

Mayor D. Dwayne Tuggle called a regular monthly meeting of the Amherst Town Council to order on April 12, 2023, at 7:00 P.M. in the Council Chambers of the Town Hall at 174 S. Main Street.

It was noted that a quorum was present as follows:

|   |                   |   |                    |
|---|-------------------|---|--------------------|
| P | D. Dwayne Tuggle  | P | Andra Higginbotham |
| A | Janice N. Wheaton | P | Michael Driskill   |
| P | Sharon W. Turner  | P | Douglas Thompson   |

Also present were the following staff members:

|                  |                          |  |                |                    |
|------------------|--------------------------|--|----------------|--------------------|
| Sara E. McGuffin | Town Manager             |  | Bobby Shiflett | Police Chief       |
| Kelley Kemp      | Town Attorney            |  | Gary Williams  | Director of Plants |
| Vicki K. Hunt    | Clerk of Council         |  | Becky Cash     | Plants Operator    |
| Tracie Morgan    | Office Manager/Treasurer |  |                |                    |

Recitation of the Pledge of Allegiance to the Flag was followed by an invocation by Sharon Turner.

Town Manager McGuffin gave a short report on the 2023-2024 Capital Improvement Program that identifies acquisition, construction and improvement of town facilities, and acquisition of capital equipment.

Mayor Tuggle opened a duly advertised public hearing at 7:03 P.M. on the Town’s proposed 2023-2024 Capital Improvement Program. There being no one present in person or otherwise who wished to speak on the proposed Capital Improvement Program, the public hearing closed at 7:03 P.M.

Town Manager McGuffin gave a short report on the Town’s FY23/24 Proposed Budget. By state code the budget cannot be adopted at the same meeting as the public hearing.

Mayor Tuggle opened a duly advertised public hearing on the Town’s FY23/24 Proposed Budget at 7:04 P.M., presented by staff. There being no one present in person or otherwise who wished to speak on the budget matter, the public hearing closed at 7:04 P.M.

Ms. Turner made a motion that was seconded by Mr. Driskill to hold a budget meeting to further discuss the Town’s 2023/2024 Capital Improvement Program and the FY23/24 Proposed Budget prior to the May 10, 2023, meeting.

After discussion, the motion carried 4-0 via the roll call method as follows:

|                   |        |                    |     |
|-------------------|--------|--------------------|-----|
| D. Dwayne Tuggle  |        | Andra Higginbotham | Aye |
| Janice N. Wheaton | Absent | Michael Driskill   | Aye |
| Sharon Turner     | Aye    | Douglas Thompson   | Aye |

Town Manager McGuffin was directed to schedule the budget meeting.

Mayor Tuggle opened the floor to citizen comments.

Angela Sundaramurthy, resident of the Town of Amherst, came forward in support of Airbnb in residential districts and encouraged council members to vote as representatives of the majority views on matters brought to council.

Sonny Sundaramurthy, resident of the Town of Amherst, came forward in support of Airbnb in residential districts.

There being no one else listed to speak on the citizen comment sign-in sheet, or otherwise, no comments were made.

Ms. Turner made a motion that was seconded by Mr. Higginbotham to approve the consent agenda items consisting of minutes of the meetings held on March 8, 2023, and March 30, 2023, and the March 2023 check registry, as presented.

There being no discussion, the motion carried 4-0 via the roll call method as follows:

|                   |        |                    |     |
|-------------------|--------|--------------------|-----|
| D. Dwayne Tuggle  |        | Andra Higginbotham | Aye |
| Janice N. Wheaton | Absent | Michael Driskill   | Aye |
| Sharon Turner     | Aye    | Douglas Thompson   | Aye |

Town Manager McGuffin gave a report on consideration of an amendment to the Town’s Zoning Ordinance to allow for short term rental as a special use permit in the R-1 and R-2 districts. A duly advertised public hearing was held on the matters at Council’s February 8, 2023. The matter was deferred for discussion and consideration to March 8, 2023, at which time a work group consisting of Councilors Thompson and Driskill was assigned to discuss potential rules related to Airbnb. The matter was deferred to the April 12, 2023, meeting, for further discussion and consideration.

