



TOWN OF OCCOQUAN

Circa 1734 | Chartered 1804 | Incorporated 1874

314 Mill Street
PO BOX 195
Occoquan, VA 22125
(703) 491-1918
occoquanva.gov
info@occoquanva.gov

Occoquan Town Council Town Council Meeting January 21, 2025 | 7:00 p.m.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Citizens' Time** - Members of the public may, for three minutes, present for the purpose of directing attention to or requesting action on matters not included on the prepared agenda. These matters shall be referred to the appropriate town official(s) for investigation and report. Citizens may address issues as they come up on the agenda if advance notice is given during 'Citizens' Time
4. **Presentation**
 - a. FY2024 Audit Presentation by Robinson, Farmer, Cox Associates - pg. 2
5. **Consent Agenda**
 - a. Request to Accept December 3, 2024, Town Council Meeting Minutes - pg. 49
 - b. Request to Reappoint Member to the Board of Zoning Appeals - pg. 56
6. **Mayor's Report**
7. **Councilmember Reports**
8. **Boards and Commissions**
9. **Administrative Reports** - pg. 58
 - a. Administrative Report
 - b. Town Treasurer's Report
 - c. Town Attorney's Report
10. **Regular Business**
 - a. Request to Adopt Ordinance to Amend Title IX of the Town Code - pg. 96
 - b. Request to Adopt the National Incident Management System (NIMS) and Emergency Operations Plan Resolutions - pg. 152
11. **Discussion Items**
 - a. Tax on Sale of Cigarettes - pg. 186
 - b. Holiday Events and Marketing Discussion with Visit Occoquan, Inc. - pg. 196
 - c. StormReady® Certification Education Discussions - pg. 199
12. **Closed Session**
13. **Adjournment**

Portions of this meeting may be held in closed session pursuant to the Virginia Freedom of Information Act.
A copy of this agenda with supporting documents is available online at www.occoquanva.gov.



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

4. Presentation	Meeting Date: January 21, 2025
4A: FY2023 Audit Presentation by Robinson, Farmer, Cox Associates	

Attachments: a. Draft Fiscal Year (FY) 2023 Audit

Submitted by: Adam C. Linn
Town Manager

Explanation and Summary:

The review of the FY2023 financials has been completed and a representative from Robinson, Farmer, Cox & Associates will provide a presentation of the audit. This is an opportunity for Council to be briefed on the status of the report and have any questions addressed.

Staff Recommendation: Recommend acceptance.

Proposed/Suggested Motion(s):

"I move to accept the Fiscal Year End June 30, 2023 Financial Report."

OR

Other action Council deems appropriate.



TOWN OF OCCOQUAN, VIRGINIA
FINANCIAL REPORT
FOR THE YEAR ENDED JUNE 30, 2023

TOWN OF OCCOQUAN, VIRGINIA

FINANCIAL REPORT

YEAR ENDED JUNE 30, 2023



TOWN OF OCCOQUAN, VIRGINIA

TOWN COUNCIL

Earnest W. Porta Jr., Mayor

Jenn Loges, Vice-Mayor

Theo Daubresse

Cindy Fithian

Nancy Freeborne Brinton

Eliot Perkins

OFFICIALS

Adam Linn, Town Manager / Chief
of Police

Manuel Casillas, Town Treasurer



INDEPENDENT AUDITORS' REPORT

**TO THE HONORABLE MEMBERS OF THE TOWN COUNCIL
TOWN OF OCCOQUAN, VIRGINIA
OCCOQUAN, VIRGINIA**

Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of the Town of Occoquan, Virginia, (the "Town") as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise the Town's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities and each major fund of the Town of Occoquan, Virginia, as of and for the year ended June 30, 2023, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the *Specifications for Audits of Counties, Cities, and Towns*, issued by the Auditor of Public Accounts of the Commonwealth of Virginia. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Town of Occoquan, Virginia, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Town of Occoquan, Virginia's ability to continue as a going concern for twelve months beyond the June 30, 2023, including any currently known information that may raise substantial doubt shortly thereafter.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the *Specifications for Audits of Counties, Cities, and Towns* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the *Specifications for Audits of Counties, Cities, and Towns*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Town of Occoquan, Virginia's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Town of Occoquan, Virginia's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the budgetary comparison information, and schedules related to pension as listed in the table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The budgetary comparison information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Management has omitted management’s discussion and analysis and schedules related to OPEB funding that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise Town of Occoquan, Virginia’s basic financial statements. The supporting schedules are presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the other supplementary information is fairly stated in all material respects in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated January 10, 2025, on our consideration of Town of Occoquan, Virginia’s internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of Town of Occoquan, Virginia’s internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Town of Occoquan, Virginia’s internal control over financial reporting and compliance.

Fredericksburg, Virginia
January 10, 2025

Basic Financial Statements

DRAFT

Government-wide Financial Statements

DRAFT

Statement of Net Position
At June 30 2023

	<u>Governmental Activities</u>
Assets:	
Cash and cash equivalents	\$ 925,398
Restricted cash	100,000
Accounts receivable	63,931
Taxes receivable	288,464
Due from other governments	296,796
Prepaid items	8,899
Net pension asset	85,023
Capital assets:	
Land	1,081,564
Construction in progress	316,873
Other capital assets, net of accumulated depreciation	2,287,768
Total assets	<u>\$ 5,454,716</u>
Deferred Outflows of Resources:	
Pension related items	<u>\$ 102,091</u>
Liabilities:	
Accounts payable	\$ 141,231
Accrued payroll	11,149
Unearned revenues	723,649
Long-term liabilities:	
Due within one year	7,940
Due in more than one year	40,812
Total liabilities	<u>\$ 924,781</u>
Deferred Inflows of Resources:	
Pension related items	\$ 3,515
Deferred revenue - property taxes	287,906
Total deferred inflows of resources	<u>\$ 291,421</u>
Net Position:	
Net Investment in capital assets	\$ 3,678,706
Restricted - Mamie Davis funds	100,000
Restricted - net pension asset	85,023
Unrestricted	476,876
Total net position	<u>\$ 4,340,605</u>

The accompanying notes to financial statements are an integral part of this statement.

Statement of Activities
Year Ended June 30, 2023

Functions/Programs	Expenses	Program Revenues			Net (Expense)
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Revenue and Changes in Net Position
					Primary Governmental Activities
Primary Government:					
Governmental activities:					
General government administration	\$ 493,368	\$ -	\$ 34,113	\$ -	(459,255)
Public safety	490,191	341,452	67,047	11,000	(70,692)
Public works	307,558	12,415	260,133	241,617	206,607
Parks, recreation, and cultural	260,134	-	-	12,354	(247,780)
Total governmental activities	\$ 1,551,580	\$ 353,867	\$ 361,293	\$ 264,971	\$ (571,449)
General Revenues:					
General property taxes				\$	277,800
Local sales and use taxes					40,686
Auto decals					10,521
Business license tax					65,047
Meals tax					281,566
Consumer utility tax					34,765
Other local taxes					36,604
Unrestricted revenues from the use of money and property					40,610
Grants and contributions not restricted to specific programs					32,168
Miscellaneous					269,672
Total general revenues				\$	1,089,439
Change in net position				\$	517,990
Net position, beginning of year					3,822,615
Net position, end of year				\$	4,340,605

The accompanying notes to financial statements are an integral part of this statement.

Fund Financial Statements

DRAFT

Balance Sheet
 Governmental Funds
 At June 30, 2023

	<u>General</u>
Assets:	
Cash and cash equivalents	\$ 925,398
Restricted cash	100,000
Accounts receivable	63,931
Taxes receivable	288,464
Due from other governments	296,796
Prepaid items	8,899
Total assets	<u>\$ 1,683,488</u>
Liabilities:	
Accounts payable	\$ 141,231
Accrued payroll	11,149
Unearned revenues	723,649
Total liabilities	<u>\$ 876,029</u>
Deferred Inflows of Resources:	
Unavailable revenue - taxes	\$ 288,464
Total deferred inflows of resources	<u>\$ 288,464</u>
Fund Balance:	
Nonspendable:	
Prepaid items	\$ 8,899
Restricted:	
Mamie Davis funds	100,000
E Summons funds	36,123
Assigned:	
Events fund	88,492
Capital projects	26,843
Mamie Davis funds	6,498
Public safety	14,283
PEG funds	1,955
Unassigned	235,902
Total fund balance	<u>\$ 518,995</u>
Total liabilities, deferred inflows of resources and fund balance	<u>\$ 1,683,488</u>

The accompanying notes to financial statements are an integral part of this statement.

Reconciliation of the Governmental Funds Balance Sheet to the Statement of Net Position
At June 30, 2023

Total fund balances for governmental funds (Exhibit 3) \$ 518,995

Total net position reported for governmental activities in the statement of net position is different because:

Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds. Those assets consist of:

Land	\$	1,081,564	
Depreciable capital assets, net of accumulated depreciation		2,287,768	3,686,205

Other long-term assets are not available to pay for current-period expenditures and, therefore, are not reported in the funds.

Net pension asset			85,023
-------------------	--	--	--------

Deferred outflows of resources are not available to pay for current-period expenditures and, therefore, are not reported in the funds:

Pension related items			102,091
-----------------------	--	--	---------

Other long-term assets are not available to pay for current-period expenditures and, therefore, are reported as unavailable revenue in the funds:

Unavailable revenue related to property taxes			558
---	--	--	-----

Deferred inflows of resources are not due and payable in the current period and, therefore are not reported in the funds:

Pension related items			(3,515)
-----------------------	--	--	---------

Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the funds.

Compensated absences	\$	(41,253)	
Lease liabilities		(7,499)	(48,752)

Total net position of governmental activities	\$		4,340,605
---	----	--	-----------

The accompanying notes to financial statements are an integral part of this statement.

Statement of Revenues, Expenditures and Changes in Fund Balances
 Governmental Funds
 Year Ended June 30, 2023

	<u>General</u>
Revenues:	
General property taxes	\$ 278,013
Other local taxes	469,189
Fines and forfeitures	341,452
Revenue from use of money and property	40,610
Charges for services	12,415
Recovered costs	12,354
Miscellaneous	269,672
Intergovernmental:	
Commonwealth	74,867
Federal	<u>571,211</u>
Total revenues	<u>\$ 2,069,783</u>
Expenditures:	
Current:	
General government administration	\$ 534,033
Public safety	421,650
Public works	226,887
Parks, recreation, and cultural	219,078
Capital outlay	610,304
Debt service:	
Principal retirement	3,974
Interest and fiscal charges	<u>329</u>
Total expenditures	<u>\$ 2,016,255</u>
Excess (deficiency) of revenues over (under) expenditures	<u>\$ 53,528</u>
Changes in fund balances	\$ 53,528
Fund balances at beginning of year	<u>465,467</u>
Fund balances at end of year	<u><u>\$ 518,995</u></u>

The accompanying notes to financial statements are an integral part of this statement.

Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances
of Governmental Funds to the Statement of Activities
Year Ended June 30, 2023

Net change in fund balances - total governmental funds (Exhibit 5) \$ 53,528

Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlay exceeded depreciation expense in the current period.

