

# ROCKBRIDGE COUNTY CODE

## Chapter 2

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### ARTICLE I. IN GENERAL

#### Sec. 2-1. Acts by deputy or designee.

Whenever a power is granted to, or a duty is imposed upon a public officer or employee, the power may be performed by any authorized deputy or designee, unless this Code expressly provides otherwise.

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\* **Cross reference(s)**--Building inspection department established, §7-2; magisterial districts, §11-21 et seq.; voting precincts, §11-31 et seq.; Line of Duty Act applicable to fire departments and rescue squads, §14-1; municipal liability regarding flood damage prevention regulations, App. A, §608.00; law enforcement, Ch. 18; Line of Duty Act applicable to sheriff's department, §18-1; licenses and business regulations, Ch. 19; sheriff to administer parking regulations, §20-37; taxation, Ch. 25; recordation tax, §§25-226, 25-227; land development regulations, App. A; administration of land development regulations, App. A, §801.00 et seq.; administration of subdivision regulations, App. A, §810.00.

**State law reference(s)**--County board form of government, Code of Virginia, §15.2-400 et seq.; governing bodies of localities generally, Code of Virginia §15.2-1400 et seq.; legal holidays, Code of Virginia, §2.2-3300; closing of circuit court clerk's office on county holidays, Code of Virginia, §17.1-207.

**Secs. 2-2--2-20. Reserved.**

## **ARTICLE II. BOARD OF SUPERVISORS\***

### **Sec. 2-21. Seal of Board of Supervisors.**

The board of supervisors shall use a seal with the following superscription: “The Board of Supervisors, Rockbridge County, Virginia.”

### **Sec. 2-22. Publication of county matters.**

All advertisements and handbills of county matters requiring publication shall be published in any newspaper having general circulation in Rockbridge County and permitted to accept legal advertisements as provided by the Code of Virginia, as amended.

### **Sec. 2-23. Public meetings.**

The meetings of the board of supervisors are open to the public and any citizen has the right and privilege of being present.

**State law reference(s)**--Meetings of governing bodies of localities, Code of Virginia, §15.2-1415 et seq.

**Secs. 2-24--2-35. Reserved.**

## **ARTICLE III. COUNTY ADMINISTRATOR**

### **Sec. 2-36. Office created.**

The office of county administrator to the board of supervisors, the governing body of the County of Rockbridge, is created in accordance with §15.2-1540 of the Code of Virginia (1950, as amended) and his powers and duties shall be in accordance with §15.2-1541 and §15.2-1541.1 of the Code of Virginia (1950, as amended).  
(Amended by Ord. of 9-22-08)

**Secs. 2-37--2-45. Reserved.**

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\* **State law reference(s)**--County board form of government generally, Code of Virginia, §15.2-400 et seq.; governing bodies of localities, Code of Virginia, Title 15.2, Chapter 14.

## ARTICLE IV. COUNTY FINANCES\*

### Sec. 2-46. Payment of routine claims.

The county administrator is authorized to pay all routine claims against the county for which an appropriation has been made; the payment of such claims is to be made without the signature of the board chairman on the check. This authority is to be applicable to the general fund and any other fund under the jurisdiction of the board of supervisors. All questionable, controversial or unusual bills are to be held for action of the board. The board of supervisors must approve payment of all bills. Once properly approved, the bills will be paid by check of the treasurer of the county signed by the county administrator or treasurer.

### Sec. 2-47. Reserved.

### Sec. 2-48. Deposits of county funds.

The county treasurer shall deposit county funds in any bank or banks which are insured by the Federal Deposit Insurance Corporation in his discretion.

### Secs. 2-49--2-70. Reserved.

## ARTICLE V. OFFICERS AND EMPLOYEES

### DIVISION 1. GENERALLY

### Secs. 2-71--2-80. Reserved.

### DIVISION 2. COMPENSATION

### Sec. 2-81. Payroll periods.

- (a) The school board and county personnel shall use a twice a month pay period.
- (b) Reserved.

