domestic animals other than livestock or poultry; and to incorporate Virginia State Code regulations on dogs killing, injuring or chasing livestock or poultry; and

WHEREAS the Augusta County Board of Supervisors has further deemed it desirable to add a provision which permits an animal control officer with reason to believe that a dog is killing livestock or poultry to confine the animal until such time as evidence shall be heard and a verdict rendered; and

WHEREAS, the Augusta County Board of Supervisors has also deemed it desirable to incorporate penalties as detailed by Virginia State Code for violation of County ordinance, and incorporate penalties for the giving of false reports and interfering with an animal control officer.

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Chapter 5. Animals of the Augusta County Code is amended to read as follows:

**CHAPTER 5. ANIMALS.  
Article I. In General.**

- § 5-1. Lawful fences.
- § 5-2. Definitions
- § 5-3. Cruelty to animals.

**Article II. Licensing of Dogs.**

- § 5-11. Unlicensed dogs prohibited.
- § 5-12. Evidence showing inoculation for rabies prerequisite to obtaining dog license.
- § 5-12.1. Rabies inoculation of companion animals; availability of certificate.

- § 5-13. How to obtain license.
- § 5-14. Amount of license tax.
- § 5-15. When license tax payable.
- § 5-16. Effect of dog not bearing tag as evidence.
- § 5-17. ~~What dog license shall consist of.~~ **Dog license; defined**
- § 5-18. Duplicate license tags.
- § 5-19. Displaying receipts; dogs to wear tags.
- § 5-20. Payment of license tax subsequent to summons.

### Article III. Control of Dogs.

- § 5-21. Running at large defined.
- § 5-22. Dogs prohibited from running at large.
- § 5-23. Dogs not inoculated prohibited from running at large.
- ~~§ 5-24. Destructive dogs prohibited from running at large.~~
- ~~§ 5-24.1 Control of dangerous and vicious dogs.~~
- § 5-25. Impoundment.
- § 5-26. Records.
- ~~§ 5-27. Dogs killing other domestic animals other than livestock or poultry.~~
- § 5-28. **Dogs killing, injuring or chasing livestock or poultry.**

### Article IV. Compensation for Livestock and Poultry Killed by Dogs.

- § 5-31. Compensation provided.
- § 5-32. Requirements for compensation.
- § 5-33. Subrogation.
- § 5-34. Penalty for false claim.

### Article V. Diseased and Deceased Fowl.

- § 5-41. Importation of diseased fowl and carcasses of diseased fowl prohibited.
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### Article VI. Enforcement.

- § 5-51. ~~Penalties.~~ **Miscellaneous offences.**
- § 5-52. Power to issue summons.
- § 5-53. Issuance and service of summons in place of warrant.
- § 5-54. Violation of chapter; notice.
- § 5-55. **Violation of Chapter 5; penalty**
- § 5-56. **Giving false reports.**
- § 5-57. **Interfering with an animal control officer.**

### Article VII. Coyotes.



§ 5-61. Killing of coyotes.

~~§ 5-62. Payment of bounty for coyotes.~~

~~§ 5-63. Penalty for false claims.~~

## CHAPTER 5. ANIMALS.

### Article I. In General.

#### § 5-1. Lawful fences.

The boundary line of each lot or tract of land and any stream in the county shall be a lawful fence as to any livestock domesticated by man. (3/28/67)

State law reference--Virginia Code § 55-310.  
Sections 5-3 through 5-10 reserved.

#### § 5-2 Definitions.

**As used in this chapter unless the context requires a different meaning:**

**"Abandon" means to desert, forsake, or absolutely give up an animal without having secured another owner or custodian for the animal or by failing to provide the elements of basic care as set forth in §3.2-6503 of the Code of Virginia for a period of five consecutive days.**

**"Adequate care" or "care" means the responsible practice of good animal husbandry, handling, production, management, confinement, feeding, watering, protection, shelter, transportation, treatment, and when necessary, euthanasia, appropriate for the age, species, condition, size and type of the animal and the provision of veterinary care when needed to prevent suffering or impairment of health.**

**"Adequate exercise" or "exercise" means the opportunity for the animal to move sufficiently to maintain normal muscle tone and mass for the age, species, size, and condition of the animal.**

**"Adequate feed" means access to and the provision of food that is of sufficient quantity and nutritive value to maintain each animal in good health; is accessible to each animal; is prepared so as to permit ease of consumption for the age, species, condition, size and type of each animal; is provided in a clean and sanitary manner; is placed so as to minimize contamination by excrement and pests; and is provided at suitable intervals for the species, age, and condition of the animal, but at least once daily, except as prescribed by a**

veterinarian or as dictated by naturally occurring states of hibernation or fasting normal for the species.

**"Adequate shelter"** means provision of and access to shelter that is suitable for the species, age, condition, size, and type of each animal; provides adequate space for each animal; is safe and protects each animal from injury, rain, sleet, snow, hail, direct sunlight, the adverse effects of heat or cold, physical suffering, and impairment of health; is properly lighted; is properly cleaned; enables each animal to be clean and dry, except when detrimental to the species; and for dogs and cats, provides a solid surface, resting platform, pad, floor mat, or similar device that is large enough for the animal to lie on in a normal manner and can be maintained in a sanitary manner. Under this chapter, shelters whose wire, grid, or slat floors: (i) permit the animals' feet to pass through the openings; (ii) sag under the animals' weight; or (iii) otherwise do not protect the animals' feet or toes from injury are not adequate shelter. In addition,

- (A) Shelter, for livestock, includes structures or natural features such as trees or topography.
- (B) Shelter, for a dog, includes 1 or more of the following:
  - (a.) The residence of the dog's owner or other individual.
  - (b.) A shelter that is an enclosed structure with a roof, floor and at least three solid walls, or four solid walls with an opening in one side large enough to permit the dog to enter and exit comfortably, and of appropriate dimensions for the breed and size of the dog. The shelter shall have appropriate bedding. (ex. Shavings, hay, straw, leaves, pine needles)

**"Adequate space"** means sufficient space to allow each animal to: (i) easily stand, sit, lie, turn about, and make all other normal body movements in a comfortable, normal position for the animal; and (ii) interact safely with other animals in the enclosure. When an animal is tethered, "adequate space" means a tether that permits the above actions and is appropriate to the age and size of the animal; is attached to the animal by a properly applied collar, halter, or harness configured so as to protect the animal from injury and prevent the animal or tether from becoming entangled with other objects or animals, or from extending over an object or edge that could result in the strangulation or injury of the animal; and is at least three times the length of the animal, as measured from the tip of its nose to the base of its tail, except when the animal is being walked on a leash or is attached by a tether to a lead line. When freedom of movement would endanger the animal, temporarily and appropriately restricting movement of the animal according to professionally accepted standards for the species is considered provision of adequate space.

**"Adequate water"** means provision of and access to clean, fresh, potable water of a drinkable temperature that is provided in a suitable manner, in sufficient volume, and at suitable intervals appropriate for the weather and temperature, to maintain normal hydration for the age, species, condition, size and type of each animal, except as prescribed by a veterinarian or as dictated by naturally occurring state of hibernation or fasting normal for the species; and is provided in clean, durable receptacles that are accessible to each animal and are placed so as to minimize contamination of the water by excrement and pests or an alternative source of hydration consistent with generally accepted husbandry practices.

**"Adoption"** means the transfer of ownership of a dog or a cat, or any other companion animal, from a releasing agency to an individual.

**"Agricultural animals"** means all livestock and poultry.

**"Ambient temperature"** means the temperature surrounding the animal.

**"Animal"** means any nonhuman vertebrate species except fish. For the purposes of § 3.2-6522, of the Code of Virginia, animal means any species susceptible to rabies. For the purposes of § 3.2-6570 of the Code of Virginia, animal means any nonhuman vertebrate species including fish except those fish captured and killed or disposed of in a reasonable and customary manner.

**"Animal control officer"** means a person appointed as an animal control officer or deputy animal control officer as provided in § 3.2-6555 of the Code of Virginia.

**"Boarding establishment"** means a place or establishment other than a public or private animal shelter where companion animals not owned by the proprietor are sheltered, fed, and watered in exchange for a fee.

**"Collar"** means a well-fitted device, appropriate to the age and size of the animal, attached to the animal's neck in such a way as to prevent trauma or injury to the animal.

**"Companion animal"** means any domestic or feral dog, domestic or feral cat, nonhuman primate, guinea pig, hamster, rabbit not raised for human food or fiber, exotic or native animal, reptile, exotic or native bird, or any feral animal or any animal under the care, custody, or ownership of a person or any animal that is bought, sold, traded, or bartered by any person. Agricultural animals, game species, or any animals regulated under federal law as research animals shall not be considered companion animals for the purposes of this chapter.

