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HOUSE BILL NO. 1879

Offered January 14, 2009

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A *BILL to amend and reenact §§ 15.2-201, 15.2-202, 15.2-619, 15.2-903, 15.2-909, 15.2-951, 15.2-1201, 15.2-1301, 15.2-1416, 15.2-1719, 15.2-1720, 15.2-1813, 15.2-2108.7, 15.2-2114, 15.2-2204, 15.2-2316.2, 15.2-2400, 15.2-2401, 15.2-2506, 15.2-2507, 15.2-2606, 15.2-3107, 15.2-3400, 15.2-3537, 15.2-3913, 15.2-4528, 15.2-5104, 15.2-5403, 15.2-5431.5, 15.2-5602, 15.2-5702, and 15.2-5711 of the Code of Virginia, relating to local government; publication of notices for charter changes, referenda, and public hearings, etc; alternatives.*

Patron—Cosgrove

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-201, 15.2-202, 15.2-619, 15.2-903, 15.2-909, 15.2-951, 15.2-1201, 15.2-1301, 15.2-1416, 15.2-1719, 15.2-1720, 15.2-1813, 15.2-2108.7, 15.2-2114, 15.2-2204, 15.2-2316.2, 15.2-2400, 15.2-2401, 15.2-2506, 15.2-2507, 15.2-2606, 15.2-3107, 15.2-3400, 15.2-3537, 15.2-3913, 15.2-4528, 15.2-5104, 15.2-5403, 15.2-5431.5, 15.2-5602, 15.2-5702, and 15.2-5711 of the Code of Virginia are amended and reenacted as follows:

§ 15.2-201. Charter elections; subsequent procedure; procedure when bill not introduced or fails to pass in General Assembly.

A locality may provide for holding an election to be conducted as provided in § 24.2-681 et seq. of Title 24.2 to determine if the voters of the locality desire that it request the General Assembly to grant to the locality a new charter or to amend its existing charter. At least ~~ten~~ 10 days prior to the holding of such election, the text or an informative summary of the new charter or amendment desired shall be published in a newspaper of general circulation in the locality. *To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of the foregoing notice provide for the text or an informative summary of the new charter or amendment desired to be published on the locality's website or advertised on any public access radio or television channel operated by the locality. Notice given on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks, and the election shall be held not less than 10 days after the final day of notice.* If a majority of the voters voting in such election vote in favor of such request, the locality shall transmit two certified copies of the results of such election together with the publisher's affidavit and the new charter or the amendments to the existing charter, to one or more members of the General Assembly representing such locality for introduction as a bill in the succeeding session of the General Assembly.

If a bill incorporating such charter or amendments is not introduced at the succeeding session of the General Assembly, the approval of the voters for such charter or amendments shall be void. If, at such session, members of the General Assembly fail to enact or pass by indefinitely and do not carry over such a bill incorporating such charter or amendments, the charter or amendments shall again be presented to the voters for their approval or submitted to a public hearing pursuant to § 15.2-202 before reintroduction in the General Assembly.

§ 15.2-202. Public hearing in lieu of election; procedure when bill not introduced or fails to pass in General Assembly.

In lieu of the election provided for in § 15.2-201, a locality requesting the General Assembly to grant to it a new charter or to amend its existing charter may hold a public hearing with respect thereto, at which citizens shall have an opportunity to be heard to determine if the citizens of the locality desire that the locality request the General Assembly to grant to it a new charter, or to amend its existing charter. At least ~~ten~~ 10 days' notice of the time and place of such hearing and the text or an informative summary of the new charter or amendment desired shall be published in a newspaper of general circulation in the locality. *To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of the foregoing notice provide for the text or an informative summary of the new charter or amendment desired to be published on the locality's website or advertised on any public access radio or television channel operated by the locality. Notice given on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is*

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59 *provided on the locality's website or on any public access radio or television channel operated by the*
60 *locality, the information shall be aired daily for at least two weeks, and the hearing shall be held not*
61 *less than 10 days after the final day of notice.* Such public hearing may be adjourned from time to time,
62 and upon the completion thereof, the locality may request, in the manner provided in § 15.2-201, the
63 General Assembly to grant the new charter or amend the existing charter and the provisions of
64 § 15.2-201 shall be applicable thereto.

65 If a bill incorporating such charter or amendments is not introduced at the succeeding session of the
66 General Assembly, the authority of the locality to request such charter or amendments by reason of such
67 public hearing shall thereafter be void. If at such session members of the General Assembly fail to enact
68 and do not carry over or pass by indefinitely a bill incorporating such charter or amendments, the
69 charter or amendments may again be submitted to a public hearing in lieu of an election as provided
70 hereinabove before reintroduction in the General Assembly.

71 The locality requesting a new or amended charter shall provide with such request a publisher's
72 affidavit showing that the public hearing was advertised and a certified copy of the governing body's
73 minutes showing the action taken at the advertised public hearing.

74 § 15.2-619. Same; powers of commissioners of revenue; real estate reassessments.

75 The director of finance shall exercise all the powers conferred and perform all the duties imposed by
76 general law upon commissioners of the revenue, not inconsistent herewith, and shall be subject to the
77 obligations and penalties imposed by general law.

78 Every general reassessment of real estate in the county, unless some other person is designated for
79 this purpose by the county manager in accordance with § 15.2-612 or unless the board creates a separate
80 department of assessments in accordance with § 15.2-616, shall be made by the director of finance; he
81 shall collect and keep in his office data and devise methods and procedures to be followed in each such
82 general reassessment that will make for uniformity in assessments throughout the county.

83 In addition to any other method provided by general law or by this article or to certain classified
84 counties, the director of finance may provide for the annual assessment and equalization of real estate
85 and any general reassessment order by the board. The director of finance or his designated agent shall
86 collect data, provide maps and charts, and devise methods and procedures to be followed for such
87 assessment that will make for uniformity in assessments throughout the county.

88 There shall be a reassessment of all real estate at periods not to exceed six years between such
89 reassessments.

90 All real estate shall be assessed as of January 1 of each year by the director of finance or such other
91 person designated to make assessment. Such assessment shall provide for the equalization of assessments
92 of real estate, correction of errors in tax assessment records, addition of erroneously omitted properties
93 to the tax rolls, and removal of properties acquired by owners not subject to taxation.

94 The taxes for each year on the real estate assessed shall be extended on the basis of the last
95 assessment made prior to such year.

96 This section shall not apply to real estate assessable under the law by the Commonwealth, and the
97 director of finance or his designated agent shall not make any real estate assessments during the life of
98 any general reassessment board.

99 Any reassessments which change the assessment of real estate shall not be extended for taxation until
100 forty-five days after a written notice is mailed to the person in whose name such property is to be
101 assessed at his last known address, setting forth the amount of the prior assessment and the new
102 assessment.

103 The board shall establish a continuing board of real estate review and equalization to review all
104 assessments made under authority of this section and to which all appeals by any person aggrieved by
105 any real estate assessment shall first apply for relief. The board of real estate review and equalization
106 shall consist of not fewer than three nor more than five members who shall be freeholders in the county.
107 The appointment, terms of office and compensation of the members of such board shall be prescribed by
108 the board of supervisors. The board of real estate review and equalization shall have all the powers
109 conferred upon boards of equalization by general law. All applications for review to such board shall be
110 made not later than April 1 of the year for which extension of taxes on the assessment is to be made.
111 Such board shall grant a hearing to any person making application at a regular advertised meeting of the
112 board, shall rule on all applications within sixty days after the date of the hearing, and shall thereafter
113 promptly certify its action thereon to the director of finance. The equalization board shall conduct
114 hearings at such times as are convenient, after publishing a notice in a newspaper having a general
115 circulation in the county, ~~ten~~ 10 days prior to any such hearing at which any person applying for review
116 will be heard. *To ensure that the maximum number of persons within the locality are likely to be*
117 *informed, any locality with a population of at least 100,000 may in lieu of the foregoing notice provide*
118 *for the notice of the hearing to be published on the locality's website or advertised on any public access*
119 *radio or television channel operated by the locality. Notice given on any public access radio or*
120 *television channel shall be aired during prime time programming and at least two other times during*

the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks, and the hearing shall be held not less than 10 days after the final day of notice.

Any person aggrieved by any reassessment or action of the board of real estate review and equalization may apply for relief to the circuit court of the county in the manner provided by general law.

§ 15.2-903. Ordinances taxing and regulating "automobile graveyards," "junkyards," and certain vacant and abandoned property.

A. Any locality may adopt ordinances imposing license taxes upon and otherwise regulating the maintenance and operation of places commonly known as automobile graveyards and junkyards and may prescribe fines and other punishment for violations of such ordinances.

No such ordinance shall be adopted until after notice of the proposed ordinance has been published once a week for two successive weeks in a newspaper having general circulation in the locality. To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of the foregoing notice provide for notice of the proposed ordinance to be published on the locality's website or advertised on any public access radio or television channel operated by the locality. Notice given on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks. The ordinance need not be advertised in full, but may be advertised by reference. Every such advertisement shall contain a descriptive summary of the proposed ordinance and a reference to the place or places within the locality where copies of the proposed ordinance may be examined.