Capital outlay	\$ 544,160	
Depreciation expense	<u>(79,962)</u>	464,198

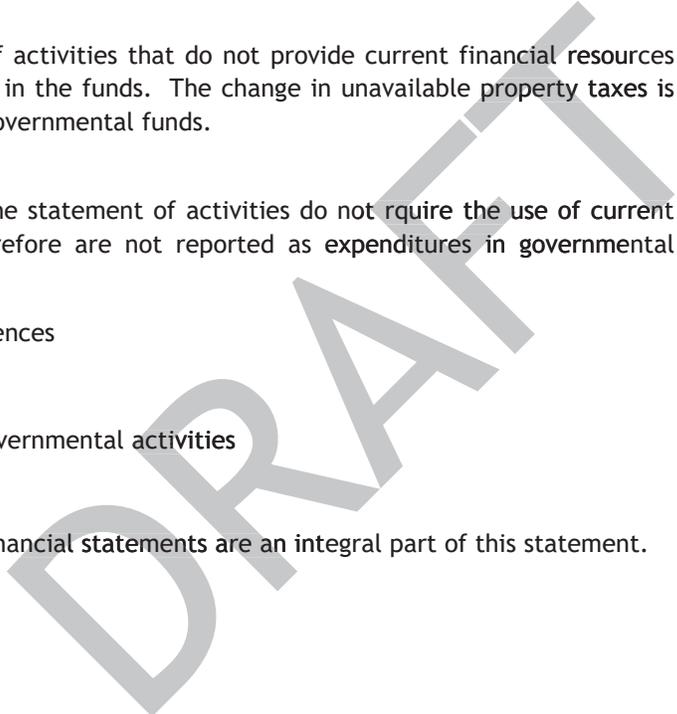
Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the funds. The change in unavailable property taxes is reported as revenues in the governmental funds. (213)

Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore are not reported as expenditures in governmental funds.

Change in compensated absences	\$ (4,208)	
Pension expense	<u>1,387</u>	<u>(2,821)</u>

Change in net position of governmental activities \$ 517,990

The accompanying notes to financial statements are an integral part of this statement.



TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements
As of June 30, 2023

NOTE 1—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:

Narrative Profile:

The Town of Occoquan, (the “Town”) located in Prince William County, Virginia, approximately 25 miles south of Washington, D.C. was incorporated in 1874. The town has a population of approximately 1,047 and a land area of 0.2 square miles.

The Town is governed under the Council-Manager form of government. The Town government engages in wide ranges of municipal services including general government administration, public safety, public works, and parks, recreation, and cultural. Judicial administration, education, fire, library, health and welfare services are provided by Prince William County.

The financial statements of the Town of Occoquan, Virginia have been prepared in conformity with the accounting principles generally accepted in the United States as specified by the Governmental Accounting Standards Board and specifications promulgated by the Auditor of Public Accounts (APA) of the Commonwealth of Virginia. The more significant of the Town’s accounting policies are described below.

A. Financial Reporting Entity

Management’s Discussion and Analysis: The Management’s Discussion and Analysis has been omitted.

Government-wide Financial Statements: The reporting model includes financial statements prepared using full accrual accounting for all of the government’s activities. This approach includes not just current assets and liabilities (such as cash and accounts payable) but also capital assets and long-term liabilities (such as buildings and infrastructure, including bridges and roads, and general obligation debt). Accrual accounting also reports all of the revenues and costs of providing services each year, not just those received or paid in the current year or soon thereafter.

Statement of Net Position: The Statement of Net Position is designed to display the financial position of the primary government (governmental and business-type activities) and its discretely presented component units. Governments report all capital assets, including infrastructure, in the government-wide Statement of Net Position and report depreciation expense - the cost of “using up” capital assets - in the Statement of Activities. The net position of a government will be broken down into three categories: 1) net investment in capital assets; 2) restricted; and 3) unrestricted.

Statement of Activities: The government-wide Statement of Activities reports expenses and revenues in a format that focuses on the cost of each of the government’s functions. The expenses of individual functions are compared to the revenues generated directly by the function (for instance, through user charges or intergovernmental grants).

Fund Financial Statements: Separate financial statements are provided for governmental funds and proprietary funds. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements
As of June 30, 2023 (Continued)

NOTE 1—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES: (Continued)

A. Financial Reporting Entity (Continued)

Budgetary Comparison Schedules: Demonstrating compliance with the adopted budget is an important component of a government’s accountability to the public. Many citizens participate in the process of establishing the annual operating budgets of state and local governments, and have a keen interest in following the actual financial progress of their governments over the course of the year. The Town and many other governments revise their original budgets over the course of the year for a variety of reasons. The budgetary comparison schedules present the government’s original budget as well as a current comparison of final budget and actual results for its major funds.

Accounting principles generally accepted in the United States require financial statements to present the primary government and its component units, entities for which the government is considered to be financially accountable. Blended component units, although legally separate entities, are, in substance, part of the government’s operations and so data from these units are combined with data of the primary government. The Town has no component units that meet the requirements for blending. Discretely presented component units, on the other hand, are reported in a separate column in the government-wide statements to emphasize that they are legally separate from the primary government. The Town does not have any discretely presented component units.

B. Government-wide and Fund Financial Statements

The basic financial statements include both government-wide and fund financial statements. The focus is on both the Town as a whole and the fund financial statements, including the major individual funds of the governmental and business-type categories, as well as the fiduciary funds (by category) and the component units, if applicable. Both the government-wide and fund financial statements (within the basic financial statements) categorize primary activities as either governmental or business-type. In the government-wide Statement of Net Position, the governmental activity column (a) are presented on a consolidated basis by column, and (b) are reflected, on a full accrual, economic resources measurement focus, which incorporates long-term assets and receivables as well as long-term debt and obligations. Each presentation provides valuable information that can be analyzed and compared (between years and between governments) to enhance the usefulness of the information. The Town generally first uses restricted assets for expenses incurred for which both restricted and unrestricted assets are available. The Town may defer the use of restricted assets based on a review of the specific transaction.

The government-wide Statement of Activities reflects both the gross and net cost per functional category (public safety, public works, community development, etc.) that are otherwise being supported by general government revenues (property, sales and use taxes, certain intergovernmental revenues, fines, permits and charges, etc.). The Statement of Activities reduces gross expenses (including depreciation) by related program revenues, operating and capital grants, and contributions. The program revenues must be directly associated with the function (public safety, public works, community development, etc.) or a business-type activity. Program revenues include: 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function, and 2) grants and contributions that are restricted to meeting the operation or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported as general revenues. The Town does not allocate indirect expenses.

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements
As of June 30, 2023 (Continued)

NOTE 1—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES: (Continued)

B. Government-Wide and Fund Financial Statements (Continued)

The operating grants include operating-specific and discretionary (either operating or capital) grants while the capital grants column reflects capital-specific grants. Internal service charges, if applicable, are eliminated and the net income or loss from internal service activities is allocated to the various functional expense categories based on the internal charges to each function.

In the fund financial statements, financial transactions and accounts of the Town are organized on the basis of funds. The operation of each fund is considered to be an independent fiscal and separate accounting entity, with a self-balancing set of accounts recording cash and/or other financial resources together with all related liabilities and residual equities or balances, and changes therein, which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions, or limitations. The fund statements are presented on a current financial resource and modified accrual basis of accounting. This is the manner in which these funds are normally budgeted. Since the governmental fund statements are presented on a different measurement focus and basis of accounting than the government-wide statement's governmental column, a reconciliation is presented, which briefly explains the adjustments necessary to reconcile the fund financial statements to the governmental column of the government-wide financial statement.

The following is a brief description of the specific funds used by the Town in FY 2023.

1. *Governmental Funds* - Governmental Funds account for and report the expendable financial resources, other than those accounted for in Proprietary and Fiduciary Funds. The Governmental Funds utilize the modified accrual basis of accounting where the measurement focus is upon determination of financial position and changes in financial position, rather than upon net income determination as would apply to a commercial enterprise. The individual Governmental Funds is:

General Fund - The General Fund is the primary operating Fund of the Town. This fund is used to account for and report all financial resources except those required to be accounted for and reported in another fund. Revenues are derived primarily from property and other local taxes, state and federal distributions, licenses, permits, charges for service and interest income. The General Fund is considered a major fund for reporting purposes.

C. Basis of Accounting

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. All Governmental Funds are accounted for using a current financial resources measurement focus. With this measurement focus, only current assets and current liabilities generally are included on the balance sheet. Operating statements of these funds present increases (i.e., revenues and other financing sources) and decreases (i.e., expenditures and other financing uses) in net current assets.

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements
As of June 30, 2023 (Continued)

NOTE 1—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES: (Continued)

C. Basis of Accounting (continued)

Governmental funds utilize the modified accrual basis of accounting under which revenues and related assets are recorded when measurable and available to finance operations during the year. Accordingly, real and personal property taxes are recorded as revenues and receivables when billed, net of allowances for uncollectible amounts, except that property taxes not collected within 60 days after year-end are reflected as unavailable revenues. Sales and utility taxes, which are collected by the State or utilities and subsequently remitted to the Town, are recognized as revenues and receivables upon collection by the State or utility, which is generally in the month preceding receipt by the Town. Licenses, permits, fines and rents are recorded as revenues when received. Intergovernmental revenues, consisting primarily of State and other grants for the purpose of funding specific expenditures, are recognized when measurable and available or at the time of the specific expenditure.

Expenditures, other than interest on long-term obligations, are recorded as the related fund liabilities are incurred. Principal and interest on long-term obligations is recognized when due except for amounts due on July 1, which are accrued.

All proprietary funds are accounted for on a flow of economic resources measurement focus. With this measurement focus, all assets and all liabilities associated with the operation of these funds are included on the balance sheet. Proprietary fund-type operating statements present increases (e.g., revenues) and decreases (e.g., expenses) in net total assets.

The accrual basis of accounting is used for the Enterprise Fund. Under the accrual method, revenues are recognized in the accounting period in which they are earned, while expenses are recognized in the accounting period in which the related liability is incurred. The Town has no proprietary funds.

D. Budgets and Budgetary Accounting

The following procedures are used by the Town in establishing the budgetary data reflected in the financial statements:

1. Prior to May 1, the Town Manager submits to the Town Council a proposed operating and capital budget for the fiscal year commencing the following July 1. The operating and capital budget includes proposed expenditures and the means of financing them.
2. Public hearings are conducted to obtain citizen comments.
3. Prior to June 30, the budget is legally enacted through passage of an Appropriations Resolution.
4. The Appropriations Resolution places legal restrictions on expenditures at the department or category level. The appropriation for each department or category can be revised only by the Town Council. The Town Administrator is authorized to transfer budgeted amounts within departments.
5. Formal budgetary integration is employed as a management control device during the year for all funds.
6. All budgets are adopted on a basis consistent with generally accepted accounting principles (GAAP).
7. Appropriations lapse on June 30, for all Town funds unless they are carried forward by a resolution of Town Council.
8. All budgetary data presented in the accompanying financial statements reflect budget revisions as of June 30.

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements
As of June 30, 2023 (Continued)

NOTE 1—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES: (Continued)

E. Cash and Cash Equivalents

Cash and cash equivalents include all cash on hand and in banks, certificates of deposit, and highly liquid investments with original maturities of three months or less.

F. Prepaid Items

Certain payments to vendors represent costs applicable to future accounting periods and are recorded as prepaid items in both the government-wide and fund financial statements. The cost of prepaid items is recorded as expenditures/expenses when consumed rather than when purchased.

G. Capital Assets

Capital outlays are recorded as expenditures of the governmental funds of the Town and as assets in the government-wide financial statements.

Property, plant and equipment purchased are stated at cost or estimated cost (except for intangible right-to-use lease assets (lease assets), the measurement of which is discussed in more detail below). Donated property is recorded at acquisition value prevailing at date of donation. Capital Assets are defined by the Town as property, plant, and equipment with an individual cost of more than \$5,000 and an estimated useful life in excess of two years. Depreciation/amortization is recorded on capital assets on a government-wide basis using the straight-line method and the following estimated useful lives:

Buildings and improvements	15-40 years
Vehicles	5 years
Equipment	3-7 years
Leased equipment	3-4 years

H. Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

I. Compensated Absences

The Town accrues compensated absences (annual vacation benefits) when vested. The amounts include all balances earned by employees which would be paid upon employee terminations, resignations or retirements.

An estimate of ten percent of the liability has been classified as current in the government-wide financial statements.

