

Chapter 2
ADMINISTRATION
Article I. In General

Sec. 2-1. Protection of records and other papers.

Article II. Magisterial District, Election Districts and Election Precincts

Sec. 2-2. Designation and boundaries of magisterial district.

Sec. 2-3. Designation and population of election districts.

Sec. 2-4. Election precincts and polling places established.

Sec. 2-4.1. Central absentee voter election district.

Sec. 2-5. Election district boundaries.

Sec. 2-6. One supervisor from each election district.

Article III. Board of Supervisors

Sec. 2-7. Reserved.

Sec. 2-8. Meetings.

Sec. 2-9. Rules.

Sec. 2-10. Disorderly conduct at public meetings.

Sec. 2-10.1 Board of supervisors salaries.

Article IV. Officers and Employees

Division 1. Generally

Sec. 2-11. Official bonds.

Sec. 2-11.1 Disclosures of financial interest.

Sec. 2-12. Required personal liability insurance on privately owned automobiles used on county business.

Sec. 2-13. Virginia retirement system made applicable to eligible persons.

Sec. 2-14. Social Security, extension of Federal Old Age and Survivor's Insurance System to county officers and employees.

Sec. 2-15. Group health and life insurance.

Sec. 2-15.1. Authority to obtain criminal history record information for employees, etc.

Sec. 2.15.2. Homeownership grants for county employees.

Division 2. Specific Officers

Sec. 2-16. County administrator.

Sec. 2-16.1. Police department.

Sec. 2-16.2. Duty of chief of police concerning abandoned or unclaimed tangible personal property.

Sec. 2-16.3. Disposition of unclaimed bicycles and mopeds.

Sec. 2-16.4. False alarms prohibited; penalty.

Sec. 2-16.5. Auxiliary police force.

Sec. 2-16.6. Employment of off-duty police officers and deputy sheriffs.

Article V. Other Boards and Commissions

Sec. 2-17. Economic development authority created.

Sec. 2-17.1. Authority to advise board of supervisors of prospective facilities.

Sec. 2-18. Planning commission.

ARTICLE I. IN GENERAL*

Sec. 2-1. Protection of records and other papers.

(a) No book, record, document or paper belonging to the county or any department, office, board, commission or other agency of the county shall be removed from the office of the custodian thereof without his permission, and then only upon the giving of a receipt therefor, except as may be provided otherwise by law in any case, or except in compliance with a valid subpoena duces tecum issued by a court or officer having jurisdiction in the premises.

(b) No person shall, without proper authority, destroy, tamper with, deface or otherwise damage or alter any book, record, document or paper belonging to the county or any department, office, board, commission or other agency of the county, or fail to return any such item of property to its proper custodian after having taken it from its place of custody as authorized in subsection (a) of this section.

ARTICLE II. MAGISTERIAL DISTRICT, ELECTION DISTRICTS AND ELECTION PRECINCTS

Sec. 2-2. Designation and boundaries of magisterial district.

There shall be one magisterial district to be known and designated as the James City County Magisterial District. The boundaries of such district shall be contiguous with and identical to the boundaries of the county. (Ord. of 7-9-71, § 1; Ord. of 2-11-74)

Sec. 2-3. Designation and population of election districts.

The election districts with populations set forth are as follows:

	<u>Population</u>
Berkeley	9,551
Jamestown	9,429
Roberts.....	9,656
Powhatan	9,621
Stonehouse.....	9,845

(Ord. of 7-9-71, § 2; Ord. of 2-11-74; Ord. No. 55A-14, 5-18-92; Ord. No. 55A-15, 5-17-93; Ord. No. 55A-31, 5-8-01)

Sec. 2-4. Election precincts and polling places established.

(a) Pursuant to authority contained in the Code of Virginia, Chapter 24.2, the precincts and their respective polling places for the county are hereby created and established as set forth in this section.

***State law references**-State law as to counties, cities and towns generally, Code of Va., Title 15.2; counties in particular, Code of Va., §§ 15.2-1200 et. seq.

(b) The precincts for each election district and the polling place for each precinct shall be as set forth below:

Berkeley Election District:

Berkeley Precinct A- James City-Williamsburg Community Center polling place.

Berkeley Precinct B - Jamestown High School polling place.

Berkeley Precinct C - Jamestown High School polling place.

Jamestown Election District:

Jamestown Precinct A - Clara Byrd Baker Elementary School polling place.

Jamestown Precinct B - Rawls Byrd Elementary School polling place.

Roberts Election District:

Roberts Precinct A - Mt. Gilead Baptist Church polling place.

Roberts Precinct B - James River Elementary School polling place.

Roberts Precinct C - Grace Baptist Church polling place.

Powhatan Election District:

Powhatan Precinct A - D.J. Montague Elementary School polling place.

Powhatan Precinct B - Christian Life Center.

Powhatan Precinct C - Greensprings Chapel polling place.