As used in this section the terms "automobile graveyard" and "junkyard" have the meanings ascribed to them in § 33.1-348.

B. The Counties of Bedford, Campbell, Caroline, Fauquier, Rockbridge, Shenandoah, Tazewell, Warren and York may adopt an ordinance imposing the screening of automobile graveyards and junkyards, unless screening is impractical due to topography, as set forth in § 33.1-348. Any such ordinance may apply to any automobile graveyard or junkyard within the boundaries of such county regardless of the date on which any such automobile graveyard or junkyard may have come into existence, notwithstanding the provisions of § 33.1-348.

C. The City of Newport News may adopt an ordinance imposing screening or landscape screening for retail or commercial properties that have been vacant or abandoned for more than three years within designated areas consistent with the city's comprehensive plan.

§ 15.2-909. Authority to require removal, repair, etc., of wharves, piers, pilings, bulkheads, vessels or abandoned, obstructing or hazardous property.

Any locality may by ordinance provide:

1. The owners of property therein shall at such time or times as the governing body may prescribe, remove, repair or secure any vessel which has been abandoned or any wharf, pier, piling, bulkhead or any other structure or vessel which might endanger the public health or safety of other persons, or which might constitute an obstruction or hazard to the lawful use of the waters within or adjoining such locality. If such property is deemed to be abandoned, the governing body may designate and empower an official to ascertain the lawful owner of such property and to have the owner repair, remove or secure such property;

2. The locality, through its own agents or employees, may remove, repair or secure any vessel which has been abandoned or any wharf, pier, piling, bulkhead, or other structure or vessel which might endanger the public health or safety of other persons or which might constitute a hazard or obstruction to the lawful use of the waters within such locality, if the owner of such property, after reasonable notice and reasonable time to do so, has failed to remove, repair or secure such wharf, pier, piling, bulkhead or other structure or vessel;

3. In the event the locality, through its own agents or employees removes, repairs or secures any wharf, pier, piling, bulkhead or other structure or vessel after complying with the notice provisions of this section, the cost or expenses thereof shall be chargeable to and paid by the owners of such property and to the extent applicable may be collected by the locality as taxes are collected;

4. If the identity or whereabouts of the lawful owner is unknown or not able to be ascertained after a reasonable search and after lawful notice has been made to the last known address of any known owner, the locality, through its own agents or employees, may repair such wharf, pier, piling, bulkhead or other structure or vessel or remove such property after giving notice by publication once each week for two weeks in a newspaper of general circulation in the area where such property is located. To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of the foregoing notice provide for notice to be published on

182 *the locality's website or advertised on any public access radio or television channel operated by the*
183 *locality. Notice given on any public access radio or television channel shall be aired during prime time*
184 *programming and at least two other times during the day. If the information is provided on the locality's*
185 *website or on any public access radio or television channel operated by the locality, the information*
186 *shall be aired daily for at least two weeks;*

187 5. Every charge authorized by this section with which the owner of any such property has been
188 assessed and which remains unpaid, to the extent applicable, shall constitute a lien against the owner's
189 real property, and such lien shall be recorded in the judgment lien docket book in the circuit court for
190 such locality. Such lien may also be reduced to a personal judgment against the owner.

191 § 15.2-951. Acquisition, disposition and use of personal property by localities generally.

192 Localities, for the purposes of exercising any of their powers and duties and performing any of their
193 functions, may acquire by gift, bequest, purchase, lease, or installment purchase contract; and may own
194 and make use of and may grant security interests in, sell and otherwise dispose of, within and outside
195 the localities, personal property, including any interest, right or estate therein. In addition, localities may
196 sell and otherwise dispose of surplus materials, as defined in § 2.2-1124, by public sale or auction,
197 including online public auction, provided that such sale or auction conforms with the procedures set
198 forth in subdivisions B 3 through B 5 and subdivision B 8 of § 2.2-1124. In any instance where
199 personal property in any of the following categories: school or transit bus fleet, vehicle fleet, or road
200 construction equipment is sold with the intent to lease back the property, when the value of the
201 proposed sale amount exceeds \$2,000,000 approval by the governing body, after notice and a public
202 hearing, shall be required. The public hearing shall be advertised once in a newspaper having general
203 circulation in the locality at least seven days prior to the date set for the hearing. *To ensure that the*
204 *maximum number of persons within the locality are likely to be informed, any locality with a population*
205 *of at least 100,000 may in lieu of the foregoing notice provide for notice of the public hearing to be*
206 *advertised on the locality's website or on any public access radio or television channel operated by the*
207 *locality. Notice given on any public access radio or television channel shall be aired during prime time*
208 *programming and at least two other times during the day. If the information is provided on the locality's*
209 *website or on any public access radio or television channel operated by the locality, the information*
210 *shall be aired daily for at least two weeks, and the public hearing shall be held not less than 7 days*
211 *after the final day of notice. Any debt incurred by a municipality pursuant to the provisions of this*
212 *section shall be subject to the limitations imposed by Article VII, Section 10 of the Constitution of*
213 *Virginia.*

214 § 15.2-1201. County boards of supervisors vested with powers and authority of councils of cities and
215 towns; exceptions.

216 The boards of supervisors of counties are hereby vested with the same powers and authority as the
217 councils of cities and towns by virtue of the Constitution of the Commonwealth of Virginia or the acts
218 of the General Assembly passed in pursuance thereof. However, with the exception of ordinances
219 expressly authorized under Chapter 13 of Title 46.2, no ordinance shall be enacted under authority of
220 this section regulating the equipment, operation, lighting or speed of motor-propelled vehicles operated
221 on the public highways of a county unless it is uniform with the general laws of the Commonwealth
222 regulating such equipment, operation, lighting or speed and with the regulations of the Commonwealth
223 Transportation Board adopted pursuant to such laws. Nothing in this section shall be construed to give
224 the boards of supervisors any power to control or exercise supervision over signs, signals, marking or
225 traffic lights on any roads constructed and maintained by the Commonwealth Transportation Board. No
226 powers or authority conferred upon the boards of supervisors of counties solely by this section shall be
227 exercised within the corporate limits of any incorporated town except by agreement with the town
228 council.

229 In the County of Fairfax an ordinance may be adopted by the board of supervisors under this section
230 after a descriptive notice of intention to propose the same for passage has been published once a week
231 for two successive weeks in a newspaper having a general circulation in the county. *To ensure that the*
232 *maximum number of persons within the locality are likely to be informed, in lieu of the foregoing notice*
233 *the County of Fairfax may provide for notice of the proposed ordinance to be published on the locality's*
234 *website or advertised on any public access radio or television channel operated by the locality. Notice*
235 *given on any public access radio or television channel shall be aired during prime time programming*
236 *and at least two other times during the day. If the information is provided on the locality's website or*
237 *on any public access radio or television channel operated by the locality, the information shall be aired*
238 *daily for at least two weeks prior to the adoption of the ordinance. After the enactment of such*
239 *ordinance by the board of supervisors, no publication of the ordinance shall be required and such*
240 *ordinance shall become effective upon adoption or upon a date fixed by the board of supervisors.*

241 § 15.2-1301. Voluntary economic growth-sharing agreements.

242 A. Any county, city or town, or combination thereof, may enter voluntarily into an agreement with
243 any other county, city or town, or combination thereof, whereby the locality may agree for any purpose

otherwise permitted, including the provision on a multi-jurisdictional basis of one or more public services or facilities or any type of economic development project, to enter into binding fiscal arrangements for fixed time periods, to exceed one year, to share in the benefits of the economic growth of their localities. However, if any such agreement contains any provision addressing any issue provided for in Chapters 32, 33, 36, 38, 39 or 41 of this title, the agreement shall be subject to the review and implementation process established by Chapter 34 of this title.

B. The terms and conditions of the revenue, tax base or economic growth-sharing agreement as provided in subsection A shall be determined by the affected localities and shall be approved by the governing body of each locality participating in the agreement, provided the governing body of each such locality first holds a public hearing which shall be advertised once a week for two successive weeks in a newspaper of general circulation in the locality. *To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of the foregoing notice provide for the advertisement to be published on the locality's website or advertised on any public access radio or television channel operated by the locality. An advertisement on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks, with the last day of publication being at least 10 days prior to the public hearing.* However, the public hearing shall not take place until the Commission on Local Government has issued its findings in accordance with subsection D. For purposes of this section, "revenue, tax base, and economic growth-sharing agreements" means any agreement authorized by subsection A which obligates any locality to pay another locality all or any portion of designated taxes or other revenues received by that political subdivision, but shall not include any interlocal service agreement.

C. Any revenue, tax base or economic growth-sharing agreement entered into under the provisions of this section that creates a debt pursuant to Article VII, Section 10 (b) of the Constitution of Virginia, shall require the board of supervisors to hold a special election on the question as provided in § 15.2-3401.

D. Revenue, tax base and economic growth-sharing agreements drafted under the provisions of this chapter shall be submitted to the Commission on Local Government for review as provided in subdivision 4 of § 15.2-2903.

§ 15.2-1416. Regular meetings.

The governing body shall assemble at a public place as the governing body may prescribe, in regular session in January for counties and in July for cities and towns. Future meetings shall be held on such days as may be prescribed by resolution of the governing body but in no event shall less than six meetings be held in each fiscal year.

