

Virginia Town & City

Volume 18
JUNE 1983
Number 6

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Telephone 804/649-8471**Volume 18****JUNE 1983****NUMBER 6****VML President**

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On the Cover:

The James Stewart Singers, a local gospel group, performed as part of the dedication ceremony for Leesburg's Plaza Street Park. The park received a certificate of national merit under HUD's program for community development partnerships. Read about it on page 10.

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People

Kingery Accepts New Post

Charlotte Kingery, director of communications and human services for the Virginia Municipal League, resigned her post to become director of public relations for Chippenham Hospital. Owned by Hospital Corporation of America, Chippenham is one of Richmond's largest hospitals.

As communications director, she was editor of this magazine. She also created and was editor of LEAGUE LETTER, the League's bi-weekly newsletter, and **Human Services**, a monthly newsletter for local social service, mental health and health directors.

Other responsibilities included media relations, the annual VML Achievement Awards program, the Local Government Media Conference and serving as executive secretary for the VA Section, International City Management Association. In recent years she monitored legislation in the human resources area, representing the League in the Virginia General Assembly, and staffed the VML Human Development Policy Committee.

Kingery came to the League in December 1974 as a staff assistant and over the years steadily increased her role with the organization. She was appointed director of communications and human services in July 1981.

She holds a B.A. in political science from VA Tech and a M.S. in mass communications from Virginia Commonwealth University.

Awards Judges Named

Harold I. Baumes, Wayne F. Anderson and Jennifer Lantrip will judge the 1983 VML Achievement

Awards program. Baumes, the chairman, is a retired executive director of the League. He has been a judge since 1977, when the program was created. Anderson, secretary of finance and administration for the Commonwealth of Virginia, is a former city manager. He recently received the first National Public Service Award, sponsored by the American Society for Public Administration and the National Academy of Public Administration. Lantrip is assistant director of the Center for Public Affairs at Virginia Commonwealth University. The awards program was established to recognize local governments that are innovative in bringing services to their citizens or improving management practices.

Wells Retiring

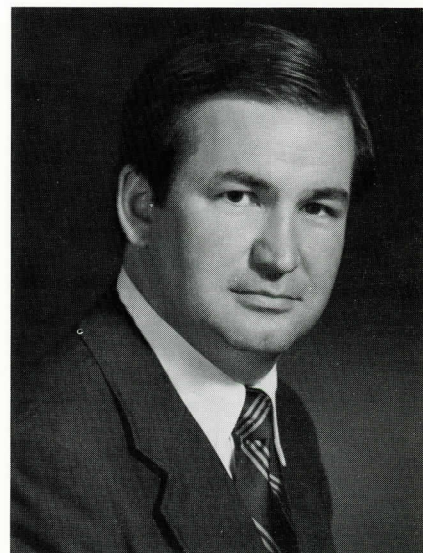
Longtime City Manager Harry E. Wells of Falls Church will retire. Wells has been an employee of the city for more than 34 years. He served in various capacities including treasurer, purchasing agent, property yard manager, registrar of voters, clerk of the municipal court, clerk of the city council and assistant to the city manager before becoming manager in 1964. Perhaps the highlight of Wells' career came July 9, 1979 when council named city hall the Harry E. Wells Building.

Wells studied civil engineering at VA Tech and took public administration courses at the University of Virginia extension school. He is a member of the executive committee of the VA Section, International City Management Association.

Ewert Honored

Roanoke City Manager H. Bern Ewert was one of nine public officials nationwide to receive certificates of commendation for outstanding leadership and achievement in preservation by the National Trust for Historic Preservation.

In recognizing Ewert the organization said, "During the last five years, Ewert has linked preservation with good design, healthy neighborhoods and economic vitality in Roanoke. His fortuitous and comprehensive preservation programs resulted in benefits citywide including a net gain of 41 percent in downtown retail establishments."



Buchanan

VML Conference Sept. 18-20

Pat Buchanan, a leading political strategist and syndicated columnist, is the keynote speaker for the VML Annual Conference September 18-20, 1983 at the Hilton Inn in James City County.

Buchanan is featured on NBC Radio Network's *Confrontation* program. Earlier in his career Buchanan was special assistant to former president Richard M. Nixon.

The August issue of **Virginia Town & City** will include conference registration material and further information on the program.



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Abingdon Police Move to Old Depot

Police officers, town officials and citizens gathered in the N&W Railroad Passenger Depot April 2 to dedicate the building as the new police department for the town of Abingdon.