Powhatan Precinct D - Warhill High School.

Stonehouse Election District:

Stonehouse Precinct A - Toano Middle School polling place.

Stonehouse Precinct B - Norge Elementary School.

Stonehouse Precinct C - Stonehouse Elementary School.

(Ord. of 7-9-71, §§ 1, 2; Ord. of 2-11-74; Ord. No. 55A-7, 7-8-85; Ord. No. 55A-8, 2-23-87; Ord. No. 55A-14, 5-18-92; Ord. No. 55A-15, 5-17-93; Ord. No. 55A-16, 7-18-94; Ord. No. 55A-19, 4-17-95; Ord. No. 55A-24, 7-8-97; Ord. No. 55A-25, 4-28-98; Ord. No. 55A-31, 5-8-01; Ord. No. 55A-33, 5-10-05; Ord. No. 55A-36, 5-8-07)

Sec. 2-4.1. Central absentee voter election district.

(a) There is hereby established for the county a central absentee voter election district for all elections as defined by section 24.2-712 of the Code of Virginia (1950), as amended. The polling place of the central absentee voter election district shall be located in close proximity to the registrar's office.

(b) The central absentee voter election district shall conform in all aspects with section 24.2-712 of the Code of Virginia (1950), as amended.

(Ord. No. 55A-6, 10-15-84; Ord. No. 55A-7, 7-8-85; Ord. No. 55A-9, 1-4-88; Ord. No. 55A-11, 3-18-91; Ord. No. 55A-24, 7-8-97)

Sec. 2-5. Election district boundaries.

Berkeley Election District:

Berkeley Precinct A. Beginning at the intersection of State Route 199 and State Route 615 (West) extended to intersect with State Route 615 (East); thence northerly following the centerline of State Route 199 to its intersection with State Route 612; thence westerly following the centerline of State Route 612 to its intersection with an unnamed dirt road 577 feet south of State Route 658; thence northeasterly following the centerline of the unnamed dirt road projected 706 feet across State Route 199 to its intersection with an unnamed dirt road parallel to State Route 199; thence northerly following the centerline of the unnamed dirt road to its intersection with State Route 658; thence northerly following the centerline of State Route 658 to

its

Supp. No. 22, 6-07

intersection with U.S. Route 60; projecting the centerline of State Route 658 easterly to its intersection with the southwest corner of Parcel (33-3) (1-10); thence easterly along the southern property line of Parcel (33-3) (1-10) to the James City County-York County boundary line; thence southerly along the James City County-York County boundary line to its intersection with the James City County-Williamsburg boundary line; thence southerly along the James City County-Williamsburg boundary line to its intersection with State Route 615 and State Route 616; thence westerly along the centerline of State Route 615 (East) extended to intersect with State Route 615 (West); thence westerly along the centerline of State Route 615 (West) to its intersection with State Route 5; thence easterly following the centerline of State Route 5 to its intersection with Mill Creek; thence northerly following the centerline of Mill Creek to its intersection with State Route 199; thence northerly following the centerline of State Route 199 to the point of beginning.

Berkeley Precinct B. Beginning at the intersection of State Route 5 and Mill Creek; thence southerly following the centerline of Mill Creek to its intersection with State Route 629; thence west following the centerline of State Route 629 to its intersection with State Route 615; thence southerly following the centerline of State Route 615 to its intersection with State Route 681; thence southerly following the centerline of State Route 681 to its intersection with State Route 31; thence westerly following the centerline of State Route 31 to its intersection with State Route 614; thence northerly following the centerline of State Route 614 to its intersection with State Route 5; thence westerly following the centerline of State Route 5 to the point where it intersects Shellbank Creek; thence southerly following the centerline of Shellbank Creek extended to the centerline of the James River; thence westerly following the centerline of the James River to the centerline of the Chickahominy River and the James City County-Charles City County boundary line; thence northerly following the centerline of the Chickahominy River and the James City County-Charles City County boundary line to its intersection with State Route 5; thence easterly following the centerline of State Route 5 to the point of beginning.

Berkeley Precinct C. Beginning at the intersection of State Route 615 and State Route 5; thence westerly following the centerline of State Route 5 to its intersection with the Charles City County-James City County boundary line at the centerline of the Chickahominy River; thence north following the Charles City County-James City County boundary and the centerline of the Chickahominy River to the extended centerline of Gordon Creek; thence easterly following the centerline of Gordon Creek to Pine Woods Creek; thence following the centerline of Pine Woods Creek to its intersection with the southwest corner of Parcel (35-4) (1-9); thence easterly following the northwest boundary of Parcel (35-4) (1-9) to its intersection with State Route 613; thence easterly following the centerline of State Route 613 to its intersection with State Route 614; thence northerly following the centerline of State Route 614 until its intersection with State Route 613; thence easterly following the centerline of State Route 613 to its intersection with Old News Road; thence following the centerline of Old News Road to its intersection with State Route 615 (West); thence southerly following the centerline of State Route 615 (West) to the point of beginning.

