SPECIAL
COUNCIL MEETING
April 9, 1980

A special council meeting was held Wednesday, April 9, 1980 at 8:00 P.M. in the Council Chambers with the Mayor, Charles E. Dean presiding. The following council members were present: R. R. Dean, H. D. Flory, S. P. H. Flick, B. B. Holt, L. C. Life and C. A. Schumacher. Gerald Monger, Superintendent, Bruce Wiles, Attorney, Sergeant Wayne Ball and Betty Engle, Assistant Clerk were also present.

Councilwoman Life presented to council for First Reading the following ordinance to amend Chapter 7 of the Town Code:

WHEREAS, Section 15.1-376 of the Code of Virginia, 1950, as amended, provides that any city or town may adopt ordinances authorizing owners or occupants of property abutting upon any streets or alleys therein, within such limitations as they may prescribe, to construct and maintain in, upon, and over such streets and alleys, awnings, fire escapes, shutters, signs, cornices, gutters, downspouts, bay windows and other appendages to buildings; and

WHEREAS, the Town Council of the Town of Elkton, Virginia, desires to establish a procedure for the issuance of permits to allow the construction and maintenance of such appendages to buildings where the safety and convenience of vehicular and pedestrian traffic is not adversely affected;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF ELKTON, VIRGINIA THAT THE CODE OF THE TOWN OF ELKTON, VIRGINIA, BE, AND IT HEREBY IS, AMENDED TO ADD THE FOLLOWING SECTION TO CHAPTER 7 OF SAID CODE:

Sec. 7- . Permits required for the construction and maintenance of certain appendages to buildings in, upon, and over streets and alleys.

The owners or occupants of property abutting upon any streets or alleys in the town desiring to construct and maintain in, upon, and over such streets or alleys, awnings, fire escapes, shutters, signs, cornices, gutters, downspouts, bay windows, or other appendages to buildings, must apply to the town council for a permit therefor. Such permit will be issued only if it is determined that any such encroachment will not adversely affect the safety and convenience of vehicular or pedestrian traffic, and any such authority or permission so granted shall be held and deemed to be a license merely and shall be revocable at the pleasure of the council.

A flat fee of $20.00 shall be charged for each permit issued hereunder.

Councilman Schumacher ask about liability developing should anyone be injured on such appendages to buildings. Mr. Wiles stated he did not think there would be any problems to the town under the present status of the law in Virginia.

The regular council meeting will be held Tuesday, April 15th., as there is a meeting on the Elkton Comprehensive Plan on Monday, April 14, 1980.

Councilman Holt informed the council that Chief Lawhorne had been in touch with other towns concerning cutting off every other street light to conserve energy. The consensus is that the saving of electric does not justify the increase in accidents and crime, and he does not recommend the cutting of every other street light if there is any other means of conserving.

Councilman Holt said however, he did have some information on new sodium lights that are much more economical, and would pass this information on to Councilman Schumacher.

Councilman Holt asked about the joint Public Hearing with the Planning Commission in regards to the "Home for Adults". It was decided the Public Hearing would be held at 7:00 P.M., Monday, May 12, 1980 prior to the regular council meeting, and to be advertised on April 17th. and 24th.

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Mr. Monger asked that a letter of credit for Mack Jones be released from the bank.

Councilman Flory made a motion, seconded by Councilman Holt and carried to release this letter of credit.

Councilwoman Life asked the question if it was legal to bring up business not on the agenda at special meetings, and was told as long as all council members were present, or when anyone absent waived notice, it was legal.

As there was no further business, the meeting adjourned.

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

RECORDER: Betty H. Engle
Betty H. Engle, Asst. Clerk