Built in 1910 by the railroad, the facility was completely renovated by the town government under direction of Abingdon Building Inspector James Snapp. The Western part of the building houses the police headquarters and the Eastern portion has been rented to the Washington County Chamber of Commerce. The chamber expects to move in this month.

Heading the police force is Chief William S. Phillips. Abingdon's mayor is French H. Moore and G.M. (Mickey) Newman is the town manager.



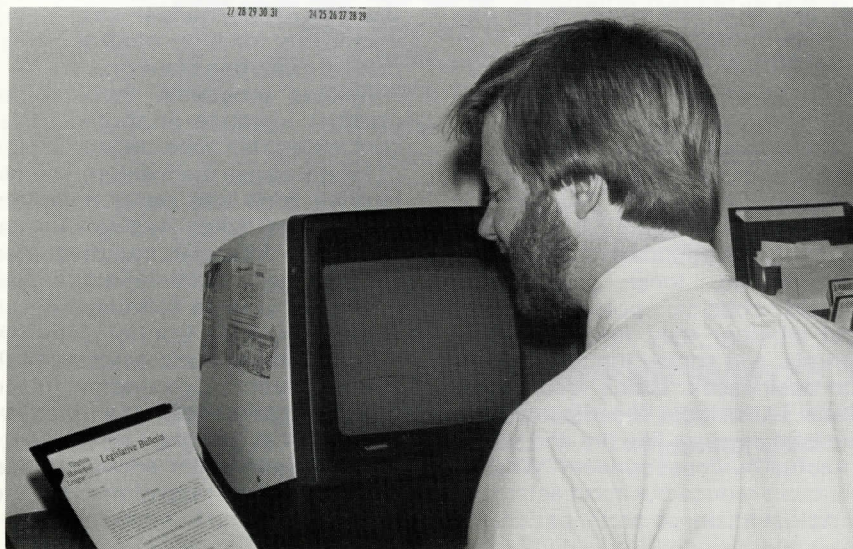
Getting Information To You

To help you react quickly to the activities of the Virginia General Assembly, the Virginia Municipal League updated its office and printing equipment so important information would get to you faster than in previous legislative sessions.

More than a dozen *Legislative Bulletins* averaging 12 pages each were mailed to 500 local officials between January 12 and February 28. Like many statewide organizations, the League wants to keep pace with bills, subcommittees and floor actions.

Deputy Director Brad Harmes

(below) prepares a bulletin on the second word processor purchased by the League for senior staff members to use. Reports, magazine and newsletter copy, and legislative items are composed in the "back office", proofed and sent to the printing room without ever going to the front secretarial office. Clerk Robbie Holmes (right) prints the *Legislative Bulletin* and other materials on a new offset printing press. Reports and manuals that were printed outside or took many weeks to complete are now printed in-house in half the time.



We Want News from your locality for **VIRGINIA TOWN & CITY** magazine. If you have recent appointments, a new facility or a project/program that can benefit other Virginia local governments, let us know. Contact Christy Everson at 804/649-8471.

The Bottom Line for Enterprise Zones: Local Participation

By John C. Brown

While some communities are writing post-mortems on enterprise zones, the real truth is the program is alive and well. Questioning communities should venture outside the federal arena to focus on the 15 states with enterprise zone legislation. While the U.S. Senate Finance Committee was debating the program in late April, Virginia's Department of Housing and Community Development was refining the state program enacted in 1982. Public hearings on guidelines and regulations were completed in early March and apparently within a year one to six state enterprise zones will exist.

The Virginia program, similar to many other state programs, is competitive and requires local governments to offer incentives such as increased public services and reduced regulations and taxes. Before applying for designation each city, county and town obviously wants to know the clear implications of a local commitment—what can be expected and what must be given up. Managers would want to know the longevity, eligibility, initial and long-term costs and benefits of the program in their communities.

State tax concessions (business income tax, individual income tax and sales tax) are directed toward business not residential populations, and will apply to five consecutive tax years. It appears all communities can meet initial eligibility criteria since no minimal population is stated and "at least 25 percent of the designated area's population must have incomes below 80 percent of the median income of the jurisdiction."

Initial costs include staff time for preparing a standardized 12 page application. This will require information on locations and boundaries, barriers to investment, development history, proposed local government incentives, local revitalization efforts, projected impact of local incentives, land use characteristics, projected impact of state incentives, local development ob-

jectives, local assurances and authorization, physical deficiencies and investment opportunities. Local governments also will be required to collect annual data on employment levels of local businesses and the business population.