The days, times and places of regular meetings to be held during the ensuing months shall be established at the first meeting which meeting may be referred to as the annual or organizational meeting; however, if the governing body subsequently prescribes any public place other than the initial public meeting place, or any day or time other than that initially established, as a meeting day, place or time, the governing body shall pass a resolution as to such future meeting day, place or time. The governing body shall cause a copy of such resolution to be posted on the door of the courthouse or the initial public meeting place and inserted in a newspaper having general circulation in the county or municipality at least seven days prior to the first such meeting at such other day, place or time. *To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of the foregoing notice provide for the resolution to be published on the locality's website or advertised by reading on any public access radio or television channel operated by the locality. If the resolution is read in full on any public access radio or published in full on any public access television channel, it shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks, with the last airing being at least seven days prior to the first such meeting at such other day, place or time.* Should the day established by the governing body as the regular meeting day fall on any legal holiday, the meeting shall be held on the next following regular business day, without action of any kind by the governing body.

At its annual meeting the governing body may fix the day or days to which a regular meeting shall be continued if the chairman or mayor, or vice-chairman or vice-mayor if the chairman or mayor is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting. Such finding shall be communicated to the members and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

305 Regular meetings, without further public notice, may be adjourned from day to day or from time to
306 time or from place to place, not beyond the time fixed for the next regular meeting, until the business
307 before the governing body is completed.

308 Notwithstanding the provisions of this section, any city or town that holds an organizational meeting
309 in compliance with its charter or code shall be deemed to be in compliance with this section.

310 § 15.2-1719. Disposal of unclaimed property in possession of sheriff or police.

311 Any locality may provide by ordinance for (i) the public sale in accordance with the provisions of
312 this section or (ii) the retention for use by the law-enforcement agency of any unclaimed personal
313 property which has been in the possession of its law-enforcement agencies and unclaimed for a period
314 of more than sixty days. As used herein, "unclaimed personal property" shall be any personal property
315 belonging to another which has been acquired by a law-enforcement officer pursuant to his duties, which
316 is not needed in any criminal prosecution, which has not been claimed by its rightful owner and which
317 the State Treasurer has indicated will be declined if remitted under the Uniform Disposition of
318 Unclaimed Property Act (§ 55-210.1 et seq.). Unclaimed bicycles and mopeds may also be disposed of
319 in accordance with § 15.2-1720. Unclaimed firearms may also be disposed of in accordance with
320 § 15.2-1721.

321 Prior to the sale or retention for use by the law-enforcement agency of any unclaimed item, the chief
322 of police, sheriff or their duly authorized agents shall make reasonable attempts to notify the rightful
323 owner of the property, obtain from the attorney for the Commonwealth in writing a statement advising
324 that the item is not needed in any criminal prosecution, and cause to be published in a newspaper of
325 general circulation in the locality once a week for two successive weeks, notice that there will be a
326 public display and sale of unclaimed personal property. *To ensure that the maximum number of persons*
327 *within the locality are likely to be informed, any locality with a population of at least 100,000 may in*
328 *lieu of the foregoing notice provide for notice that there will be a public display and sale of unclaimed*
329 *personal property to be published on the locality's website or advertised on any public access radio or*
330 *television channel operated by the locality. Notice given on any public access radio or television*
331 *channel shall be aired during prime time programming and at least two other times during the day. If*
332 *the information is provided on the locality's website or on any public access radio or television channel*
333 *operated by the locality, the information shall be aired daily for at least two weeks.* Such property,
334 including property selected for retention by the law-enforcement agency, shall be described generally in
335 the notice, together with the date, time and place of the sale and shall be made available for public
336 viewing at the sale. The chief of police, sheriff or their duly authorized agents shall pay from the
337 proceeds of sale the costs of advertisement, removal, storage, investigation as to ownership and liens,
338 and notice of sale. The balance of the funds shall be held by such officer for the owner and paid to the
339 owner upon satisfactory proof of ownership. Any unclaimed item retained for use by the
340 law-enforcement agency shall become the property of the locality served by the agency and shall be
341 retained only if, in the opinion of the chief law-enforcement officer, there is a legitimate use for the
342 property by the agency and that retention of the item is a more economical alternative than purchase of
343 a similar or equivalent item.

344 If no claim has been made by the owner for the property or proceeds of such sale within sixty days
345 of the sale, the remaining funds shall be deposited in the general fund of the locality and the retained
346 property may be placed into use by the law-enforcement agency. Any such owner shall be entitled to
347 apply to the locality within three years from the date of the sale and, if timely application is made
348 therefor and satisfactory proof of ownership of the funds or property is made, the locality shall pay the
349 remaining proceeds of the sale or return the property to the owner without interest or other charges or
350 compensation. No claim shall be made nor any suit, action or proceeding be instituted for the recovery
351 of such funds or property after three years from the date of the sale.

352 § 15.2-1720. Localities authorized to license bicycles, electric power-assisted bicycles, mopeds, and
353 electric personal assistive mobility devices; disposition of unclaimed bicycles, electric power-assisted
354 bicycles, mopeds, and electric personal assistive mobility devices.

355 Any locality may, by ordinance, (i) provide for the public sale or donation to a charitable
356 organization of any bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or
357 moped that has been in the possession of the police or sheriff's department, unclaimed, for more than
358 ~~thirty~~ 30 days; (ii) require every resident owner of a bicycle, electric power-assisted bicycle, or moped
359 to obtain a license therefor and a license plate, tag, and, in the case of an electric personal assistive
360 mobility device, an adhesive license decal of such design and material as the ordinance may prescribe,
361 to be substantially attached to the bicycle, electric personal assistive mobility device, electric
362 power-assisted bicycle, or moped; (iii) prescribe the license fee, the license application forms and the
363 license form; and (iv) prescribe penalties for operating a bicycle, electric personal assistive mobility
364 device, electric power-assisted bicycle, or moped on public roads or streets within the locality without an
365 attached license plate, tag, or adhesive decal. The ordinance shall require the license plates, tags, or
366 adhesive decals to be provided by and at the cost of the locality. Any locality may provide that the

license plates, tags, or adhesive decals shall be valid for the life of the bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds to which they are attached or for such other period as it may prescribe and may prescribe such fee therefor as it may deem reasonable. When any town license is required as provided for herein, the license shall be in lieu of any license required by any county ordinance. Any bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped found and delivered to the police or sheriff's department by a private person that thereafter remains unclaimed for ~~thirty~~ 30 days after the final date of publication as required herein may be given to the finder; however, the location and description of the bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped shall be published at least once a week for two successive weeks in a newspaper of general circulation within the locality. *To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of publication in a newspaper of general circulation provide for notice of the location and description of the bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped to be published on the locality's website or given on any public access radio or television channel operated by the locality. Notice on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks.* In addition, if there is a license, tag, or adhesive license decal affixed to the bicycle, electric personal assistive mobility device, or electric power-assisted bicycle, or moped, the record owner shall be notified directly.

§ 15.2-1813. Notice when public hearing required.

Any public hearing required by this chapter shall be advertised once in a newspaper having general circulation in the locality at least seven days prior to the date set for the hearing. *However, to ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of advertising any public hearing required by this chapter in a newspaper, advertise the public hearing on the locality's website or on any public access radio or television channel operated by the locality. Notice given on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks, with the last airing occurring at least seven days prior to the date set for the hearing.*

§ 15.2-2108.7. Public hearings on feasibility study; notice.

A. If the results of the feasibility study satisfy the revenue requirements of subsection D of § 15.2-2108.6, the governing body shall, at the next regular meeting after the governing body receives the results of the feasibility study, schedule at least two public hearings to be held at least seven days apart, but both shall be held not more than 60 days from the date of the meeting at which the public hearings are scheduled. The purpose of such public hearings shall be to allow the feasibility consultant to present the results of the feasibility study, and to inform the public about the feasibility study results and offer the public the opportunity to ask questions of the feasibility consultant about the results of the feasibility study.

B. Except as provided in subsection C and D, the municipality shall publish notice of the public hearings required under subsection A at least once a week for three consecutive weeks in a newspaper of general circulation in the municipality. The last publication of notice required under this subsection shall be at least three days before the first public hearing required under subsection A.

C. If there is no newspaper of general circulation in the municipality, for each 1,000 residents the municipality shall post at least one notice of the hearings in a conspicuous place within the municipality that is likely to give notice of the hearings to the greatest number of residents of the municipality. The municipality shall post the notices at least seven days before the first public hearing required under subsection A is held.

D. *To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may, in lieu of providing the notice as required in subsection B, provide for notice of the hearings on the locality's website or advertised on any public access radio or television channel operated by the locality. Notice given on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks. The last posting or airing of notice required under this subsection shall be at least three days before the first public hearing required under subsection A.*

DE. After holding the public hearings required by this section, if the governing body of the municipality elects to proceed, the municipality shall adopt by resolution the feasibility study.

§ 15.2-2114. Regulation of stormwater.

