

City Council Work Session

Tuesday, January 7, 2014

6:00 p.m.

Council Chambers – Rouss City Hall

AGENDA

1.0 Call to Order

2.0 Comments: (Each person will be allowed 3 minutes to address Council with a maximum of 10 minutes allowed for everyone)

3.0 Items for Discussion:

3.1 O-2014-02: AN ORDINANCE TO ADOPT SECTIONS 14-15 OF THE WINCHESTER CITY CODE PERTAINING TO USE OF PHOTO-MONITORING SYSTEMS TO ENFORCE LAW AGAINST PASSING STOPPED SCHOOL BUSES (*Allows the use of video monitoring systems on school buses for the purpose is issuing citations to motorists*) – Kevin Sanzenbacher, Chief of Police & Kevin McKew, WPS Executive Director (pages 3-8)

3.2 Discussion of Storm Water Infrastructure Needs – Capital Improvement Plan – Perry Eisenach, Utilities Director (pages 9-14)

3.3 CU-13-593: Conditional Use Permit – Request of Michael Bortz on behalf of T-Mobile Northeast, LLC, to upgrade existing telecommunications facilities with replacement antennas at 799 Fairmont Avenue (*Map Number 153-01-2*) zoned Limited Industrial (M-1) District – Aaron Grisdale, Director of Zoning & Inspections (pages 15-28)

3.4 Update regarding an appeal of the decision by the Board of Architectural Review (BAR-13-524) requiring the removal of vinyl siding and replacing with wood siding for the property located at 16 West Monmouth Street – Aaron Grisdale, Director of Zoning & Inspections (pages 29-64)

3.5 O-2014-01: AN ORDINANCE TO AMEND SECTION 10-51 OF THE CITY CODE PERTAINING TO AMENDMENTS, ADDITIONS AND DELETIONS TO THE VIRGINIA STATEWIDE FIRE PREVENTION CODE (*Expansion of the required fire prevention code permits and to adopt a fire inspection fee schedule*) – Allen Baldwin, Chief of Fire and Rescue (pages 65-78)

3.6 City Manager Report

4.0 EXECUTIVE SESSION

- 4.1** MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO §2.2-3711(A)(7) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF RECEIVING LEGAL ADVICE AND STATUS UPDATE FROM THE CITY ATTORNEY AND LEGAL CONSULTATION REGARDING THE SUBJECT OF SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY THE CITY ATTORNEY AND MATTERS OF ACTUAL OR PROBABLE LITIGATION AND PURSUANT TO §2.2-3711(A)(3) AND (6) FOR THE PURPOSE OF DISCUSSION OR CONSIDERATION OF THE SUBJECT OF THE ACQUISITION OF AN INTEREST IN REAL PROPERTY AND FOR THE PURPOSE OF DISCUSSION OF THE SUBJECT OF INVESTMENT OF PUBLIC FUNDS WHERE BARGAINING IS INVOLVED, AND WHERE IF MADE PUBLIC, THE BARGAINING POSITION OR FINANCIAL INTEREST OF THE CITY WOULD BE ADVERSELY AFFECTED AND PURSUANT TO §2.2-3711(a) (29) FOR THE PURPOSE OF DISCUSSION OF THE AWARD OF A PUBLIC CONTRACT INVOLVING THE EXPENDITURE OF PUBLIC FUNDS, INCLUDING INTERVIEWS OF BIDDERS OR OFFERORS, AND DISCUSSION OF THE TERMS AND SCOPE OF SUCH CONTRACT, WHERE DISCUSSION IN AN OPEN SESSION WOULD ADVERSELY AFFECT THE BARGAINING POSITION OR NEGOTIATING STRATEGY OF THE CITY AND PURSUANT TO §2.2-3711(A)(40) FOR THE PURPOSE OF DISCUSSION OF RECORDS EXCLUDED FROM CHAPTER 37 OF TITLE 2.2 OF THE CODE OF VIRGINIA PURSUANT TO SUBDIVISION 3 OF § 2.2-3705.6.

5.0 Liaison Reports

6.0 Monthly Reports

- 6.1** Fire Department (pages 79-82)
6.2 Police Department (page 83)

7.0 Adjourn

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: 01/09/2013 CUT OFF DATE: 11/20/2013

RESOLUTION ___ ORDINANCE _X_ PUBLIC HEARING _X_

ITEM TITLE: Ordinance to Approve School Bus Video Monitoring and Adopt Sections 14-45 of the Winchester City Code.

STAFF RECOMMENDATION: Winchester Public Schools recommends approval of the proposed Ordinance.

PUBLIC NOTICE AND HEARING: Required

ADVISORY BOARD RECOMMENDATION: School Board supports Council's adoption of the proposed Ordinance.

FUNDING DATA: City's expenses in administering the program shall be reimbursed by fines imposed for violations. Remaining funds collected will be remitted to WPS.

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda. The Director's initials for approval or disapproval address only the readiness of the issue for Council consideration. This does not address the Director's recommendation for approval or denial of the issue.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. _____	_____	_____	_____
2. Police	<i>Chp/KL</i>	_____	12/19/13
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. City Attorney	<i>[Signature]</i>	_____	12/20/2013
6. City Manager	<i>[Signature]</i>	_____	12-20-13
7. Clerk of Council	_____	_____	_____
Initiating Department Director's Signature: <i>Chp/KL</i>	_____	_____	12/24/13
Kevin McKew, Executive Director WPS	_____	_____	Date

Revised: October 23, 2009



APPROVED AS TO FORM:

[Signature] 12/20/2013
CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Kevin McKew, Executive Director, Winchester Public Schools
Date: November 18, 2013
Re: School Bus Video Monitoring Systems

THE ISSUE: Based on reports from school bus drivers and law enforcement officials, motorists routinely disregard warning signals, and illegally pass stopped school buses each day thereby putting children in serious danger.

RELATIONSHIP TO STRATEGIC PLAN: Relates to WPS Comprehensive Plan Reference §3.1 *Providing a safe, clean, and appropriate environment for students.*

BACKGROUND: In 2011 the Virginia Legislature enacted a law allowing for consistent and continuous enforcement of vehicles illegally passing a stopped school bus through the use of photo enforcement technology. This law allows citations to be issued to registered owners of vehicles that illegally pass camera-equipped school buses. The video system must produce a recorded image of the license plate and the activation status of at least one warning device, and also must record time, date, and location of the violation. The civil penalty for a violation is \$250, and by city ordinance may be payable to the local school division to offset the cost of the program.

On October 14, 2013 the School Board passed a motion authorizing the Superintendent to finalize an agreement with American Traffic Systems, Incorporated (ATS); and following City Council approval of an ordinance change allowing school bus video monitoring systems (attached), and legal counsel review of the contract form, to submit the proposed contract to the Board for final approval.

BUDGET IMPACT: None. The cost of the equipment and service is paid for by revenues generated through citations.

OPTIONS:

- 1) Adopt the proposed ordinance change allowing the use of school bus video monitoring systems for the purpose of issuing citations to motorists illegally passing stopped school buses.
- 2) Do not adopt the proposed ordinance change.

RECOMMENDATIONS:

Adopt the proposed ordinance change allowing the use of school bus video monitoring systems for the purpose of issuing citations to motorists illegally passing stopped school buses.

CODE OF VIRGINIA

§ 46.2-844. Passing stopped school buses; penalty; prima facie evidence.

A. The driver of a motor vehicle approaching from any direction a clearly marked school bus which is stopped on any highway, private road or school driveway for the purpose of taking on or discharging children, the elderly, or mentally or physically handicapped persons, who, in violation of § 46.2-859, fails to stop and remain stopped until all such persons are clear of the highway, private road or school driveway, is subject to a civil penalty of \$250 and any prosecution shall be instituted and conducted in the same manner as prosecutions for traffic infractions.

A prosecution or proceeding under § 46.2-859 is a bar to a prosecution or proceeding under this section for the same act and a prosecution or proceeding under this section is a bar to a prosecution or proceeding under § 46.2-859 for the same act.

In any prosecution for which a summons charging a violation of this section was issued within ten days of the alleged violation, proof that the motor vehicle described in the summons was operated in violation of this section, together with proof that the defendant was at the time of such violation the registered owner of the vehicle, as required by Chapter 6 (§ 46.2-600 et seq.) of this title shall give rise to a rebuttable presumption that the registered owner of the vehicle was the person who operated the vehicle at the place where, and for the time during which, the violation occurred. The testimony of the school bus driver, the supervisor of school buses or a law-enforcement officer that the vehicle was yellow, conspicuously marked as a school bus, and equipped with warning devices as prescribed in § 46.2-1090 is prima facie evidence that the vehicle is a school bus.

B. A locality may, by ordinance, authorize the school division of the locality to install and operate a videomonitoring system in or on the school buses operated by the division or to contract with a private vendor to do so on behalf of the school division for the purpose of recording violations of subsection A. Such ordinance may direct that any civil penalty levied for a violation of subsection A shall be payable to the local school division.

For purposes of this subsection, "video-monitoring system" means a system with one or more camera sensors and computers installed and operated on a school bus that produces live digital and recorded video of motor vehicles being operated in violation of § 46.2-859. All such systems installed shall, at a minimum, produce a recorded image of the license plate and shall record the activation status of at least one warning device as prescribed in § 46.2-1090 and the time, date, and location of the vehicle when the image is recorded.

(1985, c. 511, § 46.1-212.1; 1987, c. 106; 1989, c. 727; 1997, cc. 622, 800, 908; 2001, c. 126; 2002, c. 541; 2011, cc. 787, 838.)

AN ORDINANCE TO ADOPT SECTIONS 14-15 OF THE WINCHESTER CITY CODE PERTAINING TO USE OF PHOTO-MONITORING SYSTEMS TO ENFORCE LAW AGAINST PASSING STOPPED SCHOOL BUSES

WHEREAS, Winchester Public Schools ("WPS") is concerned regarding the safety of students boarding and exiting school buses; and

WHEREAS, it is the belief of WPS that cars unlawfully passing school buses while loading and unloading its passengers poses a significant danger; and

WHEREAS, the use of a photo-monitoring enforcement system on school buses is authorized under the Code of Virginia; and

WHEREAS, the implementation of such a system requires that Common Council adopt an Ordinance authorizing WPS to operate such a system; and

WHEREAS, Common Council for the City of Winchester believes that the implementation of such a system will be of benefit to the citizens of the City of Winchester.

NOW therefore be it ORDAINED that Section 14-45 of the Winchester City Code is hereby adopted as follows:

14-15 USE OF PHOTO-MONITORING SYSTEMS TO ENFORCE LAW AGAINST PASSING STOPPED SCHOOL BUSES, PENALTY.

(a) For purposes of this ordinance, "school division" means the Winchester City Public Schools. "Video-monitoring system" means a system with one or more camera sensors and computers installed and operated on a school bus that produces live digital and recorded video of motor vehicles being operated in violation of Code of Virginia, §46.2-859.

(b) All such video-monitoring systems installed shall, at a minimum, produce a recorded image of the license plate and shall record the activation status of at least one warning device as prescribed in Code of Virginia, § 46.2-1090, and the time, date, and location of the vehicle when the image is recorded.

(c) The operator of a vehicle shall be liable for a monetary civil penalty imposed in accordance with this ordinance, if such vehicle is found, as evidenced by information obtained from a videomonitoring system, to have failed to comply with Code of Virginia, § 46.2-859.

(d) The school division may install and operate a video-monitoring system on any school bus operated by the division for the purpose of recording violations of Code of Virginia, § 46.2-859 and imposing monetary liability in accordance with Code of Virginia, § 46.2-844.B and the provisions in this ordinance.

(e) The school division may also contract with a private vendor to install and operate such video-monitoring systems on behalf of the school division for the same purposes. Such agreement shall:

(1) Ensure adequate and proper retrieval, storage, and disposal of video-monitoring system

recordings in accordance with this section;

(2) Specify the appropriate format, method and frequency of delivery of video recordings to designated and duly authorized law enforcement officers;

(3) Provide that the vendor shall on request of the City or the school division, submit a report to the City and the school division that includes, but is not limited to: (i) the total number of citations issued as a result of a violation detected and recorded by the monitoring system, and (ii) the total amount of funds collected.

(f) Information collected by a video-monitoring system installed and operated pursuant to this section shall be limited exclusively to that information that is necessary for the enforcement of school bus stopping violations. Notwithstanding any other provision of law, all images or video or other personal information recorded by a video-monitoring system shall be used exclusively for enforcing school bus stopping violations pursuant to this ordinance, and shall not (i) be open to the public; (ii) be sold or used for sales, solicitation, or marketing purposes; (iii) be disclosed to any other entity except as may be necessary for the enforcement of a school bus stopping violation or to a vehicle owner or operator as part of a challenge to the violation; or (iv) be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation of §§46.2-859 or 46.2-844 of the Code of Virginia, or is requested upon order from a court of competent jurisdiction.

(g) Information collected under this ordinance pertaining to a specific violation shall be purged and not retained later than 60 days after the collection of civil penalties. If an authorized law enforcement officer does not issue a summons or notice of violation within 10 business days of the date on which the violation of this section was recorded, all information collected pertaining to that suspected violation shall be purged.

(h) The school division shall annually certify compliance with this ordinance, and shall make all records pertaining to such system available for inspection and audit by the Commonwealth Transportation Commissioner or the Commissioner of the Department of Motor Vehicles or his designee.

(i) Violations of the foregoing sections shall carry a civil penalty of not more than \$250 and shall be prosecuted in the same manner as prosecutions for traffic infractions. Such violations shall not be deemed a conviction as an operator and shall not be made a part of the operating record of the person upon whom such liability is imposed, nor shall such violations be used for insurance purposes in the provision of motor vehicle insurance coverage.

(j) Whenever a violation of Code of Virginia, § 46.2-859 is detected and recorded by a videomonitoring system operated in accordance with this ordinance, the vendor or school division shall promptly submit the recorded video to a law enforcement officer employed by the city and authorized to impose penalties pursuant to this ordinance for review. If, after such review, such law enforcement officer determines that there are reasonable grounds to believe that a violation of Code of Virginia, §46.2-859 has occurred, the officer may issue a summons or notice of violation by first-class mail to the address of the registered owner of the vehicle involved as shown on the records of the Department of Motor Vehicles.

(k) Any person who receives a summons or notice of violation from a law enforcement officer pursuant to this ordinance may waive his right to appear and be formally tried for the offense pursuant to Code of Virginia, § 16.1-69.40:1.B. The waiver shall be effective when the person voluntarily pays \$250.00 to the city treasurer's office within 15 business days after receipt of the summons or notice of violation.

(l) In any prosecution pursuant to this ordinance, proof that the vehicle described in such summons or notice was operated in violation of this ordinance, together with proof that the defendant was at the time the registered owner of the vehicle, as required by Chapter 6 (§ 46.2-600 et seq.),

shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who committed the violation. A photographic or digital still or video image recorded by a videomonitoring system that clearly shows the license plate number of a vehicle violating Code of Virginia, § 46.2-859 shall be sufficient proof of the identity of such vehicle for purposes of this ordinance.

(m) Notwithstanding the exception in Code of Virginia, § 46.2-1308, all fines imposed for violations of this ordinance, shall be paid into the city treasury. The city treasurer shall remit to the school division all fine amounts received in respect to the violations of this section after crediting the city's general fund with amount equal to the costs incurred in administering the video enforcement measures under this ordinance.

(n) Prosecution under this ordinance, shall not be permitted where a prosecution or proceeding for the same act has otherwise been initiated under Code of Virginia, § 46.2-859.

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: Jan. 7, 2014 **CUT OFF DATE:** _____

RESOLUTION ___ **ORDINANCE** ___ **PUBLIC HEARING** ___ **DISCUSSION X**

ITEM TITLE: City Council Consideration of Implementing a Storm Water Utility - Discussion #2 - Storm Water Capital Improvement Needs

STAFF RECOMMENDATION: NA

PUBLIC NOTICE AND HEARING: NA

ADVISORY BOARD RECOMMENDATION: NA

FUNDING DATA: See attached.

INSURANCE: NA

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. Finance	CB	_____	12/18/13
2. City Attorney	AW	_____	12/18/2013
3. City Manager	[Signature]	_____	12-18-13
4. Clerk of Council	_____	_____	_____
Initiating Department Director's Signature:	[Signature]	_____	12/18/13 Date

Received
DEC 18 2013
2:00 pm

APPROVED AS TO FORM:

CITY ATTORNEY
 12/18/2013

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Perry Eisenach, Public Services Director
Date: January 7, 2014 (Council work session)
Re: Proposed Storm Water Utility – Discussion #2 – Capital Improvement Needs

THE ISSUE: Consideration of Implementing a Storm Water Utility – Capital Improvement Needs Related to the Storm Water System

RELATIONSHIP TO STRATEGIC PLAN: **Goal 4:** Create a More Livable City for All. Specifically, **Policy Agenda Item #6:** Develop a storm water management policy with policy directions, project priority and funding mechanisms, which could include the establishment of a storm water utility.

BACKGROUND: The City of Winchester is facing some significant storm water related capital improvement needs in both the short term and long term. These improvements will be costly and will require a significant amount of City resources to complete. A storm water utility would provide a funding mechanism to pay for these improvements that would otherwise likely fall on the General Fund to provide this funding.

For purposes of this discussion, the capital improvement needs will be broken out into the following primary categories:

- A. Construction of new storm water infrastructure and facilities needed to alleviate flooding problems.
- B. Replacement of existing storm water infrastructure that is old and reached the end of its useful service life.
- C. Construction of new storm water infrastructure needed to comply with regulatory requirements related to water quality (i.e. Chesapeake Bay initiatives).
- D. Construction of new storm water infrastructure needed to allow for the installation of curb & gutter and sidewalks in locations where none currently exist (in conjunction with Sidewalk Master Plan).
- E. Purchase of new/replacement equipment needed to maintain the storm water system or comply with regulatory requirements (i.e. street sweepers needed for storm water quality regulations).

Specific projects for each of the categories above are provided on the attached table. In addition, the City's proposed 5-year capital improvement plan that includes storm water related expenditures for the period between FY2014-15 and FY2018-19 is also provided.