Jamestown Election District:

Jamestown Precinct A. Beginning at the intersection of the projected centerline of Mill Creek and the centerline of the James River; thence north following the centerline of Mill Creek to Lake Powell; thence northwest following the centerline of Lake Powell to Mill Creek; thence following the centerline of Mill Creek to its intersection with State Route 629; thence westerly following the centerline of State Route 629 to its intersection with State Route 615; thence south following the centerline of State Route 615 to State Route 681; thence south following the centerline of State Route 681 to State Route 31; thence southerly following the centerline of State Route 31 to its intersection with State Route 614; thence north following the centerline of State Route 614 to its intersection with State Route 5; thence west following the centerline of State Route 5 to its intersection with Shellbank Creek; thence south following the centerline of Shellbank Creek extended to the centerline of the James River; thence easterly following the centerline of the James River to the point of beginning.

Jamestown Precinct B. Beginning at the intersection of the projected centerline of Mill Creek and the centerline of the James River; thence north following the centerline of Mill Creek to Lake Powell; thence northwest following the centerline of Lake Powell to Mill Creek; thence following the centerline of Mill Creek to its intersection with State Route 199; thence northerly following the centerline of State Route 199 to its intersection with State Route 615 (West) extended to intersect with State Route 615 (East); thence easterly following the centerline of State Route 615 (East) to its intersection with the James City County-Williamsburg boundary line; thence southerly following the James City County-Williamsburg boundary line to its intersection with College Creek; thence southerly following the centerline of College Creek 2,456 feet to its intersection with the extended centerline of an unnamed dirt road; thence following the centerline of the unnamed dirt road to its intersection with Marclay Road; thence westerly following the centerline of Marclay Road to its intersection with State Route 617; thence southerly following the centerline of State Route 617; projecting the centerline of State Route 617 to its intersection with the centerline of the James River; thence westerly following the centerline of the James River to the point of beginning.

Powhatan Election District:

Powhatan Precinct A. Beginning at the intersection of State Route 614 and the Dominion Resources Inc. Transmission Easement; thence northerly following the centerline of the Dominion Resources Inc. Transmission Easement to its intersection with Yarmouth Creek; thence following the centerline of Yarmouth Creek to Shipyard Creek; thence following the centerline of Shipyard Creek to the Chickahominy River; thence southerly following the Chickahominy River and the James City County-Charles City County boundary line to its intersection with the projected centerline of Gordon Creek; thence easterly following the centerline of Gordon Creek to Pine Woods Creek; thence following the centerline of Pine Woods Creek to its intersection with the southwest corner of Parcel (35-4) (1-9); thence easterly following the northwest boundary of Parcel (35-4) (1-9) to its intersection with State Route 613; thence easterly following the centerline of State Route 613 to its intersection with State Route 614; thence north following the centerline of State Route 614 to its intersection with State Route 613; thence easterly following the centerline of State Route 613 to its intersection with Powhatan Creek; thence northerly following the centerline of Powhatan Creek until its intersection with State Route 612; thence westerly following the centerline of State Route 612 until its intersection with State Route 614; thence northerly following the centerline of State Route 614 to the point of beginning.

Powhatan Precinct B. Beginning at the intersection of State Route 614 and the high power electrical line right-of-way east of Linwood Drive; thence westerly following the centerline of State Route 614 to its intersection with State Route 612; thence easterly following the centerline of State Route 612 to a point 105 feet east of the centerline of the Lafayette High School main entrance road; thence on a line due north until its intersection with the high power electrical line right-of-way at the unnamed dirt road 2,767 feet southeast of State Route 614; thence northwesterly along the high power electrical line right-of-way to the point of beginning.

Powhatan Precinct C. Beginning at the intersection of State Route 613 and Powhatan Creek; thence easterly following the centerline of State Route 613 to its intersection with Old News Road; thence following the centerline of Old News Road to its intersection with State Route 615 (West); thence following to a point where State Route 615 (West) extended to State Route 615 (East) intersects with State Route 199; thence northerly following the centerline of State Route 199 to its intersection with State Route 612; thence westerly following the centerline of State Route 612 to its intersection with Powhatan Creek; thence southerly following the centerline of Powhatan Creek to the point of beginning.