**“Dangerous dog” is defined in § 3.2-6540 of the Code of Virginia.**

**“Direct and immediate threat” means any clear and imminent danger to an animal's health, safety or life.**

**“Dump” means to knowingly desert, forsake, or absolutely give up without having secured another owner or custodian any dog, cat, or other companion animal in any public place including the right-of-way of any public highway, road or street or on the property of another.**

**“Emergency veterinary treatment” means veterinary treatment to stabilize a life-threatening condition, alleviate suffering, prevent further disease transmission, or prevent further disease progression.**

**“Enclosure” means a structure used to house or restrict animals from running at large.**

**“Euthanasia” means the humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death or by a method that involves anesthesia, produced by an agent that causes painless loss of consciousness, and death during such loss of consciousness.**

**“Farming activity” means, consistent with standard animal husbandry practices, the raising, management, and use of agricultural animals to provide food, fiber, or transportation and the breeding, exhibition, lawful recreational use, marketing, transportation, and slaughter of agricultural animals pursuant to such purposes.**

**“Humane” means any action taken in consideration of and with the intent to provide for the animal's health and well-being.**

**“Law-enforcement officer” means any person who is a full-time or part-time employee of a police department or sheriff's office that is part of or administered by the Commonwealth or any political subdivision thereof and who is responsible for the prevention and detection of crime and the enforcement of the penal, traffic or highway laws of the Commonwealth. Part-time employees are compensated officers who are not full-time employees as defined by the employing police department or sheriff's office.**

**“Livestock” includes all domestic or domesticated: bovine animals; equine animals; ovine animals; porcine animals; cervidae animals; capradae animals; animals of the genus Lama; ratites; fish or shellfish in aquaculture facilities, as defined in § 3.2-2600 of the Code of Virginia; enclosed domesticated rabbits or hares raised for human food or fiber; or any other individual animal specifically raised for food or fiber, except companion animals.**

**"New owner" means an individual who is legally competent to enter into a binding agreement pursuant to subdivision B 2 of § 3.2-6574 of the Code of Virginia and who adopts or receives a dog or cat from a releasing agency.**

**"Owner" means any person who: (i) has a right of property in an animal; (ii) keeps or harbors an animal; (iii) has an animal in his care; or (iv) acts as a custodian of an animal.**

**"Poultry" includes all domestic fowl and game birds raised in captivity.**

**"Primary enclosure" means any structure used to immediately restrict an animal or animals to a limited amount of space, such as a room, pen, cage, compartment, or hutch. For tethered animals, the term includes the shelter and the area within reach of the tether.**

**"Private animal shelter" means a facility operated for the purpose of finding permanent adoptive homes for animals that is used to house or contain animals and that is owned or operated by an incorporated, nonprofit, and nongovernmental entity, including a humane society, animal welfare organization, society for the prevention of cruelty to animals, or any other similar organization.**

**"Properly cleaned" means that carcasses, debris, food waste, and excrement are removed from the primary enclosure with sufficient frequency to minimize the animals' contact with the above-mentioned contaminants; the primary enclosure is sanitized with sufficient frequency to minimize odors and the hazards of disease; and the primary enclosure is cleaned so as to prevent the animals confined therein from being directly or indirectly sprayed with the stream of water, or directly or indirectly exposed to hazardous chemicals or disinfectants.**

**"Properly lighted" when referring to a facility means sufficient illumination to permit routine inspections, maintenance, cleaning, and housekeeping of the facility, and observation of the animals; to provide regular diurnal lighting cycles of either natural or artificial light, uniformly diffused throughout the facility; and to promote the well-being of the animals.**

**"Properly lighted" when referring to a private residential dwelling and its surrounding grounds means sufficient illumination to permit routine maintenance and cleaning thereof, and observation of the companion animals; and to provide regular diurnal lighting cycles of either natural or artificial light to promote the well-being of the animals.**

**"Public animal shelter" means a facility operated by the Commonwealth, or any locality, for the purpose of impounding or sheltering seized, stray, homeless, abandoned, unwanted,**

or surrendered animals or a facility operated for the same purpose under a contract with any locality.

**"Releasing agency"** means (i) a public animal shelter or (ii) a private animal shelter, humane society, animal welfare organization, society for the prevention of cruelty to animals, or other similar entity or home-based rescue that releases companion animals for adoption.

**"Research facility"** means any place, laboratory, or institution licensed by the U.S. Department of Agriculture at which scientific tests, experiments, or investigations involving the use of living animals are carried out, conducted, or attempted.

**"Sanitize"** means to make physically clean and to remove and destroy, to a practical minimum, agents injurious to health.

**"Sterilize"** or **"sterilization"** means a surgical or chemical procedure performed by a licensed veterinarian that renders a dog or cat permanently incapable of reproducing.

**"Treasurer"** includes the treasurer and his assistants or other officer designated by law to collect taxes in such county.

**"Treatment"** or **"adequate treatment"** means the responsible handling or transportation of animals in the person's ownership, custody or charge, appropriate for the age, species, condition, size and type of the animal.

**"Veterinary treatment"** means treatment by or on the order of a duly licensed veterinarian.

**"Weaned"** means that an animal is capable of and physiologically accustomed to ingestion of solid food or food customary for the adult of the species and has ingested such food, without nursing, for a period of at least five days.

State law reference    Virginia Code § 3.2-6500

### **§ 5-3. Cruelty to animals.**

**A. Any person who: (i) overrides, overdrives, overloads, tortures, ill-treats, abandons, willfully inflicts inhumane injury or pain not connected with bona fide scientific or medical experimentation, or cruelly or unnecessarily beats, maims, mutilates, or kills any animal, whether belonging to himself or another; (ii) deprives any animal of necessary food, drink, shelter or emergency veterinary treatment; (iii) sores any equine for any**

**purpose or administers drugs or medications to alter or mask such soring for the purpose of sale, show, or exhibition of any kind, unless such administration of drugs or medications is within the context of a veterinary client-patient relationship and solely for therapeutic purposes; (iv) ropes, lassoes, or otherwise obstructs or interferes with one or more legs of an equine in order to intentionally cause it to trip or fall for the purpose of engagement in a rodeo, contest, exhibition, entertainment, or sport unless such actions are in the practice of accepted animal husbandry or for the purpose of allowing veterinary care; (v) willfully sets on foot, instigates, engages in, or in any way furthers any act of cruelty to any animal; (vi) carries or causes to be carried by any vehicle, vessel or otherwise any animal in a cruel, brutal, or inhumane manner, so as to produce torture or unnecessary suffering; or (vii) causes any of the above things, or being the owner of such animal permits such acts to be done by another is guilty of a Class 1 misdemeanor.**

**In addition to the penalties provided in this subsection, the court may, in its discretion, require any person convicted of a violation of this subsection to attend an anger management or other appropriate treatment program or obtain psychiatric or psychological counseling. The court may impose the costs of such a program or counseling upon the person convicted.**

**B. Nothing in this section shall be construed to prohibit the dehorning of cattle conducted in a reasonable and customary manner.**

**C. This section shall not prohibit authorized wildlife management activities or hunting, fishing or trapping as regulated under other titles of the Code of Virginia, including Title 29.1, or to farming activities as provided under this title or regulations adopted hereunder.**

**D. It is unlawful for any person to kill a domestic dog or cat for the purpose of obtaining the hide, fur or pelt of the dog or cat. A violation of this subsection is a Class 1 misdemeanor.**

**E. If a dog or cat is attacked on its owner's property by a dog so as to cause injury or death, the owner of the injured dog or cat may use all reasonable and necessary force against the dog at the time of the attack to protect his dog or cat. Such owner may be presumed to have taken necessary and appropriate action to defend his dog or cat and shall therefore be presumed not to have violated this subsection. The provisions of this subsection shall not overrule § 3.2-6540, 3.2-6540.1, or 3.2-6552 of the Code of Virginia.**

**F. Any person convicted of violating this section may be prohibited by the court from possession or ownership of companion animals.**

**State law reference    Virginia Code § 3.2-6570**

## **Article II. Licensing of Dogs.**

### **§ 5-11. Unlicensed dogs prohibited.**

It shall be unlawful for any person to own a dog four months old or older in the county unless such dog is licensed as required by the provisions of this article. (Ords.6-13-62; 9-13-72; 11-28-72)

State law reference Virginia Code § 3.2-6524 and 3.2-6543.

**§ 5-12. Evidence showing inoculation for rabies prerequisite to obtaining dog license.**

No license tag shall be issued for any dog unless there is presented, to the treasurer or other duly authorized issuing agency, evidence satisfactory to him showing that such dog has been inoculated or vaccinated against rabies by a currently licensed veterinarian.

State law reference Virginia Code § 3.2-6529.