BUDGET IMPACT: The projects shown on the attachment that has been prepared for five primary categories of storm water related projects and equipment shows an estimated total expenditure of \$19.82 million. The following are the estimated funding sources:

Funding Source	Amount
Proposed Storm Water Utility (Revenue Bonds)	\$8.50 million
VDOT – Revenue Sharing	\$8.50 million*
Proposed Storm Water Utility (Cash Basis Expenditure)	\$2.82 million
Total	\$19.82 million

*\$2.9 million already approved by VDOT

As mentioned previously, if a storm water utility is not implemented, an alternate funding source (most likely the General Fund) would be needed to fund these proposed improvements and equipment purchases.

OPTIONS FOR CITY COUNCIL:

No action from City Council is required at this time. The current schedule calls for City Council to take action on the proposed Storm Water Utility in May/June 2014.

City of Winchester
Major Categories of Storm Water Related Capital Expenditures
Proposed 5-Year CIP

Category A – Remedy Flooding Issues

Project Description	Estimated Project Cost
Valley Avenue/Tevis Drainage Improvements	\$5.0 million
Valley Avenue/Whitlock Drainage Improvements	\$0.8 million
N. Kent Drainage Improvements	\$2.1 million

Category B – Replacement of Old Storm Water Infrastructure

Project Description	Estimated Project Cost
Numerous Locations Throughout the City	\$0.8 million

Category C – Infrastructure to Improve Storm Water Quality

Project Description	Estimated Project Cost
Numerous Locations Throughout the City	\$0.8 million

Category D – Infrastructure Needed to Construct New Sidewalks

Project Description	Estimated Project Cost
Middle Road	\$2.1 million
Weems Lane	\$1.1 million
Fox Drive	\$3.2 million
York Avenue	\$2.7 million

Category E – Equipment

Description	Estimated Project Cost
Street Sweepers	\$555,000
Dump Trucks	\$205,000
Jet/Vacuum Truck	\$250,000
Storm Drain Camera System	\$100,000
Pickup Trucks	\$108,000

Total for All: \$19.82 million

City of Winchester
Proposed 5-year CIP for Storm Water

Draft: 12/16/13

Project/Description	Funding Source	FY2014-15	FY2015-16	FY2016-17	FY2017-18	FY2018-19	Totals
Valley Avenue/Tevis Drainage Improvements (Install curb & gutter, underground drainage, and sidewalks on Valley Avenue between Middle Road and the southern City limits.)	Stormwater Utility (Revenue Bonds)		\$ 2,500,000				\$ 2,500,000
	VDOT Revenue Sharing		\$ 2,500,000				\$ 2,500,000
	VDOT Urban Funds	\$ 500,000					\$ 500,000
	Project Total	\$ 500,000	\$ 5,000,000	\$ -	\$ -	\$ -	\$ 5,500,000
New Utility Billing/Customer Information System (Implement new utility billing/customer information system to allow customers to access their accounts online, E-billing, online payments, IVR system, an online work order system.)	Stormwater Utility	\$ 135,000					\$ 135,000
	Water/Sewer Utility	\$ 265,000					\$ 265,000
	Project Total	\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ 400,000
Valley Avenue/Whitlock Drainage Improvements (Install underground drainage system on Valley Avenue near the intersection of Whitlock.)	Stormwater Utility (Revenue Bonds)		\$ 385,000				\$ 385,000
	VDOT Revenue Sharing		\$ 385,000				\$ 385,000
	Project Total	\$ -	\$ 770,000	\$ -	\$ -	\$ -	\$ 770,000
Weems Lane Improvements (Install curb & gutter, drainage, and sidewalks on Weems Lane where none currently exist.)	Stormwater Utility (Revenue Bonds)		\$ 50,000	\$ 500,000			\$ 550,000
	VDOT Revenue Sharing		\$ 50,000	\$ 500,000			\$ 550,000
	Project Total	\$ -	\$ 100,000	\$ 1,000,000	\$ -	\$ -	\$ 1,100,000
Middle Road Improvements (Install curb & gutter, drainage, and sidewalks on Middle Road where none currently exist.)	Stormwater Utility (Revenue Bonds)		\$ 50,000	\$ 1,000,000			\$ 1,050,000
	VDOT Revenue Sharing		\$ 50,000	\$ 1,000,000			\$ 1,050,000
	Project Total	\$ -	\$ 100,000	\$ 2,000,000	\$ -	\$ -	\$ 2,100,000
New Municipal Service Center for Public Services (Construction of a new maintenance facility complex that would be utilized by the entire Public Services Department.)	Stormwater Utility (Revenue Bonds)		\$ 50,000	\$ 600,000			\$ 1,650,000
	Water/Sewer Utility (Revenue Bonds)		\$ 50,000	\$ 600,000			\$ 1,650,000
	Highway Maintenance (Revenue Bonds)		\$ 50,000	\$ 600,000			\$ 1,650,000
	General Fund (Revenue Bonds)		\$ 50,000	\$ 600,000			\$ 1,650,000
	Equipment Fund (Revenue Bonds)		\$ 25,000	\$ 300,000			\$ 625,000
	Project Total	\$ 225,000	\$ 4,300,000	\$ 2,700,000	\$ -	\$ -	\$ 7,225,000
Fox Drive Improvements (Install curb & gutter, drainage, sidewalks and replacement of existing water/sewer.)	Stormwater Utility (Revenue Bonds)		\$ 100,000	\$ 1,500,000			\$ 1,600,000
	VDOT Revenue Sharing		\$ 100,000	\$ 1,500,000			\$ 1,600,000
	Water/Sewer Utility (Revenue Bonds)		\$ 50,000	\$ 2,000,000			\$ 2,050,000
	Project Total	\$ -	\$ -	\$ 250,000	\$ 5,000,000	\$ -	\$ 5,250,000
N. Kent Drainage Improvements (Construction of improvements to alleviate flooding problems on N. Kent, north of Piccadilly)	Stormwater Utility (Revenue Bonds)		\$ 50,000	\$ 1,000,000			\$ 1,050,000
	VDOT Revenue Sharing		\$ 50,000	\$ 1,000,000			\$ 1,050,000
	Project Total	\$ -	\$ -	\$ 100,000	\$ 2,000,000	\$ -	\$ 2,100,000
York Avenue Improvements (Install curb & gutter, drainage, sidewalks)	Stormwater Utility (Revenue Bonds)				\$ 100,000	\$ 1,500,000	\$ 1,600,000
	VDOT Revenue Sharing				\$ 100,000	\$ 1,500,000	\$ 1,600,000

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 1/07/14 (work session), 1/14/14 (regular mtg)

CUT OFF DATE: 12/17/13

RESOLUTION ___ ORDINANCE ___ PUBLIC HEARING X

ITEM TITLE:

CU-13-593 Request of Michael Bortz on behalf of T-Mobile Northeast, LLC, for a conditional use permit to upgrade existing telecommunications facilities with replacement antennas at 799 Fairmont Avenue (Map Number 153-01- -2) zoned Limited Industrial (M-1) District.

STAFF RECOMMENDATION:

Approval with conditions

PUBLIC NOTICE AND HEARING:

Public hearing for 1/14/14 Council mtg

ADVISORY BOARD RECOMMENDATION:

Planning Commission recommended approval with conditions

FUNDING DATA: N/A

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

Table with 4 columns: DEPARTMENT, INITIALS FOR APPROVAL, INITIALS FOR DISAPPROVAL, DATE. Rows include Planning, City Attorney, City Manager, and Clerk of Council.

Initiating Department Director's Signature: (Zoning and Inspections) [Signature] 12/17/13



APPROVED AS TO FORM: [Signature] 12/18/2013 CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Aaron Grisdale, Director of Zoning and Inspections *AM6*
Date: January 7, 2014
Re: Conditional Use Permit (TA-13-593) – 799 Fairmont Ave

THE ISSUE:

Request for CUP for installation of six antennas on the existing telecommunications facility at 799 Fairmont Avenue.

RELATIONSHIP TO STRATEGIC PLAN:

N/A

BACKGROUND:

City staff has received a conditional use permit application for the modification of an existing telecommunications facility at 799 Fairmont Avenue (National Fruit property). The applicant intends to remove six antennas and replace them with six new antennas. (Full staff report is attached).

BUDGET IMPACT:

No funding is required.

OPTIONS:

- Approve the CUP
- Disapprove the CUP

RECOMMENDATIONS:

The Planning Commission recommended approved unanimously.

CU-13-593 Request of Michael Bortz on behalf of T-Mobile Northeast, LLC, for a conditional use permit to upgrade existing telecommunications facilities with replacement antennas at 799 Fairmont Avenue (*Map Number 153-01- -2*) zoned Limited Industrial (M-1) District.

REQUEST DESCRIPTION

The applicant is proposing to remove six existing antennas and install six new antennas as part of an upgrade of existing telecommunications facilities at the tower located on the National Fruit property at 799 Fairmont Avenue.

AREA DESCRIPTION

The existing tower is located in a wooded area in the northwest portion of the ±68 acre, M-1 zoned National Fruit Product Company industrial property. Land to the east is also zoned M-1 and includes the migrant worker camp and some single family residences along the west side of Fairmont Ave. Land to the west is zoned LR and is vacant. Land further to the southwest includes an M-1 zoned City water tank and an LR zoned single family residence. Land directly to the north is located in Frederick County and includes vacant land in the Rural Area (RA) and Residential Performance (RP) Districts.



STAFF COMMENTS

The applicant intends to remove six existing antennas mounted to the pre-existing lattice tower and replace them with six new panel antennas of a similar size. The new antennas will be mounted at an elevation of 135 feet and 152 feet and will not result in an increase to the height of the existing tower. Collocation of antennas on existing structures as proposed is encouraged within the Zoning Ordinance. The applicant does not intend on expanding the existing ground support equipment with this request. The purpose of this upgrade is to provide 4G LTE (long-term evolution) wireless data services as well as help to improve its current 3G data and voice coverage.

RECOMMENDATION

For a conditional use permit to be approved, a finding must be made that the proposal as submitted or modified will not adversely affect the health, safety or welfare of persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood.

At their December 17, 2013 meeting, the Planning Commission unanimously forwarded **CU-13-593** to Council recommending approval because the use, as proposed, should not adversely affect the health, safety, or welfare of residents and workers in the neighborhood nor be injurious to adjacent properties or improvements in the neighborhood. The recommended approval is subject to the following conditions:

1. Submit an as-built emissions certification after the facility is in operation;

2. The applicant, tower owner, or property owner shall remove equipment within ninety (90) days once the equipment is no longer in active use;
3. Submit a bond guaranteeing removal of facilities should the use cease.



**NETWORK BUILDING
& CONSULTING, LLC**

August 29, 2013

City of Winchester
Department of Zoning and Inspections
15 N. Cameron St
Winchester, Virginia 22601

RE: Conditional Use Permit
799 Fairmont Ave
Winchester, VA 22601

Site Name: HCH021 – Winchester

Applicant:
T-Mobile Northwest LLC (Hereafter referred to as "T-Mobile.")
12050 Baltimore Avenue
Beltsville, MD 20705

Applicant's Agent:
Michael Bortz
7380 Coca Cola Drive, Suite 106
Hanover, 21076

Description of Intent

T-Mobile is requesting to amend existing conditions, per Section 18-2-1 of the Zoning Ordinance, on an existing telecommunications site located within an M1, or Limited Industrial District. T-Mobile is in the process of upgrading its core network, including all cell sites, in preparation for its 4G long-term evolution (LTE) service launch. These upgrades will allow T-Mobile to provide 4G LTE wireless data services as well as help to improve its current 3G data and voice coverage. As this is a complete change in antennas at this location, a new conditional use permit would be required.

Proposed Scope of Work

The six existing panel antennas mounted to the pre-existing lattice tower shall be removed and replaced with six new panel antennas of similar size. The new antennas are shown at an elevation of 135 feet and 152 feet, the same height as the existing T-Mobile antennas.