Powhatan Precinct D. Beginning at the intersection of U.S. Route 60 and State Route 614; thence westerly following the centerline of State Route 614 to its intersection with the high power electrical line right-of-way east of Linwood Drive; thence southeasterly along the centerline of the high power electrical line right-of-way

to its intersection with an unnamed dirt road 2,767 feet from State Route 614; thence due south in a straight line until it intersects with the centerline of State Route 612, 105 feet east of the centerline of the Lafayette High School main entrance road; thence easterly following the centerline of State Route 612 to its intersection with an unnamed dirt road 577 feet south of State Route 658; thence northeasterly following the centerline of the unnamed dirt road projected 706 feet across State Route 199 to its intersection with an unnamed dirt road parallel to State Route 199; thence northerly following the centerline of the unnamed dirt road to its intersection with State Route 658; thence northerly following the centerline of State Route 658 to its intersection with U.S. Route 60; projecting the centerline of State Route 658 easterly to its intersection with the southwest corner of Parcel (33-3) (1-10); thence easterly along the southern property line of Parcel (33-3) (1-10) to the James City County-York County boundary line; thence northerly along the James City County-York County boundary line to the point of beginning.

Roberts Election District:

Roberts Precinct A. Beginning at the most southerly point where the centerline of State Route 199 intersects the York County boundary line; thence easterly following the James City County-York County line to the junction with the Newport News city line; thence southerly following the James City County-Newport News boundary line to its intersection with U.S. Route 60; thence westerly following the centerline of U.S. Route 60 to its intersection with the James City County-York County boundary line; thence westerly along the James City County-York County boundary line to its intersection with Kingsmill Road; thence westerly along the centerline of Kingsmill Road to its intersection with Mounts Bay Road; thence northerly along the centerline of Mounts Bay Road to its intersection with State Route 199; thence easterly following the centerline of State Route 199 to the point of beginning.

Roberts Precinct B. Beginning at the most southerly point where the centerline of Mounts Bay Road intersects State Route 199; thence southerly along the centerline of Mounts Bay Road to its intersection with Kingsmill Road; thence easterly along the centerline of Kingsmill Road to its intersection with the James City County-York County boundary line; thence easterly following the James City County-York County boundary line to its intersection with U.S. Route 60; thence easterly following the centerline of U.S. Route 60 to its intersection with the Newport News city line; thence southerly following the James City County-Newport News boundary line to the centerline of the James River and the James City County-Surry County boundary line; thence westerly following the centerline of the James River to a point where it intersects the extended centerline of College Creek; thence following the centerline of College Creek to a point where it intersects the Colonial Parkway; thence northerly following the centerline of the Colonial Parkway to its intersection with Halfway Creek; thence northerly following the centerline of Halfway Creek to confluence of Tutter's Neck Creek; thence northerly along the centerline of Tutter's Neck Creek to its intersection with State Route 199; thence easterly following the centerline of State Route 199 the point of beginning.

Roberts Precinct C. Beginning at the most southerly point where centerline of State Route 199 intersects the York County boundary line; thence northerly following the James City County-York County boundary line to its intersection with the Williamsburg City limits; thence westerly following the Williamsburg City limits to its intersection with College Creek; thence southerly following the centerline of College Creek 2,456 feet to its intersection with the extended centerline of an unnamed dirt road; thence following the centerline of the unnamed dirt road to its intersection with Marclay Road; thence westerly following the centerline of Marclay Road to its intersection with State Route 617; thence southerly following the centerline of State Route 617; projecting the centerline of State Route 617 to its intersection with the centerline of the James River; thence easterly following the centerline of the James River to a point where it intersects the extended

centerline of College Creek; thence following the centerline of College Creek to a point where it intersects the Colonial Parkway; thence northerly following the centerline of the Colonial Parkway to its intersection with Halfway Creek; thence northerly following the centerline of Halfway Creek to confluence of Tutter's Neck Creek; thence northerly along the centerline of Tutter's Neck Creek to its intersection with the State Route 199; thence easterly following the centerline of State Route 199 to the point of beginning.

Stonehouse Election District:

Stonehouse Precinct A. Beginning at the intersection of the New Kent County-James City County boundary line and State Route 30; thence south following the centerline of State Route 30 to U.S. Route 60; thence southerly following the centerline of U.S. Route 60 to its intersection with an unnamed tributary of Yarmouth Creek 736 feet east of Oakland Drive; thence southwest following the center of the unnamed creek to Cranston Mill Pond; thence west following the centerline of Cranston Mill Pond to Yarmouth Creek; thence west following the centerline of Yarmouth Creek to Shipyard Creek, thence west following the centerline of Shipyard Creek; projecting the centerline of Shipyard Creek to its intersection with the centerline of the

Chickahominy River and the James City County-Charles City County boundary line; thence northerly following the centerline of the Chickahominy River and the James City County- Charles City County boundary line to its intersection with the New Kent County-James City County boundary line; thence easterly following the New Kent County-James City County boundary line to the beginning.

Stonehouse Precinct B. Beginning at the intersection of State Route 30 and New Kent County-James City County boundary line; thence easterly following the New Kent County-James City County boundary line to the centerline of the York River; thence easterly following the centerline of the York River and the James City County line to a point being the corner of the James City County-York County boundary line; thence southerly following the James City County-York County line to its intersection with U.S. Route 64; thence northerly following the centerline of U.S. Route 64 to its intersection with U.S. Route 30; thence northerly following the centerline of U.S. Route 30 to the beginning.

