JOINT PUBLIC HEARING
October 26, 1978

A Joint Public Hearing was held October 26, 1978 at 7:30 P.M. by the Elkton Town Council and The Planning Commission for the purpose of hearing public opinion on the proposed amendment to Section 9(9) of the Zoning Ordinance of the Town of Elkton, Virginia: "Setback Building Lines". Mayor Dean called the hearing to order. The following council members were present: B. B. Holt and L. C. Life. Norma Leap, Clerk and Gerald Monger, Superintendent were also present. Planning Commission members present were: G. W. Berry, Hiram Monger and Calvin Shaffer.

The following citizens were present: Mrs. M. W. Lough and Mr. John Edmondson.

The Mayor brought up the question that if a person would not agree with the Town Superintendent's ruling, what would be the person's recourse. The question had been ask by Mr. Calvin Shaffer.

Councilman Holt was not sure but his opinion was that council creates ordinances and any action taken by an employee of the town is subject to review and revocation by the council. If someone disagrees with a decision the proper course of action would be to bring it to the Mayor's attention and if he feels it should be brought to council, he will do so. The council could then act to revoke the action. There is a section which says council should not be responsible for enforcing the ordinances but Councilman Holt felt that council creates the ordinances and should be able to oversee the enforcement of them.

Mayor Dean pointed out that the Zoning Ordinance Book states that questions will first go to the Board of Zoning Appeals and then, if necessary, to the courts.

Councilman Holt said he feels there is an informal way this thing can be handled. The matter could be brought to council's attention and council could discuss the matter with the Town Superintendent and Chief of Police and possibly solve it that way.

Councilwoman Life agreed with this method of solving problems.

Mrs. M. W. Lough agreed with this method of handling problems and with the amendment to the ordinance.

Mr. Calvin Shaffer stated he agreed with the variance, but his only question was how would matters be solved if you didn't agree with the Town Superintendent and Chief of Police's ruling.

Councilman Holt said he feels a person could always come to council and if council does not solve the matter, they have recourse to the courts.

Mr. G. W. Berry questioned if the ordinance does not indicate that the decision will be a joint effort between the Town Superintendent and the Chief of Police and council stated that it does.

The question arose as to what if the Town Superintendent and Chief of Police disagree. The consensus of council was that the council would then have to make the decision.

As there were no further questions, the Public Hearing was closed.

MAYOR: Charles E. Dean
Charles E. Dean, Mayor

RECORDER: Norma R. Leap
Norma R. Leap, Clerk