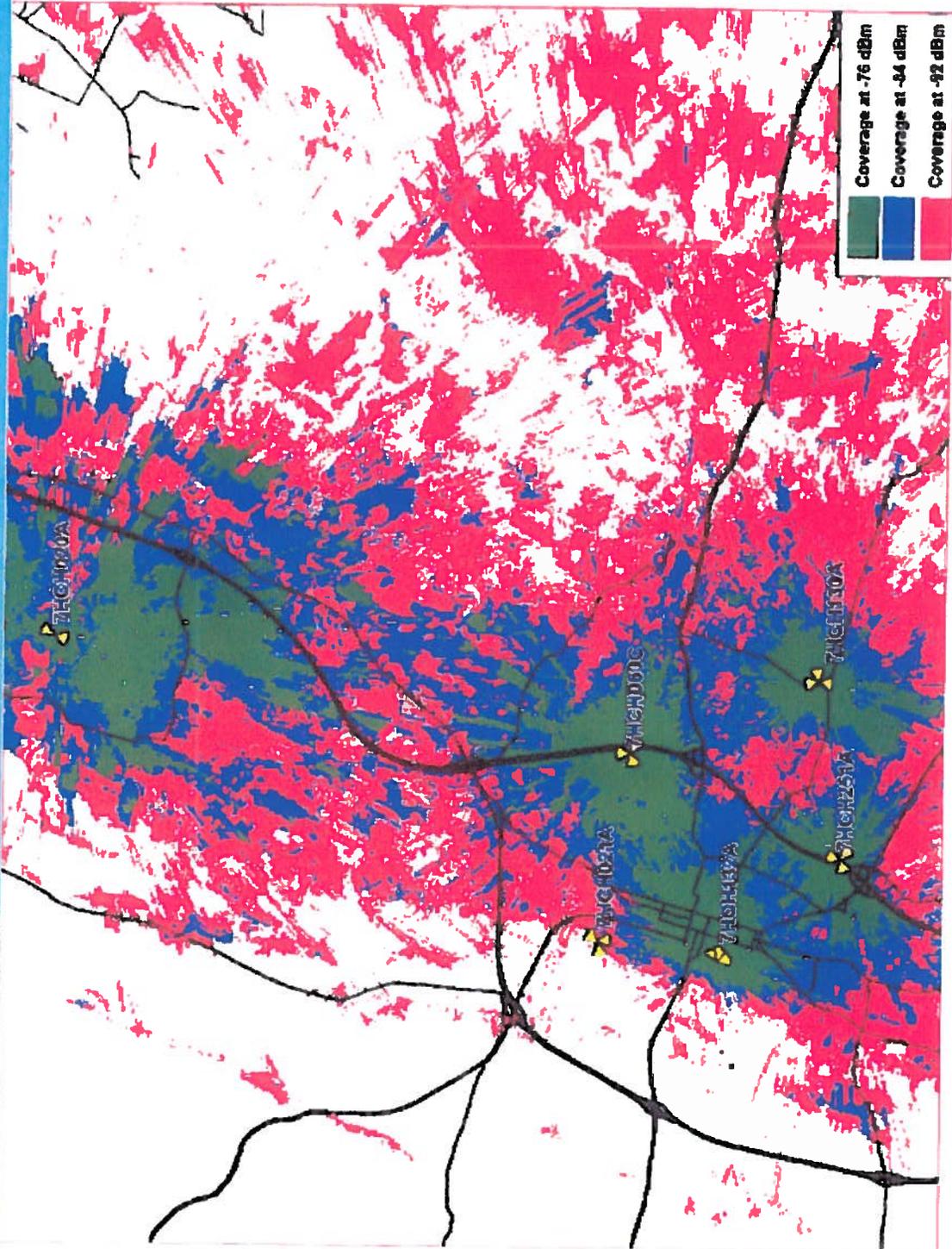
7380 Coca Cola Dr., Suite 106

Hanover, MD

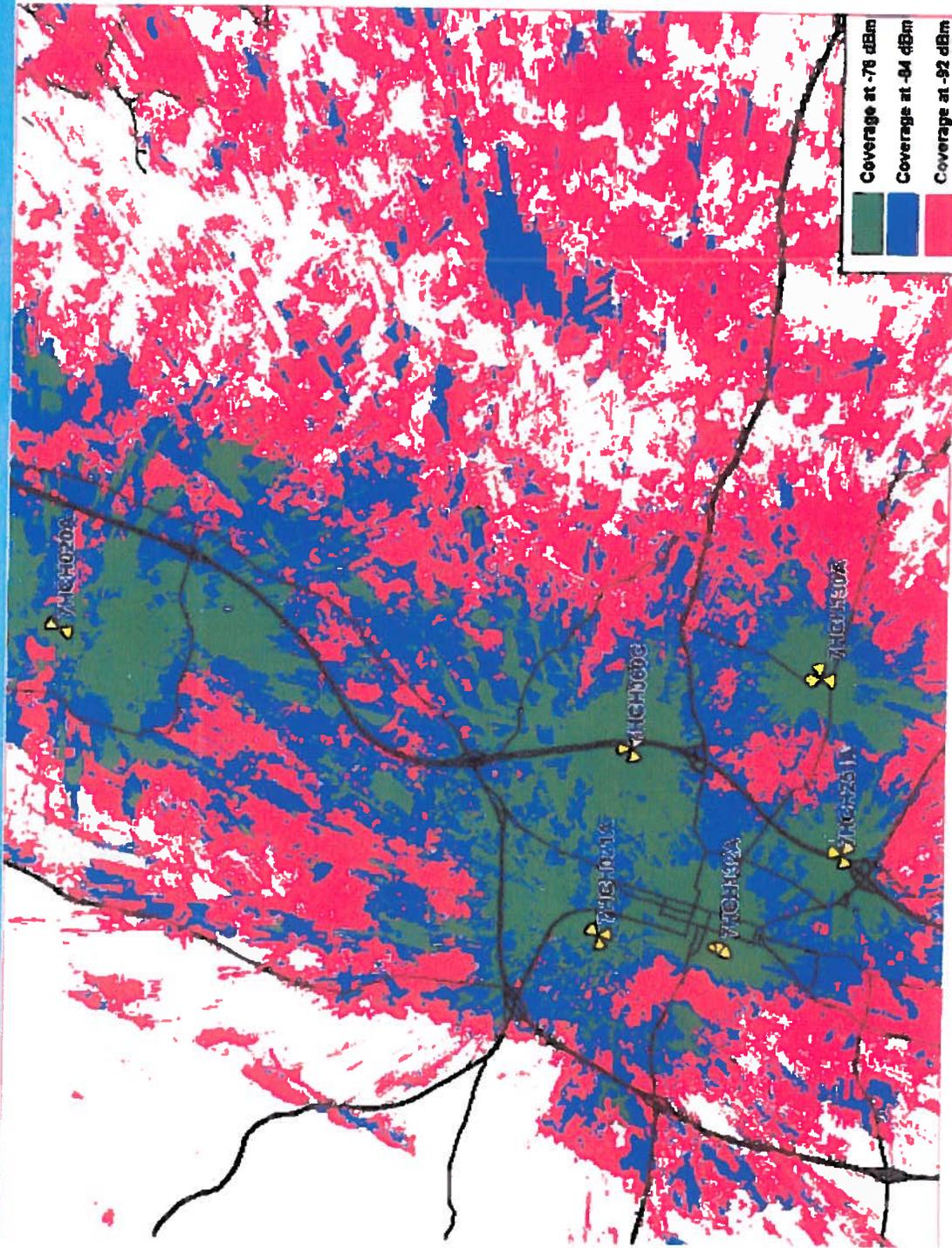
21076

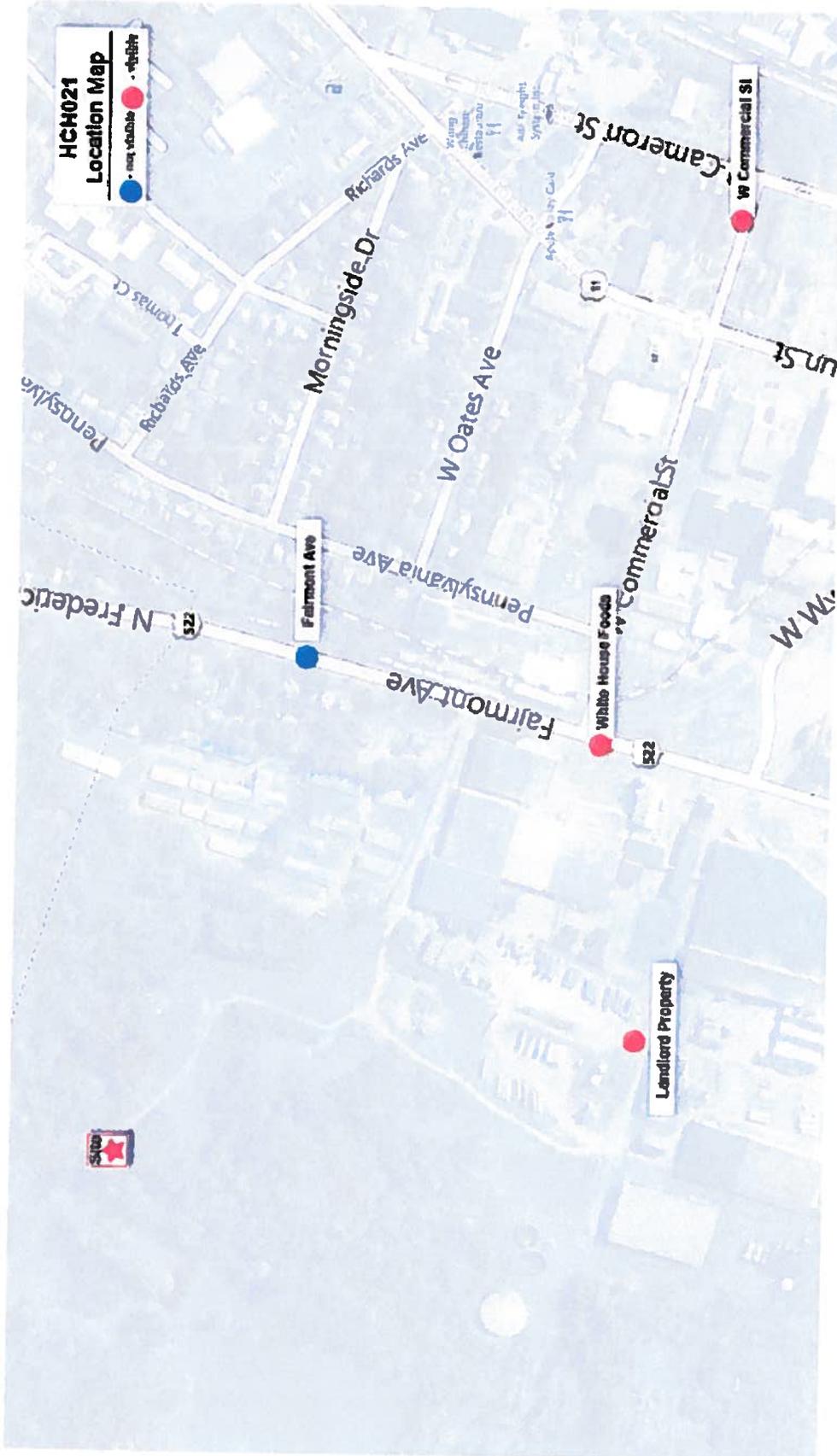
(410) 712-7092 FAX (410) 712-4056

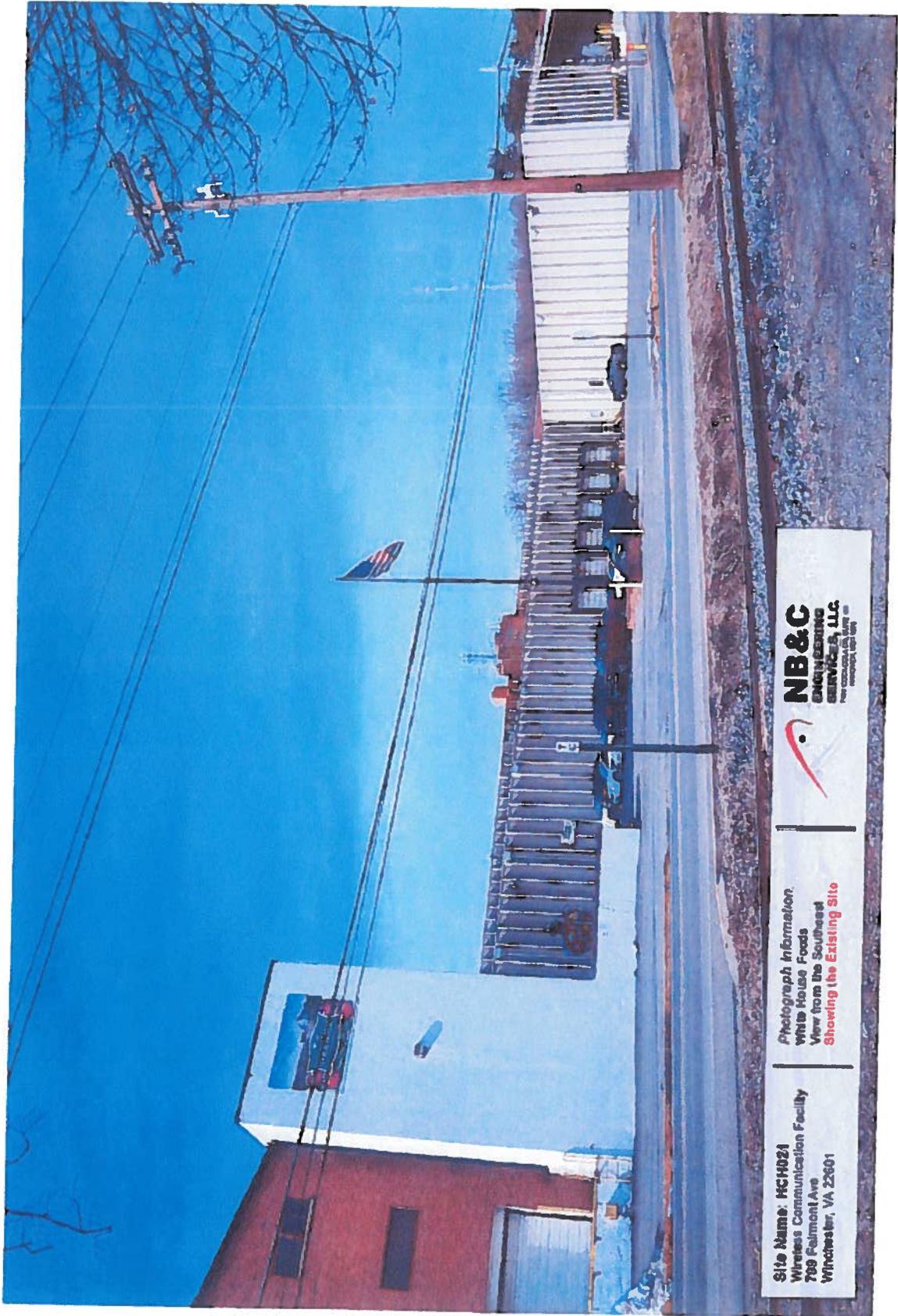
Composite Coverage without HCH021A



Composite Coverage with HCH021A











Site Name: HCH021
Winless Communication Facility
799 Fairmont Ave
Winchester, VA 22601

Photograph Information
W Commercial St
View from the Southeast
Showing the Existing Site



NB&C
ENGINEERING
SERVICES, LLC.
COMMERCIAL, INDUSTRIAL







CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 1/7/14 (Work Session), **CUT OFF DATE:** 12/20/13
(1/14/14 - Public Hearing)

RESOLUTION **ORDINANCE** **PUBLIC HEARING** X

ITEM TITLE:

An appeal of the decision by the Board of Architectural Review (BAR-13-524) requiring the removal of vinyl siding and replacement with wood siding for the property located at 16 West Monmouth Street zoned Residential Business (RB-1) District with Historic Winchester (HW) District overlay.

STAFF RECOMMENDATION:

Approval.

PUBLIC NOTICE AND HEARING:

Public Hearing Required – 1/14/14.

ADVISORY BOARD RECOMMENDATION:

N/A

FUNDING DATA: N/A

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. City Attorney	<u><i>AS</i></u>	<u> </u>	<u>12/20/2013</u>
2. City Manager	<u><i>DT</i></u>	<u> </u>	<u>12-20-13</u>
3. Clerk of Council	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>

Initiating Department Director's Signature: *Ann M. Smith* 12/20/13
 (Zoning and Inspections)



APPROVED AS TO FORM:
[Signature] 12/20/2013
 CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Aaron Grisdale, Director of Zoning and Inspections *AMG*
Date: January 7, 2014
Re: Appeal of BAR Decision (BAR-13-524) to City Council

THE ISSUE:

The Clerk of Council received an appeal of a BAR decision (BAR-13-524). City Council must hold a public hearing within 60 days of the date of appeal.

RELATIONSHIP TO STRATEGIC PLAN:

N/A

BACKGROUND:

During an inspection of the neighborhood in early May 2013, new vinyl siding was observed at 16 West Monmouth Street. The area code enforcement inspector sent a Notice of Violation to the property owner, Samuel Landon Maddox, on May 10, 2013. This NOV, sent certified and return receipt, was returned "Unclaimed." The NOV was then posted to the front door of the structure on June 4, 2013. Having received no response from the owner, a second attempt was made to notify on July 10, 2013, during which the NOV was sent certified and return receipt, and was accepted by the owner on July 24, 2013. After not receiving any contact from the property owner after notification, not receiving a Certificate of Appropriateness application, and the vinyl siding remaining on the structure, a Notice of Citation for \$200 was sent for the outstanding violation to the owner. After receipt of the civil penalty, and enforcement on some other code enforcement matters internal to the structure, a representative came to the office to discuss the outstanding issues and submitted the requisite COA application on September 23, 2013.

The Board of Architectural Review was originally scheduled to hear the matter at their October 3, 2013 meeting; however, the applicant was not able to attend the meeting and the issue was tabled. The case (BAR-13-524) was heard by the Board on October 17, 2013. At the BAR meeting the COA was approved for some of the proposed changes including window replacements on the rear of the structure and paint color changes; however, the Board stated that "[t]he vinyl siding must be removed and wood siding put back or existing wood siding reused and painted." This requirement for the vinyl removal of the BAR's decision is the subject of Mr. Maddox's appeal.

Chapter 3, page 15 of the Winchester Historic District Design Guidelines, discusses substitute materials as part of Residential Rehabilitation. This portion of the guidelines reads: "*Synthetic sidings are not appropriate in the district. In addition to changing the appearance of a historic building, synthetic sidings may make maintenance more difficult because they may cover up potential moisture problems that can become more serious.*"

On November 15, 2013, an appeal of the BAR decision and required fee were submitted to the Deputy Clerk of Council, in accordance with Section 14-9-1 of the Winchester Zoning Ordinance. The Clerk has sixty (60) days to schedule a public hearing with City Council from the date of the appeal. During this review of the appeal, "[t]he same standards shall be applied by Council as are established for the Board of Architectural Review. The Council may affirm, reverse or modify the decision of the Board, in whole or in part."

BUDGET IMPACT:

No funding is required.

OPTIONS:

- Uphold the decision of the Board of Architectural Review
- Amend the decision of the Board of Architectural Review
- Reverse the decision of the Board of Architectural Review

RECOMMENDATIONS:

The Director of Zoning and Inspections recommends upholding the decision of the BAR.



Rouss City Hall
15 North Cameron Street
Winchester, VA 22601

Telephone: (540) 667-1815
FAX: (540) 722-3618
TDD: (540) 722-0782
Website: www.winchesterva.gov

May 10, 2013

MADDOX SAMUEL LANDON
16 WEST MONMOUTH STREET
WINCHESTER, VA 22601

**RE: NOTICE OF VIOLATION, 16 W MONMOUTH ST (Tax Map ID: 193-01-1-9 -> <01)
Case #: 13-00002548, CERTIFIED MAIL**

Dear,

The purpose of this letter is to formally identify and resolve zoning violations at 16 W MONMOUTH ST, Winchester, Virginia. According to the records of the City Assessor, this property is owned by you. This property is located entirely within the **RB1 (Residential Business)** Zoning District, in the Winchester Historic District. During a recent inspection on May 9, 2013, zoning violations were observed. During a site inspection it was observed that there is new siding on the dwelling without an approved Certificate of Appropriateness. Since this property is located within the Historic Winchester District, and the changes can be seen from the public right of way, the new siding must receive a Certificate of Appropriateness from the Board of Architectural Review, pursuant to Section 14-3-1 of the Winchester Zoning Ordinance:

§14-3-1 No building or structure within the Historic Winchester District shall be erected, reconstructed, altered, restored, or demolished, unless and until an application for a Certificate of Appropriateness shall have been approved by the Board of Architectural Review.

§14-2-2 For the purpose of this article, "structure" shall include walls, fences, signs, light fixtures, steps, or appurtenant elements thereof.

In order to fully comply with the Zoning Ordinance, the following options are available:

1. Complete and submit an application for a Certificate of Appropriateness for the BAR, with all required materials no later than May 28, 2013 by noon for the June 6, 2013 meeting; or,
2. Appeal this decision to the Board of Zoning Appeals no later than 30 days after your receipt of this letter.

Failure to correct the violation by the stated compliance date may result in the issuance of civil penalties. I have included for your convenience an application for the BAR. If you

have any questions or concerns, please do not hesitate to contact me directly at (540) 667-2316 or Aaron Grisdale (Zoning Administrator) at 667-1815 ex 1492.

In accordance with Section 15.2-2311 of the Code of Virginia (1950), as amended, you have the right to appeal the foregoing determinations to the Board of Zoning Appeals within thirty (30) days after the date of this letter. Otherwise, the decisions set forth in this letter shall be final and unappealable if not appealed within the thirty-day period. The filing fee for appeals is \$200.00 and should be enclosed with the completed application, if you intent to appeal this determination.

Regards,



Sherry Simpson
City of Winchester
Code Enforcement

U.S. Postal ServiceTM
CERTIFIED MAILSM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

SOFFICIAL USE

18-9548

Postmark
Here

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent to
 Street, Apt. No.
 or PO Box No. Middleton Samuel London
 City, State, ZIP+4[®] Woburn Massachusetts St
Woburnchester MA 02601

PS Form 3800, August 2005

See Reverse for Instructions

Aaron Grisdale

From: US_Postal_Service@usps.com
Sent: Friday, December 20, 2013 8:27 AM
To: Aaron Grisdale
Subject: U.S. Postal Service Track & Confirm email Restoration - 70102780000194528617

This is a post-only message. Please do not respond.

Aaron Grisdale has requested that you receive this restoration information for Track & Confirm as listed below.

Current Track & Confirm e-mail information provided by the U.S. Postal Service.

Label Number: 70102780000194528617

Service Type: Certified Mail™

Shipment Activity	Location	Date & Time
Delivered	WINCHESTER VA 22601	June 3, 2013 10:42 am
Processed at USPS Origin Sort Facility	DULLES VA 20101	June 2, 2013 10:34 pm
Depart USPS Sort Facility	CAPITOL HEIGHTS MD 20790	June 2, 2013
Processed at USPS Origin Sort Facility	CAPITOL HEIGHTS MD 20790	June 1, 2013 8:58 pm
Unclaimed	WINCHESTER VA 22601	May 28, 2013 9:57 am
Notice Left	WINCHESTER VA 22601	May 11, 2013 3:52 pm
Arrival at Unit	WINCHESTER VA 22601	May 11, 2013 6:23 am
Depart USPS Sort Facility	DULLES VA 20101	May 11, 2013
Processed at USPS Origin Sort Facility	DULLES VA 20101	May 11, 2013 2:32 am
Depart USPS Sort Facility	MERRIFIELD VA 22081	May 11, 2013
Processed at USPS Origin Sort Facility	MERRIFIELD VA 22081	May 10, 2013 10:21 pm
Dispatched to Sort Facility	WINCHESTER VA 22601	May 10, 2013 4:31 pm
Acceptance	WINCHESTER VA 22601	May 10, 2013 3:43 pm

USPS has not verified the validity of any email addresses submitted via its online Track & Confirm tool.