Stonehouse Precinct C: Beginning at the intersection of State Route 30 and U.S. Route 64; thence southerly following the centerline of U.S. Route 64 to its intersection with the James City County-York County boundary line; thence southerly following the James City County-York County line to its intersection with U.S. Route 60; thence south following the centerline of U.S. Route 60 to State Route 614; thence west following the centerline of State Route 614 to its intersection with the Dominion Resources Inc. Transmission Easement; thence northerly following the centerline of the Dominion Resources Inc. Transmission Easement to its intersection with Yarmouth Creek; thence westerly following the centerline of Yarmouth Creek to Cranston Mill Pond; thence northerly from Cranston Mill Pond following the centerline of an unmade tributary of Yarmouth Creek to its intersection with U.S. Route 60, 736 feet east of Oakland Drive; thence northwesterly following the centerline of U.S. Route 60 to its intersection with State Route 30; thence northerly following the centerline of State Route 30 to the beginning.

(Ord. of 7-9-71, § 3; Ord. of 2-11-74; Ord. of 4-12-76; Ord. No. 55A-3, 5-26-81; Ord. No. 55A-12, 5-6-91; Ord. No. 55A-14, 5-18-92; Ord. No. 55A-15, 5-17-93; Ord. No. 55A-16, 7-18-94; Ord. No. 55A-18, 1-23-95; Ord. No. 55A-19, 4-17-95; Ord. No. 55A-23, 6-10-97; 55A-25, 4-28-98; Ord. No. 55A-31, 5-8-01; Ord. No. 55A-33, 5-10-05; Ord. No. 55A-36, 5-8-07)

Sec. 2-6. One supervisor from each election district.

One supervisor shall be elected from each election district as created under this chapter.
(Ord. of 2-11-74)

ARTICLE III. BOARD OF SUPERVISORS*

Sec. 2-7. Reserved.

Sec. 2-8. Meetings.

Annual, semi-annual and regular meetings of the board of supervisors shall be held at the County Government Center, 101-C Mounts Bay Road, Williamsburg, Virginia, unless an alternate site is designated by resolution of the board. (Ord. No. 55A-4, 4-12-82)

State law references-Meetings of boards of supervisors, Code of Va., §§ 15.2-1415, 15.2-1417, 15.2-1242; Virginia Freedom of Information Act, Code of Va., §§ 2.1-340-2.1-346.

***State law references**-Provisions relative to county boards of supervisors generally, Code of Va., § 15.2-1400 et seq.; adoption of ordinances, Code of Va., § 15.2-1425 et. seq.

Sec. 2-9. Rules.

The board of supervisors may, by resolution or ordinance, promulgate rules:

- (a) Governing the conduct of its members with respect to their official duties and transactions and with respect to the ethics of office, and imposing penalties for the violation thereof;
- (b) Providing for the attendance at its meetings of the sheriff of the county or, at his option, one of his deputies, to preserve order and to discharge such other duties as may be necessary for the dispatch of such business as may be before the board;
- (c) Providing for the attendance at its meetings of such other county officers and employees as may be helpful to the board by providing information, opinions and advice;
- (d) Providing for the order of business and parliamentary proceedings at its meetings;
- (e) Providing for the appointment, powers and duties of standing and special committees;
- (f) Providing for executive sessions of the board; but no ordinance or resolution shall be offered and no final vote, decision or action shall be taken on any question or subject during an executive session;
- (g) Providing for the compulsory attendance of witnesses and the production of books and papers before the board or any of its committees; and
- (h) For such other purposes not contrary to state law, this Code or other ordinance as may be within the power of the board of supervisors for the regulation of the conduct of its business.

State law reference-Executive sessions, Code of Va., § 2.1-344.

Sec. 2-10. Disorderly conduct at public meetings.

It shall be unlawful for any person to behave in a riotous or disorderly manner in any public meeting of the board of supervisors or any committee, division, agency, officer or other authority thereof, or to cause any unnecessary disturbance therein, by force, shouting or any other action calculated to disrupt such meeting, or to refuse to obey any ruling of the presiding officer of such meeting relative to the orderly process thereof. Any person who violates this section shall be punished by fine not exceeding one thousand dollars (\$1,000.00) or by confinement in jail not exceeding 12 months, or both, in the discretion of the jury or of the court trying the case without a jury.

Cross reference-Disorderly conduct generally, § 15-14.

State law reference-Similar provisions, Code of Va., § 18.2-415.

Section 2-10.1. Board of supervisor salaries.

The members of the board of supervisors shall be paid a yearly salary of \$7,000.00; in addition, the chairman and vice chairman shall receive the sums of \$1,800.00 and \$1,200.00 respectively; such compensation to be paid in monthly installments. The compensation set forth in this section shall become effective July 1, 2000.