A. Any locality, by ordinance, may adopt a stormwater control program consistent with Article 1.1 (§ 10.1-603.1 et seq.) of Chapter 6 of Title 10.1, or any other state or federal regulation, by establishing a utility or enacting a system of service charges. Income derived from these charges shall be dedicated special revenue and may be used only to pay or recover costs for the following:

1. The acquisition, as permitted by § 15.2-1800, of real and personal property, and interest therein, necessary to construct, operate and maintain stormwater control facilities;

2. The cost of administration of such programs;

3. Engineering and design, debt retirement, construction costs for new facilities and enlargement or improvement of existing facilities, including the enlargement or improvement of dams, whether publicly or privately owned, that serve to control stormwater; however, prior to adoption of any ordinance pursuant to this section related to the enlargement or improvement of privately owned dams, a locality shall comply with the notice provisions of § 15.2-1427 and hold a public hearing;

4. Facility maintenance, including the maintenance of dams, whether publicly or privately owned, that serve to control the stormwater; however, prior to adoption of any ordinance pursuant to this section related to the maintenance of privately owned dams, a locality shall comply with the notice provisions of § 15.2-1427 and hold a public hearing;

5. Monitoring of stormwater control devices;

6. Pollution control and abatement, consistent with state and federal regulations for water pollution control and abatement; and

7. Planning, design, land acquisition, construction, operation and maintenance activities.

B. The charges may be assessed to property owners or occupants, including condominium unit owners or tenants (when the tenant is the party to whom the water and sewer service is billed), and shall be based upon their contributions to stormwater runoff; however, prior to adopting such a system, a public hearing shall be held after giving notice as required by charter or by publishing a descriptive notice once a week for two successive weeks prior to adoption in a newspaper with a general circulation in the locality. The second publication shall not be sooner than one calendar week after the first publication. *To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of providing the notice by publication in a newspaper provide for a descriptive notice to be posted on the locality's website or read on any public access radio or advertised on any television channel operated by the locality. Notice given on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two successive weeks.* A locality adopting such a system shall provide for full waivers of charges to federal, state, or local government agencies when the agency owns and provides for maintenance of storm drainage and stormwater control facilities or is a unit of the locality administering the program. A locality shall also provide full waivers of charges for roads and public street rights-of-way that are owned and maintained by state or local agencies. A locality adopting such a system may also provide for full or partial waivers of charges to any person who develops, redevelops or retrofits outfalls, discharges or property so that there is a permanent reduction in post-development stormwater flow and pollutant loading. The locality shall base the amount of the waiver in part on the percentage reduction in both stormwater flow and pollutant loading, from predevelopment to postdevelopment. No locality shall provide a waiver to any person who does not obtain a stormwater permit from the Department of Environmental Quality when such permit is required by statute or regulation. A locality adopting such a system may also provide for full waiver of charges to cemeteries. Income derived from service charges may not exceed the actual costs incurred by a locality operating under the provisions of this title.

C. Any locality may issue general obligation bonds or revenue bonds in order to finance the cost of infrastructure and equipment for a stormwater control program. Infrastructure and equipment shall include structural and natural stormwater control systems of all types, including, without limitation, retention basins, sewers, conduits, pipelines, pumping and ventilating stations, and other plants, structures, and real and personal property used for support of the system. The procedure for the issuance of any such general obligation bonds or revenue bonds pursuant to this section shall be in conformity with the procedure for issuance of such bonds as set forth in the Public Finance Act (§ 15.2-2600 et seq.).

D. In the event charges are not paid when due, interest thereon shall at that time accrue at the rate, not to exceed the maximum amount allowed by law, determined by the locality until such time as the overdue payment and interest are paid. Charges and interest may be recovered by the locality by action at law or suit in equity and shall constitute a lien against the property, ranking on a parity with liens for unpaid taxes. The locality may combine the billings for stormwater charges with billings for water or sewer charges, real property tax assessments, or other billings; in such cases, the locality may establish the order in which payments will be applied to the different charges. No locality shall combine its

billings with those of another locality or political subdivision, including an authority operating pursuant to Chapter 51 (§ 15.2-5100 et seq.) of Title 15.2, unless such locality or political subdivision has given its consent by duly adopted resolution or ordinance.

E. Any two or more localities may enter into cooperative agreements concerning the management of stormwater.

§ 15.2-2204. Advertisement of plans, ordinances, etc.; joint public hearings; written notice of certain amendments.

A. Plans or ordinances, or amendments thereof, recommended or adopted under the powers conferred by this chapter need not be advertised in full, but may be advertised by reference. Every such advertisement shall contain a descriptive summary of the proposed action and a reference to the place or places within the locality where copies of the proposed plans, ordinances or amendments may be examined.

The local planning commission shall not recommend nor the governing body adopt any plan, ordinance or amendment thereof until notice of intention to do so has been published once a week for two successive weeks in some newspaper published or having general circulation in the locality; however, the notice for both the local planning commission and the governing body may be published concurrently. *To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of publication in a newspaper of general circulation provide for notice to be published on the locality's website or given on any public access radio or television channel operated by the locality. Notice on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks.*

The notice shall specify the time and place of hearing at which persons affected may appear and present their views, not less than five days nor more than 21 days after the second advertisement appears in such newspaper. The local planning commission and governing body may hold a joint public hearing after public notice as set forth hereinabove. If a joint hearing is held, then public notice as set forth above need be given only by the governing body. The term "two successive weeks" as used in this paragraph shall mean that such notice shall be published at least twice in such newspaper with not less than six days elapsing between the first and second publication. After enactment of any plan, ordinance or amendment, further publication thereof shall not be required.

B. When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of 25 or fewer parcels of land, then, in addition to the advertising as above required, written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner or owners, their agent or the occupant, of each parcel involved; to the owners, their agent or the occupant, of all abutting property and property immediately across the street or road from the property affected, including those parcels which lie in other localities of the Commonwealth; and, if any portion of the affected property is within a planned unit development, then to such incorporated property owner's associations within the planned unit development that have members owning property located within 2,000 feet of the affected property as may be required by the commission or its agent. Notice sent by registered or certified mail to the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement. If the hearing is continued, notice shall be remailed. Costs of any notice required under this chapter shall be taxed to the applicant.

When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of more than 25 parcels of land, or a change to the applicable zoning ordinance text regulations that decreases the allowed dwelling unit density of any parcel of land, then, in addition to the advertising as above required, written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner, owners, or their agent of each parcel of land involved, provided, however, that written notice of such changes to zoning ordinance text regulations shall not have to be mailed to the owner, owners, or their agent of lots shown on a subdivision plat approved and recorded pursuant to the provisions of Article 6 (§ 15.2-2240 et seq.) of this chapter where such lots are less than 11,500 square feet. One notice sent by first class mail to the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement, provided that a representative of the local commission shall make affidavit that such mailings have been made and file such affidavit with the papers in the case. Nothing in this subsection shall be construed as to invalidate any subsequently adopted amendment or ordinance because of the inadvertent failure by the representative of the local commission to give written notice to the owner, owners or their agent of any parcel involved.

The governing body may provide that, in the case of a condominium or a cooperative, the written

551 notice may be mailed to the unit owners' association or proprietary lessees' association, respectively, in
552 lieu of each individual unit owner.

553 Whenever the notices required hereby are sent by an agency, department or division of the local
554 governing body, or their representative, such notices may be sent by first class mail; however, a
555 representative of such agency, department or division shall make affidavit that such mailings have been
556 made and file such affidavit with the papers in the case.

557 A party's actual notice of, or active participation in, the proceedings for which the written notice
558 provided by this section is required shall waive the right of that party to challenge the validity of the
559 proceeding due to failure of the party to receive the written notice required by this section.

560 C. When a proposed comprehensive plan or amendment thereto; a proposed change in zoning map
561 classification; or an application for special exception for a change in use or to increase by greater than
562 50 percent of the bulk or height of an existing or proposed building, but not including renewals of
563 previously approved special exceptions, involves any parcel of land located within one-half mile of a
564 boundary of an adjoining locality of the Commonwealth, then, in addition to the advertising and written
565 notification as above required, written notice shall also be given by the local commission, or its
566 representative, at least 10 days before the hearing to the chief administrative officer, or his designee, of
567 such adjoining locality.

568 D. When (i) a proposed comprehensive plan or amendment thereto, (ii) a proposed change in zoning
569 map classification, or (iii) an application for special exception for a change in use involves any parcel of
570 land located within 3,000 feet of a boundary of a military base, military installation, military airport,
571 excluding armories operated by the Virginia National Guard, or licensed public-use airport then, in
572 addition to the advertising and written notification as above required, written notice shall also be given
573 by the local commission, or its representative, at least 10 days before the hearing to the commander of
574 the military base, military installation, military airport, or owner of such public-use airport, and the
575 notice shall advise the military commander or owner of such public-use airport of the opportunity to
576 submit comments or recommendations.

577 E. The adoption or amendment prior to July 1, 1996, of any plan or ordinance under the authority of
578 prior acts shall not be declared invalid by reason of a failure to advertise or give notice as may be
579 required by such act or by this chapter, provided a public hearing was conducted by the governing body
580 prior to such adoption or amendment. Every action contesting a decision of a locality based on a failure
581 to advertise or give notice as may be required by this chapter shall be filed within 30 days of such
582 decision with the circuit court having jurisdiction of the land affected by the decision. However, any
583 litigation pending prior to July 1, 1996, shall not be affected by the 1996 amendment to this section.