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements
As of June 30, 2023 (Continued)

NOTE 1—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES: (Continued)

J. Fund Equity

The following classifications describe the relative strength of the spending constraints placed on the purposes for which resources can be used:

- Nonspendable fund balance - amounts that are not in spendable form (such as inventory and prepaids) or are required to be maintained intact (corpus of a permanent fund);
- Restricted fund balance - amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government), through constitutional provisions, or by enabling legislation;
- Committed fund balance - amounts constrained to specific purposes by a government itself, using its highest level of decision-making authority; to be reported as committed, amounts cannot be used for any other purpose unless the government takes the same highest level action to remove or change the constraint;
- Assigned fund balance - amounts a government intends to use for a specific purpose; intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority;
- Unassigned fund balances - amounts that are available for any purpose; positive amounts are only reported in the general fund.

When fund balance resources are available for a specific purpose in more than one classification, it is the Town's policy to use the most restrictive funds first in the following order: restricted, committed, assigned, and unassigned as they are needed.

Town Council establishes (and modifies or rescinds) fund balance commitments by passage of a resolution. This is typically done through adoption and amendment of the budget. A fund balance commitment is further indicated in the budget document as a designation or commitment of the fund (such as for special incentives). Assigned fund balance is established by Town Council through adoption or amendment of the budget as intended for specific purposes (such as the purchase of capital assets, construction, debt service, or for other purposes).

K. Net Position

Net position is the difference between (a) assets and deferred outflows of resources and (b) liabilities and deferred inflows of resources. Net investment in capital assets represents capital assets, less accumulated depreciation, less any outstanding debt related to the acquisition, construction or improvement of those assets. Deferred outflows of resources and deferred inflows of resources that are attributable to the acquisition, construction, or improvement of those assets or related debt are also included in this component of net position.

NOTE 1—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES: (Continued)

L. Net Position Flow Assumption

Sometimes the Town will fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted - net position and unrestricted - net position in the government-wide and proprietary fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the Town's policy to consider restricted - net position to have been depleted before unrestricted - net position is applied.

M. Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position includes a separate section for deferred outflows of resources. Deferred outflows of resources represent a consumption of net assets that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The Town has one type of item that qualifies for reporting in this category. It is comprised of certain items related to pension. For more detailed information on these items, reference the related notes.

In addition to liabilities, the statement of financial position includes a separate section for deferred inflows of resources. Deferred inflows of resources represent an acquisition of net assets that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The Town has one type of item that qualifies for reporting in this category. It is comprised of certain items related to pension are reported as deferred inflows of resources. For more detailed information on these items, reference the related notes.

N. Leases

The Town leases various assets requiring recognition. A lease is a contract that conveys control of the right to use another entity's nonfinancial asset. Lease recognition does not apply to short-term leases, contracts that transfer ownership, leases of assets that are investments, or certain regulated leases.

Lessee

The Town recognizes lease liabilities and intangible right-to-use lease assets (lease assets) with an initial value of \$5,000, individually or in the aggregate in the government-wide financial statements. At the commencement of the lease, the lease liability is measured at the present value of payments expected to be made during the lease term (less any lease incentives). The lease liability is reduced by the principal portion of payments made. The lease asset is measured at the initial amount of the lease liability, plus any payments made to the lessor at or before the commencement of the lease term and certain direct costs. The lease asset is amortized over the shorter of the lease term or the useful life of the underlying asset.

Key Estimates and Judgments

Lease accounting includes estimates and judgments for determining the (1) rate used to discount the expected lease payments to present value, (2) lease term, and (3) lease payments.

- The Town uses the interest rate stated in lease contracts. When the interest rate is not provided or the implicit rate cannot be readily determined, the Town uses its estimated incremental borrowing rate as the discount rate for leases.

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements
As of June 30, 2023 (Continued)

NOTE 1—SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES: (Continued)

N. Leases (continued)

- The lease term includes the noncancellable period of the lease and certain periods covered by options to extend to reflect how long the lease is expected to be in effect, with terms and conditions varying by the type of underlying asset.
- Fixed and certain variable payments as well as lease incentives and certain other payments are included in the measurement of the lease liability (lessee) or lease receivable (lessor).

The Town monitors changes in circumstances that would require a remeasurement or modification of its leases. The Town will remeasure the lease asset and liability (lessee) or the lease receivable and deferred inflows of resources (lessor) if certain changes occur that are expected to significantly affect the amount of the lease liability or lease receivable.

NOTE 2—PROPERTY TAXES RECEIVABLE:

Property is assessed at its value on January 1. Property taxes attach as an enforceable lien on property as of January 1. Taxes are payable February 15th of the following year. The Town bills and collects its own property taxes. The Town does not record an allowance for uncollectible receivables as all receivables are deemed collectible.

NOTE 3—DEPOSITS AND INVESTMENTS:

Deposits:

Deposits with banks are covered by the Federal Deposit Insurance Corporation (FDIC) and collateralized in accordance with the Virginia Security for Public Deposits Act (the “Act”) Section 2.2-4400 et. seq. of the Code of Virginia. Under the Act, banks and savings institutions holding public deposits in excess of the amount insured by the FDIC must pledge collateral to the Commonwealth of Virginia Treasury Board. Financial Institutions may choose between two collateralization methodologies and depending upon that choice, will pledge collateral that ranges in amounts from 50% to 130% of excess deposits. Accordingly, all deposits are considered fully collateralized.

Investments:

Statutes authorize the Town to invest in obligations of the United States or agencies thereof, obligations of the Commonwealth of Virginia or political subdivisions thereof, obligations of the International Bank for Reconstruction and Development (World Bank), the Asian Development Bank, the African Development Bank, “primary quality” commercial paper and certain corporate notes, banker’s acceptances, repurchase agreements and the State Treasurer’s Local Government Investment Pool (LGIP).

Custodial Credit Risk (Investments):

The Town’s investments at June 30, 2023 were held by the Town or in the Town’s name by the Town’s custodial banks.

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements
As of June 30, 2023 (Continued)

NOTE 3—DEPOSITS AND INVESTMENTS: (Continued)

Credit Risk of Debt Securities:

The Town does not have a policy related to credit risk of debt securities. The Town’s rated debt investments as of June 30, 2023 were rated by Standard & Poor’s and the ratings are presented below using the Standard & Poor’s rating scale.

Town's Rated Debt Investments' Values	
	Fair Quality Rating
	AAAm
VML/VACO Virginia Investment Pool	\$ 561,465

Fair Value Measurements:

Fair Value is the price that would be received to sell an asset or paid to transfer a liability in orderly transaction between market participants at the measurement date. The Town has measured fair value of the above investments at the net asset value (NAV). Funds can be accessed twice a month, generally with 5 days’ notice.

Interest Rate Risk:

The Town does not have a policy related to interest rate risk. The Town’s investment subject to interest rate risk is VML/VACO Virginia Investment Pool with a fair value of \$561,465 and a maturity of less than one year.

NOTE 4—DUE FROM OTHER GOVERNMENTS:

At June 30, 2023, the Town has receivables from other governments as follows:

Prince William County:	
Fines - public safety	\$ 30,268
Commonwealth of Virginia:	
DMV ground transportation safety grant	2,942
DEQ wastewater grant	241,617
Law enforcement equipment grant	11,000
Community flood preparedness fund grant	5,861

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements
As of June 30, 2023 (Continued)

NOTE 5—CAPITAL ASSETS:

The following is summary of changes in capital assets during the fiscal year:

Governmental Activities:

	<u>Balance</u> <u>July 1, 2022</u>	<u>Additions</u>	<u>Deletions</u>	<u>Balance</u> <u>June 30, 2023</u>
Capital assets not being depreciated:				
Land	\$ 1,081,564	\$ -	\$ -	\$ 1,081,564
Construction in progress	-	316,873	-	316,873
Total capital assets not being depreciated	<u>\$ 1,081,564</u>	<u>\$ 316,873</u>	<u>\$ -</u>	<u>\$ 1,398,437</u>
Other capital assets:				
Buildings and improvements	\$ 2,404,417	\$ 221,351	\$ -	\$ 2,625,768
Vehicles	134,296	-	-	134,296
Equipment	149,535	5,936	9,760	145,711
Leased equipment	15,057	-	-	15,057
Total other capital assets	<u>\$ 2,703,305</u>	<u>\$ 227,287</u>	<u>\$ 9,760</u>	<u>\$ 2,920,832</u>
Accumulated depreciation:				
Buildings and improvements	\$ 408,960	\$ 51,778	\$ -	\$ 460,738
Vehicles	85,845	10,824	-	96,669
Equipment	63,616	13,281	9,084	67,813
Leased equipment	3,765	4,079	-	7,844
Total accumulated depreciation	<u>\$ 562,186</u>	<u>\$ 79,962</u>	<u>\$ 9,084</u>	<u>\$ 633,064</u>
Other capital assets, net	<u>\$ 2,141,119</u>	<u>\$ 147,325</u>	<u>\$ 676</u>	<u>\$ 2,287,768</u>
Net capital assets	<u>\$ 3,222,683</u>	<u>\$ 464,198</u>	<u>\$ 676</u>	<u>\$ 3,686,205</u>
Depreciation expense has been allocated as follows:				
General government administration		\$ 21,081		
Public safety		15,791		
Public works		1,308		
Parks, recreation and cultural		41,782		
Total depreciation expense		<u>\$ 79,962</u>		

NOTE 6—LONG-TERM OBLIGATIONS:

The following is a summary of long-term obligations for the fiscal year ended June 30, 2023:

	<u>Balance</u> <u>July 1, 2022</u>	<u>Issuances/ Increases</u>	<u>Retirements/ Decreases</u>	<u>Balance</u> <u>June 30, 2023</u>	<u>Amounts Due Within One Year</u>
Compensated absences	\$ 37,045	\$ 7,913	\$ 3,705	\$ 41,253	\$ 4,125
Lease liabilities	11,473	-	3,974	7,499	3,815
Total	<u>\$ 48,518</u>	<u>\$ 7,913</u>	<u>\$ 7,679</u>	<u>\$ 48,752</u>	<u>\$ 7,940</u>

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements
As of June 30, 2023 (Continued)

NOTE 6—LONG-TERM OBLIGATIONS: (Continued)

	<u>Amount Outstanding</u>	<u>Amounts Due Within One Year</u>
<u>Lease Liabilities:</u>		
Secured by equipment through 2026 at discount rate of 3.27%	\$ <u>7,499</u>	\$ <u>3,815</u>
Compensated absences	\$ <u>41,253</u>	\$ <u>4,125</u>
Total Governmental Activities	\$ <u><u>48,752</u></u>	\$ <u><u>7,940</u></u>

Annual requirements to amortize long-term obligations and related interest are as follows:

<u>Year</u>	<u>Lease Liabilities</u>	
	<u>Principal</u>	<u>Interest</u>
2024	\$ 3,815	\$ 197
2025	2,222	89
2026	1,462	30
	\$ 7,499	\$ 316

NOTE 7—COMPENSATED ABSENCES:

The Town has accrued the liability arising from outstanding compensated absences. Town employees earn vacation and sick leave based upon length of service. The Town has outstanding accrued vacation pay totaling \$41,253 Government-Wide.

NOTE 8—CONTINGENT LIABILITIES:

At June 30, 2023, there were no matters of litigation involving the Town which would materially affect the Town's financial position should any court decisions on pending matters not be favorable to the Town.

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements: (Continued) At June 30, 2023

NOTE 9—PENSION PLAN:

Plan Description

All full-time, salaried permanent employees of the Town are automatically covered by a VRS Retirement Plan upon employment. This is an agent multiple-employer plan administered by the Virginia Retirement System (the System) along with plans for other employer groups in the Commonwealth of Virginia. Members earn one month of service credit for each month they are employed and for which they and their employer pay contributions to VRS. Members are eligible to purchase prior service, based on specific criteria as defined in the Code of Virginia, as amended. Eligible prior service that may be purchased includes prior public service, active military service, certain periods of leave, and previously refunded service.

Benefit Structures

The System administers three different benefit structures for covered employees - Plan 1, Plan 2 and Hybrid. Each of these benefit structures has different eligibility criteria, as detailed below.