**§ 5-12.1. Rabies inoculation of companion animals; availability of certificate.**

**A. The owner or custodian of all dogs and cats four months of age and older shall have such animal currently vaccinated for rabies by a licensed veterinarian or licensed veterinary technician who is under the immediate and direct supervision of a licensed veterinarian on the premises unless otherwise provided by regulations. The supervising veterinarian on the premises shall provide the owner or custodian of the dog or the cat with a rabies vaccination certificate or herd rabies vaccination certificate and shall keep a copy in his own files. The owner or custodian of the dog or the cat shall furnish within a reasonable period of time, upon the request of an animal control officer, humane investigator, law-enforcement officer, State Veterinarian's representative, or official of the Department of Health, the certificate of vaccination for such dog or cat. The vaccine used shall be licensed by the U.S. Department of Agriculture for use in that species. At the discretion of the local health director, a medical record from a licensed veterinary establishment reflecting a currently vaccinated status may serve as proof of vaccination.**

**B. All rabies clinics require the approval by the appropriate local health department and governing body. The licensed veterinarian who administers rabies vaccinations at the clinic shall (i) provide the owner or custodian a rabies vaccination certificate for each vaccinated animal and (ii) ensure that a licensed veterinary facility retains a copy of the rabies vaccination certificate. The sponsoring organization of a rabies clinic shall, upon the request of the owner or custodian, an animal control officer, a humane investigator, a law-enforcement officer, a State Veterinarian's representative, a licensed veterinarian, or an official of the Virginia Department of Health, provide the name and contact information of the licensed veterinary facility where a copy of the rabies vaccination certificate is retained. However, the county or city shall ensure that a clinic is conducted to serve its jurisdiction at least once every two years.**

**C. Vaccination subsequent to a summons to appear before a court for failure to do so shall not operate to relieve such owner from the penalties or court costs provided under §16.1-69.48:1 or 17.1-275.7, Code of Virginia.**



**D. The Virginia Board of Health shall, by regulation, provide an exemption to the requirements of subsection A if an animal suffers from an underlying medical condition that is likely to result in a life-threatening condition in response to vaccination and such exemption would not risk public health and safety. For the purposes of § 3.2-6522, Code of Virginia such exemption shall mean that the animal is considered not currently vaccinated for rabies. For the purposes of § 3.2-5902, 3.2-6526, and 3.2-6527, Code of Virginia, such exemption shall be considered in place of a current certificate of vaccination.**

**State law reference-- Virginia Code § 3.2-6521**

**§ 5-13. How to obtain a dog license.**

**A. Any person may obtain a dog license by making oral or written application to the treasurer of the county, accompanied by the amount of the license tax and current certificate of vaccination as required by this article.**

**B. Upon receipt of proper application and current certificate of vaccination as required by this article, the treasurer or other officer charged with the duty of issuing dog licenses shall issue a license receipt for the amount on which he shall record the name and address of the owner or custodian, the date of payment, the year or years for which issued and the serial number of the tag, and deliver the metal license tags or plates provided for in this article.**

**C. The treasurer may establish substations in convenient locations in the county and appoint agents for the collection of the license tax and issuance of such licenses.**  
**(6/13/62)**

**State law reference Virginia Code § 3.2-6527.**

**§ 5-14. Amount of license tax.**

**A. There is hereby imposed a license tax on the ownership of dogs within the county, unless otherwise exempted by law.**

**B. The annual license tax on a fertile dog not in a licensed kennel shall be Ten Dollars (\$10.00). A multi-year license tax that runs concurrently with the dog's rabies vaccination effective period shall be Twenty-five Dollars (\$25.00).**

**C. The annual license tax on a neutered or infertile dog shall be Six Dollars (\$6.00). A multi-year license tax that runs concurrently with the dog's rabies vaccination effective period shall be Fifteen Dollars (\$15.00). Any person who applies for a license tag for a neutered or infertile dog shall present at the time of application certification from a licensed veterinarian attesting the neutering or infertility of the dog. If such certification is not so presented, the dog shall be taxed the fee levied on fertile dogs.**

D. The tax for each kennel shall be calculated at the rate of fifty Dollars (\$50.00) for each block of up to twenty dogs.

E. For purposes of this chapter, "kennel" means an enclosure with five or more dogs. (Ords. 6/13/62; 9/13/72; 11/28/72; 5/5/92; 9/23/09; 3/10/10, eff. 1/10/10)

State law reference Virginia Code § 3.2-6528.

#### **§ 5-15. When license tax payable.**

A. On January 1 and not later than January 31 of each year a license tax is due, the owner of any dog four months old or older shall pay a license tax as prescribed in section 5-14 of this article.

~~B. If a dog becomes four months of age or comes into the possession of any person between January 1 and November 1 of any year, the license tax for the current calendar year shall be paid by the owner~~ **Within thirty days after the dog becomes four months of age or older, or not later than thirty days after an owner acquires a dog four months of age or older, the license tax for the current calendar shall be paid.**

~~C. If a dog becomes four months of age or comes into the possession of any person between October 31 and December 31 of any year, the license tax for the succeeding calendar year shall be paid by the owner and this license shall be valid from the date the license is purchased. (Ord. 6/13/62)~~

State law reference Virginia Code § 3.2-6530.

#### **§ 5-16. Effect of dog not bearing tag as evidence.**

Any dog not wearing a collar bearing a license tag of the proper calendar year shall prima facie be deemed to be unlicensed, and in any proceedings under this article the burden of proof of the fact that such dog has been licensed, or is otherwise not required to bear a tag at the time, shall be on the owner of the dog.

State law reference Virginia Code § 3.2-6533.

#### **§ 5-17. ~~Of what dog license shall consist.~~ Dog license; defined**

A. A dog license shall consist of a license receipt and a metal tag. The tag shall be stamped or otherwise permanently marked to show that the county issued the license and bear a serial number.

B. A kennel license shall consist of a license receipt which shall show that the county issued the license, shall show the number of dogs authorized to be kept under such license, and shall bear a serial number. It shall also consist of metal tags for the individual

dogs, each of which shall be stamped or otherwise permanently marked to show that the county issued the license and bear a serial number. (6/13/62)

State law reference Virginia Code § 3.2-6526.

**§ 5-18. Duplicate license tags.**

If a dog license tag shall become lost, destroyed or stolen, the owner or custodian shall at once apply to the treasurer or his agent who issued the original license for a duplicate license tag, presenting the original license receipt. Upon affidavit of the owner or custodian before the treasurer or his agent that the original license tag has been lost, destroyed or stolen, he shall issue a duplicate license tag which the owner or custodian shall immediately affix to the collar of the dog. The treasurer or his agent shall endorse the number of the duplicate and the date issued on the face of the original license receipt. The fee for a duplicate tag for any dog shall be one dollar. (Ords. 6/13/62; 9/13/72)

State law reference Virginia Code § 3.2-6532.

**§ 5-19. Displaying receipts; dogs to wear tags.**

A. Dog and kennel license receipts shall be carefully preserved by the licensees and exhibited promptly on request for inspection by any animal ~~warden-control officer~~ or other officer.

B. Dog license tags shall be securely fastened to a substantial collar by the owner or custodian and worn by the licensed dog.

C. It shall be unlawful for the owner to permit any licensed dog four months old or older to run or roam at large at any time without a license tag.

D. The owner or custodian of the dog may remove the collar and license tag required by this section when (i) the dog is engaged in lawful hunting, (ii) the dog is competing in a dog show, (iii) the dog has a skin condition which would be exacerbated by the wearing of a collar, (iv) the dog is confined, or (v) the dog is under the immediate control of the owner or custodian.

E. A kennel dog shall not be permitted to stray beyond the limits of the enclosure but this shall not prohibit removing dogs therefrom temporarily while under the immediate control of the owner or custodian. (Ord. 6/13/62)

State law reference Virginia Code § 3.2-6531.

**§ 5-20. Payment of license tax subsequent to summons.**

Payment of the license tax subsequent to a summons to appear before a court for failure to pay the license tax within the time required shall not operate to relieve such owner from the penalties provided.

State law reference Virginia Code § 3.2-6536.

### Article III. Control of Dogs.

#### § 5-21. Running at large defined.

A. A dog shall be deemed to run at large while roaming, running or self-hunting off the property of its owner or custodian and not under its owner's or custodian's immediate control.

B. A dog shall not be deemed under its owner's or custodian's immediate control unless it is under restraint. A dog under restraint shall mean any dog (i) secured by leash or lead, (ii) under control of a responsible person and obedient to that person's commands, (iii) within the real property limits of its owner or other person consenting to its presence, or (iv) restrained as a hunting dog as provided by state law. (ord. 9/26/78)

State law reference Virginia Code § 3.2-6538.

#### § 5-22. Dogs prohibited from running at large.

It shall be unlawful for any dog to run at large at any time anywhere in the county. Any person who ~~permits his dog~~ owns a dog that ~~to~~ runs at large shall be deemed to have violated the provisions of this section. (Ord. 9/26/78)

State law reference Virginia Code § 3.2-6538.

#### § 5-23. Dogs not inoculated prohibited from running at large.

It shall be unlawful for any dog which has not been inoculated or vaccinated against rabies to run at large at any time anywhere in the county. A dog shall be deemed not inoculated if its owner or custodian cannot produce proof of current rabies vaccination. Any person who ~~permits his~~ owns a dog which is not inoculated and such ~~to~~ dog runs at large, shall be deemed to have violated the provisions of this section.

State law reference Virginia Code § 3.2-6522 and 6525.