584 F. Notwithstanding any contrary provision of law, general or special, the City of Richmond may
585 cause such notice to be published in any newspaper of general circulation in the city.

586 G. When a proposed comprehensive plan or amendment of an existing plan designates or alters
587 previously designated corridors or routes for electric transmission lines of 150 kilovolts or more, written
588 notice shall also be given by the local planning commission, or its representative, at least 10 days before
589 the hearing to each electric utility with a certificated service territory that includes all or any part of
590 such designated electric transmission corridors or routes.

591 § 15.2-2316.2. Localities may provide for transfer of development rights.

592 A. Pursuant to the provisions of this article, the governing body of any locality by ordinance may, in
593 order to conserve and promote the public health, safety, and general welfare, establish procedures,
594 methods, and standards for the transfer of development rights within its jurisdiction. Any locality
595 adopting or amending any such transfer of development rights ordinance shall give notice and hold a
596 public hearing in accordance with § 15.2-2204 prior to approval by the governing body.

597 B. Any proposed transfer of development rights shall only be initiated upon application by the
598 property owners of both the sending and receiving properties. A locality may not require property
599 owners to transfer development rights as a condition of the development of any property.

600 C. Prior to any transfer of development rights, a locality shall adopt an ordinance based on findings
601 of public benefit. Such ordinance shall provide for:

602 1. The issuance and recordation of the instruments necessary to sever development rights from the
603 sending property and to affix development rights to the receiving property. These instruments shall be
604 executed by the affected property owners and lienholders. The instruments shall identify the
605 development rights being transferred, identification of the sending property and the receiving property;

606 2. The preservation of the character of the sending property and assurance that the prohibitions
607 against the use and development of the sending property shall bind the landowner and every successor
608 in interest to the landowner;

609 3. The severance of transferable development rights from the sending property and the transfer of
610 development rights to a receiving property;

611 4. The purchase, sale, exchange, or other conveyance of transferable development rights prior to the
612 rights being affixed to a receiving property;

5. A system for monitoring the severance, ownership, assignment, and transfer of transferable development rights;

6. A map or other description of areas designated as sending and receiving areas for the transfer of development rights between properties;

7. The identification of parcels, if any, within a receiving area that are inappropriate as receiving properties;

8. The ordinance shall include permitted uses and the maximum increases in density in the receiving area;

9. The minimum acreage of a sending property and the minimum reduction in density of the sending property that may be conveyed in a transfer of development rights;

10. An assessment of the infrastructure in the receiving area that identifies the ability of the area to accept increases in density and its plans to provide necessary utility services within any designated receiving area;

11. The review of an application by the planning commission or its agent to determine whether the application complies with the provisions of the ordinance. The application shall be deemed approved upon the determination of compliance with the ordinance and upon recordation of the instrument transferring the development rights in the land records of the office of the circuit court clerk for the locality; and

12. Such other provisions as the locality deems necessary to aid in the implementation of the provisions of this article.

D. The ordinance may provide for the allowance for residential density to be converted to an increase in the square feet of a commercial, industrial or other use on the receiving property.

E. Development rights made transferable pursuant to this article shall be interests in real property and shall be considered as such for purposes of conveyance and taxation. Once an application has been approved and a deed of transferable development rights created pursuant to this article has been sold, conveyed, or otherwise transferred by the owner of the sending property, the transfer of development rights shall vest in the grantee and may be transferred to a successor in interest. Any transfer of the development rights to a different property in a receiving area shall be subject to review pursuant to the provisions of the ordinance adopted pursuant to provision 11 of subsection C.

F. For the purposes of ad valorem real property taxation, the value of a transferable development right shall be deemed appurtenant to the sending property until the transferable development right is recorded as a distinct interest in real property with the appropriate tax assessor or the transferable development right is used at a receiving property and becomes appurtenant thereto.

G. Approved transfers of development rights shall become effective upon the recording of the conveyance and the filing of a certified copy of such recording with the local governing body of the locality.

H. Localities shall incorporate the map identified in provision 6 of subsection C into the comprehensive plan.

I. No amendment to the zoning map, nor any amendments to the text of the zoning ordinance with respect to the zoning district applicable thereto initiated by the governing body, which eliminate, or materially restrict, reduce, or modify the uses, or the density of use permitted in the zoning district applicable to any property to which development rights have been transferred, shall be effective with respect to such property unless there has been mistake, fraud, or a change in circumstances substantially affecting the public health, safety, or welfare.

J. A county adopting an ordinance pursuant to this article may designate eligible receiving areas in any incorporated town within such county, if the governing body of the town has also amended its zoning ordinance to designate the same areas as eligible to receive density being transferred from sending areas in the county.

K. Any county and an adjacent city may enter voluntarily into an agreement to permit the county to designate eligible receiving areas in the city if the governing body of the city has also amended its zoning ordinance to designate the same areas as eligible to receive density being transferred from sending areas in the county. The city council shall designate areas it deems suitable as receiving areas and shall designate the maximum increases in density in each such receiving area. However, if any such agreement contains any provision addressing any issue provided for in Chapter 32 (§ 15.2-3200 et seq.), 33 (§ 15.2-3300 et seq.), 36 (§ 15.2-3600 et seq.), 38 (§ 15.2-3800 et seq.), 39 (§ 15.2-3900 et seq.), or 41 (§ 15.2-4100 et seq.), the agreement shall be subject to the review and implementation process established by Chapter 34 (§ 15.2-3400 et seq.).

1. The terms and conditions of the density transfer agreement as provided in this subsection shall be determined by the affected localities and shall be approved by the governing body of each locality participating in the agreement, provided the governing body of each such locality first holds a public hearing, which shall be advertised once a week for two successive weeks in a newspaper of general

674 circulation in the locality. *If either locality involved in the density transfer agreement has a population of*
675 *at least 100,000, such locality may in lieu of publication in a newspaper of general circulation provide*
676 *for notice of the public hearing on the locality's website or on any public access radio or television*
677 *channel operated by the locality. Notice on any public access radio or television channel shall be aired*
678 *during prime time programming and at least two other times during the day. If the notice is provided on*
679 *the locality's website or on any public access radio or television channel operated by the locality, the*
680 *information shall be aired daily for at least two weeks.*

681 2. The governing bodies shall petition a circuit court having jurisdiction in one or more of the
682 localities for an order affirming the proposed agreement. The circuit court shall be limited in its decision
683 to either affirming or denying the agreement and shall have no authority, without the express approval
684 of each local governing body, to amend or change the terms or conditions of the agreement, but shall
685 have the authority to validate the agreement and give it full force and effect. The circuit court shall
686 affirm the agreement unless the court finds either that the agreement is contrary to the best interests of
687 the Commonwealth or that it is not in the best interests of each of the parties thereto.

688 3. The agreement shall not become binding on the localities until affirmed by the court under this
689 subsection. Once approved by the circuit court, the agreement shall also bind future local governing
690 bodies of the localities.

691 § 15.2-2400. Creation of service districts.

692 Any locality may by ordinance, or any two or more localities may by concurrent ordinances, create
693 service districts within the locality or localities in accordance with the provisions of this article. Service
694 districts may be created to provide additional, more complete or more timely services of government
695 than are desired in the locality or localities as a whole.

696 Any locality seeking to create a service district shall have a public hearing prior to the creation of
697 the service district. Notice of such hearing shall be published once a week for three consecutive weeks
698 in a newspaper of general circulation within the locality, and the hearing shall be held no sooner than
699 ~~ten~~ 10 days after the date the second notice appears in the newspaper. *To ensure that the maximum*
700 *number of persons within the locality are likely to be informed, any locality with a population of at*
701 *least 100,000 may in lieu of publication in a newspaper of general circulation provide for notice of the*
702 *hearing to be published on the locality's website or advertised on any public access radio or television*
703 *channel operated by the locality. Notice on any public access radio or television channel shall be aired*
704 *during prime time programming and at least two other times during the day. If the information is*
705 *provided on the locality's website or on any public access radio or television channel operated by the*
706 *locality, the information shall be aired daily for at least two weeks, and the hearing shall be held no*
707 *sooner than 10 days after the date the final notice is published on the website or is advertised on the*
708 *radio or television channel.*

709 § 15.2-2401. Creation of service districts by court order in consolidated cities.

710 In any city which results from the consolidation of two or more localities, service districts may, in
711 addition to the method prescribed in § 15.2-2400, be created by order of the circuit court for the city
712 upon the petition of fifty voters of the proposed district, which order shall prescribe the metes and
713 bounds of the district.