- Employees with a membership date before July 1, 2010, vested as of January 1, 2013, and have not taken a refund, are covered under Plan 1, a defined benefit plan. Non-hazardous duty employees are eligible for an unreduced retirement benefit beginning at age 65 with at least 5 years of service credit or age 50 with at least 30 years of service credit. Non-hazardous duty employees may retire with a reduced benefit as early as age 55 with at least 5 years of service credit or age 50 with at least 10 years of service credit. Hazardous duty employees (law enforcement officers, firefighters, and sheriffs) are eligible for an unreduced benefit beginning at age 60 with at least 5 years of service credit or age 50 with at least 25 years of service credit. Hazardous duty employees may retire with a reduced benefit as early as age 50 with at least 5 years of service credit.
- Employees with a membership date from July 1, 2010 to December 31, 2013, that have not taken a refund or employees with a membership date prior to July 1, 2010 and not vested before January 1, 2013, are covered under Plan 2, a defined benefit plan. Non-hazardous duty employees are eligible for an unreduced benefit beginning at their normal social security retirement age with at least 5 years of service credit or when the sum of their age plus service credit equals 90. Non-hazardous duty employees may retire with a reduced benefit as early as age 60 with at least 5 years of service credit. Hazardous duty employees are eligible for an unreduced benefit beginning at age 60 with at least 5 years of service credit or age 50 with at least 25 years of service credit. Hazardous duty employees may retire with a reduced benefit as early as age 50 with at least 5 years of service credit.
- Non-hazardous duty employees with a membership date on or after January 1, 2014 are covered by the Hybrid Plan combining the features of a defined benefit plan and a defined contribution plan. Plan 1 and Plan 2 members also had the option of opting into this plan during the election window held January 1 - April 30, 2014 with an effective date of July 1, 2014. Employees covered by this plan are eligible for an unreduced benefit beginning at their normal social security retirement age with at least 5 years of service credit, or when the sum of their age plus service credit equals 90. Employees may retire with a reduced benefit as early as age 60 with at least 5 years of service credit. For the defined contribution component, members are eligible to receive distributions upon leaving employment, subject to restrictions.

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements: (Continued)
At June 30, 2023

NOTE 9—PENSION PLAN: (Continued)

Average Final Compensation and Service Retirement Multiplier

The VRS defined benefit is a lifetime monthly benefit based on a retirement multiplier as a percentage of the employee’s average final compensation multiplied by the employee’s total service credit. Under Plan 1, average final compensation is the average of the employee’s 36 consecutive months of highest compensation and the multiplier is 1.70% for non-hazardous duty employees, 1.85% for sheriffs and regional jail superintendents, and 1.70% or 1.85% for hazardous duty employees as elected by the employer. Under Plan 2, average final compensation is the average of the employee’s 60 consecutive months of highest compensation and the retirement multiplier is 1.65% for non-hazardous duty employees, 1.85% for sheriffs and regional jail superintendents, and 1.70% or 1.85% for hazardous duty employees as elected by the employer. Under the Hybrid Plan, average final compensation is the average of the employee’s 60 consecutive months of highest compensation and the multiplier is 1.00%. For members who opted into the Hybrid Retirement Plan from Plan 1 or Plan 2, the applicable multipliers for those plans will be used to calculate the retirement benefit for service credited in those plans.

Cost-of-Living Adjustment (COLA) in Retirement and Death and Disability Benefits

Retirees with an unreduced benefit or with a reduced benefit with at least 20 years of service credit are eligible for an annual COLA beginning July 1 after one full calendar year from the retirement date. Retirees with a reduced benefit and who have less than 20 years of service credit are eligible for an annual COLA beginning on July 1 after one calendar year following the unreduced retirement eligibility date. Under Plan 1, the COLA cannot exceed 5.00%. Under Plan 2 and the Hybrid Plan, the COLA cannot exceed 3.00%. The VRS also provides death and disability benefits. Title 51.1 of the Code of Virginia, as amended, assigns the authority to establish and amend benefit provisions to the General Assembly of Virginia.

Employees Covered by Benefit Terms

As of the June 30, 2021 actuarial valuation, the following employees were covered by the benefit terms of the pension plan:

	<u>Primary Government</u>
Inactive members or their beneficiaries currently receiving benefits	-
Inactive members:	
Vested inactive members	2
Non-vested inactive members	-
Active members active elsewhere in VRS	<u>1</u>
Total inactive members	3
Active members	<u>7</u>
Total covered employees	<u><u>10</u></u>

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements: (Continued)
At June 30, 2023

NOTE 9—PENSION PLAN: (Continued)

Contributions

The contribution requirement for active employees is governed by §51.1-145 of the Code of Virginia, as amended, but may be impacted as a result of funding options provided to political subdivisions by the Virginia General Assembly. Employees are required to contribute 5.00% of their compensation toward their retirement.

The Town’s contractually required employer contribution rate for the year ended June 30, 2023 was 6.62% of covered employee compensation. This rate was based on an actuarially determined rate from an actuarial valuation as of June 30, 2021.

This rate, when combined with employee contributions, was expected to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability. Contributions to the pension plan from the Town were \$23,546 and \$32,308 for the years ended June 30, 2023 and June 30, 2022, respectively.

Net Pension Liability (Asset)

The net pension liability (asset) is calculated separately for each employer and represents that particular employer’s total pension liability determined in accordance with GASB Statement No. 68, less that employer’s fiduciary net position. The Town’s net pension liability (asset) was measured as of June 30, 2022. The total pension liability used to calculate the net pension liability (asset) was determined by an actuarial valuation performed as of June 30, 2021, and rolled forward to the measurement date of June 30, 2022.

Actuarial Assumptions - General Employees

The total pension liability for General Employees in the Town’s Retirement Plan was based on an actuarial valuation as of June 30, 2021, using the Entry Age Normal actuarial cost method and the following assumptions, applied to all periods included in the measurement and rolled forward to the measurement date of June 30, 2022.

Inflation	2.50%
Salary increases, including inflation	3.50% - 5.35%
Investment rate of return	6.75%, net of pension plan investment expenses, including inflation

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements: (Continued)
At June 30, 2023

NOTE 9—PENSION PLAN: (Continued)

Actuarial Assumptions - General Employees (Continued)

Mortality rates:

All Others (Non-10 Largest) - Non-Hazardous Duty: 15% of deaths are assumed to be service-related

Pre-Retirement:

Pub-2010 Amount Weighted Safety Employee Rates projected generationally; 95% of rates for males; 105% of rates for females set forward 2 years

Post-Retirement:

Pub-2010 Amount Weighted Safety Healthy Retiree Rates projected generationally; 110% of rates for males; 105% of rates for females set forward 3 years

Post-Disablement:

Pub-2010 Amount Weighted General Disabled Rates projected generationally; 95% of rates for males set back 3 years; 90% of rates for females set back 3 years

Beneficiaries and Survivors:

Pub-2010 Amount Weighted Safety Contingent Annuitant Rates projected generationally; 110% of rates for males and females set forward 2 years

Mortality Improvement:

Rates projected generationally with Modified MP-2020 Improvement Scale that is 75% of the MP-2020 rates

The actuarial assumptions used in the June 30, 2021 valuation were based on the results of an actuarial experience study for the period from July 1, 2016 through June 30, 2020, except the change in the discount rate, which was based on VRS Board action effective as of July 1, 2019. Changes to the actuarial assumptions as a result of the experience study and VRS Board action are as follows:

All Others (Non-10 Largest) - Non-Hazardous Duty:

Mortality Rates (pre-retirement, post-retirement healthy, and disabled)	Update to Pub-2010 public sector mortality tables. For future mortality improvements, replace load with a modified Mortality Improvement Scale MP-2020
Retirement Rates	Adjusted rates to better fit experience for Plan 1; set separate rates based on experience for Plan 2/Hybrid; changed final retirement age
Withdrawal Rates	Adjusted rates to better fit experience at each age and service decrement through 9 years of service
Disability Rates	No change
Salary Scale	No change
Line of Duty Disability	No change
Discount Rate	No change

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements: (Continued)
At June 30, 2023

NOTE 9—PENSION PLAN: (Continued)

Actuarial Assumptions - Public Safety Employees with Hazardous Duty Benefits

The total pension liability for Public Safety employees with Hazardous Duty Benefits in the Town's Retirement Plan was based on an actuarial valuation as of June 30, 2021, using the Entry Age Normal actuarial cost method and the following assumptions, applied to all periods included in the measurement and rolled forward to the measurement date of June 30, 2022.

Inflation	2.50%
Salary increases, including inflation	3.50% - 4.75%
Investment rate of return	6.75%, net of pension plan investment expenses, including inflation

Mortality rates:

All Others (Non-10 Largest) - Hazardous Duty: 45% of deaths are assumed to be service related

Pre-Retirement:

Pub-2010 Amount Weighted Safety Employee Rates projected generationally with a Modified MP-2020 Improvement Scale; 95% of rates for males; 105% of rates for females set forward 2 years

Post-Retirement:

Pub-2010 Amount Weighted Safety Healthy Retiree Rates projected generationally with a Modified MP-2020 Improvement Scale; 110% of rates for males; 105% of rates for females set forward 3 years

Post-Disablement:

Pub-2010 Amount Weighted General Disabled Rates projected generationally with a Modified MP-2020 Improvement Scale; 95% of rates for males set back 3 years; 90% of rates for females set back 3 years

Beneficiaries and Survivors:

Pub-2010 Amount Weighted Safety Contingent Annuitant Rates projected generationally with a Modified MP-2020 Improvement Scale; 110% of rates for males and females set forward 2 years

Mortality Improvement:

Rates projected generationally with Modified MP-2020 Improvement Scale that is 75% of the MP-2020 rates

The actuarial assumptions used in the June 30, 2021 valuation were based on the results of an actuarial experience study for the period from July 1, 2016 through June 30, 2020, except the change in the discount rate, which was based on VRS Board action effective as of July 1, 2019. Changes to the actuarial assumptions as a result of the experience study and VRS Board action are as follows:

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements: (Continued)
At June 30, 2023

NOTE 9—PENSION PLAN: (Continued)

Actuarial Assumptions - Public Safety Employees with Hazardous Duty Benefits: (Continued)

All Others (Non-10 Largest) - Hazardous Duty:

Mortality Rates (pre-retirement, post-retirement healthy, and disabled)	Update to Pub-2010 public sector mortality tables. Increased disability life expectancy. For future mortality improvements, replace load with a modified Mortality Improvement Scale MP-2020
Retirement Rates	Adjusted rates to better fit experience and changed final retirement age from 65 to 70
Withdrawal Rates	Decreased rates and changed from rates based on age and service to rates based on service only to better fit experience and to be more consistent with Locals Largest 10 Hazardous Duty
Disability Rates	No change
Salary Scale	No change
Line of Duty Disability	No change
Discount Rate	No change

Long-Term Expected Rate of Return

The long-term expected rate of return on pension System investments was determined using a log-normal distribution analysis in which best-estimate ranges of expected future real rates of return (expected returns, net of pension System investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target asset allocation and best estimate of arithmetic real rates of return for each major asset class are summarized in the following table:

<u>Asset Class (Strategy)</u>	<u>Long-Term Target Asset Allocation</u>	<u>Arithmetic Long-term Expected Rate of Return</u>	<u>Weighted Average Long-term Expected Rate of Return*</u>
Public Equity	34.00%	5.71%	1.94%
Fixed Income	15.00%	2.04%	0.31%
Credit Strategies	14.00%	4.78%	0.67%
Real Assets	14.00%	4.47%	0.63%
Private Equity	14.00%	9.73%	1.36%
MAPS - Multi-Asset Public Strategies	6.00%	3.73%	0.22%
PIP - Private Investment Partnership	3.00%	6.55%	0.20%
Total	<u>100.00%</u>		<u>5.33%</u>
		Inflation	2.50%
		Expected arithmetic nominal return**	<u>7.83%</u>

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements: (Continued)
At June 30, 2023

NOTE 9—PENSION PLAN: (Continued)

Long-Term Expected Rate of Return: (Continued)

*The above allocation provides a one-year expected return of 7.83%. However, one-year returns do not take into account the volatility present in each of the asset classes. In setting the long-term expected return for the System, stochastic projections are employed to model future returns under various economic conditions. These results provide a range of returns over various time periods that ultimately provide a median return of 6.72%, including expected inflation of 2.50%.