### Secs. 2-82--2-90. Reserved.

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\* **Cross reference(s)**--Licenses and business regulations, Ch. 19; taxation, Ch. 25; recordation tax, §§25-226, 25-227.

**State law reference(s)**--Virginia Public Procurement Act, Code of Virginia, §11-35 et seq.

## DIVISION 3. BENEFITS

### **Sec. 2-91. Annual and sick leave.**

The County has adopted the “Rockbridge County Personnel and Employment Policies” manual, effective as of January 1, 1998 (subject to revision at the will of the board of supervisors), which establishes procedures to serve as guidelines to address personnel issues that arise in the County. The manual also sets forth leave (including annual and sick leave) to be afforded county employees. The manual is available and on file with the Office of the County Administrator.

### **Sec. 2-92. Retirement.**

Such of the employees and officers of Rockbridge County who are regularly employed full-time on a salary basis and whose tenure is not restricted as to temporary or provisional appointment are, effective July 1, 1962, to participate in the Virginia Retirement System, previously the Virginia Supplemental Retirement System, under conditions set forth in Title 51, Chapter 3.2, §51-111.9 through §51-111.67 and effective August 1, 1962 for group life insurance, §51-111.67 through §51-111.67:13, Code of Virginia, and the successor sections to those referenced, as such code has been or may be amended from time to time. The county agrees to pay its cost for participation of its employees for all service for Rockbridge County prior to July 1, 1959 for which credit is authorized and established on forms required by the retirement board and for membership service in the retirement system effective July 1, 1962 and for group life insurance effective August 1, 1962 and also to deduct from employees' wages and pay over in the manner prescribed the respective amounts required by law. Effective July 1, 1992, the employee's share of the retirement premium will be paid by the county.

### **Secs. 2-93--2-110. Reserved.**

## **ARTICLE VI. BOARDS, COMMITTEES, COMMISSIONS, ETC.\***

### DIVISION 1. GENERALLY

### **Secs. 2-111--2-120. Reserved.**

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\* **Cross reference(s)**--Building inspection department established, §7-2; board of zoning appeals, App. A, §804.00.

## DIVISION 2. ECONOMIC DEVELOPMENT COMMISSION\*

### **Sec. 2-121. Purpose and creation.**

Whereas, the governing bodies of the City of Buena Vista, the City of Lexington and the County of Rockbridge believe it is in the best interest of the citizens of the respective localities to jointly participate in an area economic development program; and whereas it is the joint opinion that the existing facilities for such development are inadequate; and whereas, it is believed that a new body would be a more effective and efficient method of promoting development of the area; it is resolved that the Rockbridge Area Joint Economic Development Commission be and is created and constituted, effective July 1, 1980, and charged with the official responsibility for improvement and maintenance of economic conditions in the Rockbridge area. The principal objective of the commission shall be to take such actions consistent within the general intent and guidelines agreed upon by the three (3) jurisdictions, to seek, entice, promote and maintain sufficient and suitable employment producing activities in the area, to achieve an improved rate of employment and to enhance the tax base of the respective political jurisdictions.

### **Sec. 2-122--2-130. Reserved.**

## DIVISION 3. OFFICE OF EMERGENCY SERVICES\*\*

### **Sec. 2-131. Short title.**

The title of this division is “An Ordinance to Provide for Emergency Management Organization, Designation of a Director of Emergency Management and his Responsibilities, Provision for Emergency Plans, Provision for Line of Succession for the Director during a Disaster or Emergency or an Impending Disaster or Emergency, and Provision for a Coordinator of Emergency Management.”

### **Sec. 2-132. Purpose.**

The board of supervisors of the County of Rockbridge adopts this division in order to develop and maintain an emergency services organization to ensure that preparations are adequate to deal with disasters or emergencies resulting from enemy attack, sabotage or other hostile action, resource shortage, or from fire, flood, earthquake, or other natural or manmade causes, and generally to protect the public peace, health, and safety and to preserve the lives and property and economic well-being of the people.

