REGULAR
COUNCIL MEETING
December 13, 1982

The regular meeting of the Elkton Town Council was held December 13, 1982 at 8:00 P.M. in the council chambers with the Mayor Charles E. Dean presiding. The following council members were present: V. L. Cook Jr., S. P. H. Flick, B. B. Holt, T. G. Hulings and R. L. Snow. R. E. Davis was absent. John Ebbert, Chief of Police, Norma Leap, Clerk, Gerald Monger, Superintendent and Dale Davenport, Attorney were also present.

The minutes of the Regular Meeting November 8, 1982 and the Special Meeting November 26, 1982 were approved as presented and corrected.

Mr. Monger reported that he has the letter he mentioned at the last meeting regarding our part of the cost for the sidewalk on the Route 340 Project. Our estimated cost is $3,436.94. This needs to be signed by the Street Committee.

Mr. Monger reported on a letter from the Department of Housing and Community Development regarding our application for the HUD grant. Out of the possible 1000 points available in the rating system, the town received 435 on the project we presented. Only those applicants receiving over 723 points were offered grants. We have been invited to try again in the spring of 1983.

Mayor Dean reported on a letter from the Town of Grottoes expressing their appreciation for the effort the town put forth in helping them obtain their grant.

Mr. Monger reported that the Memorial Park project is still at a stand still due to the rain and snow. The electric on the Route 340 Project should be completed tomorrow except for taking out the temporary line after the bridge is finished and putting the other piece in. We have received a permit from the State Highway Department on the sewer project on the lower end of town. We will now have to wait until the easements are settled before starting this project.

Chief Ebbert gave out his report for the month of November and reviewed it with council.

Councilman Flick reported that the Finance Committee met November 29th. with all the members present and also Councilman Hulings, Mrs. Leap and Mr. Monger. He presented the following First Reading for the Revenue Sharing funds as proposed by the Finance Committee:

Revenue Sharing Budget EP-14

Radar	$ 2,000.00
Gas Tank	2,000.00
Diamond Jubilee	1,000.00
Fire Company	2,400.00
Automotive Equipment	5,000.00
Repairs - Council Chambers	2,000.00
Air Conditioning - Library	500.00
Door Closers	1,000.00
Walkie Talkies or Automotive Equip.	1,313.00
	$17,213.00

Revenue Sharing Budget EP-6

Machine Maintenance	$ 1,750.00

A Public Hearing on the proposed Revenue Sharing Budget was set for January 10, 1983 at 7:30 P.M. prior to the regular meeting.

Councilman Flick reported that we have some street department funds from last years budget that need to be reappropriated. These will be ready to present at the next meeting.

Councilman Hulings reported that the Electric Committee met November 29th. and discussed some miscellaneous matters, none of which need to come before council.

Mrs. Leap reported that the utility bills should go out by Wednesday if there are no further problems.

Mr. Monger reported that they are still working on the contract with the Elkton Grade School for their electric rate.

Councilman Holt reported that the Ordinance Committee met prior to the council meeting at 7:15 P.M. They have come up with some modifications of existing ordinances which will help in the task of cleaning up the town and keeping it clean. The modifications are to accomplish three things. One, tighten up the requirements so far as junk, junk cars, trash, etc. are concerned on private property or people putting them on public property as well. Two, it will give us a handle for enforcement and three, in case of the junk car ordinance, lay on a possibility of a substantial penalty in the case of non-compliance of the ordinance. Councilman Holt reviewed the proposed ordinances with council and presented the First Reading on the following:

AN ORDINANCE TO AMEND
TITLE IV, CHAPTER 3, SECTION 4-3-1
OF THE CODE OF ORDINANCES OF THE
TOWN OF ELKTON, VIRGINIA

Be it ordained and enacted by the Town Council of the Town of Elkton, Virginia, that Title IV, Chapter 3, of the Code of Ordinances is amended to read as follows:

Sec. 4-3-1 Inspection of vacant property.

The town superintendent shall periodically inspect the vacant property in the town to determine if grass, weeds, other foreign growth, trash, garbage, refuse, litter and any other like items on such vacant property are detrimental to the health, safety or welfare of the inhabitants of the town.

Sec. 4-3-2 Accumulation of junk or rubbish on premises in open view.

No person shall allow any junk or rubbish to be, remain or accumulate on premises owned, used or controlled by such person, or on any street, highway, right-of-way, or on any other lands within this Town, except when such junk or rubbish be in a building or enclosure which hides such junk or rubbish from view.

Sec. 4-3-3 Notice to cut and remove.