*On October 10, 2019, the VRS Board elected a long-term rate of return of 6.75% which was roughly at the 40th percentile of expected long-term results of the VRS fund asset allocation at that time, providing a median return of 7.11%, including expected inflation of 2.50%.

Discount Rate

The discount rate used to measure the total pension liability was 6.75%. The projection of cash flows used to determine the discount rate assumed that System member contributions will be made per the VRS Statutes and the employer contributions will be made in accordance with the VRS funding policy at rates equal to the difference between actuarially determined contribution rates adopted by the VRS Board of Trustees and the member rate. Consistent with the phased-in funding provided by the General Assembly for state and teacher employer contributions; the Town was also provided with an opportunity to use an alternative employer contribution rate. For the year ended June 30, 2023, the alternate rate was the employer contribution rate used in FY 2012 or 100% of the actuarially determined employer contribution rate from the June 30, 2017 actuarial valuations, whichever was greater. Through the fiscal year ended June 30, 2021, the rate contributed by the school division for the VRS Teacher Retirement Plan was subject to the portion of the VRS Board-certified rates that are funded by the Virginia General Assembly, which was 100% of the actuarially determined contribution rate. From July 1, 2022 on, participating employers and school divisions are assumed to continue to contribute 100% of the actuarially determined contribution rates. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return was applied to all periods of projected benefit payments to determine the total pension liability.

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements: (Continued)
At June 30, 2023

NOTE 9—PENSION PLAN: (Continued)

Changes in Net Pension Liability (Asset)

	Increase (Decrease)		
	Total Pension Liability (a)	Plan Fiduciary Net Position (b)	Net Pension Liability (Asset) (a) - (b)
Balances at June 30, 2021	\$ 43,672	\$ 216,458	\$ (172,786)
Changes for the year:			
Service cost	\$ 36,856	\$ -	\$ 36,856
Interest	5,431	-	5,431
Differences between expected and actual experience	96,091	-	96,091
Contributions - employer	-	32,305	(32,305)
Contributions - employee	-	20,097	(20,097)
Net investment income	-	(1,679)	1,679
Benefit payments, including refunds	(142)	(142)	-
Administrative expenses	-	(114)	114
Other changes	-	6	(6)
Net changes	\$ 138,236	\$ 50,473	\$ 87,763
Balances at June 30, 2022	\$ 181,908	\$ 266,931	\$ (85,023)

Sensitivity of the Net Pension Liability (Asset) to Changes in the Discount Rate

The following presents the net pension liability (asset) of the Town using the discount rate of 6.75%, as well as what the Town's net pension liability (asset) would be if it were calculated using a discount rate that is one percentage point lower (5.75%) or one percentage point higher (7.75%) than the current rate:

Sensitivity of the Net Pension Liability (Asset) to Changes in the Discount Rate (continued)

	Rate		
	1% Decrease (5.75%)	Current Discount (6.75%)	1% Increase (7.75%)
Town's Net Pension Liability (Asset)	\$ (52,486)	\$ (85,023)	\$ (110,458)

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

For the year ended June 30, 2023, the Town recognized pension expense of \$22,156. At June 30, 2023, the Town deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements: (Continued)
At June 30, 2023

NOTE 9—PENSION PLAN: (Continued)

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Differences between expected and actual experience	\$ 77,647	\$ -
Change in assumptions	898	-
Net difference between projected and actual earnings on pension plan investments	-	3,515
Employer contributions subsequent to the measurement date	<u>23,546</u>	<u>-</u>
Total	<u>\$ 102,091</u>	<u>\$ 3,515</u>

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions: (Continued)

\$23,546 reported as deferred outflows of resources related to pensions resulting from the Town’s and contributions, subsequent to the measurement date will be recognized as a reduction of the Net Pension Liability in the fiscal year ending June 30, 2024. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense in future reporting periods as follows:

Year Ended June 30

2024	\$ 16,229
2025	16,228
2026	16,209
2027	22,207
2028	4,024
Thereafter	133

Pension Plan Data

Information about the VRS Political Subdivision Retirement Plan is also available in the separately issued VRS 2022 Annual Comprehensive Financial Report (Annual Report). A copy of the 2022 VRS Annual Report may be downloaded from the VRS website at <https://www.varetire.org/pdf/publications/2022-annual-report.pdf> or by writing to the System’s Chief Financial Officer at P.O. Box 2500, Richmond, VA 23218-2500.

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements
As of June 30, 2023 (Continued)

NOTE 10—UNEARNED AND DEFERRED/UNAVAILABLE REVENUES:

Unearned and deferred/unavailable revenue represents amounts for which asset recognition criteria have been met, but for which revenue recognition criteria have not been met. Under modified accrual basis of account, such amounts are measurable, but not available. Under the accrual basis, assessments for future periods are deferred. Unearned and deferred/unavailable revenue is comprised of the following:

	<u>Balance Sheet</u>	<u>Government-wide Statements</u>
	<u>Governmental Funds</u>	<u>Governmental Activities</u>
Deferred property tax revenue:		
Deferred revenue representing uncollected property tax which has not been billed but for which an enforceable lien is in effect.	\$ -	\$ 287,906
Unavailable revenue - property tax revenue:		
Unavailable revenue representing uncollected property tax billings for which revenue recognition criteria has not been met. The uncollected tax billings are not available for the funding of current expenditures.	288,464	-
Unearned revenues - ARPA funds	658,340	658,340
Craft show	57,617	57,617
Other	7,692	7,692
	<u>1,012,113</u>	<u>1,011,555</u>
Total	\$ 1,012,113	\$ 1,011,555

NOTE 11—RISK MANAGEMENT:

The Town participates in the Virginia Municipal Group Risk Management Pool for workers' compensation insurance coverage. Other insurance coverage for property, crime, dishonesty and related coverage are purchased from a commercial insurance carrier. Coverage for these items varies. There are no surety bonds for directors. Settled claims resulting from these risks have not exceeded commercial insurance coverage in any of the past three fiscal years.

NOTE 12—EXPENDITURES IN EXCESS OF APPROPRIATIONS:

<u>Fund</u>	<u>Appropriations</u>	<u>Actual</u>	<u>Variance</u>
General Fund:			
Parks, recreation and cultural	\$ 201,222	\$ 219,078	\$ (17,856)

TOWN OF OCCOQUAN, VIRGINIA

Notes to Financial Statements
As of June 30, 2023 (Continued)

NOTE 13—COVID-19:

ARPA Funding

On March 11, 2021, the American Rescue Plan (ARPA) Act of 2021 was passed by the federal government. A primary component of the ARPA was the establishment of the Coronavirus State and Local Fiscal Recovery Fund (CSLFRF). Local governments are to receive funds in two tranches, with 50% provided beginning in May 2021 and the balance delivered approximately 12 months later.

As a condition of receiving CSLFRF funds, any funds unobligated by December 31, 2024, and unexpended by December 31, 2026, will be returned to the federal government. Unspent funds in the amount of \$658,340 from the initial allocation are reported as unearned revenue as of June 30.

NOTE 14—UPCOMING PRONOUNCEMENTS

Statement No. 99, *Omnibus 2022*, addresses (1) practice issues that have been identified during implementation and application of certain GASB Statements and (2) accounting and financial reporting for financial guarantees. The effective dates differ based on the requirements of the Statement, ranging from April 2022 to for fiscal years beginning after June 15, 2023.

Statement No. 100, *Accounting Changes and Error Corrections - an amendment of GASB Statement No. 62*, provides more understandable, reliable, relevant, consistent, and comparable information for making decisions or assessing accountability for accounting changes and error corrections. The requirements of this Statement are effective for fiscal years beginning after June 15, 2023.

Statement No. 101, *Compensated Absences*, updates the recognition and measurement guidance for compensated absences. It aligns the recognition and measurement guidance under a unified model and amends certain previously required disclosures. The requirements of this Statement are effective for fiscal years beginning after December 15, 2023.

Implementation Guide No. 2021-1, *Implementation Guidance Update—2021*, with dates ranging from reporting periods beginning after June 15, 2022 to reporting periods beginning after June 15, 2023.

Implementation Guide No. 2023-1, *Implementation Guidance Update—2023*, effective for fiscal years beginning after June 15, 2023.

Management is currently evaluating the impact these standards will have on the financial statements when adopted.

Required Supplementary Information

DRAFT

General Fund
 Schedule of Revenues, Expenditures, and Changes in Fund Balances - Budget and Actual
 Year Ended June 30, 2023

	<u>Original Budget</u>	<u>Final Budget</u>	<u>Actual</u>	<u>Variance With Final Budget Positive (Negative)</u>
Revenues				
General property taxes	\$ 277,992	\$ 277,992	\$ 278,013	\$ 21
Other local taxes	442,799	442,799	469,189	26,390
Fines and forfeitures	357,000	357,000	341,452	(15,548)
Revenue from use of money and property	15,213	15,213	40,610	25,397
Charges for services	17,500	17,500	12,415	(5,085)
Recovered costs	20,000	20,000	12,354	(7,646)
Miscellaneous	251,170	251,170	269,672	18,502
Intergovernmental:				
Commonwealth	235,017	235,017	74,867	(160,150)
Federal	15,000	946,704	571,211	(375,493)
Total revenues	<u>\$ 1,631,691</u>	<u>\$ 2,563,395</u>	<u>\$ 2,069,783</u>	<u>\$ (493,612)</u>
Expenditures				
Current:				
General government administration	\$ 556,979	\$ 556,979	\$ 534,033	\$ 22,946
Public safety	422,741	422,741	421,650	1,091
Public works	246,674	246,674	226,887	19,787
Parks, recreation, and cultural	201,222	201,222	219,078	(17,856)
Capital outlay	266,000	1,032,704	610,304	422,400
Debt service:				
Principal retirement	3,974	3,974	3,974	-
Interest and fiscal charges	329	329	329	-
Total expenditures	<u>\$ 1,697,919</u>	<u>\$ 2,464,623</u>	<u>\$ 2,016,255</u>	<u>\$ 448,368</u>
Excess (deficiency) of revenues over (under) expenditures	<u>\$ (66,228)</u>	<u>\$ 98,772</u>	<u>\$ 53,528</u>	<u>\$ (45,244)</u>
Changes in fund balances	\$ (66,228)	\$ 98,772	\$ 53,528	\$ (45,244)
Fund balances at beginning of year	<u>66,228</u>	<u>(98,772)</u>	<u>465,467</u>	<u>564,239</u>
Fund balances at end of year	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 518,995</u>	<u>\$ 518,995</u>

Supporting Schedules

DRAFT

Governmental Funds
Schedule of Revenues - Budget and Actual
Year Ended June 30, 2023