Mr. Driskill made a motion that was seconded by Mr. Higginbotham to approve the amendment to the zoning ordinance to allow for short term rental as a special use permit in the R-1 and R-2 districts along with the adoption of a short term rental policy, to be reviewed within twelve months from its adoption, stating the following conditions:

- All short-term rentals must have a Town of Amherst business license per State Code and pay the appropriate lodging tax. Even if the owner has a third party intermediary for the payment of taxes, the responsibility of full compliance with filing and paying of taxes lies with the property owner.
- The owner will provide point-of-contact information to the Town and keep the information current.
- No renter/guest on-street parking is allowed.
- No outside events after 10:00 PM.
- No amplified sound outside.

- Overnight adult-plus-teen occupancy shall not exceed the advertised number of guests or beds. If there is no advertised “guest” number, overnight occupancy shall not exceed the number of furnished bed spaces.
- No rental shall be made unless the contracting renter/guest is 21 years old or older.
- Owner/agent is responsible for refuse removal into receptacles dedicated to the rental property and for ensuring the receptacles are emptied during weekly refuse pickup.
- Additional requirements or restrictions on specific short-term rentals may be imposed, based on neighborhood objections, special conditions, unique environments, etc.

After discussion, the motion, with Mayor Tuggle casting a tie breaking vote, carried 3-2 via the roll call method as follows:

|                   |        |                    |     |
|-------------------|--------|--------------------|-----|
| D. Dwayne Tuggle  | Aye    | Andra Higginbotham | Aye |
| Janice N. Wheaton | Absent | Michael Driskill   | Aye |
| Sharon Turner     | Nay    | Douglas Thompson   | Nay |

Town Manager McGuffin was directed to lay out the above short term rental conditions in proper policy format for distribution.

A copy of the amended zoning ordinance Table 24-235. Table of Uses is attached hereto and made a part of these minutes.

Town Manager McGuffin gave a report on consideration of applications to rezone 117 Pine Street from R-1 to B-2 and for a special use permit to allow short term rental on property described as 117 Pine Street (Tax Map 96A414 3940). Duly advertised public hearings on the matters were held by Council at its meeting on February 8, 2023. The matters were deferred for discussion and consideration to March 8, 2023, and again to the April 12, 2023, meeting, for further discussion and consideration. The application to rezone the property was rendered moot by the adoption of the amended Town Code Zoning Ordinance Table 24-235. Table of Uses leaving the application for short term rental on the property remaining for discussion and consideration.

Town Manager McGuffin gave a report on consideration of applications to rezone 123 Lee Street from R-1 to B-2 and for a special use permit to allow short term rental on property described as 123 Lee Street (Tax Map 96A-416-5). Duly advertised public hearings on the matters were held by Council at its meeting on February 8, 2023. The matters were deferred for discussion and consideration to March 8, 2023, and again to the April 12, 2023, meeting, for further discussion and consideration. The application to rezone the property was rendered moot by the adoption of the amended Town Code Zoning Ordinance Table 24-235. Table of Uses leaving the application for short term rental on the property remaining for discussion and consideration.

After discussion, by concensus consideration of the applications to allow short term rental on properties described as 117 Pine Street (Tax Map 96A414 3940) and 123 Lee Street (Tax Map 96A-416-5) was deferred to the May 10, 2023, meeting to allow time for Town Manager to present the adopted short term rental policy to the applicants.

Office Manager/Treasurer Morgan gave a report on the use of a third party collection agency to assist in the collection of delinquent accounts. Staff recommended adoption of a resolution allowing staff to enter into agreement with a third-party collection agency to assist in the collection of all delinquent accounts and other charges.

Mr. Driskill made a motion that was seconded by Ms. Turner to adopt the Resolution Authorizing the Town to Employ the Services of a Private Collection Agency to Assist with the Collection of all Delinquent Accounts and to Authorize the Imposition of a Fee to Cover the Cost of Retaining a Private Collection Attorney, as recommended by staff.