For more information, or if you have additional questions on Track & Confirm services and features, please visit the Frequently Asked Questions (FAQs) section of our Track & Confirm tool at <http://www.usps.com/shipping/trackandconfirmfaqs.htm>.



Rouss City Hall
15 North Cameron Street
Winchester, VA 22601

Telephone: (540) 667-1815
FAX: (540) 722-3618
TDD: (540) 722-0782
Website: www.winchesterva.gov

July 10, 2013

MADDOX SAMUEL LANDON
16 WEST MONMOUTH STREET
WINCHESTER, VA 22601

**RE: NOTICE OF VIOLATION, 16 W MONMOUTH ST (Tax Map ID: 193-01-I-9 -> <01)
Case #: 13-00002548, CERTIFIED MAIL**

Dear,

The purpose of this letter is to formally identify and resolve zoning violations at 16 W MONMOUTH ST, Winchester, Virginia. According to the records of the City Assessor, this property is owned by you. This property is located entirely within the **RB1 (Residential Business)** Zoning District, in the Winchester Historic District. During a recent inspection on May 9, 2013, zoning violations were observed. During a site inspection it was observed that there is new siding on the dwelling without an approved Certificate of Appropriateness. Since this property is located within the Historic Winchester District, and the changes can be seen from the public right of way, the new siding must receive a Certificate of Appropriateness from the Board of Architectural Review, pursuant to Section 14-3-1 of the Winchester Zoning Ordinance:

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§14-2-2 For the purpose of this article, "structure" shall include walls, fences, signs, light fixtures, steps, or appurtenant elements thereof.

In order to fully comply with the Zoning Ordinance, the following options are available:

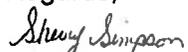
1. Complete and submit an application for a Certificate of Appropriateness for the BAR, with all required materials no later than July 22, 2013 by noon for the August 1, 2013 meeting; or,
2. Appeal this decision to the Board of Zoning Appeals no later than 30 days after your receipt of this letter.

Failure to correct the violation by the stated compliance date may result in the issuance of civil penalties. I have included for your convenience an application for the

BAR. If you have any questions or concerns, please do not hesitate to contact me directly at (540) 667-2316 or Aaron Grisdale (Zoning Administrator) at 667-1815 ex 1492.

In accordance with Section 15.2-2311 of the Code of Virginia (1950), as amended, you have the right to appeal the foregoing determinations to the Board of Zoning Appeals within thirty (30) days after the date of this letter. Otherwise, the decisions set forth in this letter shall be final and unappealable if not appealed within the thirty-day period. The filing fee for appeals is \$200.00 and should be enclosed with the completed application, if you intent to appeal this determination.

Regards,



Sherry Simpson
City of Winchester
Code Enforcement

CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

13-9648



Sent To
 Maddox Samuel London
 Street, Apt. No.
 or PO Box No. 16 W. Monmouth St.
 City, State, ZIP+4
 Winchester, VA 22601

2012 2210 0000 4547 3022

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Maddox Samuel Landon
 116 W. Portsmouth St
 Winchester VA 22601

COMPLETE THIS SECTION ON DELIVERY

- A. Signature *Samuel L Maddox*
- B. Received by (Printed Name) *Samuel L Maddox* C. Date of Delivery *7-29-13*
- D. Is delivery address different from item 1? Yes No
- If YES, enter delivery address below:

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

4. Restricted Delivery? (Extra Fee)

- Yes
- No

2. ZIP+4® 7012 2210 0000 4547 3022

PS Form 3811, February 2004 Domestic Return Receipt

102595-02-M-154



Notice of Citation

September 11, 2013

13-00002548

Payment Due Date: 10-11-2013

Amount Due: \$200.00

Amount Paid:

MADDOX SAMUEL LANDON
16 WEST MONMOUTH STREET
WINCHESTER, VA 22601

RE: 16 W MONMOUTH ST
Case: 13-00002548

Dear MADDOX SAMUEL LANDON,

Your property at 16 W MONMOUTH ST was determined to be in violation of the City of Winchester Code(s) listed below:

Violation Detail
00010 ZONING 14-3-1 Certificate of Appropriateness
Date Est: May 10, 2013 Location: Qty: 001
1st Civil Penalty of \$200.00

If the violation(s) are not corrected: additional civil penalties could be assessed until the violation(s) is brought into compliance. Please see the reverse side for further instructions.

Important Notice: Failure to correct the violation(s) within ten (10) days will result in additional civil penalties. The trial request or waiver must be received by the due date noted above.

If you have any questions regarding this citation contact Sherry Simpson (540) 667-1815, please refer to the 13-00002548 when calling.

Questions and Answers

Q. Why did I get this notice?

A. A property owned by you or for which you are the responsible party has been found in violation of City Code.

Q. Is this citation a criminal misdemeanor?

A. No, this citation is not a criminal charge. Instead it is a non-criminal violation for which civil penalties are assessed.

Q. What are my options?

- A. You have two options:
- (1) You may accept responsibility by correcting the violation(s) and pay the civil penalties. (see Waiver of Trial)
 - (2) You may contest this citation by completing the Request for Trial.

Q. What happens if I do not pay the penalty?

A. If no payment is received, the City may institute legal action to collect outstanding penalties.

Q. What if the violation(s) aren't corrected?

A. If the violation is not corrected; additional civil penalties would be assessed until the violation(s) are brought into compliance.

Request for Trial

If you wish to contest this citation and have it tried in Winchester General District Court. Please provide the following information. This information is required so the court can notify you of the hearing date and time.

Name

Address

City

State/Zip

Signature:

Once completed mail or deliver in person the entire form to:

City of Winchester
Zoning & Inspections Department
15 N. Cameron Street
Winchester, VA 22601

You should receive notification of the hearing date and time within several weeks. If you have questions about the appeal process, please contact:

City Attorney for the City of Winchester
667-1815

Waiver of Trial

You have the right to have this citation tried in the Winchester General District Court. If you wish to waive your right to trial and pay the civil penalty, you must sign the waiver below.

By signing this waiver, you are admitting liability for the violation(s) and you must remedy or abate these violation(s) by an agreed to compliance date not to exceed six months. It is your responsibility to contact the Inspections Department and obtain a compliance date. Your signature has the same force and effect as a judgment in court.

Date:

Signature:

Once completed mail or deliver in person the entire form along with your check or money order to:

City of Winchester
Zoning & Inspections Department
15 N. Cameron Street
Winchester, VA 22601

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CERTIFIED MAIL™ RECEIPT
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12 SEP 2008
 1382548
 1100
 2110

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To
 Maddox Samuel London
 Street Apt No.
 or PO Box No. New Hanover St.
 City, State, ZIP+4
 Winchester VA 22601

PS Form 3800, August 2006 See Reverse for Instructions

2013 1090 0002 4748 5470

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Maddox Samuel Landon
 16 W. Monmouth St
 Winchester VA 22601

2. 7013 1090 0001 4748 6470

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15-K

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* Agent
 Addressee
 B. Received by (Printed Name) *KLADU MADDOX* Date of Delivery *1/28/04*
 D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below: Yes No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

132548

CITY OF WINCHESTER, VIRGINIA



Rouss City Hall
15 North Cameron Street
Winchester, VA 22601
540-667-1815
TDD 540-722-0782

APPLICATION

BOARD OF ARCHITECTURAL REVIEW CERTIFICATE OF APPROPRIATENESS

Please print or type all information

540 662-7061
Telephone

FAMOUS LIMO @ YAHOO.COM
E-mail address

SAMUEL LAMON MADDOX
Applicant (use reverse to list additional applicants)

16 W MONMOUTH ST
Street Address

WINCHESTER VA 22601
City State Zip

Samuel Lamon Maddox
Owner's Signature (use reverse to list additional owners)

540 662-7061
Telephone

FAMOUS LIMO @ YAHOO.COM
E-mail address

SAMUEL LAMON MADDOX
Owner Name (as appears in Land Records)

16 W MONMOUTH ST
Street Address

WINCHESTER VA 22601
City State Zip

PROPERTY LOCATION
Current Street Address(es) 16 WEST MONMOUTH ST Use _____

Zoning: _____ Year Constructed: _____ Historic Plaque? Y () N (X) Number: _____

TYPE OF REQUEST - Submit required materials (on reverse side) and any additional information with this form.

Demolition	Sign (specific type) and # _____	Exterior Change
New Construction	Freestanding	Siding
Addition	Wall	Roofing
Fence	Projecting	Windows/Doors
Wall	Other (specify) _____	Paint
Other (specify) _____		Other (specify) _____

FOR OFFICIAL USE ONLY

Hearing Date(s) 10/3/13 (tabled) 10/17/13

CERTIFICATE OF APPROPRIATENESS IS: _____ APPROVED _____ DISAPPROVED _____ TABLED _____ WITHDRAWN

SIGNATURE _____ DATE _____
Secretary, Board of Architectural Review

I AM A PROPERTY OWNER IN WINCHESTER.

I USED TO OWN THREE HOUSES - 22, 18 AND 16 WEST MONMOUTH STREET. MY GOAL WAS TO OWN THE WHOLE BLOCK.

I GOT DIVORCED AND HAD TO SELL 22. I GAVE 18 TO MY EXWIFE AND KEPT 16 FOR MYSELF. BECAUSE OF CHILD SUPPORT AND MENTAL INSURANCE AND OTHER EXPENSES I WAS NOT ABLE TO PROPERLY MAINTAIN MY PROPERTY FOR OVER 10 YEARS.

MY HOUSE WAS COVERED IN IN RED BRICK VENEER PLASTER BOARD SIDING THAT WAS DETERIORATING AND BEYOND REPAIR. ALSO MY KITCHEN WINDOW ON THE BACK NORTH SIDE WAS ROTTEN AND NEEDED TO BE REPLACED.

I HAD ONLY PLANNED TO REPLACE THE KITCHEN WINDOW (SEE PHOTO #1) BUT THE SIDING WAS NOT FIXABLE AROUND THAT WINDOW. THIS SMALL JOB TURNED IN TO A COMPLETE HOUSE MAKE OVER. I USE VINYL SIDING ON THE BACK AND SIDE (SEE PHOTOS #1, 2, 3).

THE FRONT OF THE HOUSE I HAVE USED WHITE CEDAR. (PHOTO 4)

I AM NOW FINISHING THE FRONT PORCH AND
AND STEPS (PHOTO 5)

**CITY OF WINCHESTER
ARCHITECTURAL INVENTORY**

1976

Address: 16 West Monmouth Street Present Use: Residential
 Map & Parcel: 193-(1) Assessed Value: \$14,100
 Tract & Block: I-9
 Present Owner: Winton B. Pope Historic Name: _____
 Address: _____ Original Owner: _____
 Original Use: _____

Date: 17__ 80 90 1800 10 20 30 40 50 60 70 80 ^{Est 1885} 90 1900 19__

Style: Vern. L.Geor. Grk.Rev. Ital. 2ndEmp. Rom. Goth. Q.A. Col.Rev.
 B.Arts None+ None-

Stories: B 1 1½ 2 2½ 3 3½ 4 Stone Foundation

Material: Stone Log ^{possibly} Clapbrd. Wd.Fr. Brk. Plas. Asphalt
 brick siding

Modifications: Minor Moderate Extensive

Physical Condition: Standard Deteriorated Dilapidated

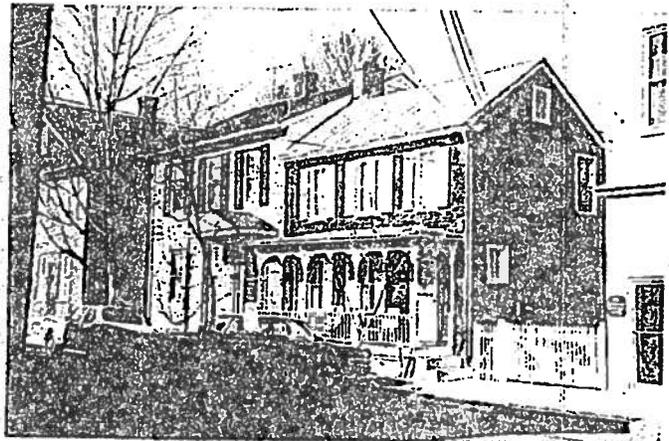
Environmental Context: Strong Moderate Weak

Architectural Significance:
 Outstanding Excellent Good Average None
 Architectural Description

This two story, three bay house is covered in asphalt "brick" siding. The windows are two over two, and the right end door has a transom light. The full facade, hip roof porch has beautiful carved brackets, corner braces, drops, and turned posts and balusters. The roof is tin, and there is a large left end chimney.

Historical Significance:
 National State/Regional Local None
 Historical Description

References:





City of Winchester

16 West Monmouth Street

Tax Map Number: 193-1-I-9-

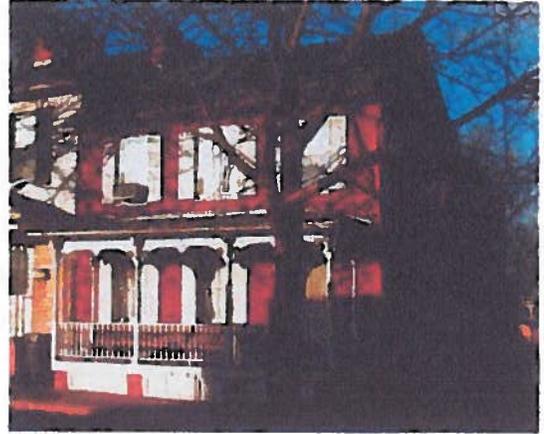
DHR Resource Number: 138-0042-0842

Resources: 1 single dwelling; 1 garage

Date/Period: ca. 1905

Style: Queen Anne

Sources: Sanborn Fire Insurance Company Maps; Quarles, *The Story of One Hundred Old Homes*



Architectural Description

Site Description: This two-story, single-family dwelling is located on the north side of West Monmouth Street and abuts the concrete sidewalk. A concrete walkway runs parallel to the east (side) elevation of the building. The backyard of the property is marked by mature shrubs.

Secondary Resource Summary: A one-story garage is located north of the main dwelling.

Primary Resource Description: Constructed circa 1905, this two-story, three-bay single-family dwelling is set on a solid foundation faced with stretcher-bond brick. This wood-frame building is clad with Bricktex siding. Standing-seam metal covers the side-gabled roof, which is accented by ogee-molded cornice returns and overhanging eaves. An interior-end brick chimney rises from the west (side) elevation and has a plain cap.

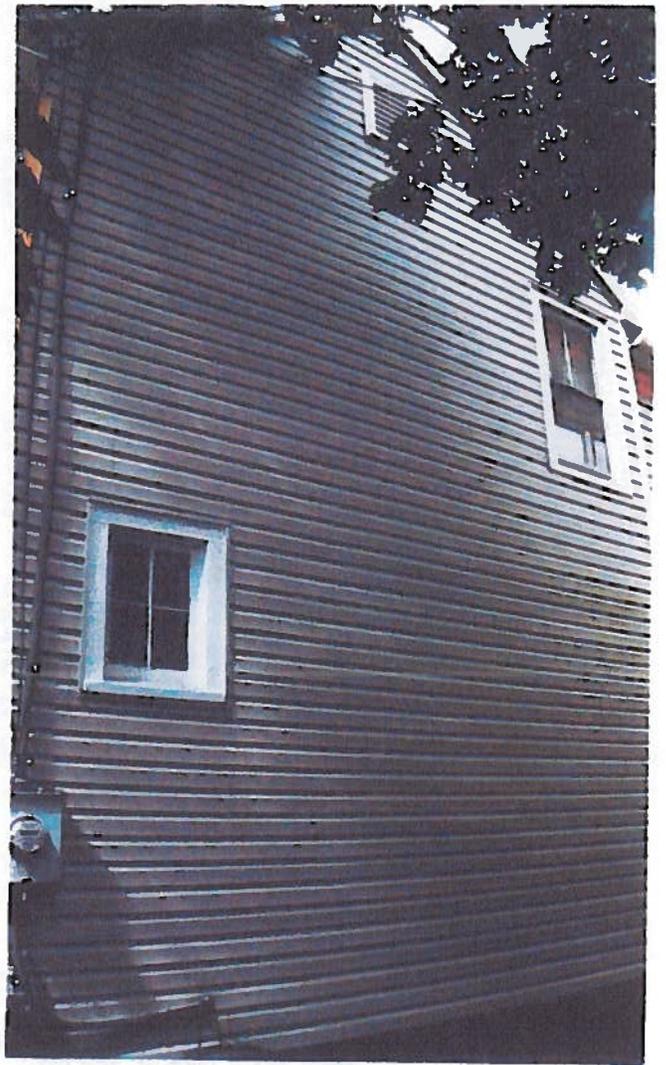
A single-leaf, paneled wood door with lights, surmounted by a single-light transom, is located in the easternmost bay of the façade (south elevation). Additional window openings on the façade hold 2/2, double-hung, wood-sash. The central bay of the second story holds paired 1/1, double-hung, wood-sash windows. Each window opening is finished with a wood sill and operable louvered wood shutters. A one-story, full-width porch extends from the façade and is set on a brick pier foundation with paneled wood infill. Constructed circa 1910, this Queen Anne-style porch is capped by a half-hipped roof of standing-seam metal. Turned wood posts support the roof, which is embellished with scrolled brackets, spindlework, and pendants. Turned wood balusters finish the porch.