The key consideration of long-term costs and benefits is less predictable. User charges and local taxes like the business and professional license tax could be scaled down, but attraction and retention of businesses, the proposed benefits of the enterprise zone program, are influenced by a combination of factors. In addition to considering taxes, businesses consider wage rates, access to capital, quality of infrastructure, proximity to labor force and markets, access to training programs, relationships with jurisdictions and a variety of less tangible factors.

In spite of the evidence on minimal impact of state and local tax policy on business location, 25 states do not collect sales taxes on newly purchased industrial equipment and 38 do not levy inventory taxes on goods in transit. Many states and local governments offer tax credits and rapid depreciation to encourage new investment in plants and equipment. Legislation for tax concessions implies a locality must recognize the relative importance of tax factors as a business narrows its location decision to specific sites. In other words, when factors such as access to capital and labor are equal, taxes can provide the deciding factor.

Additional points to consider include the following:

Chances of a successful application. Virginia's Department of Housing and Community Development plans to hold a technical workshop to clarify the application process. In the interim, local governments should consider potential zones and whether they meet eligibility criteria, and survey the needs of local businesses. Match local incentives with local needs. Are increased services like fire and police an actual business concern? What local taxes reduce business activity?

Actual business participation. After state designation a legitimate

question is do businesses actually participate? Businesses and accountants who prepare a company's tax statement will not know enterprise zone incentives exist unless they are told. Marketing costs will be required. The pre-program business survey could measure a business's need plus be the initial marketing tool of the enterprise zone program.

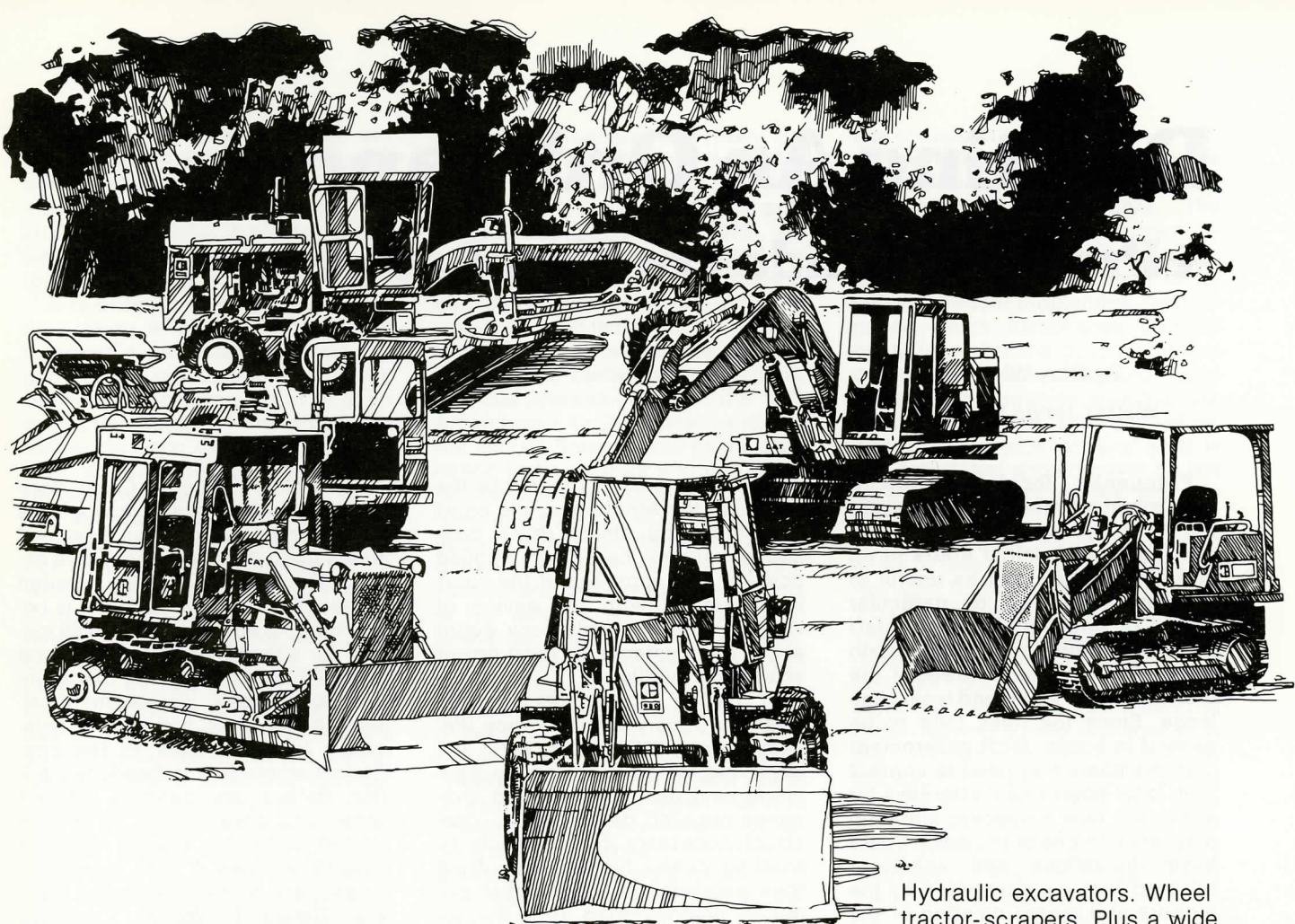
Neighborhood involvement. Communities contemplating life in an enterprise zone should explore ways that economic development, crime prevention and voluntarism can be enhanced to improve neighborhoods. Roanoke Neighborhood Partnership, for example, is a city-wide neighborhood development program that brought three sources of support into the community development process—the business community, neighborhood organizations and voluntary agencies. The major organizational accomplishment of the partnership has been strengthening neighborhood organizations to become active, credible development entities. In one area the local neighborhood organization established a housing committee and brought Allstate Insurance into its planning efforts. Together, Allstate and the neighborhood prepared and printed a guide to housing assistance programs offered by different federal, state and local agencies. The neighborhood organization also prepared a plan with business associations to beautify the city's commercial strip using volunteers for sign control, street cleaning and tree planting.