After discussion, the motion carried 4-0 via the roll call method as follows:

|                   |        |                    |     |
|-------------------|--------|--------------------|-----|
| D. Dwayne Tuggle  |        | Andra Higginbotham | Aye |
| Janice N. Wheaton | Absent | Michael Driskill   | Aye |
| Sharon Turner     | Aye    | Douglas Thompson   | Aye |

A copy of the resolution is attached and made a part of these minutes.

Town Manager McGuffin gave a report on adoption of a proposed amendment to the FY23 Utility Rate and Fee Policy to allow for an in town rate for community based nonprofits that are located out of town. At its meeting on April 14, 2021, council approved amendment to the town’s water policy to allow Town Manager authorization to allow out-of-town non-profit organizations that have a financial hardship and provide a community service to be billed at an in-town rate, on an annual basis. The provision was included in the 2021/2022 Utility Rate and Fee Policy but inadvertently left out of the 2022/2023 Utility Rate Fee Policy. Staff recommended the amendment to the current FY23 policy.

Mr. Driskill made a motion to approve the proposed amendment to the FY23 Utility Rate and Fee Policy to allow for in-town rate for community based nonprofits that are located out of town, as recommended by staff. Lacking a second to the motion, the motion failed.

Town Manager McGuffin gave a report on revisions to the Property Maintenance Code related to Grass and Weeds. Staff recommended setting a public hearing on the matter at the May 10, 2023, meeting.

Mr. Higginbotham made a motion that was seconded by Mr. Driskill to set a public hearing at Council’s May 10, 2023, meeting on the revisions to Town Code Chapter 10, Nuisances, related to Grass and Weeds, as recommended by staff.

After discussion, the motion carried 4-0 via the roll call method as follows:

|                   |        |                    |     |
|-------------------|--------|--------------------|-----|
| D. Dwayne Tuggle  |        | Andra Higginbotham | Aye |
| Janice N. Wheaton | Absent | Michael Driskill   | Aye |
| Sharon Turner     | Aye    | Douglas Thompson   | Aye |

Police Chief Shiflett reported that Investigator Ryan Watts will be acting Police Captain due to the vacancy created by the recent resignation of Captain Brandon Payne from the Amherst Police Department.

Mr. Thompson made a motion that was seconded by Ms. Turner to authorize an exit interview with Captain Payne to be conducted by Attorney Kemp.

After discussion, the motion carried 4-0 via the roll call method as follows:

|                   |        |                    |     |
|-------------------|--------|--------------------|-----|
| D. Dwayne Tuggle  |        | Andra Higginbotham | Aye |
| Janice N. Wheaton | Absent | Michael Driskill   | Aye |
| Sharon Turner     | Aye    | Douglas Thompson   | Aye |

Mayor Tuggle opened the floor to citizen comments.

Angela Sundaramurthy, resident of the Town of Amherst, came forward with various concerns related to complaints made about unfinished work around new power poles on sidewalks and questions about new bike racks and planting of trees.

There being no one else listed to speak on the citizen comment sign-in sheet or otherwise, no comments were made.

There being no further business, the meeting adjourned at 8:02 P.M., until May 10, 2023, at 7:00 p.m. on motion of Mr. Driskill seconded by Mr. Higginbotham.

The motion carried 4-0 as follows:

|                   |        |                    |     |
|-------------------|--------|--------------------|-----|
| D. Dwayne Tuggle  |        | Andra Higginbotham | Aye |
| Janice N. Wheaton | Absent | Michael Driskill   | Aye |
| Sharon Turner     | Aye    | Douglas Thompson   | Aye |