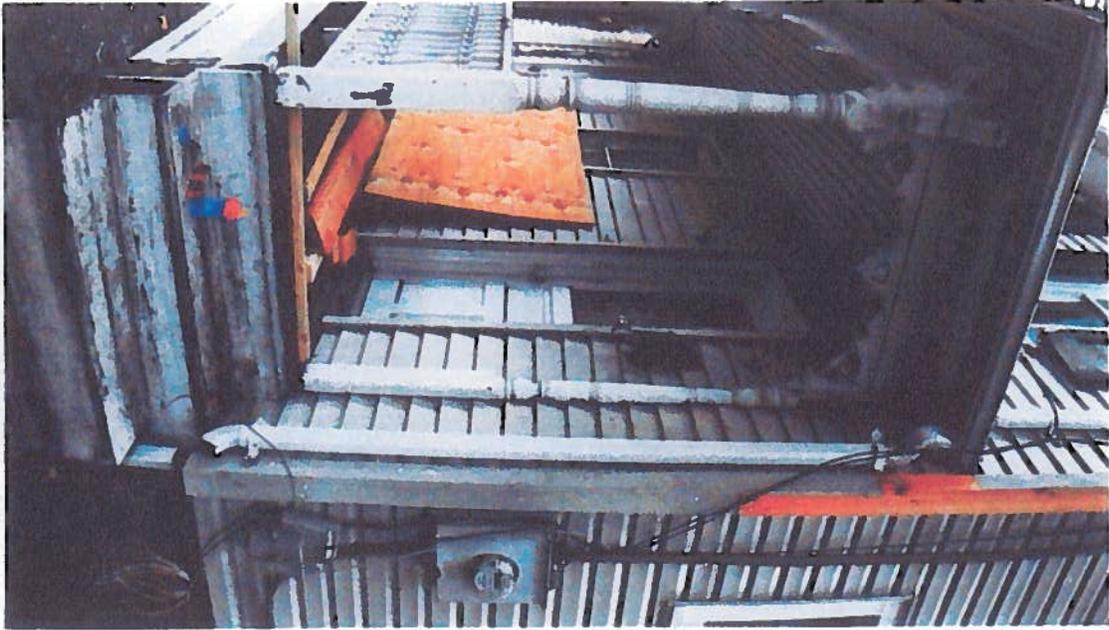
Fenestration on the east (side) elevation is limited to a four-light fixed wood window and a 2/2, double-hung, wood-sash. Wood sills and surrounds finish the openings. A louvered vent is located in the upper gable end.

A two-story ell extends from the westernmost bay of the rear (north) elevation and is original. The wood-frame ell, clad with Bricktex siding, is capped by a front-gabled roof of standing-seam metal. A two-story, full-width enclosed porch is located on the east (side) elevation and is marked by paired 1/1, double-hung, wood-sash and a band of 1/1, double-hung, wood-sash. Additional fenestration was not visible from the public right-of-way.

Secondary Resource Description: A one-story garage, constructed circa 1930, is located north of the dwelling. Set on a solid foundation, this garage is clad with German wood siding. A gabled roof, covered with standing-seam metal, caps the building. A roll-up, paneled metal door with lights marks the façade (east elevation). Additional fenestration was not visible from the public right-of-way.

Significance Statement: This two-story, vernacular single-family dwelling is representative of the domestic architecture constructed in the City of Winchester during the first quarter of the twentieth century. Judging by the form and materials, as well as by using Sanborn maps, this dwelling can be given a circa 1905 date of construction. This single-family dwelling retains integrity of materials, workmanship, and design, despite the use of replacement siding and addition of the Queen Anne-style porch. Further, this dwelling retains integrity of location and setting. All of these aspects contribute to integrity of feeling and association. This single-family dwelling is a contributing resource to the Winchester Historic District under Criteria A and C.







Rouss City Hall
15 North Cameron Street
Winchester, VA 22601

Telephone: (540) 667-1815
FAX: (540) 722-3618
TDD: (540) 722-0782
Website: www.winchesterva.gov

October 4, 2013

Samuel L. Maddox
16 W. Monmouth Street
Winchester, VA 22601

Dear Mr. Maddox:

On Thursday, October 3, 2013, the Board of Architectural Review acted on the following request:

BAR-13-524 Request of Samuel Maddox, property owner, for a certificate of appropriateness to replace windows and siding and exterior paint for the property at 16 W. Monmouth Street, zoned Residential Business (RB-1) District with Historic Winchester (HW) District overlay.

On a vote of 5-0, the Board tabled **BAR-13-524** until the October 17, 2013, meeting.

The decision of the Board may be appealed to the Common Council of the City of Winchester within 30 days of the Board's decision. Please do not hesitate to contact me should you have any questions at 667-1815, ext. 1492.

Sincerely yours,

Aaron M. Gridale, CZA
Director of Zoning and Inspections

"To provide a safe, vibrant, sustainable community while striving to constantly improve the quality of life for our citizens and economic partners."

I HAVE AN APPLICATION FOR MY PROPERTY AT
16 W. MONMOUTH ST.

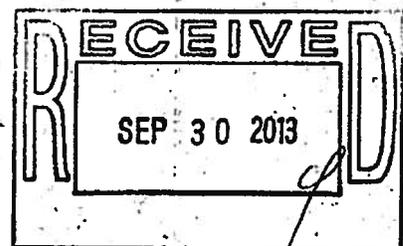
I HAD PLANNED ON BEING AT THE MEETING
ON OCT 3RD

HOWEVER I WILL BE OUT OF TOWN THAT
AFTERNOON.

WOULD YOU PLEASE TABLE MY APPLICATION
UNTIL YOUR NEXT MEETING ON OCT 17TH.

I WILL BE THERE ON THE 17TH OF OCT.

London Proddy
540.662-7061



BOARD OF ARCHITECTURAL REVIEW
Thursday, October 3, 2013, at 4:00 p.m.
Council Chambers, Rouss City Hall

1. POINTS OF ORDER

- A. Roll Call
- B. Approval of Minutes – September 19, 2013

2. CONSENT AGENDA

3. NEW BUSINESS

BAR-13-510 Request of Oakcrest Properties, LLC, on behalf of Cameron Street Properties, LLC, for a certificate of appropriateness to install a fence at the property located at 11 S. Cameron Street (*Map Number 193-01-M-19-A-01*), zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

BAR-13-524 Request of Samuel Maddox, property owner, for a certificate of appropriateness to replace windows and siding and for exterior paint for the property located at 16 W. Monmouth Street (*Map Number 193-01-I-9-01*), zoned Residential Business (RB-1) District with Historic Winchester (HW) District overlay. **TABLED - PER APPLICANT'S REQUEST – SEPTEMBER 30, 2013**

BAR-13-526 Request of Reader & Swartz, Architects, on behalf of Shenandoah University, for a certificate of appropriateness to change the existing siding at the property located at 186 N. Loudoun Street (*Map Number 173-02-A-T-01*), zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

BAR-13-527 Request of Reader & Swartz, Architects, on behalf of the Shenandoah Valley Discovery Museum, for a certificate of appropriateness for exterior paint colors for the property located at 19 W. Cork Street (*Map Number 193-01-F-23-A-01*), zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

4. OLD BUSINESS

BAR-13-462 Request of Tom Anderson, on behalf of Winchester Capital Group, Inc., for a certificate of appropriateness to construct a roof over the side door at the property located at 525 Amherst Street (*Map Number 172-01-7-B-01*), zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

BAR-13-499 Request of John P. Chesson, MD, for a certificate of appropriateness to construct a shed, install a condenser surround, gate, and a gated enclosure at the property located at 101 W. Cork Street (*Map Number 192-01-Q-1-01*), zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

BAR-13-424 Request of CCAP for a certificate of appropriateness to construct a handicap ramp and to remove shutters at the property located at 106 S. Kent Street (*Map Number 193-01-V-4-01*), zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

5. OTHER DISCUSSION

6. ADJOURN

*****APPLICANT OR REPRESENTATIVE MUST BE PRESENT
AT THE MEETING**



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October 17, 2013

Samuel L. Maddox
16 W. Monmouth Street
Winchester, VA 22601

Dear Mr. Maddox:

On Thursday, October 17, 2013, the Board of Architectural Review acted on the following request:

BAR-13-524 Request of Samuel Maddox, property owner, for a certificate of appropriateness to replace windows and siding and exterior paint for the property at 16 W. Monmouth Street, zoned Residential Business (RB-1) District with Historic Winchester (HW) District overlay.

On a vote of 5-0, the Board approved a certificate of appropriateness to **BAR-13-524** with the following conditions:

- The coal chute that was removed must be restored to its original place
- The windows on the back side of the house can be replaced as desired
- The vinyl siding must be removed and wood siding put back or existing wood siding reused and painted
- All wood siding must match in size and design with what is existing
- Paint must match the paint used on the second story

The decision of the Board may be appealed to the Common Council of the City of Winchester within 30 days of the Board's decision. Please do not hesitate to contact me should you have any questions at 667-1815, ext. 1492.

Sincerely yours,

Aaron M. Grisdale, CZA
Director of Zoning and Inspections

"To provide a safe, vibrant, sustainable community while striving to constantly improve the quality of life for our citizens and economic partners."

BOARD OF ARCHITECTURAL REVIEW
Thursday, October 17, 2013, at 4:00 p.m.
Council Chambers, Rouss City Hall

1. POINTS OF ORDER

- A. Roll Call
- B. Approval of Minutes – October 9, 2013

2. CONSENT AGENDA

3. NEW BUSINESS

BAR-13-550 Request of Roman Jenkins for a Certificate of Appropriateness to extend brick walkway at the property located at 415 North Braddock Street (Map Number 173-01-A-15-01) zoned Medium Density Residential (MR) District with Historic Winchester (HW) District overlay.

4. OLD BUSINESS

BAR-13-462 Request of Tom Anderson, on behalf of Winchester Capital Group, Inc., for a certificate of appropriateness to construct a roof over the side door at the property located at 525 Amherst Street (*Map Number 172-01-7-B-01*), zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

BAR-13-499 Request of John P. Chesson, MD, for a certificate of appropriateness to construct a shed, install a condenser surround, gate, and a gated enclosure at the property located at 101 W. Cork Street (*Map Number 192-01-Q-1-01*), zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

BAR-13-524 Request of Maddox Samuel, property owner, for a certificate of appropriateness to replace windows and siding and exterior paint for the property at 16 W. Monmouth Street, zoned Residential Business (RB-1) district with Historic Winchester (HW) District overlay.

5. OTHER DISCUSSION

6. ADJOURN

*****APPLICANT OR REPRESENTATIVE MUST BE PRESENT
AT THE MEETING**

BOARD OF ARCHITECTURAL REVIEW

The Board of Architectural Review held its regularly scheduled meeting on Thursday, October 17, 2013, at 4:00 p.m. in Council Chambers, Rouss City Hall, 15 N. Cameron Street, Winchester, Virginia.

POINTS OF ORDER:

PRESENT: Chairman Rockwood, Mr. Bandyke, Mr. Walker, Ms. Jackson, Mr. Serafin

ABSENT: None

STAFF: Aaron Grisdale, Nasser Rahimzadeh, Catherine Clayton

VISITORS: Samuel Maddox

APPROVAL OF MINUTES:

Chairman Rockwood called for corrections to the minutes of October 9, 2013. Hearing none, he called for a motion. Ms. Jackson moved to approve the minutes as submitted. Mr. Serafin seconded the motion. Voice vote was taken and the motion passed 5-0.

CONSENT AGENDA:

BAR-13-550 Request of Roman Jenkins for a Certificate of Appropriateness to extend the brick walkway at the property located at 415 North Braddock Street (Map Number 173-01-A-15-01) zoned Medium Density Residential (MR) District with Historic Winchester (HW) District overlay. This is an Eagle Scout project at the Stonewall Jackson house.

Chairman Rockwood called for additional discussion. Hearing none, he called for a motion. Mr. Bandyke moved to approve and grant a Certificate of Appropriateness to BAR-13-550 stating that the bricks are to match the existing walkway as closely as possible. Mr. Walker seconded the motion. Voice vote was taken and the motion passed 5-0.

PUBLIC HEARINGS:

None.

NEW BUSINESS:

BAR-13-550 Request of Roman Jenkins for a Certificate of Appropriateness to extend the brick walkway at the property located at 415 North Braddock Street (Map Number 173-01-A-15-01) zoned Medium Density Residential (MR) District with Historic Winchester (HW) District overlay.

Chairman Rockwood stated that as the drawing indicates, the request is to extend the existing walkway around the corner to the back entrance where handicap access can be attained. He then stated that this work cannot be seen from the street.

Mr. Bandyke moved to have BAR-13-550 moved to the consent agenda stating the following:

1. the work will not be seen
2. it is brick on sand, the brick is designated on the application
3. provides handicap access

Mr. Serafin seconded the motion. Voice vote was taken and the motion passed 5-0.

OLD BUSINESS:

BAR-13-462 Request of Tom Anderson, on behalf of Winchester Capital Group, Inc., for a Certificate of Appropriateness to construct a roof over the side door at the property located at 525 Amherst Street (Map Number 172-01-7-B-01) zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

Mr. Grisdale advised that it was his understanding that there were going to be some revisions to the application to come back before the Board but to date none has been received.

Chairman Rockwood suggested that the Board move to table.

Mr. Bandyke moved to table BAR-13-462 until the next meeting. Ms. Jackson seconded the motion. Voice vote was taken and the motion to table passed 5-0.

BAR-13-499 Request of John P. Chesson, MD, for a Certificate of Appropriateness to construct a shed, install a condenser surround, gate, and a gated enclosure at the property located at 101 W. Cork Street (Map Number 192-01-Q-1-01) zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

Mr. Grisdale stated that he did follow-up with the applicant after the last meeting to advise him of the Board's thoughts and request regarding a sample or photograph of the material to be used; however, there has been no contact from the applicant since this email.

Chairman Rockwood suggested that the Board move to table.

Mr. Bandyke stated that the screening should not only subdue the units on the roof but the logo on them as well.

Chairman Rockwood called for any additional discussion. Hearing none, he called for a motion.

Mr. Bandyke moved to table BAR-13-499 until the next meeting. Ms. Jackson seconded the motion. Voice vote was taken and the motion to table passed 5-0.

BAR-13-524 Request of Samuel Maddox, property owner, for a Certificate of Appropriateness to replace windows and siding and for exterior paint for the property at 16 W. Monmouth Street (Map Number 193-01-I-9-01) zoned Residential Business (RB-1) District with Historic Winchester (HW) District overlay.

Chairman Rockwood questioned whether the applicant has been told to stop work to which Mr. Maddox responded that no one has advised him of such. Mr. Maddox then explained that he was unaware that he had to come before the Board. Chairman Rockwood explained that in the past the Board has approved Hardy plank on side elevations but not vinyl siding. Chairman Rockwood then asked the applicant for some insight in to the project that he is proposing so that the Board can address the concerns, especially the vinyl siding.

Mr. Maddox advised the Board that he is trying to make some improvements on his house and that he did not realize that the work had to come before the Board. He stated that he started at the back of the house and worked forward and that he does have siding on the side. He added that there is a tree out front that blocks most of the view at the driveway and, as a possible to solution to the siding; he could possibly put up a gate across the driveway which would block most of the view of his driveway and the side of the house. Mr. Maddox further advised that there previously was a gate there and he took it down because it was rotted.

Chairman Rockwood then stated that the photographs of the front of the house do not indicate the new board that was used to enclose the underside of the front porch area. He added that the photograph seems to indicate an old coal chute and asked if it was still functional. Mr. Maddox responded that it is not functional but that he does still have the original door from it. He added that he removed the door and was planning to use it on the side of the house. Chairman Rockwood then asked if the applicant used vertical 1x4s as the skirt part underneath the porch. Mr. Maddox stated yes and also that he installed new front porch steps as well.

Chairman Rockwood then advised Mr. Maddox that the other difficulty he has is that the vinyl is a German siding pattern with an indentation at each board and it is noticeably different than the siding on the front which is wood. He then asked if the applicant considered using wood in the places where he has installed the vinyl to which Mr. Maddox responded that he did not consider it. Chairman Rockwood stated that it appears that the siding is covering clapboard siding and asked what kind of shape it is in. Mr. Maddox responded that it is in pretty bad shape. Most of the planks were rotted and broken and covered with brick.

Mr. Serafin then asked the Board that if Mr. Maddox had come to the Board first, what they would suggest. Chairman Rockwood stated that the Board has in the past approved Hardy plank on the non-front façade of projects such as this but not vinyl and that the Board would expect that the dimensions and style of the siding would match front and side.

Mr. Serafin then asked about the back. Mr. Bandyke stated that what they are trying to say is that they treat the back like it is Hardy plank because vinyl is not in the vernacular. He then said that Hardy plank on the back and possibly on the sides but only if it cannot be seen from a public right-of-way. Mr. Serafin then stated that clearly the corner is right there at the sidewalk. Chairman Rockwood stated that the Board has approved Hardy plank which is technically visible

from the street but it was not a primary façade. He added that it can be painted and it can be sized to match the wood in the front. It is a pretty good duplication, if you will, of the wood siding. It is a tough call and with the cost factor it might even be cheaper. Ms. Jackson stated that that might be the coefficient.

Chairman Rockwood stated that the applicant mentioned windows but stated that he has not seen which windows the applicant is referring to. Mr. Maddox stated just the window on the back of the house. Chairman Rockwood then asked if that is the only window that the applicant is seeking to replace. Mr. Bandyke asked if it would be the picture window to which Mr. Maddox responded yes. Mr. Bandyke then asked about the two windows up above the picture window to which Mr. Maddox responded that one has been replaced and that he hopes to do the other one. Chairman Rockwood then stated that given they are not visible from the street, we should encourage saving those windows or at least putting back windows of similar design but if Mr. Maddox wants to use the windows that he described, he is within his right to do so but only on the back façade.

Chairman Rockwood then added that they did have a house about a year ago that had the fake brick on it and that the Board suggested that they remove it to determine what condition their siding was in and it turned out to be in pretty good condition. The applicant painted the siding and it looks good. He then stated that it looks like there are some spots where the siding is just missing and not knowing to what extent the other siding is sound or what, maybe if it is not too bad you could maybe patch or infill with siding to match and then just paint the back. This is just a suggestion, not a requirement.

Mr. Maddox then stated that the way the Board was speaking about the vinyl siding, they were making it sound like it doesn't match but it does match the wood to the length, the width, and the color. Ms. Jackson then stated that the style is different. Chairman Rockwood stated that the vinyl siding has a little curve at the top and it is German siding, so called. The siding on the front is just straight with no indentation, no profile and if this had come to us before you began work, they would expect that all of the siding would be identical in specification.