Related programs. Perhaps the greatest injustice attributed to recent enterprise zone debate is lack of interprogram discussion. The enterprise zone was never meant to stand alone. Some leading corporations and financial intermediaries the Reagan administration has touted for work in economic development, such as Control Data, the Rouse Company and the Local Initiative Support Corporation, place greater importance on the urban development action grant and the economic development administration to broker the participation of private corporations and businesses.

(Continued, page 18)

About the Author

Dr. Brown is assistant professor of urban studies and planning at Virginia Commonwealth University.



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Drafting An Ordinance

A Practical Guide For Non-Lawyers

By Clay Wirt and
Walter Jervis Sheffield

Frequently local government staff members who are not lawyers are asked by local government officials to prepare initial drafts of an ordinance. Drafts can be useful in focusing discussion on particular topics of concern, however, staff members should remember certain legal rules must be followed if the ordinance is to withstand legal challenge. Since the rules tend to be general in scope, local government staff members may need to contact their local government attorneys for advice on how a specific situation may relate to one of the rules. Some basic guidelines and examples adapted from a presentation by the authors at a recent meeting of the Virginia Chapter of the American Planning Association follow.

1. An ordinance must be based on state powers. Local governments do not have inherent powers. They have only state powers delegated to them by state statute, the state constitution or city and town charters. Historically, the Supreme Court of Virginia has upheld what is known as "Dillon's Rule," named after Judge Dillon, chief justice of the Iowa Supreme Court in the late 19th century. Judge Dillon articulated the rule as follows:

It is a general and undisputed proposition of law that a municipal corporation possesses and can exercise the following powers, and no others: First, those granted (by the state) in express words; second, those necessarily or fairly implied in or incident to the powers expressly granted; third, those essential to the accomplishment of the declared objects and purposes of the corporation,—not simply convenient, but indispensable.

The Supreme Court of Virginia has freely upheld ordinances based

on powers expressly granted by the state. On the other hand, the court has frequently struck down ordinances simply based on implied powers. This approach of the court is consistent with the advice of Judge Dillon to resolve any doubt about the existence of local power against its validity.

In *Hylton Enterprises, Inc. v. Board of Supervisors of Prince William County*, 220 Va. 435 (1979), the court invalidated an ordinance regulating land use. The disputed ordinance required developers to construct necessary improvements to existing public highways abutting their subdivisions. Substantial evidence demonstrated that the increase in traffic the developments would generate necessitated the improvements. Several state statutes expressly authorized subdivision ordinances to require developers to pay their share of drainage and sewage facility costs. The statutes also authorized subdivision ordinances to require certain kinds of street grading and other street improvements and to coordinate streets within and contiguous to the subdivision. Nonetheless, the court found a "legislative intent that only provisions explicitly approved by the General Assembly" may be included in local subdivision ordinances.