\_\_\_\_\_  
D. Dwayne Tuggle, Mayor

Attest: \_\_\_\_\_  
Clerk of Council

**ORDINANCE #230412**

**AN ORDINANCE AMENDING THE PROVISIONS SET FORTH IN CHAPTER 24 (ZONING ORDINANCE) ARTICLE IV (ZONING DISTRICT REGULATOINS) SEC. 24-226 – R-1 LIMITED RESIDENTIAL DISTRICT, SEC. 24-227 R-2 GENERAL RESIDENTIAL DISTRICT, AND SECTION 24-235 – TABLE OF USES. THIS PROVISION ALLOW SHORT TERM RENTALS IN THE RESIDENTIAL DISTRICTS WITH A SPECIAL USE PERMIT.**

**WHEREAS**, Sections 15.2-1427 and 15.2-1433 of the Code of Virginia, 1950, as may be amended from time to time, enable a local governing body to adopt, amend, and codify ordinances or portions thereof; and

**WHEREAS**, Sections 15.2-2280, 15.2-2285, and 15.2-2286 of the Code of Virginia, 1950, as amended, enables a local governing body to adopt and amend zoning ordinances; and

**WHEREAS**, this amendment of the Town of Amherst Zoning Ordinance is required to serve the public necessity, convenience, general welfare, and good zoning practice pursuant to Section 15.2-2286(A)(7) of the Code of Virginia, as amended; and

**WHEREAS**, the proper advertisement and public hearing were conducted as required by law; and

**WHEREAS**, the full text of this amendment was available for public inspection in the Town Hall located at 174 S. Main Street, Amherst, Virginia 24521.

**NOW THEREFORE**, BE IT ORDAINED BY THE TOWN COUNCIL OF AMHERST that Section 24-226, Section 24-227, and Section 24-235 of the Town of Amherst Zoning Ordinance are amended and reenacted as follows:

Sec. 24-235. - Table of uses

Table 24-235. Table of Uses

| A-1                                    | R-1 | R-2 | T-1 | R-3 | R-4 | B-1 | CBD | B-2 | M-1 | Description of Use  |
|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|---|
| <i>Accessory and Agricultural Uses</i> |     |     |     |     |     |     |     |     |     |   |
| P                                      | P   | P   | P   | P   | P   | P   | P   | P   | P   | Accessory buildings and uses as provided in section 24-472  |
| P                                      | P   | P   | P   | P   | P   | P   | P   | P   | P   | Agricultural activities, including the raising of crops and animals, provided that agricultural use shall not be objectionable by reason of odor, dust, noise, pollution, erosion or drainage |

|                         |   |   |   |   |   |   |   |   |   |   |
|-------------------------|---|---|---|---|---|---|---|---|---|---|
|                         |   |   |   |   |   |   | P | P | P | Antenna and equipment buildings associated with existing wireless telecommunication facilities as provided in article XI of this chapter  |
|                         |   |   |   |   |   |   |   |   | S | Cemeteries  |
| S                       | S | S | P | S | S | P | P | P |   | Church accessory uses involving 2,000 SF or more of building area, including childcare centers, indoor recreation or fellowship halls, and schools  |
| P                       | P | P | P | P | P | P | P | P | P | Confined livestock facilities as provided in section 24-478   |
|                         |   |   |   |   |   |   |   | S | S | Helipads on public property or collocated with a nonprofit health care facility   |
| P                       | S | S | S | S | S | P | P | P |   | Home occupation in an accessory building to the main dwelling unit as provided in section 24-474  |
| P                       | P | P | P | P | P | P | P | P |   | Home occupations within a dwelling unit as provided in section 24-474   |
| P                       | P | P | P | P | P | P | P | P | P | Public utilities: poles, lines, transformers, pipes, meters, and/or other facilities necessary for the provision and maintenance of public utilities, provided that electric service lines from the street property line to any residence or other permitted use shall be underground, provided that only one line of poles will be allowed on any street |
| P                       | P | P | P | P | P | P | P | P | P | Signs as provided in article IX of this chapter   |
| S                       | S | S | S | S | S | P | P | P | P | Temporary uses, including, but not limited to, sale of Christmas trees, tents for revivals, carnivals, but such use not permitted for a period to exceed four months in any calendar year   |
| <i>Residential Uses</i> |   |   |   |   |   |   |   |   |   |   |
| S                       | S | P | P | P | P |   |   |   |   | Apartments in an existing single-family dwelling  |
| P                       | S | S | P | S | S | P | P | P |   | Bed and breakfast lodging, provided that the owner and family must occupy the residence and own the business, the single-family dwelling appearance be maintained, and adequate off-street parking is provided to the rear of the front setback of the dwelling   |
| P                       | P | P | P | P | P | P | P | P |   | Churches, manses, parish houses and adjacent cemeteries   |
| P                       | P | P | P | P | P | P | P | P |   | Garages, private  |
| P                       |   |   |   |   | S |   |   |   |   | Individual manufactured or modular homes 19 feet or greater in width placed on continuous masonry foundations   |
|                         |   |   |   |   | S |   |   |   |   | Manufactured home parks, as provided in article X of this chapter   |
|                         |   |   |   | P |   | P | P | P |   | Multifamily dwellings with an aggregate of three or more units as specified in section 24-475   |
| S                       | S | S | S | S | S | S | S | S |   | Planned unit developments, as provided in article VI of this section  |
|                         | S | S |   |   |   | S | S | S |   | Short-term rental   |
| P                       | P | P | P | P | P | P | P | P |   | Single-family dwellings, except for mobile homes and manufactured homes   |

