



VII.

Agenda Item

County of Hanover

Board Meeting: November 12, 2014

Subject: Presentation and Request for Authorization to Advertise Public Hearing – Ordinance 14-14 – Addition of Rutland Subdivision to the Hanover County Recycling Service District (**Chickahominy Magisterial District**)

Summary of Agenda Item: A public hearing is requested for an ordinance to establish County recycling services for residents of Rutland Subdivision by inclusion of Rutland Subdivision into the existing service district of approximately 2800 properties for the purpose of providing curbside recycling services.

In accordance with the application procedure adopted by the Board of Supervisors in 2007, staff met with the residents of Rutland Subdivision on August 7, 2014 to discuss their application for inclusion in the District. Rutland Subdivision residents have presented the Department of Public Works with petitions with signatures from over eighty percent of the parcel owners (signatures from 83 percent of 420 parcel owners) in accordance with the County's policy.

The Public Works Department recommends that the Board hold the public hearing on the expansion of the Hanover County Recycling Service District to add Rutland Subdivision pursuant to Va. Code Section 15.2-2400 and following sections, for the purpose of assessment of a tax on all properties within the district to fund the cost of curbside recycling service. Notice will be mailed to all residents of the new area, Rutland Subdivision, prior to the public hearing. The pro-rata cost of the service is added to the real estate tax bill for all lots within the District, regardless of whether the individual lot owners use the service. The estimated annual cost for the service and the resulting tax is \$19.50 per lot starting July 2015 and could increase annually according to the consumer price index, new contracts, or other cost factors. The actual tax amount would be approved by the Board in the budget process, with associated notice and public hearing. Residents wishing to participate are required to purchase recycling bins/carts for use in the program or place a decal on another approved container. Services are provided through an agreement between the County and Central Virginia Waste Management Authority (CVWMA). Pickup occurs every other week. Public information and service questions will be provided through CVWMA. Hanover County staff will serve as facilitator of services.

County Administrators Recommended Board Motion: Motion to authorize a public hearing to be held December 10, 2014 on Ordinance 14-14, addition of Rutland Subdivision to Hanover County Recycling Service District for the purpose of providing curbside recycling services, and mailing of notices of the proposed action to residents of Rutland Subdivision.

**PUBLIC HEARING NOTICE
HANOVER COUNTY BOARD OF SUPERVISORS**

The Hanover County Board of Supervisors will hold a public hearing on **Wednesday, December 10, 2014 at 7:00 p.m.** in the Board meeting room at the Hanover County Administration Building, 7516 County Complex Road, at Hanover Courthouse, Hanover, Virginia, on the following ordinance being proposed for adoption:

ORDINANCE NO. 14-14

AN ORDINANCE AMENDING ORDINANCE 10-01, WHICH ESTABLISHED THE HANOVER COUNTY RECYCLING SERVICE DISTRICT PURSUANT TO VA. CODE SECTION 15.2-2400 AND FOLLOWING SECTIONS, BY THE ADDITION OF THE RUTLAND SUBDIVISION. THE DISTRICT IS ESTABLISHED TO PROVIDE FOR AN ASSESSMENT FOR FUNDING OF SOLID WASTE COLLECTION IN THE NATURE OF RECYCLING SERVICE. THE ANNUAL TAX ASSESSMENT IS THE AMOUNT NECESSARY TO FUND THE SERVICE, TO BE ESTABLISHED BY THE BOARD OF SUPERVISORS IN THE SAME MANNER AS OTHER TAX LEVIES, PAYABLE BY EACH PROPERTY OWNER WITHIN THE DISTRICT, AND CONSTITUTING A LIEN ON EACH PROPERTY IN THE DISTRICT.

A complete copy of the proposed ordinance and related information is available at the office of the County Administrator any regular working day between 8:30 a.m. and 5:00 p.m.

All persons wishing to comment on the proposal may appear at the stated time and place.

Cecil R. Harris, Jr., County Administrator

Publish: November 20, November 26, and December 4, 2014

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WHEREAS by Ordinance 10-01 the Hanover County Board of Supervisors established the Hanover County Recycling Service District; and

WHEREAS the Hanover County Board of Supervisors finds that there is a need for solid waste collection in the nature of recycling service to be provided to lots within the Rutland Subdivision in order to provide for the public health, safety and welfare of the residents and that the Rutland Subdivision should be included in the Service District, and

WHEREAS Virginia Code Section 15.2-2400 and following sections authorize the County to create special service districts for various purposes related to the provision of governmental services and to levy taxes for the purpose of funding services, and

WHEREAS Virginia Code Section 15.2-2402.1 authorizes the County to amend the boundaries of an established service district, and it is the intention of the Board to amend Ordinance 10-01 creating the Hanover County Recycling Service District by the addition of the Rutland Subdivision for the purpose of funding recycling services, and

WHEREAS this Ordinance may be reviewed periodically by the Board of Supervisors and amendments may be enacted or all or a portion may be repealed if the details of service provision change or if service provision becomes impractical or otherwise inadvisable, as determined by the Board.