Fund, Major and Minor Revenue Source	Original Budget	Budget as Amended	Actual	Variance from Final Budget Positive (Negative)
General Fund:				
Revenue from local sources:				
General property taxes:				
Real property taxes	\$ 275,492	\$ 275,492	\$ 275,346	\$ (146)
Penalties and interest	2,500	2,500	2,667	167
Total general property taxes	<u>\$ 277,992</u>	<u>\$ 277,992</u>	<u>\$ 278,013</u>	<u>\$ 21</u>
Other local taxes:				
Local sales and use taxes	\$ 36,000	\$ 36,000	\$ 40,686	\$ 4,686
Auto decals	11,000	11,000	10,521	(479)
Business license tax	68,800	68,800	65,047	(3,753)
Meals tax	282,499	282,499	281,566	(933)
Transient lodging tax	14,500	14,500	36,604	22,104
Consumer utility tax	30,000	30,000	34,765	4,765
Total other local taxes	<u>\$ 442,799</u>	<u>\$ 442,799</u>	<u>\$ 469,189</u>	<u>\$ 26,390</u>
Fines and forfeitures:				
Court fines and forfeitures	\$ 357,000	\$ 357,000	\$ 341,452	\$ (15,548)
Total fines and forfeitures	<u>\$ 357,000</u>	<u>\$ 357,000</u>	<u>\$ 341,452</u>	<u>\$ (15,548)</u>
Revenue from use of money and property:				
Revenue from use of money	\$ 2,600	\$ 2,600	\$ 30,517	\$ 27,917
Revenue from use of property	12,613	12,613	10,093	(2,520)
Total revenue from use of money and property	<u>\$ 15,213</u>	<u>\$ 15,213</u>	<u>\$ 40,610</u>	<u>\$ 25,397</u>
Charges for services:				
Miscellaneous	17,500	17,500	12,415	(5,085)
Total charges for services	<u>\$ 17,500</u>	<u>\$ 17,500</u>	<u>\$ 12,415</u>	<u>\$ (5,085)</u>
Recovered costs:				
Engineering fees	\$ 10,000	\$ 10,000	\$ 12,354	\$ 2,354
Legal fees	10,000	10,000	-	(10,000)
Total recovered costs	<u>\$ 20,000</u>	<u>\$ 20,000</u>	<u>\$ 12,354</u>	<u>\$ (7,646)</u>
Miscellaneous:				
Brick paver program	\$ 1,800	\$ 1,800	\$ 1,785	\$ (15)
River Mill Park	-	-	7,046	7,046
Craft show	238,370	238,370	257,808	19,438
Holiday Fest	-	-	780	780
Other miscellaneous	11,000	11,000	2,253	(8,747)
Total miscellaneous	<u>\$ 251,170</u>	<u>\$ 251,170</u>	<u>\$ 269,672</u>	<u>\$ 18,502</u>
Total revenue from local sources	<u>\$ 1,381,674</u>	<u>\$ 1,381,674</u>	<u>\$ 1,423,705</u>	<u>\$ 42,031</u>

Governmental Funds
Schedule of Revenues - Budget and Actual
Year Ended June 30, 2023 (Continued)

Fund, Major and Minor Revenue Source	Original Budget	Budget as Amended	Actual	Variance from Final Budget Positive (Negative)
General Fund: (Continued)				
Intergovernmental:				
Revenue from the Commonwealth:				
Noncategorical aid:				
Telecommunications tax	\$ 33,000	\$ 33,000	\$ 32,168	\$ (832)
Total noncategorical aid	\$ 33,000	\$ 33,000	\$ 32,168	\$ (832)
Categorical aid:				
Public safety grant	\$ 35,688	\$ 35,688	\$ 26,041	\$ (9,647)
Fireman's insurance fund	-	-	13,633	13,633
Community flood preparedness	150,000	150,000	-	(150,000)
Backup generator grant	15,000	15,000	-	(15,000)
Litter grant	1,329	1,329	3,025	1,696
Total categorical aid	\$ 202,017	\$ 202,017	\$ 42,699	\$ (159,318)
Total revenue from the Commonwealth	\$ 235,017	\$ 235,017	\$ 74,867	\$ (160,150)
Revenue from the federal government:				
Noncategorical aid:				
Law enforcement equipment	\$ -	\$ 11,000	\$ 11,000	\$ -
American rescue plan act - wastewater grant	-	325,000	241,617	(83,383)
American rescue plan	-	467,954	291,221	(176,733)
Other	-	127,750	15,861	(111,889)
Total Noncategorical aid	\$ -	\$ 931,704	\$ 559,699	\$ (372,005)
Categorical aid:				
DMV ground transportation safety grants	\$ 15,000	\$ 15,000	\$ 11,512	\$ (3,488)
Total Categorical aid	\$ 15,000	\$ 15,000	\$ 11,512	\$ (3,488)
Total revenue from the federal government	\$ 15,000	\$ 946,704	\$ 571,211	\$ (375,493)
Total General Fund	\$ 1,631,691	\$ 2,563,395	\$ 2,069,783	\$ (493,612)

DRAFT

Compliance



INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

**TO THE HONORABLE MEMBERS OF THE TOWN COUNCIL
TOWN OF OCCOQUAN, VIRGINIA
OCCOQUAN, VIRGINIA**

We have audited, in accordance with the auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the *Specifications for Audits of Counties, Cities, and Towns*, issued by the Auditor of Public Accounts of the Commonwealth of Virginia, the financial statements of the governmental activities and each major fund of Town of Occoquan, Virginia, as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise the Town of Occoquan, Virginia's basic financial statements, and have issued our report thereon dated January 10, 2025.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered Town of Occoquan, Virginia's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of Town of Occoquan, Virginia's internal control. Accordingly, we do not express an opinion on the effectiveness of Town of Occoquan, Virginia's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether Town of Occoquan, Virginia's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of This Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Fredericksburg, Virginia
January 10, 2025

DRAFT



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

5. Consent Agenda	Meeting Date: January 21, 2025
Request to Approve Consent Agenda	

Attachments: See below

Submitted by: Adam C. Linn
Town Manager

Explanation and Summary:

This is a request to approve the consent agenda:

- a. Request to Approve December 3, 2024, Town Council Meeting Minutes
- b. Request to Reappoint Member to the Board of Zoning Appeals

Staff Recommendation: Recommend approval as presented.

Proposed/Suggested Motion:

"I move to approve the consent agenda."

OR

Other action Council deems appropriate.



OCCOQUAN TOWN COUNCIL
Meeting Minutes - DRAFT
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, December 3, 2024
7:00 p.m.

Present: Mayor Earnie Porta; Vice Mayor Loges, Councilmembers Nancy Freeborne Brinton (remote), Cindy Fithian, Eliot Perkins, and Theo Daubresse

Absent: None

Staff: Adam Linn, Town Manager / Chief of Police; Matt Whitmoyer, Deputy Town Manager; Philip Auville, Town Clerk; Jason Forman, Deputy Chief of Police; Asma Rupani, Town Treasurer; Bruce Reese, Town Engineer (remote); Martin Crim, Town Attorney (remote)

1. CALL TO ORDER

Mayor Porta called the meeting to order at 7:02 p.m.

2. PLEDGE OF ALLEGIANCE

As a result of personal reasons, Councilmember Freeborne Brinton attended remotely from Ada, OK.

3. CITIZENS' TIME

No one spoke during citizens' time.

4. CONSENT AGENDA

- a. Request to Adopt Resolution to Set the Schedule of Regular Town Council Meetings for Calendar Year 2025**

Councilmember Perkins moved to approve the Consent Agenda. Councilmember Fithian seconded. Motion passed unanimously by voice vote.

- a. Request to Accept November 6, 2024, Town Council Meeting Minutes**

The November 6, 2024, Town Council Minutes were amended to modify the Town Attorney's Report under section 8c. to say, "as long as it doesn't reveal any confidential tax information", rather than the current language of "as long as it doesn't violate FOIA".

Vice Mayor Loges moved to approve the minutes as amended. Councilmember Fithian seconded. Motion passed unanimously by voice vote.

5. MAYOR'S REPORT

Mayor Porta reported the following:

- On November 12th, he spoke to a group of Cub Scouts at the Chinn Park Library about being Mayor of Occoquan.

- On November 13th, he spoke for a program arranged by Dudley TV.
- On November 19th, he attended the D'Rocco's ribbon cutting, along with members of staff and Town Council.
- On November 22nd, he met with staff and representatives of the County to discuss the Ellicott Street Sidewalk Project. He also attended the farewell party for Bucky Brill along, with members of staff and Town Council.
- On November 23rd, he participated in the Town's Annual Tree Lighting and Firelight Night. He thanked staff for organizing the event and he thanked Councilmember Perkins, his wife, and his neighbors for volunteering and organizing the Firelight Night.
- On November 25th, he participated in the County's Community Partners Briefing.
- On December 3rd, he did an interview on the Town's history with a producer of a US sponsored Jordanian Arabic language program.

Mayor Porta wished to thank staff members Mr. Linn and Mr. Forman for keeping him in the loop on the utility pole fire. He asked Mr. Linn if there was enough information on what started the fire and if he should mention the Rt. 123 accident in an e-newsletter.

Mr. Linn replied that there is enough evidence to show that the cause of the fire was from a Dominion line coming out of the boot of the transformer and sparking with the Verizon line. The basics of what local media has also reported on the accident on Route 123 can be sent out and that it's still being investigated by Prince William County Police.

Vice Mayor Loges noted that the accident on Rt.123 was covered by the mainstream media such as NBC. She also wanted to recognize and thank the Town Police for supporting Prince William County's Police on the accident.

Councilmember Fithian asked if the clumps of cables on the utility poles are all abandoned lines that could be requested to be removed.

Mayor Porta after clarifying which lines, noted that he spoke with Mr. Forman and a Verizon worker who indicated most of the lines are unused or abandoned; however, there are still a few copper lines going to buildings where the customers have not upgraded to FIOS.

6. COUNCILMEMBER REPORTS

Councilmember Perkins noted that he attended Bucky Brill's farewell party. He noted that he participated in the Town Tree Lighting Firelight Night and thanked his wife and neighbors for helping with the event. He also thanked the Town Police on handling of multiple situations over the past month.

Councilmember Freeborne Brinton thanked everyone who helped with Firelight Night and the Tree Lighting event. She also provided feedback that the microphone couldn't be heard in the back of the crowd at the Tree Lighting event.

Councilmember Daubresse thanked everyone for working and supporting all of the events throughout the year.

Mayor Porta thanked Councilmember Daubresse for hosting the thanksgiving food drive.

Councilmember Daubresse noted that four hundred (400) turkeys were donated.

Vice Mayor Loges thanked Councilmember Perkins on his efforts on the Firelight Night.

Councilmember Fithian thanked staff and police on all the support at the Tree Lighting event.

7. BOARDS AND COMMISSIONS

Architectural Review Board (ARB) Chair Seefeldt reported that the ARB did not have a meeting scheduled for November. Their next meeting will be next week on December 10th.

Councilmember Perkins reported that the Planning Commission did not have a meeting scheduled for November. Their next meeting will be next week on December 10th.

8. ADMINISTRATIVE REPORTS

a. Administrative Report

Mr. Linn noted that Un-Trim-A-Tree tags are still available. New for this year the Town is partnering with Tiny Supply Co. to issuing the Un-Trim-A-Tree tags and that monetary donations can be made if there's not enough time to shop. Mr. Linn added that several treasurers' summonses for BPOL taxes were sent out to delinquent business owners and that audits have been set up for those owners to appear in person on Friday. As a result of the summons, one business paid their delinquent BPOL tax but were advised they still needed to appear and to show their financial books for an audit. The business that is currently going through the court process has paid their meals taxes up through September but was still being required to appear in court this week. Another delinquent business filed their meals tax reports and plans on entering into a payment plan for six months to become current.

Mayor Porta asked where in the process we are with the CFPF Grant to upgrade the stormwater infrastructure and the DEQ ARPA 2022 Appropriation for sediment removal and stormwater remediation.

Mr. Whitmoyer replied that the Town is still waiting on the final payments for the latter and for the appropriation on the former.

Mayor Porta noted that he can send out an e-newsletter on the StormReady Certification signage that has been installed at the Town Gateways.

Councilmember Perkins asked what the plan on educating the community on the StormReady Certification at another council meeting.

Councilmember Fithian asked about the status of the EV Charging Station Grant and if we had another location in Town to install EV Charging Stations.

Mr. Linn advised that staff had not received any updates and that the grant would include acquiring property next to the Rt. 123 bridge parking lot.

Councilmember Perkins noted that the town gateways need better landscaping and updates. He asked that staff bring to Council the landscaping plans for next spring by March.

Mayor Porta directed staff to bring forward a plan that is specific with the landscaping at the March Meeting.