|                        |   |   |   |   |   |   |   |   |   |   |
|------------------------|---|---|---|---|---|---|---|---|---|---|
|                        |   |   |   |   |   | P | P | P |   | Single-family, two-family and multifamily dwellings within a building that contains a business  |
|                        |   |   | P | P |   | P | P | P |   | Townhouses, as provided in section 24-477, and condominiums   |
|                        |   | P |   |   |   |   |   |   |   | Townhouses, as provided in section 24-477, with no more than four townhouses within any one development   |
| P                      |   | P | P | P | P | P | P | P |   | Two-family dwelling units and semi-detached dwellings   |
| <i>Commercial Uses</i> |   |   |   |   |   |   |   |   |   |   |
|                        |   |   |   |   |   |   | S | S |   | Adult oriented entertainment that may include alcohol or gambling, such as pool halls, dance halls, or electronic skills games halls  |
|                        |   |   |   |   |   |   | P | P |   | Agricultural, farm and lawn machinery display, sales and services, provided that all inoperable machinery must not be visible from any public right of way  |
|                        |   |   | P |   |   | P | P | P |   | Antique and gift shops  |
|                        |   |   |   |   |   |   |   |   | S | Arenas, auditoriums or stadiums   |
|                        |   |   |   |   |   |   | P | P | P | Automobile laundry or car wash, provided that a paved area shall be located on the same lot for the storage of vehicles awaiting entrance to the washing process  |
|                        |   |   |   |   |   |   | P | P | P | Automobile, motor home, travel trailer, and mobile home sales (new and used) which need not be enclosed, but any mechanical or body repair must be conducted entirely within a structure which shall not have any opening, other than a stationary window, within 100 feet of a residential district and provided further that all vehicles on a used car sales lot must be in operating condition at all times |
|                        |   |   |   |   |   |   | S | S |   | Automotive repair garage, mechanical and body, provided all operations are conducted in a building which shall not have any opening other than a stationary window within 100 feet of a residential district and which shall not store or otherwise maintain any parts or waste material outside such building  |
|                        |   |   |   |   |   |   | P | P |   | Automobile service stations as provided in section 24-473   |
|                        |   |   |   |   |   |   | P | P |   | Bakeries employing not more than ten persons other than clerks and vehicle drivers  |
|                        |   |   |   |   |   | S | P | P |   | Banks and savings and loan institutions   |
|                        |   |   |   |   |   |   | S | S |   | Building materials dealer   |
|                        |   |   |   |   |   |   | P | P |   | Building materials dealer, not including handling of bulk materials such as sand and gravel   |
|                        |   |   |   |   |   |   | P | P |   | Catering establishments   |
|                        | S | S | P | S | S | P | P | P |   | Childcare centers   |
|                        |   |   | P |   |   | P | P | P |   | Clinics and medical offices   |
|                        |   |   |   |   |   |   | P | P |   | Convenience stores; in the event that gasoline or fuel is sold together with any other uses allowed in  |



