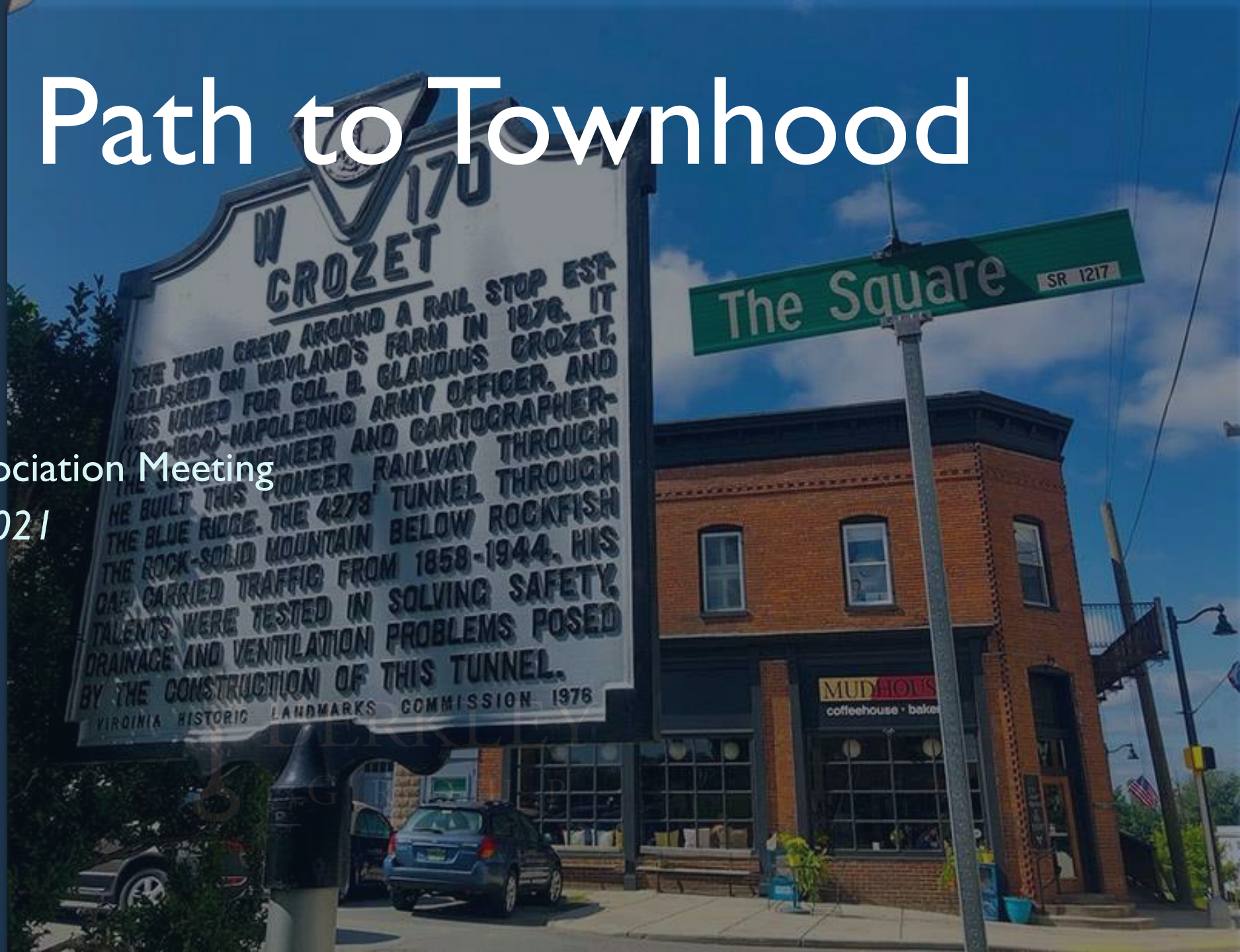


Crozet: Path to Townhood

Crozet Community Association Meeting
Thursday, September 9, 2021

7:30 PM

BERKLEY
GROUP





Berkley Group Introduction

- Formed in 2010
- Passion for serving local government
- *Local government has greatest impact on citizen's lives*
- Team of 40+ individuals
- 100% public focused!