#### ~~§ 5-24. Destructive dogs prohibited from running at large.~~

~~It shall be unlawful for any destructive dog to run at large at any time anywhere in the county. For the purpose of this article, a dog shall be deemed destructive if it (i) has bitten a person, (ii) is of proven bad temper, (iii) has killed or injured a domestic pet, livestock or domestic fowl, or (iv) has damaged or destroyed personal property or real estate not belonging~~

~~to its owner or custodian, and against which a complaint has been filed on an appropriate form supplied by the animal warden. A destructive dog shall not be considered under restraint unless it is properly muzzled so as to prevent it from biting any person, domestic pet, livestock or fowl. Any person who permits his destructive dog to run at large shall be deemed to have violated the provisions of this section. (Ords. 3/13/68; 10/23/02)~~

~~State law reference—Virginia Code § 3.2-6525.~~

#### ~~§ 5-24.1. Control of dangerous and vicious dogs.~~

~~A. If a canine or canine crossbreed previously declared a dangerous dog pursuant to Virginia Code § 3.1-796.93:1, when such declaration arose out of a separate and distinct incident, attacks and injures or kills a cat or dog that is a companion animal belonging to another person, the owner or custodian of such canine or canine crossbreed shall be guilty of a Class 2 misdemeanor.~~

~~B. If a canine or canine crossbreed previously declared a dangerous dog pursuant to Virginia Code § 3.1-796.93:1, when such declaration arose out of a separate and distinct incident, bites a human being or attacks a human being causing bodily injury, the owner or custodian of such canine or canine crossbreed shall be guilty of a Class 1 misdemeanor.~~

~~C. If the owner of any canine or canine crossbreed declared a dangerous dog pursuant to Virginia Code § 3.1-796.93:1 willfully fails to comply with the requirements imposed as a result of such declaration shall be guilty of a Class 1 misdemeanor.~~

~~D. The provisions of subsections A and B of this section shall not apply to any animal that, at the time of the acts complained of, was responding to pain or injury, or was protecting itself, its kennel, its offspring, a person, or its owner's or custodian's property, or when the animal is a police dog that is engaged in the performance of its duties at the time of the attack.~~

~~(Ord. 10/23/02; 8/23/06, eff. retroactively to 7/1/06)~~

~~State law reference—Virginia Code § 3.2-6540.~~

#### ~~§ 5-25. Impoundment.~~

~~A. The board of supervisors shall maintain or cause to be maintained a pound public animal shelter or enclosure in accordance with state law and shall cause dogs running at large in violation of article III of this chapter to be confined therein.~~

~~B. Any animal which has been so confined must be kept for a period of not less than five days, such period to commence on the day immediately following the day the animal is initially confined to the facility, unless sooner claimed by the owner thereof.~~

~~C. A reasonable effort must be made to ascertain whether the animal has a collar, tag, license, tattoo, or other form of identification. If such identification is found on the animal, the animal shall be held for an additional five days, unless sooner claimed by the~~

**rightful owner. If the rightful owner of the animal can be readily identified, the operator or custodian of the shelter shall make a reasonable effort to notify the owner of the animal's confinement within the next 48 hours following its confinement.**

**D. In the event that any animal confined in such facility is claimed by its rightful owner, the owner shall only be charged with the actual expenses incurred in keeping the animal impounded.**

**E. ~~Unclaimed dogs shall be disposed of in accordance with applicable state laws.~~ If an animal has not been claimed upon expiration of the appropriate holding period as provided in subsection B; it shall be deemed abandoned and become the property of the public animal shelter.**

**F. ~~The pound public animal shelter shall be accessible to the public at reasonable hours during the week or by appointment.~~**

**(Ords. 9/26/78; 5/22/79; 9/23/09)**

**State law reference Virginia Code § 3.2-6546.**

#### **§ 5-26. Records.**

**An animal-warden control officer or the custodian of any ~~pound public animal shelter~~, upon taking custody of any animal in the course of his official duties, shall immediately make a record of the matter in a daily log. The record shall include a description of the animal including color, breed, sex, approximate weight, reason for seizure, location of seizure, the owner's name and address if known, all license or other identification numbers and the disposition of the animal.**

**State law reference Virginia Code § 3.2-6557.**

#### **~~§ 5-27. Dogs killing other domestic animals other than livestock or poultry.~~**

**~~A. Dogs which kill other dogs or domestic animals other than livestock or poultry shall be confined as provided in this section.~~**

**~~B. Any animal warden who has reason to believe that any dog is killing, or has killed, other dogs or domestic animals, within or without the county, other than livestock or poultry shall apply to a magistrate of the county, city or town wherein the dog may be located for the issuance of a warrant requiring the owner or custodian, if known, to appear before a general district court at a specified time.~~**

**~~C. The animal warden or owner shall confine the dog until such time as evidence shall be heard and a verdict rendered.~~**

~~E.—If it appears from the evidence that the dog has habitually killed other dogs or domestic animals, the court may order the dog killed in accordance with state law. State law reference—Virginia Code § 3.1-796.117.~~

**§ 5-28. Dogs killing, injuring or chasing livestock or poultry.**

**A. It shall be the duty of any animal control officer or other officer who may find a dog in the act of killing or injuring livestock or poultry to seize or kill such dog forthwith whether such dog bears a tag or not. Any person finding a dog committing any of the depredations mentioned in this section shall have the right to kill such dog on sight as shall any owner of livestock or his agent finding a dog chasing livestock on land utilized by the livestock when the circumstances show that such chasing is harmful to the livestock. Any court shall have the power to order the animal control officer or other officer to kill any dog known to be a confirmed livestock or poultry killer, and any dog killing poultry for the third time shall be considered a confirmed poultry killer. The court, through its contempt powers, may compel the owner, custodian, or harbinger of the dog to produce the dog.**

**B. Any animal control officer who has reason to believe that any dog is killing livestock or poultry shall confine the animal until such time as evidence shall be heard and a verdict rendered. Any animal control officer or other person who has reason to believe that any dog is killing livestock, or committing any of the depredations mentioned in this section, shall apply to a magistrate serving the locality wherein the dog may be, who shall issue a warrant requiring the owner or custodian, if known, to appear before a general district court at a time and place named therein, at which time evidence shall be heard. If it shall appear that the dog is a livestock killer, or has committed any of the depredations mentioned in this section, the district court shall order that the dog be: (i) killed immediately by the animal control officer or other officer designated by the court; or (ii) removed to another state that does not border on the Commonwealth and prohibited from returning to the Commonwealth. Any dog ordered removed from the Commonwealth that is later found in the Commonwealth shall be ordered by a court to be euthanized immediately.**

**C. Notwithstanding the provisions of subsection B, if it is determined that the dog has killed or injured other poultry, the district court may, instead of ordering killing, euthanasia, or removal to another state pursuant to this section, order either (a) that the dog be transferred to another owner whom the court deems appropriate and permanently fitted with an identifying microchip registered to the owner or (b) that the dog be fitted with an identifying microchip registered to the owner and confined indoors or in a securely enclosed and locked structure to sufficient height and design to prevent the dog's escape; direct contact with the dog by minors, adults, or other animals; or entry by minors, adults, or other animals. The structure shall be designed to provide the dog with shelter from the elements of nature. When off its owner's property, any dog found to be a poultry killer shall be kept on a leash and muzzled in such a manner as not to cause injury to the dog or interfere with its vision or respiration, but so as to prevent it from biting a person or another animal.**

**State law reference—Virginia Code § 3.2-6552**

Sections 5-2829 through 5-30 reserved.

**Article IV. Compensation for Livestock and Poultry Killed by Dogs.**

**§ 5-31. Compensation provided.**

Any person who has any livestock or poultry killed or injured by any dog not his own shall be entitled to receive as compensation the fair market value of such livestock or poultry, not to exceed limits established by state law, provided the requirements of this article have been met. (Ord.4/24/79)

State law reference Virginia Code § 3.2-6553.

**§ 5-32. Requirements for compensation.**

No person shall be entitled to receive compensation under section 5-31 unless:

A. The claimant has furnished evidence within sixty days of discovery of the quantity and value of the dead or injured livestock and the reasons the claimant believes that death or injury was caused by a dog;

B. The animal ~~warden control officer~~ shall have been notified of the incident within seventy-two hours of its discovery;

C. The animal ~~warden control officer~~ has conducted an investigation which included a visual examination of the dead or injured livestock;

D. The board of supervisors of Augusta County, Virginia, has determined that the claim is supported by the investigation of the animal ~~warden control officer~~; and

E. The claimant first has exhausted his legal remedies against the owner, if known, of the dog doing the damage for which compensation under section 5-31 is sought. Exhaustion shall mean a judgment against the owner of the dog upon which an execution has been returned unsatisfied. (Ords. 4/24/79; 3/12/86)

State law reference Virginia Code § 3.2-6553.

**§ 5-33. Subrogation.**

Upon payment under section 5-31, the board of supervisors of Augusta County, Virginia, shall be subrogated to the extent of compensation paid to the right of action to the



owner of the livestock or poultry against the owner of the dog and may enforce the same in an appropriate action at law. (Ord. 4/24/79)

State law reference Virginia Code § 3.2-6553.

**§ 5-34. Penalty for false claim.**

For any person to present a false claim or to receive any money on a false claim under the provisions of this article shall constitute a Class 1 misdemeanor.

State law reference Virginia Code § 3.2-6587.

Sections 5-35 through 5-40 reserved.

**Article V. Diseased and Deceased Fowl.**

**§ 5-41. Importation of diseased fowl and carcasses of diseased fowl prohibited.**

It shall be unlawful for any person knowingly to import, haul or transport into or through Augusta County any diseased fowl or carcasses of diseased fowl from areas subject to any lawful quarantine declared by any federal, state or local governmental agency without being properly permitted by the Virginia Department of Health or the Virginia Department of Agriculture and Consumer Services and with the concurrence of the Augusta County Board of Supervisors. (Ord. 6/24/84).

State law reference Virginia Code § 15.2-1200.

**§ 5-42. Disposal of diseased fowl off-site prohibited.**

A. It shall be unlawful for any person knowingly to deposit, dump or bury diseased fowl or carcasses of diseased fowl, which have been determined to have contracted a disease within an area subject to any lawful quarantine declared by any federal, state or local governmental agency, on property located within Augusta County, unless the property is the site where said fowl were ordinarily maintained and kept at the time the disease was detected.

B. Nothing herein shall be deemed to require on-site disposal of such fowl and carcasses where a determination is made by the Virginia Department of Health or the Virginia Department of Agriculture and Consumer Services that on-site disposal would increase the risk of spread of contagious diseases among persons, animals or fowl or would be hazardous to the environment.