|   |  |  |   |  |  |   |   |   |   |  |
|---|--|--|---|--|--|---|---|---|---|--|
|   |  |  |   |  |  |   |   |   |   | this district there must be compliance with this chapter   |
|   |  |  |   |  |  | S | P | P |   | Drug stores and other establishment for the filling of prescriptions and sale of pharmaceutical and similar supplies   |
|   |  |  |   |  |  | P | P | P | P | Emergency services   |
|   |  |  | S |  |  | P | P | P |   | Family oriented indoor recreation with no alcohol or gambling, including bowling alleys, roller skating, ice skating, game, pinball or other electronic game centers   |
|   |  |  | S |  |  | S | P | P |   | Farmers markets  |
|   |  |  |   |  |  |   | S | S | P | Feed and seed stores   |
|   |  |  | P |  |  | P | P | P |   | Funeral homes  |
|   |  |  |   |  |  |   | P | P |   | Furniture stores   |
|   |  |  |   |  |  |   | S | S | P | Garages, private and public  |
|   |  |  |   |  |  | S | P | P |   | Grocery stores   |
|   |  |  |   |  |  |   | P | P |   | Hardware stores  |
| P |  |  |   |  |  |   |   |   |   | Kennels  |
|   |  |  |   |  |  |   |   |   | P | Laboratories, pharmaceutical or medical  |
|   |  |  |   |  |  |   | P | P |   | Machinery sales and services   |
|   |  |  |   |  |  |   | P | P |   | Motels, motor hotels and motor inns  |
|   |  |  |   |  |  | P | P | P |   | Newsstands   |
| S |  |  |   |  |  |   |   |   |   | Nonmotorized bicycle (motorcross) racing facilities  |
| S |  |  | S |  |  | S |   | S |   | Outdoor entertainment such as golf driving ranges or other sports related entertainment  |
|   |  |  |   |  |  |   |   |   | S | Outdoor theaters, provided the face of the screen is not visible from any arterial or collector streets located within 2,000 feet of such screen   |
|   |  |  |   |  |  |   | S | S |   | Pest exterminating businesses  |
|   |  |  |   |  |  |   | P | P |   | Printing plants and newspaper offices  |
|   |  |  | P |  |  | P | P | P |   | Professional office buildings  |
|   |  |  |   |  |  |   | P | P |   | Radio and TV offices and studios   |
|   |  |  |   |  |  |   | P | P |   | Restaurants, craft breweries, craft distilleries   |
|   |  |  |   |  |  |   | P | P |   | Retail automotive parts stores   |
|   |  |  |   |  |  |   |   |   | P | Retail and wholesale greenhouses and nurseries   |
|   |  |  |   |  |  | S | P | P |   | Retail nurseries with greenhouses  |
|   |  |  | P |  |  | P | P | P |   | Retail service stores such as bakeries, barber shops, beauty parlors, shoe shops, self-service laundries, and establishments for receiving and distributing articles for laundering, drying and dry cleaning |
|   |  |  |   |  |  |   |   |   | P | Sale of products produced on the premises  |
|   |  |  |   |  |  |   | P | P |   | Satellite dish antenna sales and service establishments  |
|   |  |  |   |  |  |   | S | S |   | Self-service mini-storage and warehouse facilities   |
|   |  |  |   |  |  |   | P | P |   | Shopping centers as provided in section 24-476   |
|   |  |  |   |  |  |   | P | P |   | Theaters, indoor   |
|   |  |  | S |  |  | S | P | P |   | Time-shares  |
|   |  |  |   |  |  |   | S | S |   | Veterinary hospitals and clinics   |
|   |  |  | S |  |  |   | P | P |   | Videotape sales and rental establishments  |