2. An ordinance must be in harmony with state and federal law. Simply having state statutory or constitutional authority to enact and enforce an ordinance does not make an ordinance valid.

Staffs of most local governments are aware that constitutional rights must also be satisfied. An ordinance must not deprive persons of property without due process; it must apply equally to all persons coming within its purview; it cannot discriminate, deny the equal protection of the laws, or interfere with any other personal or property right guaranteed by the constitution.

Staffs may not be as aware that local ordinances must be in harmony with state and federal laws

and Virginia Supreme Court decisions. A leading example would be the federal antitrust laws designed to maintain the competitive free enterprise system in the United States. The city of Richmond is being sued for approximately \$260 million for alleged violation of federal antitrust laws in a zoning matter involving a hotel development although the state has clearly delegated zoning powers to the city. Claims amounting to nearly two billion dollars are pending against other local governments across the United States for alleged violation of antitrust laws. A 1982 federal antitrust task force of Attorney General Gerald L. Baliles identified about 200 state statutes authorizing local governments to enter into various activities which could violate federal antitrust laws.

3. An ordinance must be reasonable in its terms. The general rule is an ordinance is presumed to be reasonable and valid unless it is clearly shown by those attacking its validity to be unreasonable. If the question of reasonableness is fairly debatable, a court will not substitute its judgment for that of the legislative body.

The Virginia Supreme Court has ruled on the issue of the reasonableness of an ordinance on various occasions. An ordinance which prohibited selling diamonds, watches and clocks at public auction between 6 p.m. and 8 a.m. was held reasonable and valid because of the difficulty of inspecting the goods or determining their value under artificial light, and because purchasers had been and would be misled and defrauded at sales during the prohibited hours.

On the other hand, an ordinance regulating the granting of a license to operate a car for hire that required the applicant to be the owner of the vehicle was held unreasonable and therefore void. The Supreme Court also found an ordinance that required restaurants to provide sanitary "paper" towels to be unreasonable. The court found

About The Authors

Mr. Wirt is staff attorney for the Virginia Municipal League. Mr. Sheffield is city attorney for Fredericksburg and a partner in the firm of Sheffield & Bricken, P.C.

that restricting towels to paper did not bear a real and substantial relation to the public health, safety, morals or general welfare of the city's inhabitants (*National Linen Service Corporation v. City of Norfolk*, 196 Va. 277).

It is difficult to be precise when discussing what is or what is not reasonable. A court decision regarding the reasonableness of any ordinance depends a great deal on subjective factors—the education and experience of the judges, and their attitudes toward society and the activity concerned.

4. An ordinance must be passed in good faith. An ordinance must not be a guise or pretense to do what a municipal corporation is authorized to do, when in truth it is intended to do what the municipal corporation legally cannot do. For example, the law will not allow a locality to deprive an individual the use of his or her land under the guise of a regulation for the preservation of health, when it is manifest that the purpose of the regulation is simply to spite or get even with the owner of the property.

If a local governing body lost a hard fought court battle against local beer wholesalers involving dis-

posable containers and then ordained a \$2,000 annual processing fee for wholesale beer merchant licenses when the actual cost of processing applications was \$15, the ordinance could be invalidated for unreasonableness because it could be clearly shown to be motivated by revenge or bad faith.

5. An ordinance must be precise, definite and certain in expression. The due process clause of the 14th Amendment to the Constitution of the United States requires an ordinance to be definite and certain in its statement of prohibited conduct to enable a person of ordinary intelligence who reads the ordinance to understand what activity is proscribed and govern accordingly his or her actions. An ordinance with terms so vague that persons of common intelligence must guess at its meaning and differ as to its application violates the due process of law.

Assume that a statute forbids the "marrying of persons fifteen years, or younger." May a person who is fifteen years and six months old legally marry? Persons of common intelligence undoubtedly would have to guess about the answer. A precise statute would state "under the

age of sixteen years."

6. An ordinance may not delegate legislative authority to the person charged with enforcement. The principle that we are governed by laws and not by men applies to the enactment and enforcement of local government ordinances. An ordinance which establishes policies (local laws) for the public must be complete as enacted, and must state all the policies which those subject to the ordinance must obey. The question of what is or what is not prohibited should never be left to the judgement of the enforcement staff.