Mr. Bandyke stated that even if the applicant puts up a fence, you are still going to see this side of the house with the vinyl on it. He added that he does not know any way around this, adding that technically the applicant should have put wood on the side and then he could have used Hardy plank on the back. He then stated that their hands are tied and they cannot approve vinyl siding. Also, even the style of the skirting on the front porch needs to be approved by the Board. That is one of the things about the Historic District, you own the house but changing the house, you have to come before the Board. He added that even if Mr. Maddox would have shown the Board that design, he does not know if they would have approved it for the vertical skirting. Mr. Bandyke then asked if Mr. Maddox was planning to paint the skirting to which Mr. Maddox stated yes. Mr. Bandyke then stated that if he had to vote on this, he could not approve it and that the vinyl siding would have to be replaced on the side and the back. If you have vinyl windows in the back and we cannot see it from the right-of-way then there really is nothing that the Board can do about it. He added that the Board does encourage the use of wood windows but vinyl can be used back there. Mr. Serafin added that the Board would not suggest vinyl.

Chairman Rockwood then asked if there is a cost factor involved here and if vinyl is significantly cheaper to which Mr. Maddox stated yes. Chairman Rockwood stated that he appreciates that Mr. Maddox used wood on the front and then asked if applicant could give an indication of what the savings were by using the vinyl. Mr. Maddox stated that the white cedar is pretty expensive and is about double in price versus the vinyl but that he does not know the exact breakdown.

Mr. Bandyke asked what is the thickness of the bottom of the board on the front to which Mr. Maddox stated that he believes it is $\frac{3}{4}$ -inches.

Mr. Serafin stated that what it sounds like is that the Board is saying that the vinyl siding on the side of the house has to come off. Ms. Jackson said that it does sound that way. Chairman Rockwood said that that would be his suggestion. Mr. Serafin said that this seems to be a consensus.

Mr. Bandyke asked if the applicant could use another white cedar on the front and that it is a protected area there because it is underneath the porch. He then asked if Mr. Maddox could use another species of wood, which would be fine with the Board, for the side and use either a yellow pine lap siding or the Hardy plank in the back.

Chairman Rockwood then stated that the vinyl cannot be painted and it will not weather the same. He then asked to what extent the existing siding could be repaired or patched in the areas where the boards have split or rotted. It might be a matter of replacing a few boards rather than the whole side and then you (applicant) would have the original siding patched with siding to match.

Chairman Rockwood stated that there is some kind of covering, some kind of asphalt sheeting on top of this so that the wood was protected to some degree. Mr. Maddox stated that he thinks it is because it is bad. Chairman Rockwood said that if Mr. Maddox approaches this project with the idea that maybe the siding is in good enough shape to keep rather than deciding right away that you (applicant) are going to cover it up, maybe that is not such bad siding. There may be some problem areas but you might be able to salvage the bulk of it. Ms. Jackson then asked about the compromising of what is underneath the vinyl now with nail holes from the installation. Mr. Bandyke stated that the nails are not that big so it really is not a problem. Ms. Jackson then asked when weighing the cost, wouldn't it be less expensive than doing the whole project over in wood.

Chairman Rockwood then asked Mr. Maddox if he is doing the labor himself to which he advised that he is doing most of it but that he does have a helper who is giving him technical advice. Chairman Rockwood stated that he would recommend repairing what is there, repairing holes, and replacing the boards that need to be replaced and that the vinyl has to come off. He then stated that he hates situations like this and that they do sympathize with Mr. Maddox because it is going to cost more money. He added that they have never approved vinyl in the historic district and probably never will. He recommends fixing what is there and painting it.

Chairman Rockwood then stated that he thinks the Board has approved Hardy plank for side elevations before to which Mr. Grisdale responded that there have been some limited instances

where Hardy plank has been approved on side elevations. It is has been limited but there have been a few and usually it is on newer construction like infill where the Board has been more forgiving. It is not an “always the case situation,” rather it has been on a situational-dependent decision by the Board and that it has not been consistent either way.

Mr. Bandyke stated that the applicant advised he would put up a fence but he believes that Mr. Maddox would have the fence a little too close and you would need to be able to open and close it for parking. Mr. Maddox stated that the driveway is not really necessary and that he is thinking of making it into a patio area.

Mr. Serafin then asked what other windows are going to be replaced. Mr. Maddox responded that he will only replace the three in the back.

Mr. Maddox then asked if he does want to put up a fence, will he need to put in a proposal before the Board to which Chairman Rockwood stated yes. Mr. Bandyke stated that he believes the fence can go up to six (6) feet to which Mr. Grisdale responded that it depends on the yard. He then added that if it is in a front yard it can only go up four (4) feet and it has to be at least 25% open, so it would depend where the fence is located in relation to the house. Mr. Bandyke then asked that if the applicant ran the fence across the driveway from his house to a post beside the neighbor’s house would it work. Mr. Grisdale stated that if it is behind the front plane of the house, it can be up to six (6) feet.

Chairman Rockwood advised that where they are is that the windows on the back can stay if Mr. Maddox wants them to. If he can patch the wood siding on the side, that would be good and it may not be too expensive but if he wants to replace the whole side, he guesses that they could approve Hardy plank but it may be more costly than doing wood. No vinyl on the back but can do Hardy plank but again, you can do wood. The front can stay like it is because it is fine. Mr. Maddox stated that he will take the siding down and leave the house like it is.

Mr. Walker stated that they have not talked about the paint but that he does not see any issues with it. Chairman Rockwood asked if they have colors to which Mr. Maddox stated that the top floor is what the paint will look like.

Mr. Bandyke then asked the applicant if he can use the old coal chute door on the front along with the new skirting to which Mr. Maddox responded that he thinks it was added. Mr. Bandyke stated that he would recommend putting it back even though it is only an architectural detail, it does add to the character of the house. Mr. Serafin added that it is a piece of the historic fabric of the building and it makes it look authentic and it gives it character.

Ms. Jackson asked if there is any compensation if the vinyl is removed carefully and can it be reused. Mr. Bandyke stated that they could give it to someone but that is about the only way.

Chairman Rockwood called for any additional comments or discussion. Hearing none, he called for a motion.

Mr. Bandyke moved to approve and grant a Certificate of Appropriateness to BAR-13-524 for the following:

- The coal chute needs to be remounted in the same location on the front skirting of the porch, and
- The windows in the back of the house can be replacement windows as applicant wants to install, and
- The vinyl siding on the side and the back of the house needs to be removed and wood siding either has to be put back or the existing wood siding utilized, and
- The paint for the side and the back of the house must match the second story paint on the house right now, and
- Any and all replacement siding must match in width, thickness, and style to what is currently on the house.

Mr. Serafin seconded the motion. Voice vote was taken and the motion passed 5-0.

Hearing the Board's decision, Mr. Maddox stated that he would like to appeal until such time as he put in an application for a fence. He added that the Board told him that the back of the house is not important and now he says that the Board is telling him that he has to take off the siding from the back and that the Board is a little worried about what can be seen from the right-of-way. He added that if he puts up a fence that will take care of some of the vision issues and so he asked if they can go back and revisit some of what can be seen after he gets a fence up.

Chairman Rockwood stated that the problem with a fence is that obviously it will not block the siding on the second story of the property and it is his hope that if Mr. Maddox takes a look at the siding underneath the vinyl, it may be repairable and useable as it is.

Mr. Bandyke then asked Mr. Maddox how long he has owned the property to which Mr. Maddox responded about twenty years. Mr. Bandyke then asked if he knew that it was in the historic district to which Mr. Maddox stated yes he did know. Mr. Bandyke stated that the Board's hands are tied and they cannot allow Mr. Maddox to have something different. This would set an adverse precedent but they do accept Hardy plank in some cases and in this case, it is a possibility. Mr. Grisdale advised Mr. Maddox that he will receive a letter stating the Board's decision and that there is a 30-day time period for appeal to Council.

OTHER DISCUSSION:

Mr. Grisdale stated that the applicant at the intersection of Braddock and Monmouth did get approval for paint but not to remove the metal siding. He will make a retroactive application to remove the metal siding but he also has some future work that he is planning to do for some brickwork and things like that so you will see an application come before the Board for his planned work in terms of doing some brick replacement with a stoop going up on the Braddock Street side and then also for the siding removal of the old aluminum siding.

ADJOURN:

Having no other business, the meeting adjourned at 4:45 p.m.

This is an appeal for the line item stating, "The vinyl siding must be removed and wood siding put back or existing wood siding reused and painted."

The reason for this appeal is because the city inspections office required me to repair or replace the decaying siding on my house. During all of my work to remove the old brick veneer siding and replace it with vinyl siding, the city inspected my work and never once said what I was doing was wrong.

The city never told me to stop the work I was doing. This work was extensive and took me more than several months over this spring. About halfway through the siding work someone came by and said, "When you do the work on the front of the house it has to be done with wood."

After I did all this work for the inspections department, the architectural board says what I did was wrong and must be removed.

My house has not weathered well over the years. The brick veneer particle board siding I removed was put over wood siding that was so worn and damaged, it had to be covered. I covered this siding with wood on the front and vinyl on the side and back. This new siding is basically holding my house together.

I am asking for an exemption for the work that has already been done. I am not looking forward to the time and labor and money in removing this existing siding. I want to quietly clean up my house and put all this work behind me.

I have looked through the past minutes of the architectural board and have not found any instances where required existing work had to be removed. If this exemption is denied, I will hire a lawyer to fight my case. If I lose this case, I will use it as a precedent to go after every other structure in the historic district that has vinyl siding.

I am not trying to get anything over on the city. I just want this to end.

Please approve this work that was required and supervised by the city.

Samuel Landon Maddox
540-662-7061

NOV 15 2013



Rouss City Hall
15 North Cameron Street
Winchester, VA 22601

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October 17, 2013

Samuel L. Maddox
16 W. Monmouth Street
Winchester, VA 22601

Dear Mr. Maddox:

On Thursday, October 17, 2013, the Board of Architectural Review acted on the following request:

BAR-13-524 Request of Samuel Maddox, property owner, for a certificate of appropriateness to replace windows and siding and exterior paint for the property at 16 W. Monmouth Street, zoned Residential Business (RB-1) District with Historic Winchester (HW) District overlay.

On a vote of 5-0, the Board approved a certificate of appropriateness to **BAR-13-524** with the following conditions:

- The coal chute that was removed must be restored to its original place
- The windows on the back side of the house can be replaced as desired
- The vinyl siding must be removed and wood siding put back or existing wood siding reused and painted
- All wood siding must match in size and design with what is existing
- Paint must match the paint used on the second story

The decision of the Board may be appealed to the Common Council of the City of Winchester within 30 days of the Board's decision. Please do not hesitate to contact me should you have any questions at 667-1815, ext. 1492.

Sincerely yours,

Aaron M. Grisdale, CZA
Director of Zoning and Inspections

RESIDENTIAL REHABILITATION

SUBSTITUTE MATERIALS

A building's historic character is a combination of its design, age, setting, and materials. The exterior walls of a building, because they are so visible, play a very important role in defining its historic appearance. Wood clapboards, wood shingles, wood board-and-batten, brick, stone, stucco or a combination of the above materials all have distinctive characteristics. Synthetic materials can never have the same patina, texture, or light-reflective qualities.

These modern materials have changed over time, but have included asbestos, asphalt, vinyl, aluminum, and EIFS (exterior insulation and finish system) and have been used to artificially create the appearance of brick, stone, shingle, stucco and wood siding surfaces.

Synthetic sidings are not appropriate in the district. In addition to changing the appearance of a historic building, synthetic sidings may make maintenance more difficult because they may cover up potential moisture problems that can become more serious. Artificial siding, once it dents or fades may need painting just as frequently as wood.



Frequently, the installation of artificial siding results in the removal of historic elements like brackets and porches.



- 1** Remove synthetic siding and restore original building material, if possible.
- 2** If you are unsure about using a substitute material, please contact the BAR or the Winchester Office of the Virginia Department of Historic Resources.

Artificial siding does not have the appearance or patina of real wood siding.

NOTE: Consult Preservation Brief #8 and 16. (Publications available at www2.cr.nps.gov/tps/briefs/presbhom.htm or in the City Planning Office.)

0-2014-01

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: 1/7/2014 CUT OFF DATE: 12/17/2013

RESOLUTION ___ ORDINANCE X PUBLIC HEARING ___

ITEM TITLE:

Amend section 10-51 of the City Code to expand the table of required fire prevention code permits and to adopt a fire inspection fee schedule.

STAFF RECOMMENDATION:

Expand Table 107.2 of Section 10-51 of the Winchester City Code to include the state allowed annual operational permits for activities involving the handling, storage or use of substances, materials or devices regulated by the Statewide Fire Prevention Code; conducting processes which produce conditions hazardous to life or property; or establishing a place of assembly. This proposal also includes the addition of a fire inspection fee schedule that will be based on the square footage of the occupancy being inspected.

PUBLIC NOTICE AND HEARING: N/A

ADVISORY BOARD RECOMMENDATION:

N/A

FUNDING DATA:

N/A

INSURANCE:

As required

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. <u>Finance/Risk Management</u>	<u>CB</u>		<u>12/18/13</u>
2. <u>Fire & Rescue</u>	<u>[Signature]</u>		<u>12/18/13</u>
3. _____			
4. _____			
5. City Attorney	<u>[Signature]</u>		<u>12/18/2013</u>
6. City Manager	<u>[Signature]</u>		<u>12-20-13</u>
7. Clerk of Council			

Initiating Department Director's Signature: [Signature] Date: 12/18/13
 Allen Baldwin, Fire and Rescue Chief



APPROVED AS TO FORM:
[Signature] 12/18/2013
 CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Alan Baldwin, Fire Chief
Date: December 16, 2013
Re: Amendment of City Code Chapter 10 – Fire Prevention and Protection

THE ISSUE:

Amending the City Fire Code to expand the current fire code permit table and to include a fee schedule for the permits and associated inspections conducted by the Fire and Rescue Department.

RELATIONSHIP TO STRATEGIC PLAN:

By implementing the Operational Fire Code Program and fee structure we would be creating a more livable city for all by increasing the safety of the structures in which we live and work. In addition to increasing safety the program will also help to grow the economy by reducing the dollar loss that business owners sustain from property damage and loss of revenue. Statistics have shown that many of the businesses that experience a fire are not financially capable of reopening. By expanding our inspections we can reduce those fires by identifying violations for correction and by providing additional education to the business owners to help them make safer decisions in the future.

BACKGROUND:

The Fire and Rescue Department has been conducting fire prevention inspections throughout the city for many years. The primary focus of those inspections has been geared towards businesses and operations that are required to have an annual fire inspection to maintain compliance with state or federal agencies. In addition to those inspections, the fire station personnel conduct life safety inspections of city owned properties that are limited in scope. The only exception is for seasonal related inspections or venue inspections for large events such as the Apple Blossom Festival. While all of those inspections are important, there is a great need to expand our inspection services. Our city has experienced multiple fires in the last few years that quite possibly could have been prevented if routine inspections had been conducted. These fires include multiple restaurants, and assembly occupancies as well as industrial facilities that store and handle multiple types of hazardous materials. We feel that by expanding our inspection program to include the Operational Fire Code Permits that many jurisdictions throughout the state already require, we will improve the overall fire and life safety of our city and citizens, and enhance firefighter safety.

The Operational Fire Code Permit Program would require those businesses that have statistically proven to be a greater fire or life hazard to have an annual inspection and permit to conduct such operations.

BUDGET IMPACT:

The proposed amendment of the fire prevention code and implementation of the permit and inspection fee schedule would not have direct financial impact on the city's budget. However, with the implementation of the permit and inspection program our research shows the program would generate approximately \$43,150.00 (see attached projections). In anticipation of this program being implemented the fire and rescue department has requested the addition of a new Fire Inspector position. The cost for this position will be offset by the fees that are recovered as part of providing the inspections and permit services.

OPTIONS:

City Council may approve, approve with modifications, or reject the proposed Fire Code Amendment.

RECOMMENDATIONS:

Staff recommends approval.

Proposed Amendments to Section 10-51 of the City Code

The following text will be added as amendments to the Virginia Statewide Fire Prevention Code according to Section 10-51 of the City Code as follows:

SECTION 10-51 AMENDMENTS, ADDITIONS AND DELETIONS TO THE VIRGINIA STATEWIDE FIRE PREVENTION CODE

Pursuant to Code of Virginia, § 27-97, the City is empowered to adopt fire prevention regulations that are more restrictive or more extensive in scope than the Statewide Fire Prevention Code provided such regulations do not affect the manner of construction, or materials to be used in the erection, alteration, repair, or use of a building or structure, including the voluntary installation of smoke alarms and regulation and inspections thereof in commercial buildings where such smoke alarms are not required under the provisions of the Code. The City hereby adopts the Statewide Fire Prevention Code with the following amendments:

[. . . remaining portions of ordinance remain unaltered . . .]