C. In the event on-site disposal is not approved by the Virginia Department of Health or the Virginia Department of Agriculture and Consumer Services, such fowl and carcasses may be deposited and disposed of by methods approved by the Virginia Department of Health

at locations within the county approved by the Virginia Department of Health or the Virginia Department of Agriculture and Consumer Services. (Ord. 4/24/84)

Sections 5-43 through 5-50 reserved.

#### Article VI. Enforcement.

##### **§ 5-51. Penalties: Miscellaneous offences.**

The following shall be unlawful acts and constitute misdemeanors, and any person convicted thereof shall be subject to the following authorized punishments:

A. For any dog owner to own a dog four months or older in the county without a license in violation of section 5-11, a fine of not less than ten dollars (\$10.00) and not more than two hundred fifty dollars (\$250.00).

B. For any dog owner to allow a dog to run at large in violation of section 5-22, a fine of not less than twenty five dollars (\$25.00) and not more than two hundred fifty dollars (\$250.00).

C. For any dog owner to allow a dog not inoculated to run at large in violation of section 5-23, a fine of not less than fifty dollars (\$50.00) and not more than two hundred fifty dollars (\$250.00).

~~D. For any dog owner to allow a vicious dog to run at large in violation of section 5-24, a fine of not less than one hundred fifty dollars (\$150.00) and not more than two hundred fifty dollars (\$250.00).~~ For any person to violate any other provision of this chapter for which specific penalty is not provided, a fine of not less than ten dollars (\$10.00) and not more than two hundred fifty dollars (250.00).

State law reference Virginia Code § 3.2-6587.

##### **§ 5-52. Power to issue summons.**

When in uniform or upon displaying a badge or other credentials of office, animal wardens control officers and deputy animal wardens control officers shall have the power to issue a summons to any person found in the act of violating any provision of this chapter.

State law reference Virginia Code § 3.2-6543 and 3.2-6555.

##### **§ 5-53. Issuance and service of summons in place of warrant.**

A. Whenever any person is found violating any provision of this chapter punishable as a Class 3 or Class 4 misdemeanor or any other misdemeanor for which he cannot receive a jail sentence, the animal warden control officer or other authorized authority shall take the name

and address of such person and issue a summons or otherwise notify him in writing to appear at a time and place to be specified in such summons or notice.

B. Upon the giving by such person of his written promise to appear at such time and place, the animal ~~warden~~ control officer or other authorized authority shall forthwith release him from custody.

C. If any such person shall fail or refuse to discontinue the unlawful act, the animal ~~warden~~ control officer or other authorized authority may proceed according to the Commonwealth's procedures for arrest without warrant.

D. Any person refusing to give written promise to appear under the provisions of this section shall be taken immediately by the animal ~~warden~~ control officer or other authorized authority before a magistrate or other issuing authority having jurisdiction, who shall proceed according to the Commonwealth's procedures for arrest without warrant.

E. Any person who willfully violates his written promise to appear, given in accordance with this section, shall be treated in accordance with the Commonwealth's procedures and penalties for failure to appear.

State law reference Virginia Code § 3.2-6555 and 19.2-74.

#### § 5-54. Violation of chapter; notice.

The treasurer may, on a form to be provided by the county, notify a dog owner by ~~certified~~ mail at his last known address, that the dog owner may pay the dog license fee within the time specified by the notice together with the added cost of the ~~certified~~ mailing and, if such fee is not paid within the time so prescribed, the treasurer will notify the animal ~~warden~~ control officer or other authorized authority that the dog owner has failed to pay such fee within the time so prescribed ~~and a summons will be issued to appear before the general district court.~~

(Ord. 9/23/09)

#### § 5-55 Violation of Chapter 5; penalty

Any person convicted of a violation of this chapter, unless a penalty is otherwise specified, shall be guilty a Class 4 misdemeanor and shall be punished by a fine of not more than two hundred fifty dollars (\$250.00)

State law reference Virginia Code § 3.2-6587

#### § 5-56. Giving false reports.

A. It shall be unlawful for any person (i) to knowingly give a false report as to the commission of any crime to any animal control officer or law-enforcement official with the intent to mislead, or (ii) without just cause and with

**intent to interfere with the operations of any animal control officer or law-enforcement official. Any person knowingly giving false reports shall be guilty of a Class 1 misdemeanor.**

**B. Any person who knowingly and willfully makes any materially false statement or representation to a law-enforcement officer or an animal control officer employed pursuant to § 3.2-6555 of the Code of Virginia, who is in the course of conducting an investigation of a crime by another is guilty of a Class 1 misdemeanor.**

**State law reference** Virginia Code § 18.2-460 D and § 18.2-461

**§ 5-57. Interfering With an Animal Control Officer**

**No individual shall interfere with an animal control officer in the legal performance of his or her duties. This includes but not limited to, striking or attempting to strike the animal control officer; providing the animal control officer with false information; taking or attempting to take any animal from an animal control officer in the legal performance of his or her duties; or from any official vehicle used by the department to transport animals; or taking or damaging any county property used in conjunction with the animal control officer's duties. Any person interfering with an animal control officer's duties shall be by guilty of a Class 1 misdemeanor.**

**State law reference** Virginia Code § 18.2-460

**ARTICLE VII. Coyotes.**

**§ 5-61. Killing of coyotes.**

**It shall be lawful for any person to kill coyotes within the boundaries of Augusta County at any time, provided that, as to the property on which any such coyote is killed, (i) such person owns the property, (ii) such person is the lawful tenant in possession of the property, (iii) such person has the permission of the owner or lawful tenant in possession of the property to kill such coyote, or (iv) such property is owned by the Commonwealth of Virginia or the United States of America.**

**§ 5-62. Payment of bounty for coyotes and §5-63. Penalty for false claims repealed by ordinance dated May 12, 2010, effective July 1, 2010.**

**(Ord. 10/12/05, eff. 1/1/06; 5/12/10, eff. 7/1/10)**

**State law reference—Virginia Code §15.2-926.1.**

**COUNTY OF AUGUSTA  
STAFF REPORT**

**Replace quantity with quality to correct a mistake  
in terminology when referring to water quantity calculations  
June 19, 2017**

**An ordinance to amend Section 9-11 of the Augusta County Code to correct a mistake in terminology where the word "quality" was used instead of "quantity" when referring to water quantity calculations submitted to demonstrate compliance with 9 VAC 25-870-66 C (Flood Protection) and D (sheet flow).**

**PROPOSED ORDINANCE TEXT:**

**AN ORDINANCE TO AMEND  
SECTION 9-11 OF THE  
AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it necessary to correct an error associated with the Technical Criteria for Regulated Land Disturbing Activities section of the Augusta County Code, which incorrectly uses the term "quality" when referencing the State Code section for water "quantity."

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 9-11 of the Augusta County Code is amended to read as follows:

**§ 9-11. Technical Criteria for Regulated Land Disturbing Activities**

- A. To protect the quality and quantity of state water from the potential harm of unmanaged stormwater runoff resulting from land-disturbing activities, the County hereby adopts the technical criteria for regulated land-disturbing activities set forth in Part II B of the Regulations, as amended, expressly to include 9VAC25-870-62 [technical criteria]; 9VAC25-870-63 [water quality design criteria requirements]; 9VAC25-870-65 [water quality compliance]; 9VAC25-870-66 [water quantity]; 9VAC25-870-69 [offsite compliance options]; 9VAC25-870-72 [design storms and hydrologic methods]; 9VAC25-870-74 [stormwater harvesting]; 9VAC25-870-76 [linear development project]; and, 9VAC25-870-85 [stormwater management impoundment structures or facilities]; 9VAC25-870-92 [comprehensive plans]; 9VAC25-870-93 [grandfathered projects]; 9VAC25-870-94 [applicability]; 9VAC25-870-95 [general]; 9VAC25-870-96 [water quality]; 9VAC25-870-97 [stream channel erosion]; 9VAC25-870-98 [flooding]; and 9VAC25-870-99 [regional plans], which shall apply to all land-disturbing activities regulated pursuant to this Ordinance, except as expressly set forth in Subsection (B) of this Section.

Notwithstanding the above references to specific sections of 9VAC25-870-60, the technical criteria are modified to include the following:

4. Except for by right agricultural development, in cases of additions or incremental development, the pre-developed condition with respect to water ~~quality~~ *quantity* calculations submitted to demonstrate compliance with 9 VAC 25-870-66 C (Flood Protection) and D (sheet flow) shall be the condition that existed on January 1, 1990, and the pre-developed condition with respect to water quality calculations submitted to demonstrate compliance with 9 VAC 25-870-63 shall be the ground condition that existed on June 30, 2014. Stormwater detention or retention facilities may be required for proposed development where the sum of the currently proposed land disturbance and the existing impervious and semi-impervious surface is 10,000 square feet or greater and where there is a net increase in runoff between pre-developed and post-developed conditions. Existing stormwater management facilities must be verified adequate through calculations regardless of the type of development or the size of the addition or incremental development. (Ord. 10/28/15)

**COMMUNITY DEVELOPMENT STAFF COMMENTS:** This amendment corrects a wording mistake in the Augusta County ordinance and reflects State Code. Staff recommends approval.