Overview

- Setting the Table...
 - What is a Town? (and a County? And a City?)
 - What Can Towns do?
 - What is the process to become a Town?
 - What are the unknowns?
 - Where to go from here?



What is a Town?

- **Counties, Cities, and Towns**
 - Counties originated as “shires” in 1630s
 - Elected Board and constitutional officers (Sheriff, Clerk of Court, Treasurer, Commission of Revenue, Voter Registrar, etc.)
- **Independent cities: established in Constitution of Virginia in 1902**
 - Separate from counties
 - Code of Virginia: “any independent incorporated community...prior to 1971...or has a defined population of 5,000 or more...”



What is a Town?

- Towns
 - Code of Virginia: “any existing town or incorporated community within in one or more counties...prior to 1971, and defined boundaries with a population of 1,000 or more...”
 - Elected Town Council
 - County may still provide certain services (schools, courts, social services, etc.)
- Still a parts of counties – not independent!

What Can Towns Do?

- Powers of localities
 - Virginia is a Dillon Rule state
 - Localities only have those powers which the General Assembly has “enabled”
 - “Mother May I?”
 - Title 15.2 in Code of Virginia



What Can Towns Do?

- Responsibilities:
 - Police
 - Utilities provision
 - Land Use/Zoning/Subdivisions
 - Streets (>3,500 population or greater)
 - Condemnation
 - Taxing and assessments
 - Issuance of debt

- **VERY** BROAD!



What Can Towns Do?

- **VERY SPECIFIC:**
 - Cemeteries and burials
 - Prohibiting hunting in certain areas
 - Tall Grass and weeds
 - Snow removal from sidewalks



What Can Towns Do?

- Revenue Sources
 - Real estate
 - Personal property
 - Meals tax
 - Sales tax (counties are required to share a portion of sales tax with incorporated towns)
 - Consumer utility tax
 - Business license tax (\$30 with pop. <25k)
 - BPOL Tax – gross business receipts
 - Motor vehicle license
 - Cigarette Tax



What's the Process

1. Solicit community support for town status
2. Work with elected state delegation to solicit support (expedient, but political)
3. Submit petition to circuit court from at least “100 qualified voters within the proposed boundary” (costly – time and treasure)
4. Engage the Commission on Local Government (CLG)



What's the Process

Commission on Local Government (CLG)

- Composed of 5 gubernatorial appointments confirmed by General Assembly
- Housed with the Department of Housing and Community Development (DHCD)



What's the Process

Requirements for Town Incorporation (IVAC50-20-570)

1. Identify the town boundary
2. Petition signed by at least 100 qualified voters residing within the proposed boundary
3. Land Use table showing acreage and % of land currently devoted to various land use categories
4. Past, current, and projected population of the area proposed for incorporation
5. How is the general good of the community served?



What's the Process

- Must elect town officials within 90 days of incorporation (council, clerk, etc.)
- Town Charter is enacted by General Assembly – may supersede state code
- Establish departments typically under supervision of a town manager
 - Manages day to day operations
 - Implements Council's vision
 - Serves at the pleasure of Council



What are the unknowns?

- What is the boundary area proposed?
- What services would the town desire to provide or must provide (e.g., roads/streets)?
- What is the annual cost to provide those services and how does that translate to taxing ability?
- Given the county's continued taxing authority, is it palatable to the community to assume additional tax burden?



Where to go next?

- What is the overall sentiment in the community?
- Work with elected delegation to gauge GA support
- Establish contact with Commission on Local Government to better understand specific requirements
- Base decisions on facts, not emotions
- Follow the process and the **community will!**



THE BERKLEY GROUP

QUESTIONS?

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