Change Table 107.2 to read:

Table 107.2
Fire Prevention Code Permit Requirements and Fees

<u>Description</u>	<u>Permit Required</u>	<u>Permit Fee</u>	<u>Inspection Fee</u>
Aerosol products. An operational permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds net weight.	Yes	\$50.00	See 107.15.1
Amusement buildings. An operational permit is required to operate a special amusement building.	Yes	\$50.00	See 107.15.1
Aviation facilities. An operational permit is required to use a Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.	Yes	\$50.00	See 107.15.1
Carnivals and fairs. An operational permit is required to conduct a carnival or fair (30 day permit).	Yes	\$50.00	See 107.15.1
Battery systems. An operational permit is required to install stationary lead-acid battery systems having a liquid capacity of more than 50 gallons.	Yes	\$50.00	See 107.15.1
Cellulose nitrate film. An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.	Yes	\$50.00	See 107.15.1
Combustible dust-producing operations. An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2.	Yes	\$50.00	See 107.15.1
Combustible fibers. An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 cubic feet. Exception: An operational permit is not required for agricultural storage.	Yes	\$50.00	See 107.15.1

Commercial Kitchen Operations Requiring a Type I Hood Exception: Assembly/educational occupancies having a fire prevention code permit.	Yes	\$50.00	See 107.15.1
Compressed gas. An operational permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed below. Exception: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.	Yes	\$50.00	See 107.15.1
Permit Amounts for Compressed Gases			
Type of Gas	Amount (cubic feet at NTP)		
Corrosive	200		
Flammable (except cryogenic fluids and liquefied petroleum gases)	200		
Highly toxic	Any Amount		
Inert and simple asphyxiant	6,000		
Oxidizing (including oxygen)	504		
Toxic	Any Amount		
Covered mall buildings. An operational permit is required for: 1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall. 2. The display of liquid- or gas-fired equipment in the mall. 3. The use of open-flame or flame-producing equipment in the mall.	Yes	\$50.00	See 107.15.1
Cryogenic fluids. An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed below. Exception: Operational permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.	Yes	\$50.00	See 107.15.1
Permit Amounts for Cryogenic Fluids			
Type of Cryogenic Fluid	Inside Building (gallons)	Outside Building (gallons)	
Flammable	More than 1	60	
Inert	60	500	
Oxidizing (includes oxygen)	10	50	
Physical or health hazard not indicated above	Any Amount	Any Amount	
Dry cleaning. An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.	Yes	\$50.00	See 107.15.1
Exhibits and trade shows. An operational permit is required to operate exhibits and trade shows.	Yes	\$50.00	See 107.15.1
Explosives: Explosives Use, Each Site or Location (6 month permit)	Yes	\$50.00	Included
Explosives: Transportation, Each Vehicle (6 month permit)	Yes	\$50.00	Included
Explosives: Firm or Company License	Yes	\$50.00	Included
Explosives: Storage and display of explosives, explosive materials, fireworks, small arms ammunition, black powder, and smokeless propellants.	Yes	\$50.00	See 107.15.1
Fireworks and Pyrotechnics: Retail Sale of Permissible Fireworks (45 day permit)	Yes	\$250.00	Included
Fireworks and Pyrotechnics: Outdoor Display: aerial or proximate audience (1 day permit)	Yes	\$250.00	Included
Fireworks and Pyrotechnics: Indoor pyrotechnic display and special effects (1 day permit)	Yes	\$250.00	Included
Flammable liquids: Store, handle or use Class I liquids in excess of 5 gallons in a building or	Yes	\$50.00	See

in excess of 10 gallons outside of a building, except that a permit is not required for the following:			107.15.1
1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the fire official, would cause an unsafe condition.			
2. The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.			
Combustible liquids: Class II or IIIA: Store, Handle, or Use in Excess of 25 Gallons in a Building or in Excess of 60 Gallons Outside a Building Exception: Fuel Oil Used in Connection with Oil-burning Equipment	Yes	\$50.00	See 107.15.1
Flammable and combustible liquids - Tank: Above-ground or Underground Storage Only	Yes	\$50.00	See 107.15.1
Flammable and combustible liquids - Tank: Above-ground or underground storage utilizing dispensing equipment	Yes	\$50.00	See 107.15.1
Flammable and combustible liquids - Tank: Bulk Storage Facility - in Excess of 100,000 Gallons	Yes	\$50.00	See 107.15.1
Flammable and combustible liquids - Tank: Installation, Above/Underground Tank (90 Day Permit)	Yes	\$50.00	See 107.15.1
Flammable and combustible liquids - Tank: Alter or Relocate an Existing Tank (90 Day Permit)	Yes	\$50.00	See 107.15.1
Flammable and combustible liquids - Tank: Place temporarily out of service (more than 90 days)	Yes	\$50.00	See 107.15.1
Flammable and combustible liquids - Tank: Underground Abandonment (90 Day Permit)	Yes	\$50.00	See 107.15.1
Flammable and combustible liquids - Tank: Above-ground/Underground Removal (90 Day Permit)	Yes	\$50.00	See 107.15.1
Flammable and combustible liquids - Tank: Install Product Lines/Dispensing Equipment (90 Day Permit)	Yes	\$50.00	See 107.15.1
Flammable and combustible liquids - Tank: Change the contents to a greater hazard.	Yes	\$50.00	See 107.15.1
Flammable and combustible liquids: Manufacture, process, blend or refine flammable or combustible liquids.	Yes	\$50.00	See 107.15.1
Floor finishing. An operational permit is required for floor finishing or surfacing operations exceeding 350 square feet using Class I or Class II liquids. (30 day permit)	Yes	\$50.00	See 107.15.1
Fruit and crop ripening. An operational permit is required to operate a fruit-, or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.	Yes	\$50.00	See 107.15.1
Fumigation and thermal insecticidal fogging. An operational permit is required to operate a business of fumigation or thermal insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.	Yes	\$50.00	See 107.15.1
Hazardous materials. An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed below.	Yes	\$50.00	See 107.15.1
Permit Amounts for Hazardous Materials			
Type of Material	Amount		
Combustible liquids	see flammable and combustible liquids		
Corrosive materials			
Gases	see compressed gases		
Liquids	55 gallons		
Solids	1000 pounds		
Explosive materials	see explosives		
Flammable materials			
Gases	see compressed gases		

<u>Liquids</u>	see flammable and combustible liquids			
<u>Solids</u>	100 pounds			
<u>Highly toxic materials</u>				
<u>Gases</u>	see compressed gases			
<u>Liquids</u>	Any Amount			
<u>Solids</u>	Any Amount			
<u>Oxidizing materials</u>				
<u>Gases</u>	see compressed gases			
<u>Liquids</u>				
Class 4	Any Amount			
Class 3	1 gallon			
Class 2	10 gallons			
Class 1	55 gallons			
<u>Solids</u>				
Class 4	Any Amount			
Class 3	10 gallons			
Class 2	100 pounds			
Class 1	500 pounds			
<u>Organic peroxides</u>				
<u>Liquids</u>				
Class I	Any Amount			
Class II	Any Amount			
Class III	1 gallon			
Class IV	2 gallons			
Class V	No Permit Required			
<u>Solids</u>				
Class I	Any Amount			
Class II	Any Amount			
Class III	10 pounds			
Class IV	20 pounds			
Class V	No Permit Required			
<u>Pyrophoric materials</u>				
<u>Gases</u>	see compressed gases			
<u>Liquids</u>	Any Amount			
<u>Solids</u>	Any Amount			
<u>Toxic materials</u>				
<u>Gases</u>	see compressed gases			
<u>Liquids</u>	10 gallons			
<u>Solids</u>	100 pounds			
<u>Unstable (reactive) materials</u>				
<u>Liquids</u>				
Class 4	Any Amount			
Class 3	Any Amount			
Class 2	5 gallons			
Class 1	10 gallons			
<u>Solids</u>				
Class 4	Any Amount			
Class 3	Any Amount			
Class 2	50 pounds			
Class 1	100 pounds			
<u>Water-reactive Materials</u>				
<u>Liquids</u>				
Class 3	Any Amount			
Class 2	5 gallons			

Class 1	55 gallons			
Solids				
Class 3	Any Amount			
Class 2	50 pounds			
Class 1	500 pounds			
HPM facilities. An operational permit is required to store, handle or use hazardous production materials.		Yes	\$50.00	See 107.15.1
High piled storage. An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet.		Yes	\$50.00	See 107.15.1
Hot work operations. An operational permit is required to conduct cutting or welding operations within the jurisdiction.		Yes	\$50.00	See 107.15.1
Hot work operations: Public exhibitions and demonstrations (Each Exhibitor, 7 day permit)		Yes	\$50.00	See 107.15.1
Hot work operations: Use of portable hot work and open flame equipment or devices inside a structure. Exception: Work that is conducted under a construction permit.		Yes	\$50.00	See 107.15.1
Hot work operations: Fixed-site hot work equipment such as welding booths		Yes	\$50.00	See 107.15.1
Hot work operations: Application of roof coverings with the use of an open-flame device.		Yes	\$50.00	See 107.15.1
Hot work operations: Facility Hot Work Program		Yes	\$50.00	See 107.15.1
Industrial ovens. An operational permit is required for operation of industrial ovens regulated by Chapter 21.		Yes	\$50.00	See 107.15.1
Lumber yards and woodworking plants. An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet (8,333 ft ³).		Yes	\$50.00	See 107.15.1
Liquid- or gas-fueled vehicles or equipment in assembly buildings. An operational permit is required to display, operate or demonstrate liquid- or gas-fueled vehicles or equipment in assembly buildings.		Yes	\$50.00	See 107.15.1
LP-gas. An operational permit is required for: 1. Storage and use of LP-gas. Exception: An operational permit is not required for individual containers with a 500-gallon water capacity or less serving occupancies in Group R-3. 2. Operation of cargo tankers that transport LP-gas.		Yes	\$50.00	See 107.15.1
Magnesium. An operational permit is required to melt, cast, heat treat or grind more than 10 pounds of magnesium.		Yes	\$50.00	See 107.15.1
Miscellaneous combustible storage. An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material.		Yes	\$50.00	See 107.15.1
Open Burning: Industrial or Occupational		Yes	\$50.00	Included
Open Burning: Agricultural/Silvicultural/Controlled Burning (90 day permit)		Yes	\$50.00	Included
Open Burning: Bonfires (7 day permit)		Yes	\$50.00	Included
Open flames and candles. An operational permit is required to remove paint with a torch; use a torch or open-flame device in a hazardous fire area; or to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.		Yes	\$50.00	See 107.15.1
Open flame performances. Open flame theatrical performances		Yes	\$50.00	Included
Organic coatings. An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon of an organic coating in one day.		Yes	\$50.00	See 107.15.1
Places of assembly/educational. An operational permit is required to operate a place of assembly/educational occupancy with an occupant load of 50 or greater.		Yes	\$50.00	See 107.15.1
Pyrotechnics. An operational permit is required for use and handling of pyrotechnic special effects material for Indoor Pyrotechnic Displays and Special Effects		Yes	\$250.00	Included

Pyroxylin plastics. An operational permit is required for storage or handling of more than 25 pounds of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics.	Yes	\$50.00	See 107.15.1
Refrigeration equipment. An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.	Yes	\$50.00	See 107.15.1
Repair garages and service stations. An operational permit is required for operation of repair garages and automotive, marine and fleet service stations.	Yes	\$50.00	See 107.15.1
Rooftop heliports. An operational permit is required for the operation of a rooftop heliport.	Yes	\$50.00	See 107.15.1
Spraying or dipping. An operational permit is required to conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 15.	Yes	\$50.00	See 107.15.1
Storage of scrap tires and tire byproducts. An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet of total volume of scrap tires and for indoor storage of tires and tire byproducts.	Yes	\$50.00	See 107.15.1
Temporary membrane structures, tents and canopies. An operational permit is required to operate an air-supported temporary membrane structure or a tent. Exceptions: 1. Tents used exclusively for recreational camping purposes. 2. Tents and air-supported structures that cover an area of 900 square feet or less, including all connecting areas or spaces with a common means of egress or entrance and with an occupant load of 50 or less persons. 3. Fabric canopies and awnings open on all sides which comply with all of the following: 3.1. Individual canopies shall have a maximum size of 700 square feet. 3.2. The aggregate area of multiple canopies placed side by side without a fire break clearance of 12 feet shall not exceed 700 square feet total. 3.3. A minimum clearance of 12 feet to structures and other tents shall be provided.	Yes	\$50.00	See 107.15.1
Tire-rebuilding plants. An operational permit is required for the operation and maintenance of a tire-rebuilding plant.	Yes	\$50.00	See 107.15.1
Waste handling. An operational permit is required for the operation of wrecking yards, junk yards and waste material-handling facilities.	Yes	\$50.00	See 107.15.1
Wood products. An operational permit is required to store chips, hogged material, lumber or plywood in excess of 200 cubic feet.	Yes	\$50.00	See 107.15.1

**Table 107.2
Operational Permit Requirements**

Description	Permit Required	Permit Fee	Inspection Fee
Explosives: Explosives Use, Each Site or Location	Yes	\$50.00	0
Explosives: Transportation, Each Vehicle	Yes	\$50.00	0
Explosives: Blaster License	Yes	\$50.00	0
Fireworks: Retail Sale of Permissible Fireworks	Yes	\$250.00	0
Fireworks: Outdoor Aerial or Ground Display	Yes	\$250.00	0
Open Burning: Industrial	Yes	\$50.00	0
Open Burning: Agricultural	Yes	\$50.00	0
Open Burning: Occupational	Yes	\$50.00	0
Open Burning: Bonfires	Yes	\$50.00	0
Pyrotechnics: Indoor Pyrotechnic Display and Special Effects	Yes	\$250.00	0

Add section 107.15.1 to read:

107.15.1 Inspection Fees. The inspection fees shall include an initial inspection and one follow-up inspection per site. Additional inspections after the first follow-up shall be charged \$50.00 per inspection. Fire inspection fees shall be in addition to any permit fees that are required according to Table 107.2.

Add section 107.15.2 to read:

107.15.2 Inspection Fee Schedule. An inspection fee based on the square footage of the inspected occupancy shall be charged according to the following schedule.

- \$50 for Up to 2,500 sq. ft.
- \$60 for 2,501 to 5,000 sq. ft.
- \$75 for 5,001 - 12,000 sq. ft.
- \$90 for 12,001 - 25,000 sq. ft.
- \$100 for 25,001 - 50,000 sq. ft.
- \$150 for 50,001 - 100,000 sq. ft.
- \$200 for 100,001 - 150,000 sq. ft.
- \$300 for 150,001 - 200,000 sq. ft.
- \$500 for Over 200,000 sq. ft.

Add exception 3 to Section 108.1.1 to read:

3. Operational permit fee(s) may be waived by the City Manager or his designee for permits required in the performance of a contract with the City of Winchester, provided that a written waiver is filed with the fire department along with a copy of the contract. ~~non-profit organizations or for community wide events, by the Fire Chief or designee.~~

Winchester Fire and Rescue Department
Fire Code Permit Program Revenue Projection

Description	Permit Required	Permit Fee	Inspection Fee	ESTIMATED NO. OF PERMITS	ESTIMATED PERMIT REVENUE
Aerosol products An operational permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds net weight.	Yes	\$50.00	See 107.15.1		\$0.00
Amusement buildings An operational permit is required to operate a special amusement building.	Yes	\$50.00	See 107.15.1	2	\$100.00
Aviation facilities An operational permit is required to use a Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.	Yes	\$50.00	See 107.15.1		\$0.00
Carnivals and fairs An operational permit is required to conduct a carnival or fair (30 day permit).	Yes	\$50.00	See 107.15.1		\$0.00
Battery systems An operational permit is required to install stationary lead-acid battery systems having a liquid capacity of more than 50 gallons.	Yes	\$50.00	See 107.15.1		\$0.00
Cellulose nitrate film An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.	Yes	\$50.00	See 107.15.1		\$0.00
Combustible dust-producing operations An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2.	Yes	\$50.00	See 107.15.1	1	\$50.00
Combustible fibers An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 cubic feet. Exception: An operational permit is not required for agricultural storage.	Yes	\$50.00	See 107.15.1	1	\$50.00
Commercial Kitchen Operations Requiring a Type I Hood Exception: Assembly/educational occupancies having a fire prevention code permit.	Yes	\$50.00	See 107.15.1	137	\$6,850.00
Compressed gas An operational permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed below. Exception: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.				1	\$50.00
Permit Amounts for Compressed Gases					
Type of Gas Amount (cubic feet at NTP)					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
Corrosive 200	Yes	\$50.00	See 107.15.1		\$0.00
Flammable (except cryogenic 200 fluids and liquefied petroleum gases)					\$0.00
					\$0.00
					\$0.00
Highly toxic Any Amount					\$0.00
Inert and simple asphyxiant 6,000				1	\$50.00
Oxidizing (including oxygen) 504				9	\$450.00
					\$0.00
Toxic Any Amount					\$0.00
Covered mall buildings An operational permit is required for: 1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall. 2. The display of liquid- or gas-fired equipment in the mall. 3. The use of open-flame or flame-producing equipment in the mall.	Yes	\$50.00	See 107.15.1		\$0.00
					\$0.00
					\$0.00
Cryogenic fluids An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed below. Exception: Operational permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.					\$0.00
					\$0.00
					\$0.00
Permit Amounts for Cryogenic Fluids					
Type of Cryogenic Fluid Inside Building Outside Building (gallons) (gallons)	Yes	\$50.00	See 107.15.1		\$0.00
					\$0.00
					\$0.00
Flammable More than 1 60					\$0.00
Inert 60 500					\$0.00
Oxidizing (Includes oxygen) 10 50				2	\$0.00
Physical or health hazard Any Amount Any Amount not indicated above					\$0.00
Dry cleaning An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.	Yes	\$50.00	See 107.15.1		\$0.00
Exhibits and trade shows An operational permit is required to operate exhibits and trade shows.	Yes	\$50.00	See 107.15.1		\$0.00
Explosives: Explosives Use, Each Site or Location (6 month permit)	Yes	\$50.00	Included	1	\$50.00
Explosives: Transportation, Each Vehicle (6 month permit)	Yes	\$50.00	Included		\$0.00
Explosives: Firm or Company License	Yes	\$50.00	Included	1	\$50.00
Explosives: Storage and display of explosives, explosive materials, fireworks, small arms ammunition, black powder, and smokeless propellants.	Yes	\$50.00	Included	4	\$200.00