**AN ORDINANCE TO AMEND  
SECTION 9-11 OF THE  
AUGUSTA COUNTY CODE**

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Notwithstanding the above references to specific sections of 9VAC25-870-60, the technical criteria are modified to include the following:

4. Except for by right agricultural development, in cases of additions or incremental development, the pre-developed condition with respect to water ~~quality~~ **quantity** calculations submitted to demonstrate compliance with 9 VAC 25-870-66 C (Flood Protection) and D (sheet flow) shall be the condition that existed on January 1, 1990, and the pre-developed condition with respect to water quality calculations submitted to demonstrate compliance with 9 VAC 25-870-63 shall be the ground condition that existed on June 30, 2014. Stormwater detention or retention facilities may be required for proposed development where the sum of the currently proposed land disturbance and the existing impervious and semi-impervious surface is 10,000 square feet or greater and where there is a net increase in runoff between pre-developed and post-developed conditions. Existing stormwater management facilities must be verified adequate through calculations regardless of the type of development or the size of the addition or incremental development. (Ord. 10/28/15)









CONVENE CLOSED SESSION

June 26, 2017

(In) MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_ VOTE: \_\_\_\_\_  
(Out) \_\_\_\_\_  
(Certify) \_\_\_\_\_

I move that the Board of Supervisors of Augusta County convene in closed session pursuant to:

- (1) the personnel exemption under Virginia Code § 2.2-3711(A) (1)**  
[discussion, consideration or interviews of (a) prospective candidates for employment, or (b) assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees]:

  - a) Boards and Commissions
- (2) the real property exemption under Virginia Code § 2.2-3711(A) (3)**  
[discussion of the acquisition for a public purpose, or disposition, of real property]:

  - a) Mill Place Commerce Park
- (3) the economic development exemption under Virginia Code § 2.2-3711(A) (5)**  
[discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of its interest in locating or expanding its facilities in the county]:

  - a) Proposed Office space, flex space, storage facilities, manufacturing facilities, utility and mixed use development.
- (4) the legal counsel exemption under Virginia Code § 2.2-3711(A) (7)**  
[consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, as permitted under subsection (A) (7)]:

  - a) McKee vs. County of Augusta



**ADVANCED  
A G E N D A**

**REGULAR MEETING OF THE AUGUSTA COUNTY BOARD OF SUPERVISORS**

WEDNESDAY, June 28, 2017, at 7:00 p.m.

**Board Meeting Room, Government Center, Verona, VA**

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ITEM NO.	DESCRIPTION
<b>7:00 P.M.</b>	<b>PLEDGE OF ALLEGIANCE</b>  <b>INVOCATION</b> - Public participation is optional; those who wish to join the Board of Supervisors in prayer are asked to remain standing after the Pledge.
	<b>PUBLIC HEARINGS:</b>
6-10	<b><u>AUGUSTA COUNTY CODE 25-72.1-AMENDMENT</u></b> Consider an ordinance to amend Section 25-72.1 of the Augusta County Code to permit 6 agricultural dogs as an accessory use in general agriculture districts. The Planning Commission recommends approval.
6-11	<b><u>AUGUSTA COUNTY CODE SECTION 25-72-AMENDMENT</u></b> Consider an ordinance to amend Section 25-72 of the Augusta County Code to clarify agriculture in addition to agriculture related uses is a permitted use in general agriculture districts. The Planning Commission recommends approval.
6-12	<b><u>AUGUSTA COUNTY CODE 25-73 DEFINITIONS-AMENDMENT</u></b> Consider an ordinance to amend Section 25-73 of the Augusta County Code to permit the storage of commercial vehicles and/or trailers in general districts by administrative permit. The Planning Commission recommends approval.
6-13	<b><u>AUGUSTA COUNTY CODE SECTION 25-4-AMENDMENT</u></b> Consider an ordinance to amend Section 25-4 of the Augusta County Code to revise the definition of Day Care home occupation. The Planning Commission recommends approval.
6-14	<b><u>AUGUSTA COUNTY CODE 25-518-AMENDMENT</u></b> Consider an ordinance to amend Section 25-518 of the Augusta County Code to clarify that underground petroleum storage tanks over 660 gallons require a Special Administrative Permit in Source Water Protection Areas 2 designations. The Planning Commission recommends approval.

6-15 **AUGUSTA COUNTY CODE AMENDMENT**

Consider an ordinance to amend Chapter 5 of Augusta County Code to incorporate definitions related to animals from Virginia State Code, incorporate Virginia State Code requirements concerning cruelty to animals, incorporate Virginia State Code requirements concerning rabies inoculation of companion animals, correct when a dog license tax is payable, eliminate destructive dog provisions that are not established by Virginia State Code, eliminate dangerous and vicious dog provisions that are regulated through Virginia State Code, revise impoundment procedures, eliminate provisions for dogs killing other domestic animals other than livestock or poultry, incorporate Virginia State Code regulations on dogs killing, injuring or chasing livestock or poultry with an additional provision which permits an animal control officer with reason to believe that a dog is killing livestock or poultry to confine the animal until such time as evidence shall be heard and a verdict rendered, incorporate penalties as detailed by Virginia State Code for violation of County ordinance, and incorporate penalties for the giving of false reports and interfering with an animal control officer.

- 6-16 Consider an ordinance to amend Section 9-11 of the Augusta County Code to correct a mistake in terminology where the word "quality" was used instead of "quantity" when referring to water quantity calculations submitted to demonstrate compliance with 9 VAC 25-870-66C (Flood Protection) and D (sheet flow).

**\*\*END OF PUBLIC HEARINGS\*\***

6-17 **MATTERS TO BE PRESENTED BY THE PUBLIC**

6-18 **WAIVERS**

6-19 **CONSENT AGENDA (SEE ATTACHED)**

6-19.1

**MINUTES**

Consider minutes of the following meetings:

- Staff Briefing, Monday, May 22, 2017
- Regular Meeting, Wednesday, May 24, 2017

**(END OF CONSENT AGENDA)**

6-20 **MATTERS TO BE PRESENTED BY THE BOARD**

6-21 **MATTERS TO BE PRESENTED BY STAFF**

6-22 **CLOSED SESSION**

Staff Briefing Meeting, Monday, May 22, 2017, 1:30 p.m., Government Center, Verona, VA.

PRESENT: Tracy C. Pyles, Jr., Chairman  
Terry Lee Kelley, Jr.-Vice Chairman  
Gerald W. Garber  
Michael L. Shull  
Wendell L. Coleman  
Carolyn S. Bragg  
Marshall W. Pattie  
Timothy K. Fitzgerald, County Administrator  
Jennifer M. Whetzel, Deputy County Administrator  
John Wilkinson, Director of Community Development  
Leslie Tate, Planner  
Misty Cook, Finance Director  
James R. Benkahla, County Attorney

VIRGINIA: At an adjourned meeting of the Augusta County Board of Supervisors held on Monday, May 22, 2017, at 1:30 p.m., at the Government Center, Verona, Virginia, and in the 241<sup>st</sup> year of the Commonwealth....

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VDOT ROADS

The Board discussed the VDOT status report of May 22, 2017.

The Board accepted the report as information.

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ECONOMIC DEVELOPMENT

The Board discussed the Economic Development monthly report of April, 2017.

The Board accepted the monthly report as information.

.....

FIRE AND RESCUE

The Board discussed the Fire and Rescue monthly report of April, 2017.

The Board accepted the monthly report as information.

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SHENANDOAH VALLEY SOCIAL SERVICES.

Presentation by Anita Harris on past year's Annual Report on caseloads.

The Board accepted the report as information.

.....

MILL PLACE ZONING OPTIONS

The Board discussed 3 zoning options for Mill Place Commerce Park.

The Board suggested looking at option c and restricting uses through the covenants.

The Board authorized holding for a later meeting.

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PROCUREMENT POLICY CHANGES

The Board discussed an update to the County Small Purchasing Policy

The Board accepted the update as information.

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May 22, 2017, at 1:30 p.m.

**HEALTH INSURANCE**

The Board discussed a resolution for the addition of a Health Savings Account to the County insurance plan.

The Board authorized placing on the regular meeting agenda for May 24, 2017.

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**PARKS & RECREATION MATCHING GRANT-WILSON MEMORIAL HIGH SCHOOL ATHLETIC BOOSTERS CLUB, INC.**

The Board discussed a funding request for renovations to the Bo Bowers Baseball Stadium.

Funding Source:	Wayne District	80000-8027-43	\$10,000
	Beverley Manor District	80000-8021-55	\$10,000
	Middle River District	80000-8022-50	\$ 5,000

The Board authorized placing on the regular meeting agenda for May 24, 2017

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**FEASIBILITY STUDY FOR A COMBINED MAINTENANCE AND SERVICE GARAGE**

The Board discussed a proposal to complete a feasibility study.

Funding Source:	Pastures Infrastructure	80000-8014-97	\$1,798
	Beverley Manor Infrastructure	80000-8011-84	\$1,798
	Riverheads Infrastructure	80000-8015-79	\$1,798
	South River Infrastructure	80000-8016-85	\$1,798
	Wayne Infrastructure	80000-8017-99	\$1,798
	Middle River Infrastructure	80000-8012-95	\$1,798
	North River Infrastructure	80000-8013-54	\$1,798

The Board authorized placing on the regular meeting agenda for May 24, 2017.

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**ORDINANCE REVIEW**

The Board discussed Ordinance Review Committee's recommendations to advertise for public hearing.