NOW THEREFORE BE IT ORDAINED by the Board of Supervisors of Hanover County:

1. That Ordinance 10-01 establishing the Hanover County Recycling Service District, Section 3, *Boundaries of the District*, shall be amended by the addition of the Rutland Subdivision to the District as follows:

Section 3. Boundaries of the District.

The boundaries of the District shall be defined by the perimeter boundaries as designated by the Hanover County Geographic Information System and are graphically depicted on the Map of the Hanover County Recycling Service District dated November 16, 2010 and on the Map of the Rutland Subdivision dated July 28, 2014, both attached to this Ordinance No. 14-14.

- 2. All other provisions of Ordinance 10-01 shall remain in effect.
- 3. The County Attorney shall record an abstract of this Ordinance in the Hanover County Circuit Court Clerk’s Office in compliance with statutory requirements.
- 4. That this Ordinance is effective on July 1, 2015.

On motion of _____, seconded by _____, the members of the Board of Supervisors voted to approve Ordinance No. 14-14, as follows:

Vote:

Sean M. Davis
 Wayne T. Hazzard
 Angela Kelly-Wiecek
 W. Canova Peterson
 Aubrey M. Stanley
 G. E. “Ed” Via, III
 Elton J. Wade, Sr.

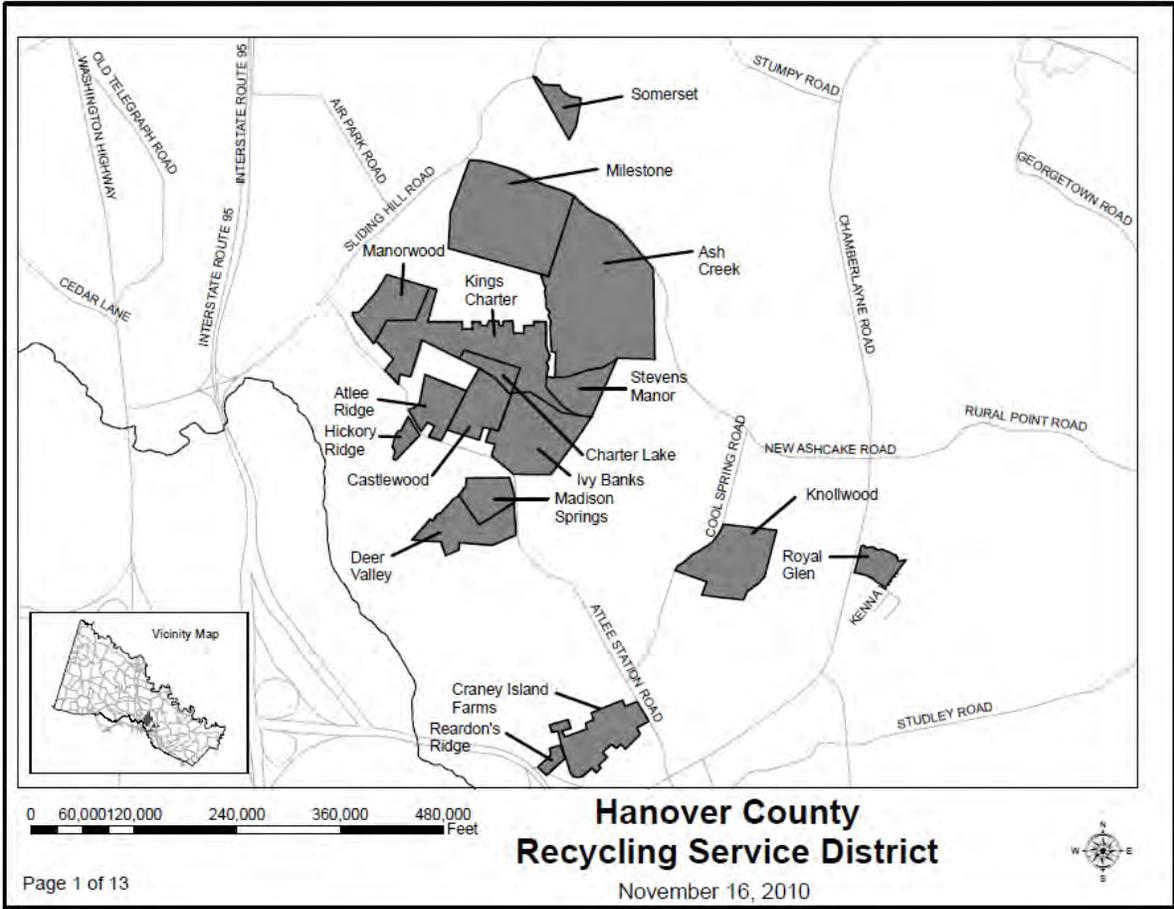
Public Hearing: _____

Adopted: _____

This is to certify that the above is a true copy of Ordinance 14-14 adopted by the Hanover County Board of Supervisors on _____, 2014.

Dated: _____

 Cecil R. Harris, Jr., County Administrator
 Clerk, Hanover County Board of Supervisors



Hanover County
Department of Public Works
Recycling Service District Application Procedure

Purpose

This document establishes the procedure for application to the County for inclusion of a subdivision within the Hanover County Recycling Service District pursuant to Title 15.2, Chapter 24 of the Code of Virginia (Section 15.2-2400 and following sections) and for consideration of the application by the Department of Public Works (the Department) and Board of Supervisors (the Board).