An ordinance setting a varied scale of fees but leaving to the local manager to determine how much or which particular fee an applicant should pay would be void. It delegates too much authority to the manager. Such an ordinance must state the basis for classification of fees—leaving to the manager only the determination into which class the applicant falls. The same would be true of a subdivision ordinance which contains regulations but provides that the particular regulations shall apply "when in the opinion of the zoning officer they are needed."

(Continued, page 12)

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Leesburg's Plaza Street Park

Virginia's low income apartment dwellers have limited recreational opportunity. Renters lack private open space to enjoy picnics or erect play equipment for their children. Yet through a unique plan, Leesburg now provides subsidized apartment dwellers a quality recreational environment to stabilize and even improve their living conditions.

More than 600 children played on shoddy playground equipment in a small area between two high density, low income apartment projects in Leesburg. Tenants loitered in parking lots and stairwells, sometimes consuming alcohol. No picnic or barbeque areas existed and young children usually had to give way to older kids using the play area. Neighbors had trouble finding a spot outdoors just to sit down and talk.

The situation was grim for the residents of Loudoun House and Leesburg Village. Most of them were poor, living there under Section 8, the program reserved by the Department of Housing and Urban Development (HUD) for low and very low income residents whereby tenants pay 25 percent of their income for rent.

Even though Leesburg had little experience in park development, town council accepted the challenge in late 1979 to do something positive about conditions at Loudoun House. First, the town received \$372,400 in Community Development Block Grant Funds of which \$253,600 was earmarked for acquiring land and constructing a neighborhood park to benefit Loudoun House and Leesburg Village residents. Second, the design of the new park would have to address problems stemming from lack of a good, available recreation area.

Selecting A Site

The town was committed to building a high quality park, but choosing and buying a site that would leave sufficient funds to construct the park was a problem. A consulting firm, known for its excellent reputation for environmentally sensitive landscape and recreation design in both public and private projects, was hired to select the site. The site chosen proved to be a plus. It was an underutilized common area within the Loudoun House



complex owned by Management Partnership Inc., the firm managing the complex. Supporting the park's development, Management Partnership agreed to use the \$27,000 purchase price to repair the existing swimming pool for opening the following summer.

The site had obvious benefits. It was accessible to all tenants, parents could supervise their children at play and young children would not be dependent on their parents for transportation or need to cross major streets. Additionally, valuable commercial land would not be converted to nontaxable public property and the substantial landscaping improvements would enhance the appearance of Loudoun House.

Council wanted the recreation facilities to represent the reasonable wishes of the users. A detailed questionnaire was distributed to tenants at both apartment projects and a design advisory committee to work with the consulting firm and town staff was appointed by council.

A Park Is Built

Perhaps the unique feature of

Plaza Street Park, named for the road that separates the two apartment projects, is its design. The park landscape is uneven, so the designers utilized this in the design by putting attractive "thigh high" fences around various play areas. This not only provides a different, stimulating environment but helps reduce conflicts among the age groups using the park. The equipment, installed by Leesburg's public works department to save money, is segregated by age level—senior citizens, preteens and tots. Senior citizens have permanent game tables, benches and horseshoe pits. Preteens and tots have asphalt walkways that provide excellent surfaces for roller skates, skate boards, bicycles and pedestrians.

Tables and grills located on the half acre passive area offer apartment dwellers an opportunity for picnicing. There is ample space to throw a frisbee or talk with neighbors out of doors. Near the basketball court is a large graveled play area where residents may play volleyball, badminton and other net games.

Maintenance

Shredded hardwood mulch covers the park ground because it is virtually maintenance free and complements the earth tones in the park. All equipment is made from redwood timbers because of its durability, resistance to vandalism and aesthetic superiority over metal and other materials. Even the play fountain is made of wood material.

The play fountain is more than an aesthetic appendage—a place to play in water is always popular with young children. Swimming and wading pools require parental supervision which is not always available. The fountain base is designed to continually drain water from the play areas avoiding problems associated with wading pools.

Leesburg contracts with a non-profit corporation serving the mentally retarded—Every Citizen Has An Opportunity (ECHO)—for litter control and landscape maintenance services. The public works department keeps equipment up to par.

Leesburg believes Plaza Street Park's success comes from innovative concepts in park development. Virginia localities seeking to improve park facilities for apartment dwellers should consider locating new parks within existing apart-

ment complexes, soliciting community involvement in developing the facility and, if funds allow, eschew the traditional concrete and steel urban park and provide unique landscaping and equipment to make the area more pleasant and more resistant to vandalism.