State law reference-Code of Va., § 15.2-1414.3.

ARTICLE IV. OFFICERS AND EMPLOYEES*

DIVISION 1. GENERALLY

Sec. 2-11. Official bonds.

All officers, employees and agents of the county who are required to give bond shall give bond with corporate surety, and the county shall pay the premium therefor, except the treasurer, who may give bond as provided in section 15.2-1532 of the Code of Virginia.

State law reference-For state law as to payment by county of premiums on official bonds having corporate surety, see Code of Va., § 15.2-1532.

Section 2-11.1. Disclosures of financial interest.

Annually by January 15 of each year or otherwise within 21 days of formal notification of appointment or employment, the members of the board of supervisors and of the school board, and the county administrator, the assistant county administrator, the county attorney, the manager of financial and management services, the manager of development management, the director of planning, the director of code compliance, the zoning administrator, the capital projects administrator, the director of the environmental division, the general manager of the James City Service Authority, and the human resources manager shall file, as a condition to assuming or holding office or employment, a disclosure statement of personal interests and such other information as required on the form or forms specified in section 2.1-639.15 of the Code of Virginia, as amended.

For purposes of this section, formal notification of appointment for appointees to the boards is deemed to be the date that the clerk mails notice of appointment and blank disclosure forms to the appointee. Formal notification of employment for employees is deemed to be the date the financial disclosure form is distributed to the employee by his or her appointing authority.

State law reference - Code of Va. § 2.1_639.14 - Disclosure by local government officers and employees. (Ord. No. 55A-29, 2-8-00)

Sec. 2-12. Required personal liability insurance on privately owned automobiles used on county business.

Each county officer and employee who uses his personal automobile at any time on county business shall file with the board of supervisors a certificate of insurance showing that he has in effect a liability insurance policy on such personal automobile in the minimum amount of \$25,000.00 because of bodily injury to or death of any one person and, subject to such limit for one person, in the amount of \$30,000.00 because of bodily injury to or death of two or more persons in any one accident, and in the minimum amount of \$5,000.00 because of injury to or destruction of property in any one accident. (7-7-52)

State law reference-For state motor vehicle law definition of "financial responsibility," see Code of Va., § 46.1-1, subsec. (8).

***State law reference**-County and municipal officers generally, Code of Va., § 15.2-1522 et seq.

Sec. 2-13. Virginia retirement system made applicable to eligible persons.

The board of supervisors hereby resolves and elects to have such of the employees and officers of the county, who are regularly employed full time on a salary basis, and whose tenure is not restricted as to temporary, or provisional appointment, to become eligible, effective as of January 1, 1959, to participate in the Virginia retirement system, under the conditions set forth in title 51, chapter 3.2, sections 51-111.9 through section 51-111.67 of the Code of Virginia, and said county agrees to pay its cost for participation of its employees for all services for James City County beginning January 1, 1944 for which credit is authorized and established on forms required by the retirement board and for membership service in the system after such date and also to deduct from said employees' wages and pay over in the manner prescribed, the respective amounts required by law. (Ord. No. 12-1-58)

Sec. 2-14. Social Security; extension of Federal Old Age and Survivor=s Insurance System to county officers and employees.

The county is hereby authorized to enter into agreement with the board of trustees of the Virginia retirement system whereby the old age and survivors insurance system established by title two of the federal Social Security Act as amended in 1950 shall be extended to services performed by individuals as employees of James City County. Such extension being pursuant to and in accordance with section 218 of the federal Social Security Act, and the chairman of the county board of supervisors is authorized to execute the plan of agreement between the County of James City and the aforesaid trustees. This section shall be retroactive and effective as of January 1, 1951. (Ord. No. 3-27-52)

Sec. 2-15. Group health and life insurance.

(a) Pursuant to authority contained in section 51-112 of the Code of Virginia, there is hereby established a fund for the payment of premiums for group health and life insurance, to be funded from time to time by such amounts as may be necessary from the treasury of the county, and through payroll deductions from the participants, in such proportion as may be prescribed by resolution of the board of supervisors.

(b) The board of supervisors is hereby authorized and empowered to contract with any insurance company or companies to implement and carry into effect such group policies. (Ord. No. 1-10-72.)

Sec. 2-15.1. Authority to obtain criminal history record information for employees, etc.

The county administrator or his designees, is authorized to obtain criminal history record information from the Virginia Central Criminal Records Exchange of the Department of State Police on county employees and any applicant for employment, applicant for volunteer position, a permit or a license with the county to determine if the past criminal conduct of a person with a conviction record would be compatible with the nature of the employment, volunteer position, permit, or license.
(Ord. No. 55A-26, 10-12-99)

Sec. 2-15.2. Homeownership grants for county employees.