Background

Virginia Code Section 15.2-2400 authorizes localities to impose assessments on real estate for the cost of certain public services. Before establishing a service district (or including properties in a service district) the Board must publish notice of its intention three times in a newspaper and conduct a public hearing, at which any interested person may speak. The amount of the assessment is established by the Board and amounts are billed and collected in accordance with procedures for real estate taxes. Assessment amounts may increase above the initial estimate as a result of inflation or other cost factors. Every lot within the service district is assessed for the service.

General Provisions

Any individual representative of a community group or neighborhood may request that the Department provide and fund recycling services by inclusion of a subdivision in the Service District. The following is the prescribed process:

1. The applicant will give the Department a description of the proposed addition to the Service District boundaries and the name, address and telephone number of the person who is the group's representative for purposes of the request to the Department.
2. The Department will determine if the proposed area is appropriate for inclusion in a curbside recycling program. The service area must also be approved for program inclusion by the service provider (collector).
3. The Department will determine the projected annual prorated cost per lot for the proposed service and provide this initial cost estimate to the representative.
4. The representative will survey the community group to determine intent of the property owners in the proposed district, and will provide information to the owners as to projected cost. The representative will document the survey process and results and inform the Department if further action is warranted by support for the proposal. Prior to the next step the community group should discuss the proposal and costs among themselves and reach agreement on whether to proceed with a service district.
5. If the results of the survey warrant further action by the Department, a community meeting shall be scheduled by the representative for Department staff to meet

with the group members. The Department will send notice of the meeting by regular mail to all property owners within the proposed addition to the Service District, as listed in the County tax records. The notice to property owners prior to the meeting shall include the estimated annual prorated cost per lot and shall note the potential for periodic increases.

6. The meeting will include the Board member of the affected magisterial district and Department staff. The procedure for including an area in the Service District, nature of the services to be provided and the estimated costs and assessment amounts will be discussed, as well as the potential for costs to increase over a period of time.
7. If a minimum of eighty percent (80%) of the community expresses interest by signing a petition in a form prescribed by the Department as described below within 180 days of the community meeting the project will proceed to the next step.
8. Only the signature of the parcel owner is acceptable. One signature per parcel is counted. Renters' signatures will not be counted since they are not responsible for real estate taxes.
9. If the application is complete and the support is evidenced by signatures of eighty percent of parcel owners a public hearing on the proposed Service District addition will be scheduled as determined appropriate by the County Administrator before the Board of Supervisors for public comment and Board approval or disapproval. Before the public hearing the Department will send notice of the public hearing by regular mail to all owners within the proposed area, and otherwise comply with all statutory requirements.
10. If the requisite number of signatures is not achieved the proposal will not be presented to the Board.
11. The following is the estimated timetable:

Petition with required signatures filed:	October 31
Public Hearing:	January—March
[Assessed amount is added to real estate tax bill]	
Service Begins:	July 1
12. The Department will be responsible for coordinating service either under a County contract or a service agreement with the Central Virginia Waste Management Authority (CVWMA) and in the case of recycling services will provide the Service District properties with recycling bins as determined appropriate, for each residence for which the cost of the bin is paid, or other arrangements will be made for approved bins to be used and paid for by residents.

Service District for Curbside Recycling Summary

Getting Started

If you are interested in pursuing curbside recycling for your subdivision through the Hanover County Recycling Service District, you should first talk to your neighbors to gauge neighborhood interest. Provide them with a copy of the Service District Application Procedure. If there is a high level of interest, a community meeting will be held to provide information and answer questions. Following the meeting the petition process begins. Petition forms will be provided by the Department of Public Works.

Once the eighty percent (80%) signature level has been reached, the petition may be sent to the Department of Public Works. If there is an 80% signature level supporting inclusion in the Service District, the process moves forward to the Board of Supervisors for consideration of a public hearing. If the 80% signature level is not achieved supporting the Service District, the file will be closed.

Department Contact

Chief of Public Works Operations
Hanover County
P.O. Box 470
Hanover, VA 23069

Office phone: 804-365-6158

Office fax: 804-365-6233

E-mail: PublicWorks@co.hanover.va.us

Rutland Petition:

Curbside Recycling Service District Petition

Name of Subdivision: RUTLAND

We the undersigned property owners have reviewed the Hanover County Department of Public Works Service District Application Procedure relating to the establishment of a service district and express our desire to have Hanover County provide curbside recycling to our community by joining the curbside recycling service district. We are aware of the costs associated with the service and that the costs will be assessed as a tax on each parcel of real estate within the district. The cost for the every other week curbside collection is \$19.50 annually as of July 1, 2014. We understand that costs are subject to increases resulting from inflation and other factors. The July 1, 2014 cost of bins is \$16 per 24 gallon bin, \$65 per 96 gallon cart or, optionally, you may use your own bin up to 40 gallons with a CVWMA-provided decal. Only signatures of property owners within the proposed district will be counted and only one signature per address will be counted.