|                           |   |   |   |   |   |   |   |   |   |   |
|---------------------------|---|---|---|---|---|---|---|---|---|---|
|                           |   |   |   |   |   | P | P | P |   | Wearing apparel stores  |
|                           |   |   |   |   |   |   | S | S | S | Wireless telecommunication facilities as provided in article XI of this chapter   |
| <i>Institutional Uses</i> |   |   |   |   |   |   |   |   |   |   |
|                           |   |   |   |   |   | P | P | P |   | Clubs and lodges, fraternal, civic and patriotic  |
|                           |   |   |   |   |   | S | P | P |   | Community centers   |
|                           |   |   |   |   |   |   | S | S |   | Childcare centers   |
|                           |   |   |   |   |   | S | P | P | P | Government office buildings, including buildings occupied any local, regional, state or federal agency including courthouses  |
|                           |   |   | P | P |   | P | P | P |   | Hospitals and nursing homes   |
|                           |   |   |   |   |   |   | S | S | S | Jails   |
|                           |   |   | P |   |   | P | P | P |   | Public and private schools and accompanying dormitories and facilities  |
|                           |   |   | P |   |   | P | P | P |   | Public libraries  |
| P                         | P | P | P | P | P | P | P | P |   | Public parks and playgrounds provided recreational facilities shall not be less than 250 feet from any residential lot line   |
| S                         |   |   |   |   |   |   |   |   |   | School support facilities   |
|                           |   |   |   |   | P | P | P | P |   | Social, civic, patriotic and recreational clubs, lodges and fraternal orders  |
|                           |   |   | P |   |   | P | P | P |   | U.S. post offices   |
| <i>Industrial Uses</i>    |   |   |   |   |   |   |   |   |   |   |
|                           |   |   |   |   |   |   | P | P |   | Carpentry and cabinet making shops  |
|                           |   |   |   |   |   |   | P | P |   | Cold storage plants and frozen food lockers not including lard rendering and abattoirs  |
|                           |   |   |   |   |   |   | S | S | S | Contractor facilities and storage yards and establishments for installation and servicing products with outside storage of materials and machinery  |
|                           |   |   |   |   |   |   | P | P | P | Contractor facilities not involving outside storage of materials and machinery  |
|                           |   |   |   |   |   |   | P | P |   | Dry cleaning plants   |
|                           |   |   |   |   |   |   |   |   | P | Frozen food processors, lockers and ice manufacturing   |
|                           |   |   |   |   |   |   | S | S | P | Light manufacturing, processing or packaging of products (including machine shops without punch presses) provided all operations are conducted in a building which shall not have any opening other than a stationary window within 100 feet of a residential, agricultural or conservation district; shall not store or otherwise maintain any parts or waste material outside such building; and shall not create conditions of smoke, fumes, noise, odor or dust detrimental to health, safety or general welfare of the community; and shall be permanently screened from adjoining residential lots and districts by a wall, fence, evergreen hedge and/or other suitable enclosure of a minimum height of seven feet at the original elevation of the property line |