Subject to the appropriation of funds, excluding state funds, by the county board, the county administrator shall establish a program to provide grants to employees of the county and employees of the constitutional officers for use toward the purchase of a primary residence within the county or the City of Williamsburg. Lifetime cumulative grants shall not exceed \$5,000.00 per employee. The county administrator is authorized

to take all actions deemed necessary or appropriate to establish and administer the program, including the establishment of terms and conditions, and to ensure that the program meets any applicable requirements of the law.

(Ord. No. 55A-34, 4-11-06; Ord. No. 55A-37, 7-10-07)

State law reference - Code of Va., §15.2-958.2.

DIVISION 2. SPECIFIC OFFICERS

Sec. 2-16. County administrator.

The board of supervisors hereby creates the office of county administrator, which shall be filled by appointment by the board of supervisors under the provisions of section 15.2-406 of the Code of Virginia. (Ord. No. 55A-21, 11-26-96)

Sec. 2-16.1. Police department.

(a) The James City County Department of Police is hereby created pursuant to section 15.2-1701 of the Code of Virginia, 1950, as amended.

(b) The department shall consist of the chief of police who shall administer the department and who shall be appointed by the county administrator.

(c) The department shall also consist of such other officers and patrolmen and other personnel as shall be authorized by the board.

(d) The department shall be provided such funds as are deemed appropriate by the board. (Ord. No. 55A-2, 1-14-80; Ord. No. 55A-17, 9-6-94)

Sec. 2-16.2. Duty of chief of police concerning abandoned or unclaimed tangible personal property.

(a) *Disposition generally.* The chief of police is authorized to provide for the public sale of all unclaimed personal property which has been in possession of the county law enforcement agencies and unclaimed for a period of more than 60 days. As used herein, "unclaimed property" shall be defined to include any personal property belonging to another which has been acquired by a law enforcement officer pursuant to his duties, which is not needed in any criminal prosecution, which has not been claimed by its rightful owner and which the state treasurer has indicated will be declined if remitted under the Uniform Disposition of Unclaimed Property Act.

(b) *Public sale.* Prior to the sale of any unclaimed item, the chief of police, or his designee, shall make reasonable attempts to notify the rightful owner of the property, obtain from the commonwealth's attorney a written statement advising that the item is not needed in any criminal prosecution, and cause to be published in a newspaper of general circulation in the county, once a week for two successive weeks, notice that there will be a public sale of unclaimed personal property. Such property shall be described generally in the notice, together with the date, time and close of the sale. The costs of advertisement, removal, storage, investigation as to ownership and liens, and notice of sale shall be paid from the proceeds of the sale. The balance of the proceeds shall be held by the chief of police, or his designee, for the owner and paid to such individual upon satisfactory proof of ownership.

In the event no claim is made by the owner for the proceeds of the sale within 60 days of the sale, the after-costs proceeds shall be deposited in the general fund of the county. Any owner shall be entitled to apply to the county within three years from the date of sale for the after-cost proceeds of the sale. If such a timely application is made, the county shall pay the monies properly due to the owner without interest or additional charges. No claim shall be made nor any suit, action or proceeding be instituted for the recovery of such monies after three years from the date of sale.

(Ord. No. 55A-5, 10-17-83)

State law reference-Code of Va., §15.2-1719 - Authority to dispose of unclaimed property in possession of sheriff or police.

Sec. 2-16.3. Disposition of unclaimed bicycles and mopeds.

The chief of police is authorized to donate to any government agency or qualifying charitable organization any bicycle or moped which has been in the possession of the police department for more than 60 days. For the purposes of this section, a qualifying charitable organization means a nonprofit or civic organization which serves, in whole or in part, residents of James City County and which is exempt under Section 501(c)(3) of the United States Internal Revenue Code. Prior to donating any bicycle or moped, the chief of police or his designee shall make a reasonable attempt to notify the rightful owner of the property and publish a notice indicating the location and general description of the bicycle or moped at least once a week for two successive weeks in a newspaper of general circulation within the County.

(Ord. No. 55A-20, 12-18-95)

State law reference-Code of Va., § 15.2-1720.

Sec. 2-16.4. False alarms prohibited; penalty.

(a) The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) "*Alarm system*" means an assembly of equipment arranged to signal an unlawful entry or other unlawful activity requiring the urgent attention at a protected premises and to which a law enforcement agency is expected to respond. The term shall include, but not be limited to, localized or audible alarms.
- (2) "*Alarm user*" means any person in control of any protected building, structure, or protected premises where an alarm system is maintained.

(3) “*False alarm*” means an alarm signal eliciting a response from a law enforcement agency when a situation requiring such response does not in fact exist. However, it shall not include an alarm signal caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm user or alarm company operator.

(b) It shall be unlawful for any user to send a false alarm.

(c) For each false alarm after three false alarms originating from the same premises within a thirty-day period, there is hereby imposed a civil penalty in the amount of one hundred dollars for each such false alarm.