- 1) Revise the Day care home occupation definition to comply with state codes.
- 2) Allow for the keeping of agricultural dogs as an accessory use in General Agriculture districts.
- 3) Revise the Source Water Protection ordinance to clarify that underground petroleum storage tanks over 660 gallons require an Administrative permit, not those under 660 gallons.
- 4) Allow for the storage of commercial vehicles and/or trailers in General Agriculture districts by Administrative Permit.
- 5) Revise the Technical Criteria for Regulated Land Disturbing Activities to correct a mistake where "quality" was used instead of "quantity" for regulations pertaining to water quantity calculations.
- 6) Revise the permitted uses in General Agriculture districts to add agriculture in addition to agriculture related uses. This is meant solely as clarification, staff's interpretation of the ordinance has always been that agriculture and agriculture related uses are permitted in general Agriculture districts.

The Board authorized advertising for public hearing.

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May 22, 2017, at 1:30 p.m.

PLANNING COMMISSION/PUBLIC HEARINGS

- 1) The Board discussed a request to advertise for a public hearing regarding a VDOT project land removal of property from the Middle River Ag Forestal District.

The Board authorized advertising for public hearing..

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WAIVERS/ VARIANCES – NONE

.....

MATTERS TO BE PRESENTED BY THE BOARD

The Board discussed the following:

- 1) The Spottswood Raphine Ruritan Club roof project.
- 2) Fraud of Adults. Social Services-legislative.
- 3) Valley Community Services Board-Could they use Beverley Manor Elementary School.

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MATTERS TO BE PRESENTED BY STAFF

Staff discussed the following:

- 1) Volunteer incentive funding for 100% volunteer stations.
- 2) Phase 1 of the Fire Rescue Strategic Plan

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CLOSED SESSION

On motion of Mr. Kelley, seconded by Mr. Shull, the Board went into closed session pursuant to:

- (1) **the legal counsel exemption under Virginia Code § 2.2-3711(A) (7)** [consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, as permitted under subsection (A) (7)]:

- a) McKee vs. Augusta County Board of Supervisors

.....

On motion of Mr. Shull, seconded by Mr. Garber, the Board came out of Closed Session.

Vote was as follows:        Yeas: Bragg, Kelley, Garber, Wendell, Shull, Pattie and Pyles

Nays: None

Motion carried.

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May 22, 2017, at 1:30 p.m.

CLOSED SESSION (CONT'D)

The Chairman advised that each member is required to certify that to the best their knowledge during the closed session only the following was discussed:

1. Public business matters lawfully exempted from statutory open meeting requirements, and
2. Only such public business matters identified in the motion to convene the executive session.

The Chairman asked if there is any Board member who cannot so certify.

Hearing none, the Chairman called upon the County Administrator/ Clerk of the Board to call the roll noting members of the Board who approve the certification shall answer AYE and those who cannot shall answer NAY.

Roll Call Vote was as follows:

AYE:	Bragg, Garber, Kelley, Coleman, Shull, Pattie and Pyles
NAY:	None

The Chairman authorized the County Administrator/Clerk of the Board to record this certification in the minutes.

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ADJOURNMENT

There being no other business to come before the Board, Mr. Shull moved, seconded by Dr. Pattie, the Board adjourned subject to call of the Chairman.

Vote was as follows:	Yeas: Pyles, Kelley, Coleman, Bragg, Garber, Shull and Pattie
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Nays: None

Motion carried.

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Chairman

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County Administrator

Regular Meeting, Wednesday, May 24, 2017, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Tracy C. Pyles, Jr., Chairman  
Terry Lee Kelley, Jr., Vice-Chairman  
Gerald W. Garber  
Carolyn S. Bragg  
Wendell L. Coleman  
Marshall W. Pattie  
Michael L. Shull  
John R. Wilkinson, Director of Community Development  
Timothy Fitzgerald, County Administrator  
Jennifer M. Whetzel, Deputy County Administrator  
James Benkahla, County Attorney  
Angie Michael, Executive Assistant

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, May 24, 2017, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 241<sup>th</sup> year of the Commonwealth....

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Chairman Pyles welcomed the citizens present.

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The Board led us with the Pledge of Allegiance:

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Mr. Kelley, Supervisor for the Beverley Manor District, delivered invocation.

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MATTERS TO BE PRESENTED BY THE PUBLIC – NONE

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HEALTH INSURANCE

The Board considered a resolution for the addition of a Health Savings Account to the County's insurance plan.

Jennifer Whetzel, Deputy County Administrator, stated that this is a resolution regarding the cafeteria plan. Previously a Point of Service Plan and a plan that had a high deductible and included a Health Savings Account for County employees was approved by the Board. This resolution streamlines the fact that a Health Savings Account would replace the Health Flex Spending account. This resolution brings up the Health Savings Account and it also states that if an employee is enrolled in the Health Flex Spending Account they can be rolled over into the Health Savings Account of \$500.00. This resolution brings inline the Cafeteria or Flexible spending Plan to agree with all of the Health Insurance plans.

Ms. Bragg moved, seconded by Mr. Coleman, that the Board adopt the resolution for a Health Savings Account to the plan.

Vote was as follows: Yeas: Shull, Garber, Coleman, Kelley, Bragg  
Pyles, and Pattie  
Nays: None

Motion carried.

May 24, 2017, at 7:00 p.m.

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HEALTH INSURANCE (CONT'D)

Mr. Pyles reminded everyone that each item on the agenda is discussed in depth during the Staff Briefing.

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PARKS & RECREATION MATCHING GRANT-WILSON MEMORIAL HIGH SCHOOL ATHLETIC BOOSTERS CLUB, INC.

The Board considered a funding request for renovations to the Bo Bowers Baseball Stadium.

Funding Source:	Wayne District	80000-8027-43	\$10,000.00
	Beverley Manor District	80000-8021-55	\$10,000.00
	Middle River District	80000-8022-50	\$ 5,000.00

Mr. Coleman supports this project and the Parks & Recreation Commission supports the application. The project is proposed to be funded by the Wayne, Beverley Manor and Middle River Districts for a total of \$25,000.

Mr. Coleman moved, seconded by Mr. Kelley, that the Board approve the Parks & Recreation Community Matching Grant.

Vote was as follows: Yeas: Pattie, Shull, Garber, Kelley, Bragg, Coleman, and Pyles

Nays: None

Motion carried.

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FEASIBILITY STUDY FOR A COMBINED MAINTENANCE AND SERVICE GARAGE

The Board considered a proposal to complete a feasibility study for an amount of \$12,580.00.

Funding Source:	Pastures Infrastructure	80000-8014-97	\$1,798.00
	Beverley Manor Infrastructure	80000-8011-84	\$1,798.00
	Riverheads Infrastructure	80000-8015-79	\$1,798.00
	South River Infrastructure	80000-8016-85	\$1,798.00
	Wayne Infrastructure	80000-8017-99	\$1,798.00
	Middle River Infrastructure	80000-8012-95	\$1,798.00
	North River Infrastructure	80000-8013-54	\$1,798.00

Mr. Fitzgerald stated there is a possibility of a combined garage which would include the school board, service authority, the Sheriff's Department and also County functions. Lineage Architects will do the feasibility study, space needs analysis and provide a rendering of what the building would look like. The total cost of the study is \$12,580 which would be split evenly between the seven infrastructure accounts.

Mr. Pyles stated that the main objective of this is to have a better way to perform maintenance and repairs. Having a centralized unit with the proper staff and adequate equipment will help save money for the County.

Mr. Shull stated that the current facilities are not big enough. There is a number of unsafe practices taking place. The Service Authority is currently looking at a building so a combined service facility would make sense.

May 24, 2017, at 7:00 p.m.

**FEASIBILITY STUDY FOR A COMBINED MAINTENANCE  
AND SERVICE GARAGE (CONT'D)**

Dr. Pattie moved, seconded by Mr. Shull, that the Board approve funding the request to complete a feasibility study for an amount of \$12,580.00.

Vote was as follows: Yeas: Pattie, Shull, Garber, Kelley, Bragg, Coleman,  
and Pyles

Nays: None

Motion carried.

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**FIRE AND RESCUE STRATEGIC PLAN PHASE ONE**

The Board considered moving forward with phase one of the Augusta County Fire-Rescue Strategic Plan.

Mr. Fitzgerald stated that a lot of time was spent working through the plan which includes several long term phases. The board asked staff to bring forward a portion of phase 1. The original phase 1 was to look at closing Company 10, which is located in the City of Staunton. Along with relocating the personnel from the Middlebrook Fire Company to the Riverheads Fire Company. The Board does not want to consider not moving forward with relocating of employees at Middlebrook at this time, however they do want to consider the closing of Company 10 in Staunton.

Mr. Pyles pointed out that Monday was a good and to the point discussion among the Board members. Those discussions show that Board members can make a difference. Mr. Shull came well prepared for the meeting and spoke well for the interest of his community. The comments were taken to heart for Middlebrook. The Board will look more at the surrounding agencies and incorporate those agencies better. One thing to look at is giving Staunton another chance to keep Company 10 there. Staunton was given that chance about six weeks ago, but if Staunton realizes the seriousness of the position, the opportunity is there for them to join us in helping to keep Company 10 and also help with the Emergency Operation Center. The total cost may only be \$150,000 a year to have a fire station on their East end. We will do our best to accommodate the City. Mr. Kelley brings years of experience from being a volunteer and working in a paid station. Mr. Shull has his ear to the ground and the remainder of the Board have had things come up in their areas. This is a team effort to keep the cost low with volunteers, but career people are needed too. The Goal is to find the best position for assets, both physical and for personnel.