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\* **Cross reference(s)**--Taxation, Ch. 25.

\*\* **Cross reference(s)**-- Fire prevention and protection, Ch. 14; law enforcement, Ch. 18..

**State law reference(s)**--Emergency Services and Disaster Law, Code of Virginia, §44-146.13 et seq.

**Sec. 2-133. Office created.**

There is hereby created the office of emergency management.

**Secs. 2-134--2-145. Reserved.**

DIVISION 4. SOLID WASTE AUTHORITY

**Sec. 2-146. Creation of the authority; powers.**

On January 4, 1991, the Rockbridge Board of Supervisors created an authority under the Virginia Water and Sewer Authorities Act, (Code of Virginia, 1950, as amended, §§15.2-5100 et seq.) for the purpose of acquiring, financing, constructing, equipping, operating and maintaining a garbage and refuse collection and disposal system(s) and other property and facilities incident thereto, including but not limited to recycling facilities, for the purpose of furnishing such services and facilities to residents within the county, and to otherwise have, possess and exercise the powers granted by the Virginia Water and Sewer Authorities Act and as otherwise authorized or permitted by law.

**State law reference(s)**—Authority for above section, Code of Virginia, §15.2-5100 to 15.2-5158.

**Sec. 2-147. Board of Authority.**

The number of members of the Rockbridge County Solid Waste Authority shall be the same as the number of members of the Board of Supervisors of Rockbridge County, which is currently five (5). Each member of the Rockbridge County Board of Supervisors shall be a member of the Rockbridge County Solid Waste Authority for a term to run concurrent with such member's terms on the Board of Supervisors.

**State law reference**—Authority for above section, Code of Virginia, §15.2-5113.

**Secs. 2-148--2-160. Reserved.**

DIVISION 5. ECONOMIC DEVELOPMENT AUTHORITY

**Sec. 2-161. Creation of the authority; powers.**

There is hereby created pursuant to Virginia Code §§ 15.2-4900, et seq., a political subdivision of the Commonwealth of Virginia with such public and corporate powers as are set forth in the Industrial Development and Revenue Bond Act, including such powers as may hereafter be set forth from time to time in said act. The name of the political subdivision of the Commonwealth created hereby shall be the Economic Development Authority of Rockbridge County, Virginia (the EDA).

**State law reference(s)**--Authority for above section, Code of Virginia, §15.2-4903. (Amended by Ord. of 8-22-11)

**Sec. 2-162. Directors.**

The EDA shall be governed by a board of directors in which all powers of the EDA shall be vested, composed of seven (7) members appointed by the board of supervisors as provided by law. Appointments shall be for terms of four (4) years, except appointments to fill vacancies, which shall be for the unexpired terms.

**State law reference(s)**--Appointment, terms, etc., of directors, Code of Virginia, §15.2-4904.

(Amended by Ord. of 8-22-11)

**Secs. 2-163--2-170. Reserved.**

DIVISION 6. PLANNING COMMISSION\*

**Sec. 2-171. Creation of planning commission.**

A county planning commission is hereby created, in force and effect from and after March 15, 1966, for the County of Rockbridge, Virginia, in accordance with the provisions of Chapter 22, Article 2, Title 15.2 of the Code of Virginia, 1950, as amended.

**State law reference(s)**--Duty of board of supervisors to create planning commission, Code of Virginia, §15.2-2210.

**Sec. 2-172. Membership.**

The commission shall consist of six (6) members, one of whom shall be a member of the board of supervisors, and the remaining five (5) members shall hereinafter be referred to as appointed members. The term of the board of supervisors member shall be one year, although he or she may be reappointed. All other appointments shall be for four-year terms.

(Ord. of 6-28-04)

**Sec. 2-173. Compensation.**

All members of the county planning commission who are not county employees shall be paid mileage and a fee per official meeting as set by the board of supervisors.