714 Upon the filing of a petition the court shall fix a date for a hearing on the question of the proposed
715 service district, which hearing shall embrace a consideration of whether the property embraced within
716 the proposed district will be benefited by the establishment thereof. Notice of such hearing shall be
717 published once a week for three consecutive weeks in a newspaper of general circulation within the city,
718 and the hearing shall not be held sooner than ~~ten~~ 10 days after the last publication. *To ensure that the*
719 *maximum number of persons within the locality are likely to be informed, any locality with a population*
720 *of at least 100,000 may in lieu of publication in a newspaper of general circulation provide for notice*
721 *of the hearing to be published on the locality's website or advertised on any public access radio or*
722 *television channel operated by the locality. Notice on any public access radio or television channel shall*
723 *be aired during prime time programming and at least two other times during the day. If the information*
724 *is provided on the locality's website or on any public access radio or television channel operated by the*
725 *locality, the information shall be aired daily for at least two weeks, and the hearing shall be held no*
726 *sooner than 10 days after the date the final notice is published on the website or is advertised on the*
727 *radio or television channel.* Any person interested may answer the petition and make defense thereto. If
728 upon such hearing the court is of opinion that any property embraced within the limits of such proposed
729 district will not be benefited by the establishment thereof, then such property shall not be embraced
730 therein.

731 Upon the petition of the city council and of not less than 50 voters of the territory proposed to be
732 added, or if such territory contains less than 100 voters, of fifty percent of the voters of such territory,
733 after notice and hearing as provided above, any service district may be extended and enlarged by order
734 of the circuit court for the city which order shall prescribe the metes and bounds of the territory so
735 added.

§ 15.2-2506. Publication and notice; public hearing; adjournment; moneys not to be paid out until appropriated.

A brief synopsis of the budget which, except in the case of the school division budget, shall be for informative and fiscal planning purposes only, shall be published once in a newspaper having general circulation in the locality affected, and notice given of one or more public hearings, at least seven days prior to the date set for hearing, at which any citizen of the locality shall have the right to attend and state his views thereon. Any locality not having a newspaper of general circulation may in lieu of the foregoing notice provide for notice by written or printed handbills, posted at such places as it may direct. *To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of the foregoing notice provide for notice on the locality's website or on any public access radio or television channel operated by the locality. Notice on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks, and the hearing shall be held no sooner than seven days after the date the final notice is published on the website or is advertised on the radio or television channel.* The hearing shall be held at least seven days prior to the approval of the budget as prescribed in § 15.2-2503. With respect to the school division budget, such hearing shall be held at least seven days prior to the approval of that budget as prescribed in § 22.1-93. The governing body may adjourn such hearing from time to time. The fact of such notice and hearing shall be entered of record in the minute book.

In no event, including school division budgets, shall such preparation, publication and approval be deemed to be an appropriation. No money shall be paid out or become available to be paid out for any contemplated expenditure unless and until there has first been made an annual, semiannual, quarterly or monthly appropriation for such contemplated expenditure by the governing body, except funds appropriated in a county having adopted the county executive form of government, outstanding grants may be carried over for one year without being reappropriated.

§ 15.2-2507. Amendment of budget.

A. Any locality may amend its budget to adjust the aggregate amount to be appropriated during the current fiscal year as shown in the currently adopted budget as prescribed by § 15.2-2504. However, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by publishing a notice of a meeting and a public hearing once in a newspaper having general circulation in that locality at least seven days prior to the meeting date. *To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may, in lieu of publishing the notice in a newspaper, provide for notice of the meeting and public hearing on the locality's website or on any public access radio or television channel operated by the locality. Notice given on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks, with the last airing being at least seven days prior to the meeting date.* The notice shall state the governing body's intent to amend the budget and include a brief synopsis of the proposed budget amendment. Any local governing body may adopt such amendment at the advertised meeting, after first providing a public hearing during such meeting on the proposed budget amendments.

B. Pursuant to the requirements of §§ 15.2-1609.1, 15.2-1609.7, 15.2-1636.8, and 15.2-1636.13 through 15.2-1636.17 every county and city shall appropriate as part of its annual budget or in amendments thereto amounts for salaries, expenses and other allowances for its constitutional officers that are not less than those established for such offices in the locality by the Compensation Board pursuant to applicable law or, in the event of an appeal pursuant to § 15.2-1636.9, by the circuit court in accordance with the provisions of that section.

§ 15.2-2606. Public hearing before issuance of bonds.

A. Notwithstanding any contrary provision of law, general or special, but subject to subsection B of this section, before the final authorization of the issuance of any bonds by a locality, the governing body of the locality shall hold a public hearing on the proposed bond issue. Notice of the hearing shall be published once a week for two successive weeks in a newspaper published or having general circulation in the locality. The notice shall state the general purpose or purposes and the estimated maximum amount of the bonds proposed to be issued and shall specify the time and place of the hearing at which persons may appear and present their views. *To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of the foregoing notice provide for notice of the hearing on the locality's website or on any public access radio or television channel operated by the locality. Notice given on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If*

797 *the information is provided on the locality's website or on any public access radio or television channel*
798 *operated by the locality, the information shall be aired daily for at least two weeks. The hearing shall*
799 *not be held less than six nor more than twenty-one days after the date the second final notice appears in*
800 *the newspaper, on the website, or is aired on radio or television.*

801 B. No notice or public hearing shall be required for (i) bonds which have been approved by a
802 majority of the voters of the issuing locality voting on the issuance of such bonds or (ii) obligations
803 issued pursuant to §§ 15.2-2629, 15.2-2630 or § 15.2-2643.

804 § 15.2-3107. Publication of agreed boundary line.

805 Before adopting an agreement pursuant to § 15.2-3106, each governing body shall advertise its
806 intention to approve such an agreement at least once a week for two successive weeks in a newspaper
807 having general circulation in its locality, and such notice shall include a descriptive summary of the
808 proposed agreement. The summary shall describe the new boundary, but need not include a metes and
809 bounds description. The publication shall include a statement that a copy of the agreement is on file in
810 the office of the clerk of the governing body which is considering the proposed agreement.

811 *To ensure that the maximum number of persons within the locality are likely to be informed, any*
812 *locality with a population of at least 100,000 may in lieu of the foregoing advertisement, advertise its*
813 *intention to approve such an agreement on the locality's website or on any public access radio or*
814 *television channel operated by the locality. The notice shall include a descriptive summary of the*
815 *proposed agreement. The summary shall describe the new boundary, but need not include a metes and*
816 *bounds description. The publication shall include a statement that a copy of the agreement is on file in*
817 *the office of the clerk of the governing body which is considering the proposed agreement. Notice given*
818 *on any public access radio or television channel shall be aired during prime time programming and at*
819 *least two other times during the day. If the information is provided on the locality's website or on any*
820 *public access radio or television channel operated by the locality, the information shall be aired daily*
821 *for at least two weeks.*

822 A joint publication of the proposed agreement by the localities which otherwise meets the
823 requirements of this section shall satisfy this requirement. If joint publication is used, the publication
824 costs shall be apportioned between the participating localities in the manner agreed upon by them. After
825 providing the notice required by this section, each locality shall hold at least one public hearing on the
826 agreement prior to its adoption.

827 § 15.2-3400. Voluntary settlements among local governments.

828 Recognizing that the localities of the Commonwealth may be able to settle the matters provided for
829 in this subtitle through voluntary agreements and further recognizing that such a resolution can be
830 beneficial to the orderly growth and continued viability of the localities of the Commonwealth the
831 following provisions are made:

832 1. Any locality may enter voluntarily into agreement with any other locality or combination of
833 localities whereby any rights provided for its benefit in this subtitle may be modified or waived in
834 whole or in part, as determined by its governing body, provided that the modification or waiver does not
835 conflict with the Constitution of Virginia.

836 2. The terms of the agreement may include fiscal arrangements, land use arrangements, zoning
837 arrangements, subdivision arrangements and arrangements for infrastructure, revenue and economic
838 growth sharing, provisions for the acceptance on each other's behalf of proffered conditions under
839 § 15.2-2298 or 15.2-2303, dedication of all or any portion of tax revenues to a revenue and economic
840 growth sharing account, boundary line adjustments, acquisition of real property and buildings and the
841 joint exercise or delegation of powers as well as the modification or waiver of specific annexation,
842 transition or immunity rights as determined by the local governing body including opposition to petitions
843 filed pursuant to § 15.2-3203, and such other provisions as the parties deem in their best interest. The
844 terms of the agreement may also provide for subsequent court review, instituted pursuant to provisions
845 contained in the agreement, by a special court convened under Chapter 30 (§ 15.2-3000 et seq.) of this
846 title.

847 3. If a voluntary agreement is reached pursuant to this chapter, the governing bodies shall present to
848 the Commission the proposed settlement. The Commission shall conduct a hearing pursuant to
849 subsection A of § 15.2-2907. The Commission shall report, in writing, its findings and recommendations
850 as to whether the proposed settlement is in the best interest of the Commonwealth. Such report shall not
851 be binding upon any court but shall be advisory in nature only.

852 4. Upon receipt of the Commission report, the localities, by ordinance passed by a recorded
853 affirmative vote of a majority of the members of each governing body thereof, may adopt either the
854 original or a modified agreement acceptable to all parties. Before adopting such ordinance each local
855 governing body shall advertise its intention to approve such agreement, or modified agreement, at least
856 once a week for two successive weeks in a newspaper having a general circulation in its jurisdiction and
857 such advertisements shall contain a descriptive summary of the agreement or modified agreement. Each
858 locality shall hold at least one public hearing on the agreement or modified agreement prior to the

adoption of the ordinance. The publication shall include a statement that a copy of the agreement, or modified agreement, is on file in the office of the clerk of the circuit court for each of the affected jurisdictions.

