

## **JAMES CITY COUNTY**

### **2003 Legislative Program**

#### **PART I. Legislation to be Introduced on Behalf of the County**

##### **1-1. TRAFFIC CONTROL**

James City County requests that it be added to those localities authorized by Section 46.2-833.01 of the Code of Virginia, to permit the establishment of a program involving cameras at traffic intersections to monitor the running of red lights.

##### **1-2. LOCAL WATER-SAVING ORDINANCE**

Amend Section 15.2-923 of the State Code to permit James City County to restrict the nonessential use of groundwater during a declared water shortage or water emergency. Currently, only a city with a population of 350,000 or more has the authority.

##### **1-3. SERVICES RENDERED IN COMMONWEALTH'S CASES**

Amend Section 17.1-266 of the State Code to provide that local governments should be exempt from paying filing fees to clerk's of court and sheriff's fees for their services. Section 17.1-266 currently exempts only the State from such fees.

##### **1-4. PURCHASE, SALE, ETC., OF REAL PROPERTY**

Amend Section 15.2-1800 to permit local governments to convey without holding a public hearing an easement for ingress, egress, utilities, cable, telecommunications, stormwater management, open space, environmental protection and other such conveyances involving matters of public interest.

##### **1-5. ADDITIONS AND MODIFICATIONS (to the Official Map)**

Amend Section 15.2-2235 of the State Code to provide that any addition to, or modification of, the official map that is identified in the County's approved Capital Improvement Program shall be added to the official map without the necessity of a public hearing before the Planning Commission or the Board of Supervisors.

1-6. CLOSING AND CAPPING INACTIVE WELLS

Add a Section 32.1-176.8 to authorize James City County to require property owners to close and cap abandoned or inactive wells in conformance with the County's well abandonment ordinance.

1-7. SOLAR PHOTOVOLTAIC MANUFACTURING INCENTIVE GRANT PROGRAM

Amend Section 45.1-392 of the State Code to provide a subsidy in the form of a solar photovoltaic manufacturing incentive grant of \$0.15/watt for each watt produced (capped at 8 megawatts per year or \$1.2 million per year) for 2003 and 2004.

**PART II. Position/Legislation to be Supported by the County**

2-1. STATE WATER POLICIES

James City County supports HJR202 directing the State Water Commission to study the effectiveness of the Commonwealth's water policies. The Commission is to examine: i) Virginia's current water laws and policies; ii) the adequacy of such laws and policies in providing adequate water supplies; iii) the role the State should play in data collection, water supply planning, water allocation, dispute resolution, and water development; and, iv) the role of the State in watershed planning to provide quality raw water, both surface and groundwater, for water supplies.

In addition, James City County urges the Commission to study the beneficial uses of greywater that would result in less use of potable water for irrigation, washing cars, etc.

2-2. LAND USE ISSUES

James City County urges the General Assembly to leave local land use decisions to localities. The County strongly objects to further interference by the General Assembly via legislation such as mandatory clustering or mandated permitting of manufactured housing.

2-3. SUPPORT OF THE HIGH GROWTH COALITION PROGRAM

James City County, a member of the Coalition, supports the 2003 Legislative Program of the High Growth Coalition, which consists of the following:

- (1.) Authorization for an Adequate Public Facility Ordinance: Such authorization would permit a locality to include in its subdivision ordinance reasonable provisions allowing the locality to determine whether sufficient public facilities exist to support the services required by the new subdivision. Before a locality could turn down a subdivision, the comprehensive plan must clearly identify the public facility needs in that given area.
- (2.) Impact Fees for Education and Transportation: Such authorization would permit a locality to adopt an ordinance providing for payment of impact fees for residential development. The impact fee shall be in an amount representing the proportional total or partial cost of capital improvements reasonably related to the transportation, education, and public safety needs for public facilities generated by the additional residential development. No impact fee shall be assessed unless the capital improvements related to the additional development have been included in the locality's capital improvement program. All impact fees collected shall be used by the locality for the purpose of completing capital improvements specified in the ordinance.

#### 2-4. COLONIAL COMMUNITY CRIMINAL JUSTICE BOARD

James City County supports funding for substance abuse programs serving individuals involved in the criminal justice system. While the State is cutting programs in response to the budget crisis, elimination of substance abuse program funding will have greater long-term financial ramifications for the Commonwealth. For example, every dollar spent on treatment produces savings of over \$7.00 in crime-related spending and lost productivity. James City County supports our local Community Criminal Justice Board's position that the Drug Offender Assessment Fund (Code of Virginia 18.2-251.02), of which our criminal justice system clients contribute, should be increased and used to serve criminal justice clients needing substance abuse programs.

#### 2-5. SUPPORT FOR ENABLING LEGISLATION GRANTING ALL COUNTIES THE AUTHORITY TO IMPOSE A CIGARETTE TAX

James City County urges the General Assembly to grant all counties the authority to impose a tax on cigarettes. In these times of financial difficulty for the State and a resulting cutting of support to localities, it seems logical to extend the same authority to tax cigarettes to counties as is afforded cities and towns.