Mayors to Study Urban Hunger

The U.S. Conference of Mayors has initiated a study of urban hunger and local response efforts. Underwritten by the American Can

Company Foundation, the study will examine problems and programs in eight cities and distribute reports on these cities at the 51st Annual Conference this month in Denver.

President of the Conference of Mayors and Detroit Mayor Coleman Young says that hunger is "perhaps the most prevalent and detrimental problem facing American cities today." William Woodside, chairman of American Can Company, admits the study cannot solve the hunger problem but it can provide information useful in both public and private sectors to stimulate further action.



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(Ordinance, from page 9)

Such provisions clearly give the enforcing officer the power to make the law rather than the power to enforce the law and are therefore void.

An ordinance, though, may establish policies and delegate to appropriate staff the authority to develop regulations to implement those policies. When adopting public procurement ordinances in response to the 1982 Public Procurement Act, many local governments authorized staff members to develop procurement manuals setting forth necessary purchasing forms and procedures for implementing policies.

7. Finally, the ordinance must be passed in the manner prescribed by the state statute or constitution or the local charter or code. In contrast to many states, Virginia does not have a statute that sets forth requirements as to the form and style of ordinances. These statutes frequently require that an ordinance must have a number, a title, an ordaining clause and a penalty section. Without subjection to a mandatory statute, governing bodies of counties, cities and towns in the Commonwealth have substantial flexibility as to the form in which ordinances are drafted.

When the ordinance is precise, definite and certain in its terms, bad form usually will not invalidate it. For example, failure to number the subdivisions of an ordinance in consecutive order, or even to number the ordinance itself would not affect its validity.

Although state law contains few requirements as to the form and style of ordinances, state statutes, city and town charters and the state constitution frequently spell out various procedural requirements for adopting ordinances. Section 15.1-162 of the *Code of Virginia* requires local governments to follow certain publication and notice requirements when adopting their annual budget and Section 58.846.1 requires newspaper publication before any increase of a local tax levy.

Summary

Those without law degrees who are called on to draft local ordinances should keep these seven rules in mind. While you should contact your local government attorney for specific situations, your draft will most likely be in good form if you have taken into consideration these rules.

Hazardous Materials

What Managers Should Know

By William H. Austin

As local government administrators become inundated with a proliferation of written material concerning hazardous materials and hazardous wastes, they will come to depend on their local fire services for knowledge on how to deal with the subject.

The fact that the fire department will be one of the first agencies summoned to a potential problem should evoke an instant response from chief administrative officers.

As an administrator, are you comfortable because your local fire official has recognized the problem and is dealing with it through training, pre-planning and special equipment purchases; or do you feel uneasy because local officials say it is not their problem and the last time you mentioned hazardous materials to a fire fighter, he thought you were talking about the fire station's cooking?

It may be politically expedient for administrators to routinely fund fire protection services in their communities without much thought as to the fire department's ability, but asking and demanding answers is important. Hazardous materials are a fact of life and may soon be in your community. More important, under current state law local governments are responsible for stabilizing and initially containing any problem involving hazardous materials.

Three Phases

An incident involving hazardous materials or wastes includes three phases: the critical phase, the containment phase and the clean up or recovery phase.

In the critical phase, local governments are responsible for stabilizing the incident, usually a function of the local fire service. This is when deaths and injuries occur due to ignorance and lack of training of both citizens and responding agencies.

The containment phase occurs next and simply means stopping ecological damage and keeping the



Fire officials come to the rescue of an overturned tanker.

problem under control. This phase is also the responsibility of local governments.

The owner or shipper is liable for clean up or the recovery phase.

Administrators should be aware of local responsibilities. The following preparations should help avoid serious consequences of a hazardous material or waste problem:

1. Locate sources and routes of hazardous materials and wastes in the community.
2. If the locality has code enforcement capability, see that hazardous materials and wastes receive a high priority.
3. Insist that local fire and rescue officials, paid and volunteer, receive training and maintain basic knowledge on hazardous materials.
4. Locate expertise in the community and adjoining areas, and seek out possible mutual aid or joint government funds.

Locating sources of hazardous materials and wastes in the community can be accomplished by the combined efforts of building and fire officials, as well as other permit issuing agencies. The Division of Solid and Hazardous Waste Man-

agement of the Virginia State Health Department also assists localities with this locating service.