To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of the foregoing advertisement, advertise its intention to approve such agreement, or modified agreement on the locality's website or on any public access radio or television channel operated by the locality. The advertisement shall include a descriptive summary of the agreement or modified agreement. The publication shall include a statement that a copy of the agreement, or modified agreement, is on file in the office of the clerk of the circuit court for each of the affected jurisdictions. Notice given on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks.

5. The governing bodies shall petition a circuit court having jurisdiction in one or more of the localities for an order affirming the proposed settlement. The circuit court with which the petition is filed shall notify the Supreme Court, which shall appoint a special court to hear the case as prescribed by Chapter 30 (§ 15.2-3000 et seq.) of this title. The special court shall be limited in its decision to either affirming or denying the voluntary agreement and shall have no authority, without the express approval of each local governing body, to amend or change the terms or conditions of the agreement, but shall have the authority to validate the agreement and give it full force and effect. The court shall affirm the agreement unless the court finds either that the agreement is contrary to the best interests of the Commonwealth or that it is not in the best interests of each of the parties thereto. In determining whether such agreement should be affirmed, the court shall consider, among other things, whether the interest of the Commonwealth in promoting orderly growth and the continued viability of localities has been met. If the agreement is validated and provides for annexation by a city or town, the agreement shall take effect on the first day of the month succeeding validation of the agreement unless the agreement stipulates that the annexation shall be effective on some other date.

6. The agreement shall not become binding on the localities until affirmed by the special court under this section. Once approved by the special court, the agreement shall also bind future local governing bodies of the localities.

7. The applicable provisions of this chapter shall be deemed to have been met with regard to any voluntary fiscal agreement or voluntary agreement in settlement of an annexation, transition or immunity petition or voluntary settlement agreement entered into pursuant to this chapter (i) which was entered into before July 1, 1990, (ii) which had been reviewed or was in the process of review by the Commission on Local Government on or before July 1, 1990, (iii) which had been or was the subject of review by a special court convened under Chapter 30 of this title on or before July 1, 1990, or (iv) which had been or was approved by a special court convened under Chapter 30 of this title on or before July 1, 1990.

8. The provisions of § 15.2-3226 shall apply when a voluntary agreement made under this section includes the annexation of territory by a city or town. No election for members of council shall be held as a result of such annexation unless the city or town increases its population by more than five percent due to the annexation.

§ 15.2-3537. Publication of consolidation agreement.

Each locality which is a party to a consolidation agreement shall cause a copy of the consolidation agreement, or a descriptive summary of the agreement and a reference to the place in the locality where a copy of the agreement may be examined, to be published in its locality at least once a week for four successive weeks in a newspaper having a general circulation in the locality.

To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 which is a party to a consolidation agreement may in lieu of the foregoing publication cause a copy of the consolidation agreement, or a descriptive summary of the agreement and a reference to the place in the locality where a copy of the agreement may be examined, to be posted on the locality's website or advertised on any public access radio or television channel operated by the locality. Notice given on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks.

§ 15.2-3913. Public hearing on charter; notice and publication; adoption of charter by governing body.

Upon the completion of the proposed charter the governing body shall hold a public hearing at which the citizens shall have an opportunity to be heard with respect thereto. Notice of the time and place of such hearing and the text of the charter, or an informative summary thereof, shall be published in a

920 newspaper of general circulation in the county at least once a week for two successive weeks. *To ensure*
921 *that the maximum number of persons within the locality are likely to be informed, any locality with a*
922 *population of at least 100,000 may in lieu of the foregoing notice provide for notice on the locality's*
923 *website or on any public access radio or television channel operated by the locality. Notice on any*
924 *public access radio or television channel shall be aired during prime time programming and at least*
925 *two other times during the day. If the information is provided on the locality's website or on any public*
926 *access radio or television channel operated by the locality, the information shall be aired daily for at*
927 *least two weeks. The hearing shall not be held sooner than ~~thirty~~ 30 days subsequent to the first*
928 *publication or notice on the public access radio or television channel. Such hearing may be adjourned*
929 *from time to time, but shall be completed not less than ~~thirty~~ 30 days before the election. Upon*
930 *completion of the hearing the governing body shall adopt the charter with such revisions as it may*
931 *accept.*

932 § 15.2-4528. Procedures.

933 A. To assure that the planning process specified in § 15.2-4527 is effectively and efficiently utilized,
934 the commission shall conform to the following procedures and may prescribe such additional procedures
935 as it deems advisable:

936 1. Commission meetings shall be held at least monthly and more often in the discretion of the
937 commission, as the proper performance of its duties requires.

938 2. At such meetings the commission shall receive and consider reports from:

939 a. Its members who are also members of an agency, as to the status and progress of the work of
940 such agency, and if the commission deems that such reports are of concern to them, shall fully inform
941 its component governments, committees, and the Commonwealth Transportation Board with respect
942 thereto, as a means of developing the informed views requisite for sound policy-making; and

943 b. Its members, technical and other committees, members of the governing bodies of the component
944 governments and consultants, presenting and analyzing studies and data on matters affecting the making
945 of policies and decisions on a transportation plan and the implementation thereof.

946 3. The objective of the procedures herein specified is to develop agreement, based on the best
947 available information, among the district commission, the governing bodies of the component
948 governments, the Commonwealth Transportation Board and an interstate agency with respect to the
949 various factors which affect the making of policies and decisions relating to a transportation plan and
950 the implementation thereof. If any material disagreements occur in the planning process with respect to
951 objectives and goals, the evaluation of basic data or the selection of criteria and standards to be applied
952 in the planning process, the commission shall exert its best efforts to bring about agreement and
953 understanding on such matters. The commission, in its discretion, may hold hearings in an effort to
954 resolve any such basic controversies.

955 4. Before a transportation plan is adopted, altered, revised or amended by the commission or by an
956 agency on which it is represented, the commission shall transmit such proposed plan, alteration, revision
957 or amendment to the governing bodies of the component governments, to the Commonwealth
958 Transportation Board, and to its technical committees and shall release to the public information with
959 respect thereto. A copy of the proposed transportation plan, amendment or revision, shall be kept at the
960 commission office and shall be available for public inspection. Upon ~~thirty~~ 30 days' notice, published
961 once a week for two successive weeks in one or more newspapers of general circulation within the
962 transportation district, a public hearing shall be held on the proposed plan, alteration, revision or
963 amendment. *Any locality with a population of at least 100,000 may in lieu of the foregoing publication*
964 *provide for at least 30 days' notice of the meeting to be posted on the locality's website or advertised on*
965 *any public access radio or television channel operated by the locality. Notice given on any public access*
966 *radio or television channel shall be aired during prime time programming and at least two other times*
967 *during the day. If the information is provided on the locality's website or on any public access radio or*
968 *television channel operated by the locality, the information shall be aired daily for at least two weeks.*

969 The ~~thirty~~ 30 days' notice period shall begin to run on the first day the notice appears in any such
970 newspaper or website, or is advertised on any such radio or television channel. The commission shall
971 consider the evidence submitted and statements and comments made at such hearings and, if objections
972 in writing to the whole or any part of the plan are made by the governing body of any component
973 government, or by the Commonwealth Transportation Board, or if the commission considers any written
974 objection made by any other person, group or organization to be sufficiently significant, the commission
975 shall reconsider the plan, alteration, revision or amendment. If, upon reconsideration, the commission
976 agrees with the objection, then the commission shall make appropriate changes to the proposed plan,
977 alteration, revision or amendment, and may adopt them without further hearing. If, upon reconsideration,
978 the commission disagrees with the objection, the commission may adopt the plan, alteration, revision or
979 amendment. No facilities shall be located in and no service rendered, however, within any county or city
980 which does not execute an appropriate agreement with the commission or with an interstate agency as
981 provided in § 15.2-4521; but in such case, the commission shall determine whether the absence of such

an agreement so materially and adversely affects the feasibility of the transportation plan as to require its modification or abandonment.

§ 15.2-5104. Advertisement of ordinance, agreement or resolution and notice of hearing.

The governing body of each participating locality shall cause to be advertised at least one time in a newspaper of general circulation in such locality a copy of the ordinance, agreement or resolution creating an authority, or a descriptive summary of the ordinance, agreement or resolution and a reference to the place within the locality where a copy of the ordinance, agreement or resolution can be obtained, and notice of the day, not less than ~~thirty~~ 30 days after publication of the advertisement, on which a public hearing will be held on the ordinance, agreement or resolution. *To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of the foregoing notice provide for notice on the locality's website or on any public access radio or television channel operated by the locality. Notice on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks, and the hearing shall be held not less than 30 days after the notice begins airing.*

§ 15.2-5403. Creation of electric authority; referendum.