|   |  |  |  |  |  |   |   |   |   |   |
|---|--|--|--|--|--|---|---|---|---|---|
|   |  |  |  |  |  |   |   |   | P | Manufacturing, processing, fabricating, assembling, distributing or packaging of products, including, but not limited to, business equipment, die-cut paperboard and cardboard; glass products made of purchased glass; electrical lighting and wiring equipment; dairy products; baked and confectioners' goods; fruit and vegetable processing, canning and storage; electronic components; professional, scientific, engineering; laboratory, or research instruments; electronic computing instruments; iron and steel, musical instruments; toys; rubber and metal stamps; photographic equipment; drugs; fire extinguisher; sporting and athletic goods, lithographic and printing processes; radio and television receiving sets; appliances; watches; clocks; and optical goods |
|   |  |  |  |  |  |   |   |   | P | Moving and storage establishments   |
|   |  |  |  |  |  | S | S | S | P | Oil and gas exploration, extraction and production, provided the provisions of all applicable state laws and state rules are adhered to   |
| P |  |  |  |  |  |   |   |   |   | Packing and distribution plants for horticultural products, provided such plants are incidental to agricultural operation of the property on which such plants are located  |
|   |  |  |  |  |  |   |   |   | P | Printing establishments   |
|   |  |  |  |  |  |   |   |   | S | Processing and sale of milk and milk products, both wholesale or retail   |
|   |  |  |  |  |  |   | S | S | S | Radio and TV transmission towers (provided the tower is so located that its minimum distance from any lot line shall equal the maximum height of the tower above ground level)  |
|   |  |  |  |  |  |   | S | S | S | Radio and TV transmitters   |
|   |  |  |  |  |  |   | S | S |   | Shopping centers as provided in section 24-476  |
|   |  |  |  |  |  |   | S | S | P | Sign manufacturing  |
|   |  |  |  |  |  |   |   |   | P | Soft drink and bottling plants  |
|   |  |  |  |  |  |   | S | S | P | Tire recapping, provided all operations are conducted in a building which shall not have any opening other than a stationary window within 100 feet of a residential district and which shall not store or otherwise maintain any parts or waste material outside such building   |
|   |  |  |  |  |  |   |   |   | P | Transportation terminals and facilities   |
|   |  |  |  |  |  |   |   |   | S | Truck stops   |
|   |  |  |  |  |  |   | S | S | P | Warehousing operations  |
|   |  |  |  |  |  |   | S | S | S | Welding, blacksmith, or machine shops, excluding punch presses  |
|   |  |  |  |  |  |   | S | S | P | Wholesale and jobbing establishments  |
|   |  |  |  |  |  |   |   |   | S | Yards for storage and/or sale of coal, petroleum products, or flammable gases   |
|   |  |  |  |  |  |   | S | S | S | Yards for storage and/or sale of lumber, building materials, or contracting equipment   |

|  |  |  |  |  |  |  |  |  |  |                               |
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|  |  |  |  |  |  |  |  |  |  | Uses listed in section 24-265 |
|--|--|--|--|--|--|--|--|--|--|-------------------------------|

That this Ordinance shall be effective on April 12, 2023.

This ordinance was adopted on April 12, 2023.

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D. Dwayne Tuggle, Mayor

ATTEST:

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Clerk of the Council

**RESOLUTION AUTHORIZING THE TOWN TO EMPLOY THE SERVICES OF A PRIVATE COLLECTION ATTORNEY TO ASSIST WITH THE COLLECTION OF ALL DELINQUENT ACCOUNTS AND TO AUTHORIZE THE IMPOSITION OF A FEE TO COVER THE COST OF RETAINING A PRIVATE COLLECTION ATTORNEY**

**WHEREAS**, there are certain bills that the Town has been unable to collect, and it is in the interest of the Town to retain a private collection attorney to assist with the collection of all delinquent accounts and other charges; and

**WHEREAS**, Section 58.1-3934 of the Code of Virginia allows the Town to employ the services of a private collection attorney to assist with the collection of all delinquent taxes and other charges; and

**WHEREAS**, Section 58.1-3958 of the Code of Virginia allows the governing body to impose fees to cover the reasonable attorney's or collection agency's fees actually contracted for, not to exceed 20% of the amount collected and which fees are chargeable against the delinquent;

**NOW, THEREFORE BE IT RESOLVED**, by the Town Council for the Town of Amherst, that, pursuant to Virginia Code Section 58.1-3934, it hereby authorizes the employment of the services of a private collection attorney to assist with the collection all delinquent accounts; and

**BE IT FURTHER RESOLVED**, that the Town Council for the Town of Amherst pursuant to the authority of Virginia Code Section 58.1-3958, authorizes the addition of a the maximum permitted fee to all delinquent bills to cover the reasonable actual expense of employing the private collection attorney.

Adopted this 12th day of April, 2023.

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D. Dwayne Tuggle, Mayor

ATTEST:

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Clerk of the Council