(d) The police chief shall bill each user responsible for the false alarm the appropriate amount of penalty as set forth above. All such penalties shall be paid within thirty days of billing. Any user who is more than thirty days delinquent in the payment of such bill shall not receive police department emergency response service to any alarm based on activation of the alarm system until the user has satisfied such debt.

(e) The penalty set forth in this article shall not apply to any premises equipped with a fire alarm system used, owned, or occupied by the Commonwealth of Virginia, its agencies, or political subdivisions, but all the other provisions including the termination of service, shall apply to them.

(Ord. No. 55A-22, 11-26-96)

State law reference-Code of Va., §15.2-911 - Authority to regulate alarm systems.

Sec. 2-16.5. Auxiliary police force.

a) There is hereby created a volunteer auxiliary police force which shall be designated the James City County Auxiliary Police Force. Member of the James City County Auxiliary Police Force shall have all the powers, authorities, and immunities of full-time law-enforcement officers.

b) Members of the James City County Auxiliary Police Force shall be designated as Auxiliary Officers. Auxiliary officers shall be appointed by the county administrator or his designee. Such appointments may be revoked at any time at the sole discretion of the county administrator or his designee. The number of auxiliary officers shall not exceed 25. Auxiliary officers shall have good moral character, have the status of volunteer, and shall receive no compensation or other benefits except liability and disability coverage.

c) Auxiliary officers who have been trained in accordance with the provisions of Virginia Code Section 15.2-1731B may be called into service by the chief of police to aid and assist full-time law-enforcement officers in the performance of their duties. The auxiliary officers shall be under the supervision of the chief of police or his designee and shall wear the prescribed uniform.

d) The county administrator or his designee is authorized to prescribe and promulgate rules and regulations governing the qualifications, manner of selection, training, uniforms, and equipment of auxiliary police officers. Such rules and regulations shall require that all auxiliary officers satisfy all training requirements established by The Department of Criminal Justice Services. The badges of auxiliary officers shall be distinguishable from those of full-time law-enforcement officers.

(Ord. No. 55A-27, 10-12-99)

State law reference - Code of Va., § 15.2-1731 et seq.

Supp. No. 4, 2-00

Sec. 2-16.6. Employment of off-duty police officers and deputy sheriffs.

Upon individual application to, and approval by, the chief of police or the sheriff, as appropriate, police officers and deputy sheriffs may engage in off-duty employment, including employment which may occasionally require such officers to use their police powers in the performance of such employment, subject to such rules, regulations and conditions applying to such off-duty employment as the chief of police and sheriff, respectively, may prescribe for their departments.

(Ord. No. 55A-28, 12-1-99)

State law reference - Code of Va. §15.2-1712 - Employment of off-duty officers.

ARTICLE V. OTHER BOARDS AND COMMISSIONS

Sec. 2-17. Economic development authority created.

(a) There is hereby created a political subdivision of the Commonwealth of Virginia with such public and corporate powers as are set forth in the Industrial Development and Revenue Bond Act (chapter 49, title 15.2 of the Code of Virginia), including such powers as may hereafter be set forth from time to time in that act.

(b) The name of the political subdivision of the commonwealth created hereby shall be the "Economic Development Authority of the County of James City, Virginia." In establishing such an economic development authority, it is the express goal of the board of supervisors of James City County to encourage the authority to pursue and comply with the goals and objectives as set forth in the comprehensive plan, County of James City, adopted October 1975, as amended, and particularly the economic development component thereof.

(Ord. of 9-8-69, § 2; Ord. No. 55A-1, 7-9-79; Ord. No. 55A-35, 6-27-06)

Sec. 2-17.1. Authority to advise board of supervisors of prospective facilities.

The authority shall advise the board of supervisors in writing to the county administrator of any application made by an agent or representative of a prospective facility requesting the authority to issue bonds. It is the purpose of this section to keep the governing body of James City County advised of the potential location of such a facility at the earliest possible date.

(Ord. No. 55A-1, 7-9-79)

Sec. 2-18. Planning commission.

(a) A planning commission is hereby created for this county pursuant to authority contained in sections 15.2-2200, 15.2-2210, and 15.2-2212 of the Code of Virginia. This commission shall consist of no fewer than seven nor more than nine residents of the county, qualified by knowledge and experience to make decisions on questions of community growth and development, each appointed by the board of supervisors for a term of four years. At least one-half of the members of the commission shall be owners of real property. An additional member of the commission may be appointed from the board of supervisors.

(b) The planning commission shall have the powers and perform the duties prescribed for local planning commissions in chapter 22, title 15.2 of the Code of Virginia.

(Ord. of 4-13-53; Ord. of 5-1-67; Ord. No. 55A-10, 8-1-88; Ord. No. 55A-13, 2-18-92)

Supp. No. 20, 6-06