Mr. Coleman pointed out that citizens need to understand that this is an issue that has been considered for several years. If you're not aware you haven't been paying attention. The County cannot continue to go in the direction we are going. The last several years there have been two different SAFER Grants. Fire and Rescue has grown in a short period of time. We are up to 105 people and the county is trying to have fire & rescue strategically located. It was pointed out that roughly 60% of the calls from Company 10 are in the City of Staunton and on the interstate. The County has a legal obligation to the people of the County. Going forward we need to be as strategic as possible. EMS is huge also. The community is growing tremendously. We work cooperatively with Waynesboro and Staunton.

Mr. Pyles showed a spreadsheet prepared by Lee Kello that listed all residences for each of the companies. There are 2 distinct things-fire and rescue. Mr. Pyles showed a chart on the screen of the number of EMS and fire calls in different areas. Without the

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May 24, 2017, at 7:00 p.m.

FIRE AND RESCUE STRATEGIC PLAN PHASE ONE (CONT'D)

numbers go up. When you look at the numbers, Augusta County Fire Department is staffed at 12 people to protect 1779 fires and no rescue. To be able to have service people for both fire and EMS these numbers need to be looked at.

Mr. Kelley has been involved in fire service for most of life. He had an Eagle Scout project at the age of 12 and was to make a map book of all the water sources and put it into their engines. A result of this project was a Junior Volunteer Fire Force at the age of 14. Mr. Kelley joined Verona Volunteer Fire Department at the age of 14 and spent 12 years there. In 2006 Mr. Kelley's youngest son wanted to join Company 10 so he moved with son. He served as president and the County cut funds so it was expected then that Company would be closed. It took three years to get funding back. Mr. Kelley became chief in 2001 and served for 5 years. In 2016 he stepped down from the Chief position and became the President again. He does not want to see company 10 close but understands the situation of the County and its needs. He is thankful to the Board for being willing to give Staunton another chance. The citizens of Augusta County have to be thought about and what is best served for the people. The call volume for Company 10 does not serve the majority of the constituents of Augusta County. Mr. Kelley is willing to stand by the Board's decision and as the current President of Company 10 will abstain from voting.

Mr. Shull stated that the Board was presented with a plan on Monday that he was not happy with. There have been five year plans previously and they end up costing the County millions of dollars. The plan presented Monday didn't mention anything about how much would be spent. There has not been enough negotiations between Staunton and the volunteers and the companies involved. This situation has become political. The attempt has been made to tie it in with the Courthouse. The Strategic Plan should not have come to the Board of Supervisors or the City Council. It should be between Augusta County Chief and City of Staunton Chief to come up with a plan and then present it back to the Administrator and the City Manager and then brought back to the Board. Mr. Shull is not ready to move forward with this plan because he sees the problems with ISO and as soon as Company 10 is closed ISO will do another evaluation. It was mentioned Monday that the interstate is so busy and Company 10 is close to the interstate and they should be available to help other responding companies at all times. Mr. Shull would like to see this put on hold until a meeting is held to try to come to an agreement.

Mr. Shull moved, seconded by Dr. Pattie, that the Board approve tabling the Fire and Rescue Strategic Plan Phase One until a meeting takes place.

Vote was as follows:       Yeas: Pattie, Garber and Shull  
                                  Nays: Bragg, Pyles and Coleman  
                                  Abstain: Kelley

Motion fails.

Mr. Pyles stated that this didn't come with the courthouse. This was a plan laid out by professionals. This is not about spending money. This is about saving money, selling an asset and using that money to go forward. The Chiefs have talked. This has gone on for years. The Board has tried to make this as simple as possible. It's just like the Courthouse, the City of Staunton wants to drag things out. We will do whatever is fair to the citizens of Augusta County. The leverage is needed to go forward and if Staunton wants to help it will be accepted. We are giving away over a quarter million dollars' worth of services. We charge for use of a baseball field but not for EMS services. We cannot give away services.



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May 24, 2017, at 7:00 p.m.

MATTERS TO BE PRESENTED BY THE BOARD (CONT'D)

Staunton will allow and what the State allows. We remain open if Staunton would work with us. Staunton are hard hearts on this matter and Mr. Pyles does not see the City changing much on their decision.

Mr. Garber stated that it grieves him if he cannot blame the State for something. However, don't forget that Delegate Landes had a bill to get the State out of it. From a lot of discussion over the past weeks, it is felt that the Board should be talking about this, but there is nothing to talk about under the current law. The most important question right now is what legislation we need to give us options. No options is not a good way to approach it. He reminded people that when Delegate Landes put the bill in Staunton fought it, which is the same people that said we should be talking. The only thing Landes wanted to do was get out of the way so the local government could handle it. At the moment we truly don't have any options. Until we get options there is not much to talk about.

Mr. Shull stated that for several years the door was open for Staunton to come talk and they never came. The door is still open. Since our hands are tied he would suggest we see if they have any ideas or suggestions. If the ten years is reduced so it can be taken back to referendum, they will also need to work on the other Legislation so if the people turn it down again to move to Verona there is viable option of what can be done in downtown. Help from Legislation is absolutely necessary.

Ms. Bragg agrees with Mr. Pyles and the legislation needs to be looked at. Not only the length of time, but also the question itself. The referendum is asking two questions, but only one answer is given. So this needs to be worked with whether from a committee or any other suggestions. This needs to be started now without only local legislators but the rest in Virginia as well. There is a committee with the House and Senate that takes care of courthouses. These committees need to be educated on the issue and what options the county has.

Mr. Coleman doesn't want to put all the eggs in one basket which is the referendum. The Mosely plan was shot down in the beginning with the vote. As for the Frazier plan, the architects didn't know whether it could be done or not. Legal opinion was sought and it was sent in writing that it can't be done. He doesn't want to zero in on one thing and it end up not going anywhere. There may be several political or legislative things that could be worked on. To get the board behind it as opposed to where they are now. Everyone has their own opinion. Tracy's original ideas of taking the options to the City of Staunton and their Planning Commission has been decided that they are no longer good ideas. Now the option of getting with the legislature is on the table. Mr. Coleman is skeptical about this option. He hopes the committee can work with staff and bring back options.

Mr. Kelley likes the idea because there are seven different ideas and nothing is getting done. A committee would give a contact person for the Board. The ones that have dealt with the City the most should be on the committee.

Mr. Pyles stated that whether a committee is done or not, having everybody involved is important, but it is not needed. He would like Mr. Benkahla to come up with some recommendations of what could be worked on. This can't just be part of the legislative agenda. This has to be a standalone product that is presented in a distinct way and has good rationale behind it.

Mr. Shull recommends contacting VACO and their attorneys and get their opinions. VACO is there to help Counties.

Mr. Pyles agreed that was a good point.

Mr. Coleman reminded the Board there is a motion on the table.





May 24, 2017, at 7:00 p.m.

MATTERS TO BE PRESENTED BY STAFF (CONT'D)

Mr. Pyles would like for more people to complain about it before changing the law.

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CLOSED SESSION

On motion of Mr. Kelley, seconded by Mr. Shull, the Board went into closed session pursuant to:

- (1) the personnel exemption under Virginia Code § 2.2-3711(A) (1) [discussion, consideration or interviews of (a) prospective candidates for employment, or (b) assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees]:

a) Boards and Commissions

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On motion of Mr. Shull, seconded by Mr. Coleman, the Board came out of Closed Session.

Vote was as follows: Yeas: Bragg, Kelley, Garber, Wendell, Shull, Pattie and Pyles

Nays: None

Motion carried.

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The Chairman advised that each member is required to certify that to the best of their knowledge during the closed session only the following was discussed:

- 1. Public business matters lawfully exempted from statutory open meeting requirements, and
- 2. Only such public business matters identified in the motion to convene the executive session.

The Chairman asked if there is any Board member who cannot so certify.

Hearing none, the Chairman called upon the County Administrator/ Clerk of the Board to call the roll noting members of the Board who approve the certification shall answer AYE and those who cannot shall answer NAY.

Roll Call Vote was as follows:

AYE: Bragg, Garber, Kelley, Coleman, Shull, Pattie and Pyles  
NAY: None

The Chairman authorized the County Administrator/Clerk of the Board to record this certification in the minutes.

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May 24, 2017, at 7:00 p.m.

**BOARDS AND COMMISSIONS**

Mr. Kelley moved, seconded by Mr. Shull that the Board appoint the following:

Debbie Callison	Blue Ridge Community College Board	Expires 6/30/2021
Misty Cook	Valley Community Services Board	Expires 6/30/2021
Lynn Mitchell	Library Board	Expires 6/30/2021
Nadine Gergel-Hackett	CAP-SAW	Expires 6/30/2019
Jennifer Whelzel	CPMT	Expires 6/30/2021

Vote was as follows:      Yeas: Bragg, Kelley, Garber, Wendell, Shull, Pattie and Pyles

Nays: None

Motion carried.

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**ADJOURNMENT**

There being no other business to come before the Board, Dr. Pattie moved, seconded by Mr. Shull, the Board adjourn subject to call of the Chairman.

Vote was as follows:      Yeas: Pattie, Shull, Garber, Coleman, Kelley, Bragg and Pyles

Nays: None

Motion carried.

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Chairman

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County Administrator