The governing body of a governmental unit may by ordinance, or the governing bodies of two or more governmental units may by concurrent ordinances or agreement authorized by ordinance of each of the respective governmental units, create an electric authority, under any appropriate name and title containing the words "electric authority." Upon compliance with the provisions of this section and §§ 15.2-5404 and 15.2-5405, the authority shall be a political subdivision of the Commonwealth and a body politic and corporate. Any such ordinance shall be adopted in accordance with applicable general or special laws or charter provisions providing for the adoption of ordinances of the particular governmental unit, and shall be published once a week for two successive weeks prior to adoption in a newspaper of general circulation within the governmental unit. The second publication shall not be sooner than one calendar week after the first publication. *To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of the foregoing notice provide for notice on the locality's website or on any public access radio or television channel operated by the locality. Notice on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks prior to adoption.*

No governmental unit shall participate as a member of such an authority unless and until such participation is authorized by a majority of the voters voting in a referendum held in the governmental unit on the question of whether or not the governmental unit should participate in the authority. The referendum shall be held as provided in §§ 24.2-682 and 24.2-684. The foregoing referendum requirement shall not apply to the Town of Elkton if the Town creates an authority by an ordinance that includes articles of incorporation which comply with the provisions of § 15.2-5404 and also set forth a statement that such authority shall have only the Town as its sole member throughout its life.

§ 15.2-5431.5. Advertisement of resolution and notice of hearing.

The governing body of the locality shall cause to be advertised at least one time in a newspaper of general circulation in such locality a copy of the resolution creating the authority, or a descriptive summary of the resolution and a reference to the place within the locality where a copy of the resolution can be obtained, and notice of the day, not less than 30 days after publication of the advertisement, on which a public hearing will be held on the resolution. *To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of the foregoing notice provide for a copy of the resolution creating the authority, or a descriptive summary of the resolution and a reference to the place within the locality where a copy of the resolution can be obtained, and notice of the day on which a public hearing will be held on the resolution on the locality's website or on any public access radio or television channel operated by the locality. Notice on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks, and the hearing shall be held not less than 30 days after the final day of publication of the advertisement.*

§ 15.2-5602. Creation of authorities.

A. A locality may by ordinance or resolution, or two or more localities, may by concurrent ordinances or resolutions, signify their intention to create an authority under an appropriate name and title containing the word "authority." Each participating locality shall hold a public hearing, notice of which shall be given by publication at least once, not less than ten days prior to the date fixed for the

1043 hearing, in a newspaper having general circulation in the locality. *To ensure that the maximum number*
 1044 *of persons within the locality are likely to be informed, any locality with a population of at least*
 1045 *100,000 may in lieu of the foregoing notice provide for notice to be given on the locality's website or on*
 1046 *any public access radio or television channel operated by the locality. Notice on any public access radio*
 1047 *or television channel shall be aired during prime time programming and at least two other times during*
 1048 *the day. If the information is provided on the locality's website or on any public access radio or*
 1049 *television channel operated by the locality, the information shall be aired daily for at least two weeks,*
 1050 *and the hearing shall be held not less than ten days after the final day of airing.*

1051 The notice shall contain a brief statement of the substance of the proposed authority, shall set forth
 1052 the proposed articles of incorporation of the authority and shall state the time and place of the public
 1053 hearing. The locality, by resolution, may call for a referendum on the question of the creation of an
 1054 authority, which shall be held as provided by § 24.2-681 et seq. When a referendum is to be held in
 1055 more than one locality, the referendum shall be held on the same date in all of such localities.

1056 B. The articles of incorporation shall set forth:

- 1057 1. The name of the authority and address of its principal office.
- 1058 2. A statement that the authority is created under this chapter.
- 1059 3. The name of each participating locality.
- 1060 4. The names, addresses and terms of office of the first members of the authority.
- 1061 5. The purpose or purposes for which the authority is to be created.

1062 C. Passage of such ordinance or resolution by the governing body or governing bodies shall
 1063 constitute the authority a body politic and corporate of the Commonwealth.

1064 D. Any locality may become a member of an existing authority, and any locality which is a member
 1065 of an existing authority may withdraw therefrom, but no locality shall be permitted to withdraw from
 1066 any authority that has outstanding obligations unless United States securities have been deposited for
 1067 their payment or without the unanimous consent of all holders of the outstanding obligations.

1068 E. Having specified the initial purpose or purposes of the authority in the articles of incorporation,
 1069 the governing bodies of the participating localities may, from time to time by subsequent ordinance or
 1070 resolution, after public hearing, modify the articles of incorporation and the purpose or purposes
 1071 specified therein. Such modification may be made either with or without a referendum.

1072 § 15.2-5702. Creation of authorities.

1073 A. A locality may by ordinance or resolution, or two or more localities may by concurrent
 1074 ordinances or resolutions, signify their intention to create a park authority, under an appropriate name
 1075 and title, containing the word "authority" which shall be a body politic and corporate.

1076 Whenever an authority has been incorporated by two or more localities, any one or more of the
 1077 localities may withdraw therefrom, but no locality shall be permitted to withdraw from any authority
 1078 that has outstanding obligations unless United States securities have been deposited for their payment or
 1079 without unanimous consent of all holders of the outstanding obligations.

1080 Other localities may join the authority as provided in the ordinances or resolutions.

1081 B. Each ordinance or resolution shall include articles of incorporation setting forth:

- 1082 1. The name of the authority and the address of its principal office.
- 1083 2. The name of each incorporating locality, together with the names, addresses and terms of office of
 1084 the first members of the board of the authority.
- 1085 3. The purpose or purposes for which the authority is created.

1086 C. Each participating locality shall cause to be published at least one time in a newspaper of general
 1087 circulation in its locality, a copy of the ordinance or resolution together with a notice stating that on a
 1088 day certain, not less than ~~ten~~ 10 days after publication of the notice, a public hearing will be held on
 1089 such ordinance or resolution. *To ensure that the maximum number of persons within the locality are*
 1090 *likely to be informed, any participating locality with a population of at least 100,000 may in lieu of the*
 1091 *foregoing notice provide for a copy of the ordinance or resolution together with a notice stating that on*
 1092 *a day certain a public hearing will be held on such ordinance or resolution to be published on the*
 1093 *locality's website or advertised on any public access radio or television channel operated by the locality.*
 1094 *Notice given on any public access radio or television channel shall be aired during prime time*
 1095 *programming and at least two other times during the day. If the information is provided on the locality's*
 1096 *website or on any public access radio or television channel operated by the locality, the information*
 1097 *shall be aired daily for at least two weeks, and the hearing shall be held not less than 10 days after the*
 1098 *final day of notice.*

1099 If at the hearing substantial opposition to the proposed park authority is heard, the members of the
 1100 participating localities' governing bodies may in their discretion call for a referendum on the question of
 1101 establishing such an authority. The request for a referendum shall be initiated by resolution of the
 1102 governing body and filed with the clerk of the circuit court for the locality. The court shall order the
 1103 referendum as provided for in § 24.2-681 et seq. Where two or more localities are participating in the
 1104 formation of an authority the referendum, if any be ordered, shall be held on the same date in all such

localities so participating. In any event if ten percent of the registered voters in such locality file a petition with the governing body at the hearing calling for a referendum such governing body shall request a referendum as herein provided.

D. Having specified the initial plan of organization of the authority, and having initiated the program, the localities organizing such authority may, from time to time, by subsequent ordinance or resolution, after public hearing, and with or without referendum, specify further parks to be acquired and maintained by the authority, and no other parks shall be acquired or maintained by the authority than those so specified. However, if the governing bodies of the localities fail to specify any project or projects to be undertaken, and if the governing bodies do not disapprove any project or projects proposed by the authority, then the authority shall be deemed to have all the powers granted by this chapter.

§ 15.2-5711. Conveyance or lease of park to authority; contract for park services; when referendum required before certain contracts made.

Each locality and other public body is hereby authorized and empowered:

1. To convey or lease to any authority created hereunder, with or without consideration, any park upon such terms and conditions as the governing body thereof shall determine to be for the best interests of such locality or other public body; and

2. To contract with any authority created hereunder for park services; provided, that no locality shall enter into any contract with an authority involving payments by such locality to such authority for park services which requires the locality to incur an indebtedness extending beyond one fiscal year, unless the question of entering into such contract shall first be submitted to the voters of the locality for approval or rejection by a majority vote. Nothing herein shall prevent any locality from making a voluntary contribution to any authority.

In the event that a locality shall desire to contract with an authority under this subdivision, such governing body shall adopt a resolution stating in brief and general terms the substance of the proposed contract for park services and requesting the circuit court for the locality to order an election upon the question of entering into such contract. A copy of such resolution, certified by the clerk of the governing body, shall be filed with the judge of the circuit court who shall thereupon enter an order in accordance with § 24.2-681 et seq. Notice of such election entered and paid for by the locality shall be published at least once in a newspaper of general circulation in the locality at least ~~ten~~ 10 days before the election. *To ensure that the maximum number of persons within the locality are likely to be informed, any locality with a population of at least 100,000 may in lieu of the foregoing notice provide for notice of the election to be published on the locality's website or advertised on any public access radio or television channel operated by the locality. Notice given on any public access radio or television channel shall be aired during prime time programming and at least two other times during the day. If the information is provided on the locality's website or on any public access radio or television channel operated by the locality, the information shall be aired daily for at least two weeks, and the election shall be held not less than 10 days after the final day of notice.*

The question to be submitted to the voters for determination shall include the names of the locality and the authority between whom the contract is proposed and the nature, duration and cost of such contract.