Councilmember Perkins asked if staff had any updates on the glass recycling installation at the 123 and Old Bridge VDOT Commuter Lot.

Mayor Porta noted that he will send a letter to Supervisor Boddye to see if he could get any more specific updates on the glass recycling installation.

Councilmember Perkins then asked if the Mr. Linn could explain the difference in traffic summons between FY24 and FY25. He also asked to explain the reduction in November's parking tickets.

Mr. Linn replied that the police department is down three patrol officers as compared to the same period last year. With respect to the reduction in parking tickets, Mr. Linn advised that the parking enforcement officer resigned last month.

Vice Mayor Loges noted that Fairfax County is looking to get more authority from the state to be able to ticket excessively loud vehicles.

Mr. Linn added that Fairfax County is trying to get authority for a pilot program to have excessive vehicle noise recorded on video and for a civil violation citation to be issued.

Vice Mayor Loges asked if this is something that could be brought before the General Assembly for the Town.

Mayor Porta noted that Delegate Sewell wants to hold a meeting with the Town Council, which would need to be a public meeting, and that could be a time to bring up the topic of enforcement actions for noisy vehicles.

b. Town Treasurers' Report

Ms. Rupani provided a written report as part of the agenda packet.

Ms. Rupani noted that she did a meals tax trend for FY24 and FY25 and we are very close to being even or better for FY25 when estimating the missing meals tax payments.

c. Town Attorney's Report

Mr. Crim provided a written report as part of the agenda packet. There were no questions.

9. REGULAR BUSINESS

a. Request to Approve Encroachment License for 450 Mill Street

Councilmember Perkins moved to adopt the encroachment license as presented. Councilmember Freeborne Brinton seconded. Motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Perkins, Councilmember Freeborne Brinton, Councilmember Fithian, and Councilmember Daubresse

Nays: None

10. DISCUSSION ITEMS

a. Riverwalk Extension Project Discussion

Mayor Porta noted that the Riverwalk Extension Project Discussion was on the agenda for the last meeting but was deferred since all the members of the Council were not present. Due to apparent policy changes at VDOT there are now doubts as to whether or not the extension project would be eligible for TAP grant funding. Consequently, he noted, the town must now decide, given these doubts, if it is still willing to incur a variety of pre-application expenses previously discussed that

were considered important for a competitive application.

Mr. Reese expressed his opinion that the document from the Berkley Group would probably be sufficient documentation to apply for a TAP grant and that the work items previously discussed would thus not necessarily need to be done before applying. Mr. Reese explained that if the Town does find out that an application would be entertained for TAP funding, then the work under consideration could be accomplished within approximately eight (8) weeks; so, he would not recommend doing any advance work.

After discussion, Council directed staff not to expend funds on advance Riverwalk Expansion services (planning, geotechnical, and surveying). Council will reconsider the expenditures at a future time.

b. Ellicott Street Sidewalk Discussion

Mayor Porta noted that he and the Town Manager met with County staff regarding the Ellicott Street Sidewalk Project. The meeting clarified some confusion regarding the project, which the town had understood to be a county-proposed, discretionary extension of the Occoquan Greenway connection project. This turned out not to be the case. In addition to the Occoquan Greenway connection project, a number of years ago the town had also discussed with the county funding for new sidewalks both on Ellicott Street and on a section of Mill Street adjacent to what is now the Mill Street Draft Garden. These two projects were part of a broader pedestrian safety initiative. Ultimately, the county incorporated the Ellicott Street project (but not the Mill Street project) into a broader federal funding proposal that also included among other projects, the Occoquan Greenway connection.

The meeting addressed the Council's concern that the sidewalk project would both narrow Ellicott Street and cause the removal or destruction of the magnolia tree that is on the county's historic tree list. When the project was understood to simply be a discretionary extension of the Occoquan Greenway connection, Mayor Porta had indicated that the Town preferred the formal Greenway route simply follow Union Street, removing any need to upgrade the Ellicott Street sidewalks and threaten the historic tree or narrow the road. The county noted, however, that the Ellicott Street sidewalk project had been formally incorporated into the application for federal funds as part of the Greenway connection and that therefore, such a change in scope would require resubmitting the entire application, securing approvals from the Commonwealth Transportation Board among others, and result in substantial unrecoverable costs incurred to date, essentially jeopardizing the entire project. After discussions with staff, the county recommended installing mountable curbs to improve the current experience of turning onto Ellicott Street from Mill Street and thus mitigate the narrowing of the road. Additionally, they agreed to work with the county arborist to take all reasonable measures to preserve the Magnolia tree.

After discussion, Council accepted the County's revised proposal to include mountable curbs on the sidewalk and to take all reasonable measures to preserve the magnolia tree.

11. CLOSED SESSION

Vice Mayor Loges moved that the Council convene in closed session to discuss the following as permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving: assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers,

appointees, or employees of the Town; specifically dealing with the Town Manager. Councilmember Fithian seconded. Motion passed unanimously by voice vote.

The Council went into closed session at 8:58 p.m.

The Council came out of closed session at 9:08 p.m.

Vice Mayor Loges moved to certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion. Seconded by Councilmember Fithian. The motion passed unanimously by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Daubresse, Councilmember Freeborne Brinton, Councilmember Fithian, Councilmember Perkins

Nays: None

12. BUSINESS AFTER CLOSED SESSION

Vice Mayor Loges moved to improve an annual salary increase of \$10,000 for the Town Manager effective January 1, 2025. Councilmember Fithian seconded. Motion passed by roll call vote.

Ayes: Vice Mayor Loges, Councilmember Daubresse, Councilmember Freeborne Brinton, Councilmember Fithian, Councilmember Perkins

Nays: None

13. ADJOURNMENT

The meeting was adjourned at 9:10 p.m.

Philip Auville, Town Clerk



TOWN OF OCCOQUAN

TOWN COUNCIL MEETING

Agenda Communication

4. Consent Agenda	Meeting Date: January 21, 2025
4B: Request to Reappoint Member to the Board of Zoning Appeals	

Attachments: a. Draft Resolution R-2025-03

Submitted by: Adam C. Linn
Town Manager

Explanation and Summary:

This is a request to adopt the attached draft resolution to request reappointment of Ms. Quist for a term through January 31, 2030. The Prince William County Circuit Court makes appointments to the Board of Zoning Appeals; however, the Town Council is asked to recommend names to the Court for consideration and appointment of one individual for each vacancy.

The Board is to consist of five residents of the town, who are appointed by the Circuit Court for a five-year term. Members are able to serve consecutive terms.

In September 2021, the Town Council recommended five individuals to serve on the Board, who were then appointed by the Circuit Court, to fill two unexpired terms and three vacant seats:

- Jim Drakes (January 31, 2022)
- Nick Roper (January 31, 2023)
- Walt Seiberling (January 31, 2024)
- Liz Quist (January 31, 2025)
- Vicky Somma (January 31, 2026)

In April 2022, the Town Council recommended the reappointment of Jim Drakes, who the Circuit Court appointed to a term ending January 31, 2027. In February 2023, the Town Council recommended the reappointment of Nick Roper, who the Circuit Court appointed to a term ending January 31, 2028. In December 2023, the Town Council recommended the reappointment of Walt Seiberling, who the Circuit Court appointed to a term ending January 31, 2029.

Staff Recommendation: Recommend adoption of the attached resolution.

Proposed/Suggested Motion:

"I move to adopt Resolution R-2025-03 to submit the following name to the Prince William County Circuit Court for appointment to the Occoquan Board of Zoning Appeals: Elizabeth Quist for a term through January 31, 2030."

**TOWN OF OCCOQUAN, VIRGINIA
RESOLUTION**

RESOLUTION FOR AN APPOINTMENT TO BOARD OF ZONING APPEALS

WHEREAS, in September 2021, at the recommendation of the Town Council, the Prince William County Circuit Court appointed five members to the Occoquan Town Board of Zoning Appeals; and

WHEREAS, Board Member Elizabeth Quist filled a vacant seat on the Board through January 31, 2025; and

WHEREAS, the Town Council wishes the Circuit Court to reappoint Elizabeth Quist to a new five year term on the Occoquan Town Board of Zoning Appeals.

NOW, THEREFORE, BE IT RESOLVED that the Town Council directs the Town Attorney to submit the following name and term to the Prince William County Circuit Court as the Town Council’s recommendation for appointment to the Occoquan Town Board of Zoning Appeals: Elizabeth Quist for a term ending January 31, 2030.

Adopted by the Town Council of the Town of Occoquan, Virginia this 21st Day of January 2025.

MOTION:

**DATE: January 21, 2025
Town Council Meeting**

SECOND:

Votes

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

BY ORDER OF THE TOWN COUNCIL

Attested:

Earnest W. Porta, Jr., Mayor

Philip Auville, Town Clerk



TOWN OF OCCOQUAN

Circa 1734 • Chartered 1804 • Incorporated 1874
314 Mill Street • PO Box 195 • Occoquan, Virginia 22125
(703) 491-1918 • Fax (571) 398-5016 • info@occoquanva.gov
www.occoquanva.gov

TOWN COUNCIL
Earnest W. Porta, Jr., Mayor
Jenn Loges, Vice Mayor
Cindy Fithian
Eliot Perkins
Nancy Freeborne Brinton
Theo Daubresse

TOWN MANAGER
Adam C. Linn, J.D.

TO: The Honorable Mayor and Town Council

FROM: Adam C. Linn, Town Manager

DATE: January 21, 2025

SUBJECT: Administrative Report

This is a monthly report to the Town Council that provides general information on departmental activities including administration, public safety, engineering, zoning and building, public works and events.

Administration

Strategic Framework Updates:

These special updates cover all projects, programs and initiatives currently underway that further the priorities of the Town Council as laid out in their FY24-25 Strategic Framework adopted at the April 18, 2023 Town Council Meeting. The updates are divided into each tier and priority. A Strategic Framework Tracker will be provided quarterly every April, July, October and January.

Capital Tiers

➤ **Continuing to Investigate Opportunities to Expand Public Parking Facilities:**

- Staff investigated options for constructing parking facilities within Town limits. No available options are fiscally appropriate at the current time. Staff will continue to explore both private and public options for increasing parking.

➤ **Upgrading Stormwater Infrastructure:**

- Flood Protection Study (CFPF Grant) - UPDATED: In April 2022, town staff prepared and submitted a grant application for the third round of the Virginia Community Flood Preparedness Fund administered by the Virginia Department of Conservation and Recreation (DCR). In January 2023, town staff received notification that the grant was awarded in the amount of \$84,902.50 with a total project cost of \$169,805 and a required match of 50% by the Town. The awarded grant funds a study by Weston & Sampson that will evaluate the Town's stormwater and flood resilience. Ultimately, the grant will fund the creation of an actionable plan that, when implemented, will increase the town's overall resiliency and response to the impacts of climate change within the community and region. The contractor collected and analyzed data on existing stormwater systems (Best Management Practices or BMPs) in the Town. On July 28th, Town staff sent notice to affected property owners and received signed permission from almost all property owners. Field inspections started the week of September 25th. The field team was able to inspect and collect data on most stormwater BMPs in the Town. Minimal follow up field work was completed in late October. The contractor met

with Town staff in December to review the modeling and in January to review initial results and recommendations. On April 16th, the contractor presented the final report to the Town Council. The contractor submitted final deliverables to Town staff in late June. Final reporting and a reimbursement request were submitted to DCR on July 29th, 2024 and project was closed out as of November 26, 2024.