When he deems it necessary, the town superintendent may cause a notice to be mailed to the owner of a vacant property in the town (1) specifying the detrimental items described in Section 4-3-1 and 4-3-2 which have been found on the property and (2) directing the owner to cut and/or remove the items from the property or cause junk or rubbish to be placed in a building or enclosure which hides such junk or rubbish from view within fifteen (15) days after the notice is mailed. If the owner is not a resident of the town, the notice shall be mailed to the owner's agent in town, or if there is no agent, to the owner's last known address.

Sec. 4-3-4 Appeal to Council.

Any property owner to whom a notice is sent may appeal in writing to the council within fifteen (15) days after the notice is sent and protest the decision of the town superintendent. The council shall thereupon affirm, modify or overrule the decision which was appealed. Pending

the council decision of an appeal, the owner shall not be required to cut or remove the items on his property.

Sec. 4-3-5 Cutting or removal by town.

(a) If the detrimental items shall remain on the property and/or not placed within a building or enclosure which hides junk or rubbish from view, after the notice period established through Section 4-3-3, and after any extension of that grace period through Section 4-3-4, the town superintendent may cause items to be cut and/or removed from the property at the owner's expense.

(b) All expenses incurred in the cutting of grass, weeds or other foreign growth and the removal of junk or rubbish shall be chargeable to and paid by the owners of the property and shall be collected by the town in the same manner and by the same process as is prescribed for the collection of town taxes. In the event that the costs of removal are not collected by November 1 of the year in which the same accrue, the amount of costs against owners of the property from which grass, weeds, other foreign growth, junk or rubbish are removed shall be placed on the tax bill and shall be collected with the taxes. If such costs are not paid by the time that a penalty would be added to the bill for real estate taxes, such costs shall be collected in the manner and to the extent as exists for the enforcement of demands between individuals. There shall be a lien in favor of the town against the property in question for the amount of any unpaid costs for the removal of such grass, weeds, other foreign growth, junk or rubbish in accordance with the provisions of state law as to liens for unpaid taxes.

Sec. 4-3-6 Mowing required.

Every owner of real estate within the Town of Elkton shall mow or cut any grass, weeds and vegetative matter, not including ornamental flowers and shrubs and garden plants, located on such property, at least once during the period covered by the months of May, June, July, and August each year.

Sec. 4-3-7 Penalty.

The failure by the owner of property to cut, remove or hide items described in Section 4-3-1 and 4-3-2, after being directed to do so pursuant to Section 4-33 or, on appeal, pursuant to Section 4-3-4, shall, after the expiration of the period of notice, constitute a Class 3 misdemeanor, and every seven (7) day period thereafter in which there is a continuing failure to cut or remove shall constitute a separate offense. The failure by the owner of property to comply with the requirement of Section 4-3-6 shall constitute a Class 3 misdemeanor.

AN ORDINANCE TO AMEND
TITLE 8, CHAPTER 2 OF THE
CODE OF ORDINANCES OF THE
TOWN OF ELKTON, VIRGINIA

Be it ordained and enacted by the Town Council of the Town of Elkton, Virginia, that Title 8, Chapter 2, of the Code of Ordinances is amended to revise Section 8-2-1 and to include a new Section 8-2-5, as follows:

Sec. 8-2-1 Keeping of inoperative vehicles prohibited; exceptions.

It shall be unlawful for any person, firm, or corporation to keep, except within a fully enclosed building or structure, on any property zoned for residential or commercial or agricultural purposes any motor vehicle, trailer or semitrailer, as such are defined in Section 46.1-1 of the Code of Virginia, 1950, as amended, whose condition is such that it is economically impractical to make them operative or which has not been substantially operated during a period exceeding one (1) year; provided, however, that the provisions of this chapter shall not apply to a licensed business which on June 26, 1970, was regularly engaged in business as an automobile dealer, salvage dealer or scrap processor. (Ord. of 3/14/77)

Sec. 8-2-5 Penalty.

Violation of Section 8-2-1 shall be a Class 3 misdemeanor.

Chief Ebbert reported he had received a telephone call from the National Drug Rehabilitation in Louisiana. They have three slide presentations on drug abuse; one for Elementary school children, one for Intermediate School and one for High School. Chief Ebbert said this seems to be a good program which he would like to get started in our schools. The cost would be approximately $285.00 for the slides for the three groups. We can send for the slides, review them and return them after ten days if we are not satisfied without any obligation. Councilman Snow recommended we get the slides and review them. Chief Ebbert was instructed to order the slides on a trial basis for review by council and the chief.

As there was no further business, the meeting adjourned.

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

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