Fireworks and Pyrotechnics:Retail Sale of Permissible Fireworks (45 day permit)	Yes	\$250.00	Included	3	\$750.00
Fireworks and Pyrotechnics:Outdoor Display: aerial or proximate audience (1 day permit)	Yes	\$250.00	Included	1	\$250.00
Fireworks and Pyrotechnics: Indoor pyrotechnic display and special effects (1 day permit)	Yes	\$250.00	Included		\$0.00
Flammable Liquids:Store, handle or use Class I liquids in excess of 5 gallons in a building or in excess of 10 gallons outside of a building, except that a permit is not required for the following: 1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the fire official, would cause an unsafe condition. 2. The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.	Yes	\$50.00	See 107.15.1	29	\$1,450.00
					\$0.00
					\$0.00
					\$0.00
Combustible Liquids:Class II or IIIA: Store, Handle, or Use In Excess of 25 Gallons in a Building or in Excess of 60 Gallons Outside a Building Exception: Fuel Oil Used in Connection with Oil-burning Equipment	Yes	\$50.00	See 107.15.1	8	\$400.00
					\$0.00
					\$0.00
Flammable and combustible liquids - TankAbove-ground or Underground Storage Only	Yes	\$50.00	See 107.15.1	8	\$400.00
Flammable and combustible liquids - TankAbove-ground or underground storage utilizing dispensing equipment	Yes	\$50.00	See 107.15.1	11	\$550.00
Flammable and combustible liquids - TankBulk Storage Facility - In Excess of 100,000 Gallons	Yes	\$50.00	See 107.15.1		\$0.00
Flammable and combustible liquids - TankInstallation, Above/Underground Tank (90 Day Permit)	Yes	\$50.00	See 107.15.1		\$0.00
Flammable and combustible liquids - TankAlter or Relocate an Existing Tank (90 Day Permit)	Yes	\$50.00	See 107.15.1		\$0.00
Flammable and combustible liquids - TankPlace temporarily out of service (more than 90 days)	Yes	\$50.00	See 107.15.1		\$0.00
Flammable and combustible liquids - TankUnderground Abandonment (90 Day Permit)	Yes	\$50.00	See 107.15.1		\$0.00
Flammable and combustible liquids - TankAbove-ground/Underground Removal (90 Day Permit)	Yes	\$50.00	See 107.15.1		\$0.00
Flammable and combustible liquids - TankInstall Product Lines/Dispensing Equipment (90 Day Permit)	Yes	\$50.00	See 107.15.1		\$0.00
Flammable and combustible liquids - TankChange the contents to a greater hazard.	Yes	\$50.00	See 107.15.1		\$0.00
Flammable and combustible liquidsManufacture, process, blend or refine flammable or combustible liquids.	Yes	\$50.00	See 107.15.1		\$0.00
Floor finishing An operational permit is required for floor finishing or surfacing operations exceeding 350 square feet using Class I or Class II liquids. (30 day permit)	Yes	\$50.00	See 107.15.1	1	\$50.00
Fruit and crop ripening An operational permit is required to operate a fruit-, or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.	Yes	\$50.00	See 107.15.1		\$0.00
Fumigation and thermal insecticidal fogging An operational permit is required to operate a business of fumigation or thermal insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.	Yes	\$50.00	See 107.15.1		\$0.00
Hazardous materials An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed below. Permit Amounts for Hazardous Materials					\$0.00
					\$0.00
					\$0.00
Type of Material					\$0.00
Amount					\$0.00
Combustible liquids see flammable and combustible liquids					\$0.00
Corrosive materials					\$0.00
Gases see compressed gases					\$0.00
Liquids 55 gallons				1	\$50.00
Solids 1000 pounds					\$0.00
					\$0.00
Explosive materials see explosives					\$0.00
					\$0.00
Flammable materials					\$0.00
Gases see compressed gases					\$0.00
Liquids see flammable and combustible liquids					\$0.00
Solids 100 pounds					\$0.00
					\$0.00
Highly toxic materials					\$0.00
Gases see compressed gases					\$0.00
Liquids Any Amount					\$0.00
Solids Any Amount					\$0.00
					\$0.00
Oxidizing materials				2	\$100.00
Gases see compressed gases					\$0.00
Liquids					\$0.00
Class 4 Any Amount					\$0.00
Class 3 1 gallon					\$0.00
Class 2 10 gallons					\$0.00
Class 1 55 gallons					\$0.00
Solids					\$0.00
Class 4 Any Amount					\$0.00
Class 3 10 gallons					\$0.00

Class 2 100 pounds					\$0.00
Class 1 500 pounds					\$0.00
Organic peroxides					\$0.00
Liquids					\$0.00
Class I Any Amount					\$0.00
Class II Any Amount					\$0.00
Class III 1 gallon	Yes	\$50.00	See 107.15.1		\$0.00
Class IV 2 gallons					\$0.00
Class V No Permit Required					\$0.00
Solids					\$0.00
Class I Any Amount					\$0.00
Class II Any Amount					\$0.00
Class III 10 pounds					\$0.00
Class IV 20 pounds					\$0.00
Class V No Permit Required					\$0.00
Pyrophoric materials					\$0.00
Gases see compressed gases					\$0.00
Liquids Any Amount					\$0.00
Solids Any Amount					\$0.00
Toxic materials					\$0.00
Gases see compressed gases					\$0.00
Liquids 10 gallons				1	\$50.00
Solids 100 pounds					\$0.00
Unstable (reactive) materials					\$0.00
Liquids					\$0.00
Class 4 Any Amount					\$0.00
Class 3 Any Amount					\$0.00
Class 2 5 gallons					\$0.00
Class 1 10 gallons					\$0.00
Solids					\$0.00
Class 4 Any Amount					\$0.00
Class 3 Any Amount					\$0.00
Class 2 50 pounds					\$0.00
Class 1 100 pounds					\$0.00
Water-reactive Materials					\$0.00
Liquids					\$0.00
Class 3 Any Amount					\$0.00
Class 2 5 gallons					\$0.00
Class 1 55 gallons					\$0.00
Solids					\$0.00
Class 3 Any Amount					\$0.00
Class 2 50 pounds					\$0.00
Class 1 500 pounds					\$0.00
HPM facilities An operational permit is required to store, handle or use hazardous production materials.	Yes	\$50.00	See 107.15.1		\$0.00
High piled storage An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet.	Yes	\$50.00	See 107.15.1	1	\$50.00
Hot work operations An operational permit is required to conduct cutting or welding operations within the jurisdiction.	Yes	\$50.00	See 107.15.1		\$0.00
Hot work operations: Public exhibitions and demonstrations (Each Exhibitor, 7 day permit)	Yes	\$50.00	See 107.15.1		\$0.00
Hot work operations: Use of portable hot work and open flame equipment or devices inside a structure.	Yes	\$50.00	See 107.15.1		\$0.00
Exception: Work that is conducted under a construction permit.					\$0.00
Hot work operations: Fixed-site hot work equipment such as welding booths	Yes	\$50.00	See 107.15.1		\$0.00
Hot work operations: Application of roof coverings with the use of an open-flame device.	Yes	\$50.00	See 107.15.1		\$0.00
Hot work operations Facility Hot Work Program	Yes	\$50.00	See 107.15.1	5	\$250.00
Industrial ovens An operational permit is required for operation of industrial ovens regulated by Chapter 21.	Yes	\$50.00	See 107.15.1	2	\$100.00
Lumber yards and woodworking plants An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet (8,333 ft ³).	Yes	\$50.00	See 107.15.1	1	\$50.00
Liquid- or gas-fueled vehicles or equipment in assembly building An operational permit is required to display, operate or demonstrate liquid- or gas-fueled vehicles or equipment in assembly buildings.	Yes	\$50.00	See 107.15.1		\$0.00
LP-gas An operational permit is required for:				EXC. STATION	
1. Storage and use of LP-gas.				7	\$350.00
Exception: An operational permit is not required for individual containers with a 500-gallon water capacity or less serving occupancies in Group R-3.	Yes	\$50.00	See 107.15.1	OTHER	

2. Operation of cargo tankers that transport LP-gas.				1	\$50.00
Magnesium An operational permit is required to melt, cast, heat treat or grind more than 10 pounds of magnesium.	Yes	\$50.00	See 107.15.1		\$0.00
Miscellaneous combustible storage An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material.	Yes	\$50.00	See 107.15.1	7	\$350.00
Open Burning:Industrial or Occupational	Yes	\$50.00	Included		\$0.00
Open Burning:Agricultural/Silvicultural/Controlled Burning (90 day permit)	Yes	\$50.00	Included		\$0.00
Open Burning:Bonfires (7 day permit)	Yes	\$50.00	Included		\$0.00
Open flames and candles An operational permit is required to remove paint with a torch; use a torch or open-flame device in a hazardous fire area; or to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.	Yes	\$50.00	See 107.15.1		\$0.00
Open flame performances Open flame theatrical performances	Yes	\$50.00	Included		\$0.00
Organic coatings An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon of an organic coating in one day.	Yes	\$50.00	See 107.15.1		\$0.00
Places of Assembly An operational permit is required to operate a place of assembly occupancy with an occupant load of 50 or greater.	Yes	\$50.00	See 107.15.1	78	\$3,900.00
Places of Education An operational permit is required to operate an educational occupancy	Yes	\$50.00	See 107.15.1	6	\$300.00
Pyroxylin plastics An operational permit is required for storage or handling of more than 25 pounds of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics.	Yes	\$50.00	See 107.15.1		\$0.00
Refrigeration equipment An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.	Yes	\$50.00	See 107.15.1		\$0.00
Repair garages and service stations An operational permit is required for operation of repair garages and automotive, marine and fleet service stations.	Yes	\$50.00	See 107.15.1	37	\$1,850.00
Rooftop heliports An operational permit is required for the operation of a rooftop heliport.	Yes	\$50.00	See 107.15.1		\$0.00
Spraying or dipping An operational permit is required to conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 15.	Yes	\$50.00	See 107.15.1	9	\$450.00
Storage of scrap tires and tire byproducts An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet of total volume of scrap tires and for indoor storage of tires and tire byproducts.	Yes	\$50.00	See 107.15.1	1	\$50.00
Temporary membrane structures, tents and canopies An operational permit is required to operate an air-supported temporary membrane structure or a tent. Exceptions 1. Tents used exclusively for recreational camping purposes. 2. Tents and air-supported structures that cover an area of 900 square feet or less, including all connecting areas or spaces with a common means of egress or entrance and with an occupant load of 50 or less persons. 3. Fabric canopies and awnings open on all sides which comply with all of the following: 3.1. Individual canopies shall have a maximum size of 700 square feet. 3.2. The aggregate area of multiple canopies placed side by side without a fire break clearance of 12 feet shall not exceed 700 square feet total. 3.3. A minimum clearance of 12 feet to structures and other tents shall be provided.	Yes	\$50.00	See 107.15.1		\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
Tire-rebuilding plants An operational permit is required for the operation and maintenance of a tire-rebuilding plant.	Yes	\$50.00	See 107.15.1		\$0.00
Waste handling An operational permit is required for the operation of wrecking yards, junk yards and waste material-handling facilities.	Yes	\$50.00	See 107.15.1		\$0.00
Wood products An operational permit is required to store chips, hogged material, lumber or plywood in excess of 200 cubic feet.	Yes	\$50.00	See 107.15.1	1	\$50.00

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INSPECTION FEE SAMPLE RATE =	\$75.00
ESTIMATED NUMBER OF INSPECTIONS =	312
ESTIMATED PERMIT REVENUE =	\$19,750.00

TOTAL ESTIMATED REVENUE = \$43,150.00

2013 Fire and Rescue Department Statistics

Month	Incidents											Casualties		Training Hours		Resuscitation Efforts	
	EMS	Fire	Total	Struc. Fire	Fire Other	ALS 1	ALS 2	BLS	Pt. Ref.	Mutual Aid Given	Mutual Aid Recvd.	Fire	Civ.	Dept. Personnel	LFCC Ride-Along Students	Cardiac Arrest	Cardiac Arrest Saved
January	349	96	445	5	91	160	2	137	21	50	13	1	0	935	0	1	1
February	309	65	374	2	63	138	1	109	25	18	13	0	1	424	0	2	1
March	390	103	493	7	96	171	6	161	23	40	7	0	1	879	12	4	2
April	333	95	428	3	92	153	3	130	19	27	15	1	0	872	282	1	0
May	388	113	501	5	108	144	5	144	30	35	11	1	2	410	54	3	1
June	341	112	453	8	104	134	4	150	31	39	10	0	3	386	0	4	1
July	388	106	494	7	99	170	7	137	29	39	15	0	0	1444	0	4	1
August	357	105	462	6	99	175	2	123	27	25	6	2	0	1467	0	1	0
September	373	82	455	3	79	187	10	124	27	23	10	0	0	1481	0	6	3
October	346	118	464	4	114	151	7	140	26	35	6	0	1	876	0	5	1
November	351	103	454	9	94	152	5	123	28	33	16	0	0	611	0	4	0
December			0		0												
TOTAL	3925	1098	5023	59	1039	1735	52	1478	286	364	122	5	8	9783	348	35	11

31.43%
26.3% National Average

10 Years of Incidents											
2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	
4932	5288	5711	5673	5571	5365	5407	5539	5541	5756		

Other Monthly Activity:



Vehicle Extrication Training



Friendship Fire Company Honored at the Iwo Jima Memorial

2013 EMS Revenue Recovery Statistics

	Total billed	Payment Adj.	Net Collectable	Total paid by insurance	Patient Payment	Refunds	Total Deposit	Total Revenue	Increase from FY2012	Percent Increase From FY2012
JULY	\$162,940.00	\$24,446.29	\$138,493.71	\$77,877.66	\$11,029.60	\$0.00	\$80,835.01	\$80,835.01	\$6,999.94	9%
AUGUST	\$154,507.00	\$7,921.18	\$146,585.82	\$73,522.65	\$6,533.14	\$786.97	\$79,268.82	\$160,103.83	\$561.43	0%
SEPTEMBER	\$168,585.00	\$10,688.87	\$157,896.13	\$66,236.78	\$0.00	\$309.00	\$66,236.78	\$226,340.61	(\$3,789.67)	-2%
OCTOBER	\$154,659.00	\$0.00	\$154,659.00	\$100,980.62	\$1,880.64	\$0.00	\$102,861.26	\$329,201.87	\$11,830.10	4%
NOVEMBER	\$122,313.00	\$0.00	\$122,313.00	\$81,167.99	\$1,831.47	\$1,066.84	\$81,932.62	\$411,134.49	\$16,923.43	4%
DECEMBER										
JANUARY										
FEBRUARY										
MARCH										
APRIL										
MAY										
JUNE										
TOTALS	\$763,004.00	\$43,056.34	\$719,947.66	\$399,785.70	\$21,274.85	\$2,162.81	\$411,134.49			



2013 Fire Marshal Division Statistics

Month	City Fire Property Dollar Loss/Save			Plan Review		Inspections/Investigations								Public Education			
	Loss	Value	Saved	#	Revenue	Fire Insp.	Follow-up	Sprinkler	Alarm	Supres.	Site	Other Insp.	Investig.	Smoke Alarms Installs	Car Seat Installs	Pub Ed Children	Pub Ed Adult
January	\$100.00	\$175,000.00	\$174,900.00	2	\$75.99	10	18	2	3	1	1	0	0	0	13	2	17
February	\$600.00	\$107,000.00	\$106,400.00	9	\$0.00	16	9	3	0	0	0	0	1	2	10	64	53
March	\$0.00	\$0.00	\$0.00	11	\$758.30	14	18	8	0	1	2	42	0	4	8	15	40
April	\$26,100.00	\$111,100.00	\$85,000.00	5	\$214.20	38	26	2	0	0	0	21	2	1	4	2	8
May	\$105,500.00	\$148,400.00	\$42,900.00	14	\$1,239.86	8	9	5	1	3	0	23	1	1	11	143	43
June	\$98,000.00	\$17,846,200.00	\$17,748,200.00	6	\$517.16	15	14	4	3	3	3	10	3	1	3	113	19
July	\$7,250.00	\$8,100.00	\$850.00	14	\$1,159.18	14	19	3	4	1	1	7	3	1	14	48	20
August	\$309,262.00	\$1,469,204.00	\$1,159,942.00	3	\$68.34	16	20	4	1	4	1	13	2	7	13	219	332
September	\$14,000.00	\$28,337,600.00	\$28,323,600.00	11	\$765.00	38	18	4	0	2	0	6	3	1	19	137	101
October	\$31,550.00	\$2,313,150.00	\$2,281,600.00	6	\$363.12	54	37	7	0	0	0	20	1	0	11	2668	1629
November	\$84,050.00	\$56,050.00	\$672,000.00	6	\$433.50	12	44	1	0	2	0	5	1	1	11	635	71
December					\$0.00												
TOTAL	\$676,412.00	\$50,571,804.00	\$50,595,392.00	87	\$5,594.65	235	232	43	12	17	8	147	17	19	117	4046	2333



2013 Station/Apparatus Statistics

Month	Station Logbook Runs			
	1	2	4	5
January	174	73	151	196
February	148	71	122	180
March	188	80	180	215
April	164	80	161	203
May	173	72	157	226
June	168	77	137	218
July	202	89	152	229
August	183	72	156	194
September	168	76	148	221
October	176	80	147	216
November	189	82	136	205
December				
TOTAL	1933	852	1647	2303



A Virginia Accredited Law Enforcement Agency

Timbrook Public Safety Center
231 East Piccadilly Street
Winchester, VA 22601

Telephone: (540) 545-4700
FAX: (540) 542-1314
Website: www.winchesterva.gov

**WINCHESTER POLICE DEPARTMENT
MONTHLY COUNCIL REPORT
November 2013**

5 YEAR TREND FOR MAJOR CRIMES- November

	2009	2010	2011	2012	2013
THEFT	61	60	54	68	65
GRAND THEFT	12	8	11	23	14
MVT	1	0	1	2	0
ROBBERY	4	3	2	0	3
RAPE	1	0	0	1	2
B&E	8	8	7	10	9

5 YEAR TREND ENFORCEMENT -Enforcement for November - 5 year trend

	2009	2010	2011	2012	2013
Felony Arrests	16	17	36	30	21
Misdemeanor Arrests	83	96	103	119	135
Legal Document - Felony	45	37	20	33	49
Legal Document - Misdemeanor	122	188	124	120	163
DUI Arrests	24	33	21	16	13
Incident Reports	355	305	314	311	310
Field Contacts Documented	11	10	53	22	12
Speeding - Radar	63	70	175	103	55
Traffic Violations	279	304	357	170	208
Vehicle Crash Investigations	77	82	79	64	46
Vehicle Stops*					1052
Warning Violations*					71
Parking Violations	135	176	145	128	188

Up-to-date statistics can be found at www.winchesterpolice.org/crimestats/index1.html and up-to-date crime maps are available at www.winchesterpolice.org/crimemap/index1.html.

*New category added

“Committed to improving the quality of life for all people by preventing crime in the city.”