**State law reference(s)**--Authority for above section, Code of Virginia, §15.2-2212.

**Sec. 2-174. Functions, powers and duties.**

The county planning commission shall have all the functions, powers, and duties that are prescribed by law.

**State law reference(s)**--Powers and duties of planning commission, Code of Virginia, §15.2-2200 et seq.

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\* **Cross reference(s)**--Buildings and building regulations, Ch. 7; land development regulations, App. A.

**Sec. 2-175. Repeal of previous actions.**

All previous actions creating a planning commission are hereby repealed.

**Secs. 2-176--2-190. Reserved.**

DIVISION 7. PUBLIC SERVICE AUTHORITY

**Sec. 2-191. Creation of authority; powers.**

On September 12, 1966, the Board of Supervisors created an authority under the Virginia Water and Sewer Authorities Act, (Code of Virginia, 1950, as amended, §§15.2-5100 et seq.) for the purpose of acquiring, financing, constructing, operating, and maintaining one or more water systems and one or more sewer systems, or any combination thereof, including pipe line and other property and facilities incidental thereto for the primary purpose of furnishing water and sewer facilities, or both, to residents and places of business in certain areas of Rockbridge County, and for the purposes of exercising the powers conferred by the Act and as otherwise authorized by law. Said authority shall be named “Rockbridge County Public Service Authority.”

**State law reference(s)**—Authority for above section, Code of Virginia, §15.2-5100 to 15.2-5158.

**Secs. 2-192--2-195. Reserved.**

DIVISION 8. INDUSTRIAL DEVELOPMENT AUTHORITY  
OF THE COUNTY OF ROCKBRIDGE AND THE CITIES OF LEXINGTON AND  
BUENA VISTA

**Sec. 2-196. Creation of the authority; powers.**

The governing bodies of the County of Rockbridge, the City of Lexington, and the City of Buena Vista have reached agreement on the general structure of a joint industrial development authority in the form of the Regional Economic Development Agreement executed by the three localities and dated March 7, 1996, and have created a joint industrial development authority to be known as “The Industrial Development Authority of the County of Rockbridge and the Cities of Lexington and Buena Vista” (“Authority”). The Authority is a political subdivision of the Commonwealth and has all those public and corporate powers set forth in Chapter 49 of Title 15.2 of the Code of Virginia, 1950, as amended, that are not inconsistent with the terms of the Agreement, as the Agreement may be amended from time to time.  
(Ord. of 5-28-96, §§1,2)

**State law reference(s)**--Authority for above section, Code of Virginia, §§15.2-4903, 15.2-4905, 15.2-4916.

**Sec. 2-197. Board of Directors.**

The Board of Directors of the Regional IDA shall consist of seven (7) members. The seven Board members shall be appointed by the governing bodies of the three Jurisdictions, with each Jurisdiction to appoint 2 members. The seventh (7th) board member is to be recommended by the six (6) Regional IDA Directors to the governing bodies of the Jurisdictions, who shall thereafter agree on the 7th appointment, either from the recommendation provided by the remaining six (6) Directors, or another individual of their choice. The terms of the Board shall be staggered consistent with the terms of Virginia Code §15.2-4904. After the initial appointments, the term of each Director shall be four (4) years.  
(Ord. of 6-9-97)

**State law reference --** Authority for above section, Code of Virginia, §15.2-4904.

DIVISION 9. BOARD OF ZONING APPEALS

**Sec. 2-198. Reserved.**

**Sec. 2-199. Membership.**

The Board of Zoning Appeals shall consist of five (5) members, each of whom are recommended by the Board of Supervisors to be duly appointed by the Circuit Court. Their terms of office shall be for five (5) years each.

**Sec. 2-200. Functions, powers and duties.**

The board of zoning appeals shall have all the functions, powers, and duties that are prescribed by law.

**State law reference(s)--**Powers and duties of board of zoning appeals, Code of Virginia, §15.2-2309 et seq.

**Secs. 2-201--2-205. Reserved.**