A nationally recognized fire code that is locally enforced helps control improper use of these substances and where they are located in the community. Fire service seems to have political clout at the local level, so it is understandable that administrators seldom discuss the local fire department's ability or lack of ability to deal with certain problems. Twenty-five years ago there were only 60 known hazardous substances; today there are more than six thousand. Administrators should be concerned and any fire official who says there is no problem with hazardous materials or wastes in the community is living in a vacuum. The use of tax dollars for fire protection gives managers the right to analyze the quality of fire service delivered just as they would the work of any other department.

Finally, local governments should be aware that no state agency has the legal authority to command local resources. The sole purpose of state agencies is to provide help in the form of advice and spe-

(Continued, page 18)

About the Author

Mr. Austin is chief of fire for Harrisonburg.



Building Officials Hold Safety Week. The Virginia Building Officials Association recently observed Building Safety Week. A resolution designating Virginia Building Safety Week was passed by the Virginia General Assembly during the 1983 session, which recognized the important contribution being made to the health and life safety of citizens in new and existing buildings by state and local building enforcement personnel. Gov. Charles S. Robb, right, congratulated Jack Proctor, state building code administrator, left, and Ed Weld, VBOA president, on Building Safety Week.

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Fire Chiefs To Meet

Fire chiefs from all areas of the Commonwealth will gather in Henrico County July 13-16 for a full round of activities at the 53rd annual conference of the State Fire Chiefs Association of Virginia.

President Walter R. Stickel Jr., Henrico County fire chief, will preside over the four-day conference which will feature committee meetings, the association's business session including the election of new officers, several informative programs, indoor and outdoor exhibits and a variety of social functions.

Virginia Delegate Frank D. Hargrove will discuss the legislative process, and Franklin E. White, secretary of public safety for the Commonwealth of Virginia, will give the keynote address. Also, David A. Kaechele, chairman of Henrico County Board of Supervisors, and Frank Faison, Henrico County manager, will welcome the group. Fire station location, uniform specifications and hazardous materials response teams will be just a few of the topics addressed at the conference.

Social activities include receptions and banquets, one with numerous door prizes to be given away, and a Western Night Barbecue and Dance. A bus trip to the Williamsburg Pottery will be among the several activities scheduled for spouses and guests attending the conference.

For more information contact Henrico County Division of Fire, (804) 747-4900.

(Hazardous, from page 13)

cial equipment after all local resources have been depleted. Because there are only 23 state police motor safety transportation officers to cover most of the interstate highways in Virginia, it will be quite some time before assistance can be provided during the critical phase of an incident and their help may be questionable at best.

Developing local response capability or using an adjoining government's capability will be money well spent when the time comes to answer to the taxpayer. The bottom line is hazardous materials and wastes are already in Virginia's communities and being shipped on Virginia roadways daily. Consider-

ing problems after an incident will leave administrators with the realization that avoiding this issue was not only a hazardous decision, but a hazardous mistake.

(Enterprise, from page 6)

Complementing Virginia's enterprise zone legislation are an array of community statutes, such as the Neighborhood Assistance Act and property tax abatements for rehabilitation, which offer accelerated relief for investments in economically distressed areas. The assistance act (Sections 58-760.2 and 58-760.3 of the *Code of Virginia*) provides a tax credit for any business firm that engages in job training or education for individuals not employed by the business. Real estate that has been rehabilitated for commercial or industrial use when a structure is no less than 25 years old and improved to increase its assessed value by no less than 60 percent is exempt from taxation. The exemption ends after 10 years and cannot exceed an amount equal to the increase in assessed value resulting from the rehabilitation of the structure.

The manager faces a dilemma. Preliminary data gathering, preparation of applications and annual reports are not what a manager would consider a benefit. Enterprise zones, however, are and should be viewed as a statement by local government that it is concerned about business and wants to encourage company commitment to the community. If business investments are achieved through community development block grants, urban development action grants, industrial revenue bonds, neighborhood assistance grants or any other grant-in-aid programs, all the better, but enterprise zones are a welcome addition to these commitments. If piggybacked with existing programs, the impact of enterprise zones for business and local government can be expanded and beneficial for all.

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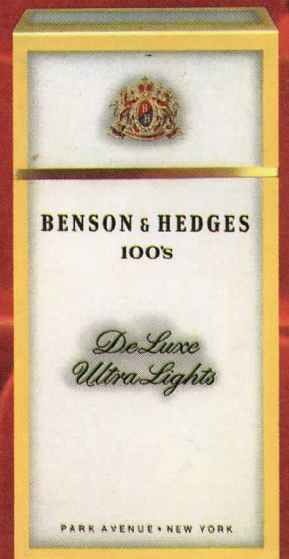


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