- Stormwater Improvements (Community Project Funding) – UPDATED: On March 17th, 2023, Town staff submitted an application to Congressperson Spanberger’s office for the FY2023 Community Project Funding Program to fund remediation to the Town’s stormwater system. On March 6th, 2024, the Town was informed that \$920,000 in funding had been appropriated for the project. A press conference about the funding award was held at Town Hall on May 14, 2024. Town staff met with an EPA representative on September 13th, 2024 and reviewed the project scope and grant application process. The Town has been allocated the funding but must complete the grant application process prior to executing the grant agreement. Staff is currently preparing an application and a preliminary engineering report for a NEPA review of the proposed project site. A meeting is scheduled in January 2025 with the EPA grant manager.
- Sediment Removal and Stormwater Remediation (DEQ ARPA 2022 Appropriation) – UPDATED: The Town received through the Department of Environmental Quality (DEQ) up to \$325,000 in ARPA funding for wastewater and stormwater remediation as a result of a funding request made by Mayor Porta in November 2021. Town staff submitted an initial program application on September 28, 2022, for part of the funding for storm water remediation through sediment removal from the Occoquan River in the areas of 101 Poplar Lane and Mill Street, Gaslight Landing (locations where stormwater has created significant sediment buildup). On November 4, 2022, Town staff submitted a revised application to include other related stormwater projects for the full \$325,000. On January 30, 2024, DEQ provided the grant agreement to staff for components 1 and 2, which was accepted by Town Council on February 6th, 2024. The first component, dredging, was completed as of February 24, 2023. The second component, replacement of stormwater pipes near Commerce Street, was completed in August 2024. Staff has closed out grant and received reimbursement from DEQ in January 2025.

➤ **Completing Riverwalk:**

- Riverwalk Extension Project – UPDATED: Preliminary engineering and design of the Riverwalk extension was included in the FY2025 Adopted Capital Improvements Program. After discussion between Town staff and VDOT on the grant eligibility and expectations for the project, Town Council decided to pause any more preliminary engineering work on the project and proceed with a grant application to the Transportation Alternatives Program (TAP), using existing planning documents and resources. Staff is planning to prepare an application starting in April for the pre-application due May 30, 2025.

➤ **Developing/Promoting Town as a Trail Junction:**

- Town staff are currently supporting the Planning Commission in its strategic planning efforts that include researching and developing a Trail Town program for Occoquan. The Planning Commission’s initial recommendations were presented to Town Council at its April 16th, 2024, meeting.

➤ **Promoting Connections with Regional Partners:**

- PWCDOT Crosswalk Safety Project: On May 31, 2023, Town staff met with VDOT engineers and staff from Prince William County Department of Transportation regarding crosswalk safety of the Washington Street Crosswalk between E. Locust Street and Edge Hill Drive. Town staff, VDOT engineers and PWCDOT recommended: (1) the addition of a streetlight near the crosswalk and changing of old streetlight heads to newer LED which would enhance the visibility at dusk/ dawn for pedestrians and drivers (PWCDOT agreed to take the lead on this immediate solution); (2) a PWCDOT study to see if a speed reducing feature such as a chicane, chocker, or perhaps a mini roundabout could be installed at the adjacent intersection; and (3) the extension of the sidewalk across the undeveloped frontage and the removal of the mid-block crosswalk to be funded under the County's Safe Sidewalk grant. Dominion Electric installed new LED streetlight heads in September. An additional streetlight, requested by PWCDOT, was installed near the crosswalk by Dominion Electric in September. Staff has reached out to PWCDOT related to the status of items 2 and 3 as well as requesting a speed study along Washington Street. As a result of the change in the law, Town Council also approved a reduction in the speed limit to 20 mph at two sections of crosswalks on Washington Street to try to improve safety around the crosswalk locations. Staff received a VDOT permit for the installation of the speed limit signage in September and installed the reduced speed limit signage in October. Enforcement can begin starting November 27, 2024.
- Occoquan Greenway (VDOT TAP Grant Project) – UPDATED: In early May 2022, Town received notification that additional funding for the Transportation Alternatives Set-Aside Program was received through the federal infrastructure bill and that the Ellicott Street Sidewalk (Occoquan Greenway Connection) project was selected. This funding is available for fiscal years 2023-2024 and will be a coordination project with the Town, PWC Transportation and Parks Departments. The project includes sidewalk installation on Union Street and part of Ellicott Street to connect the town to a planned off-road trail section of the Occoquan Greenway Trail. The project also includes a sidewalk installation along Ellicott Street, between Poplar Alley and Mill Street. The Town Council adopted a resolution of support for the project at its September 21, 2021 meeting. Surveying along McKenzie, Union, and Ellicott Streets was completed in November 2023. In December 2023, Town staff met with PWC and the engineering firm hired by PWC to review the initial drawings and conceptual designs. Town staff again met with the contractor in early February to discuss modifications and met in March to discuss the ability of vehicles to turn onto Ellicott from Mill Street. Town staff met twice with the County-selected engineering firm and then the County in October to address concerns about their provided responses to the Town's comments on the 60% design plans. Town and County leadership met again in November and the Town has come to a solution with the County to address potential turning issues and to limit damage to the root system of the magnolia tree at the intersection of Mill and Ellicott Streets. Staff is currently coordinating with the County contract engineer to finalize the designs and are still advised that construction will begin sometime in 2026. Updates will be available at www.occoquanva.gov/construction-updates.

➤ **Improving Town Gateways:**

- Staff is including gateway improvements in its Spring/Summer 2025 Landscape Plan.

➤ **Pursuing Energy Efficiency/Sustainability Enhancements:**

- EV Charging (CFI Grant) – UPDATED: Town staff worked with a contractor to identify new areas for EV charging in town and submit a grant proposal to the FHWA’s Charging and Fueling Infrastructure Grant Program, created by the Bipartisan Infrastructure Law. Town staff published an RFP in July 2024, which closed on July 31st with two bidders. In August, the Town invited the two bidders to submit a best and final. One bidder submitted and was awarded the project, contingent upon a grant award. Town staff submitted the grant application on September 11th, 2024. Unfortunately, the Town received notice in early January 2025 that its grant proposal was not awarded.
 - Glass Recycling: In support of a Planning Commission recommendation, Town staff has been working with Prince William County on the placement of a glass recycling bin in proximity to town residents. After reviewing placement options, the County has decided to place a glass recycling bin at the 123 and Old Bridge VDOT Commuter Lot. The purple bin is expected to be put into service by Summer 2024. Currently, the closest County glass recycling bin for town residents is at the County Center.
- **Enhancing Timed Parking Program Education and Enforcement:**
- Town staff continues to monitor opportunities for increasing education on and optimizing enforcement of the Timed Parking Program. For more on the most up-to-date information on the Timed Parking Program, please visit: www.occoquanva.gov/timed-parking-3/.
- **Implementing Public Safety Projects:**
- County CAD and RMS Integration - UPDATED: The Occoquan Police Department is working with Prince William County Police on integrating into their computer assisted dispatch (CAD) system and joining their report management system (RMS). As a result of delays between the contractor and the County, the project is behind schedule. The Town computers have been configured for the CAD and training is scheduled for the week of January 20th.
- **Improving Town Properties (Mill House Museum, River Mill Park, Furnace Branch Park, Tanyard Hill Park):**
- River Mill Park Upgrades: Staff are currently working on improving the adequacy and efficiency of the plumbing system at the bathhouse and resolving drainage issues in the park. Town staff met with FCWA in March and FCWA has informed the Town that it will be making physical improvements to the property to alleviate drainage issues, including a drop outlet to divert water away from the Park. Town staff and FCWA staff will meet after pipe construction is completed to assess any further improvements that may be needed.
 - River Road and Town Dumpster Storage: In December 2023, staff started storing Public Works equipment on the Town property at River Road after installing a fence along Rt. 123. Staff are currently planning further improvements to the property that will better secure it, improve refuse storage for residents, and allow limited access to the VDOT easement by River Road residents. A gate was installed in February 2024 and further refuse storage upgrades are in planning. Concurrently, staff are planning improvements to the storage space at the town dumpster to provide adequate storage for Public Works equipment in that area.
 - Street and Informational Signage Updates – UPDATED: Town staff is updating signage

on town streets and properties to reflect current town branding and add new information. New signage was installed on the Town Dock in July 2024, including QR codes for a new online payment option for docking fees, and no-turn signage was installed at the intersection of Union Street and Poplar Alley in November 2024.

Operating Tiers

➤ **Personnel Recruitment, Retention, and Succession Planning**

- Events Personnel Planning: Town staff has completed a months-long planning process to assess and reorganize the Town's Events Office, and, starting May 2025, will have a new Events and Community Development Director, Tammy Hassett, succeeding current Director Julie Little as she retires from her position after 8 years with the Town. Until May 2025, Tammy will work as the Events Coordinator under Director Little and learn the ins and outs of the Director role.
- Volunteer Program: The Events Office has launched a new volunteer program for the Town, including onboarding and scheduling in order to recruit and retain more volunteers for expanded opportunities across Town events and projects.
- Maintenance Associate Position - NEW: The Town has created a new position for a Maintenance Associate under Public Works and is currently soliciting applicants. The new position along with temporary, part-time staffing will help support the day-to-day operations of Public Works and Events, as needed. The Town is looking to onboard the position by early Spring 2025.

➤ **Tourism-led Economic Development Programming**

- Mobilizing Main Street Cohort Program - UPDATED: The Town of Occoquan formally handed over the reins of its Virginia Main Street program to Visit Occoquan in November 2024, as Visit Occoquan applied to be a part of the 2025-2026 Mobilizing Main Street Cohort. The program is a two-year cohort composed of multiple Virginia towns and cities that provides the framework for targeted organizational development support to Exploring Main Street (EMS) communities interested in pursuing Advancing Virginia Main Street (AVMS) designation. In December 2024, the Town was selected to join the cohort and representatives will be attending an orientation on January 23, 2025. Over the next two years, Visit Occoquan and Town staff will work closely to complete the program and become eligible for Advancing Virginia Main Street (AVMS) designation as well as the national Main Street America accreditation, opening up further grant opportunities, technical support, and consulting services for downtown revitalization.

➤ **Enhancing Revenue from Town Events Programming**

- Replacement of Artisan Market and Concerts with Firelight Nights - UPDATED: During the FY2025 budget process, it was decided to replace the Artisan Market in December and the summer concert series, with multiple firelight nights during the winter season in order to provide community programming and attract visitors to the commercial district during a less busy time of year, while also putting on events that required less strain on staff and Town resources. The first Firelight Night occurred on December 13th with several dozen attendees. Unfortunately, the January Firelight has been cancelled due to concerns over weather and the remaining snow and ice in the area. The next Firelight Night will be February 14th from 6-9 pm. .

➤ **Monitoring Technology Improvements for Productivity Enhancement**

- New Town Intranet – UPDATED: The intranet is complete and staff will continue to refine the system and provide training as needed.

➤ **Business Support and Development Programming**

- Continuance of Quarterly Business Meetings – UPDATED: Although the Occoquan Business Partners (OBP) dissolved in 2023, Visit Occoquan and the Town of Occoquan will continue to host quarterly Town and Business Partnership Meetings. **The next Town & Business Quarterly Meeting will be on April 8th, 2025 at 6 pm.** Subscribe for updates and find more information on meetings at: <https://www.visitoccoquanva.com/ocqhub>.
- Visit Occoquan Business Support: Visit Occoquan is currently researching and planning workshops on a range of topics important to small businesses in order to support the needs of town businesses. They also plan on hosting semi-annual listening meetings, starting in September, for town businesses only, to provide a forum for business owners to discuss issues that affect the business community at large. Finally, Visit is currently working to provide welcome packages to new businesses and has incorporated welcome information into the packets that Town staff supplies to new businesses.

➤ **Development of a Capital Asset Maintenance Program**

- Staff have been in communication with Prince William County on maintenance programs and are currently in the research and planning phase for this priority.

➤ **Development of a Business Recruitment Program**

- Staff are currently in the research and planning phase for this priority. The Planning Commission has completed preliminary strategic planning related to Economic Development and Business Recruitment and reported to Town Council on the matter at the April 16th Town Council meeting.

Strategic Framework Tracker:

Below is the quarterly report on Strategic Framework priorities, tracking progress on a 5-step scale.

Priority	Project/Program	Fiscal Year Started	Not Pursued	Not Started	Planning	Implementing	Completed
Capital 1							
Completing Riverwalk	Riverwalk Vision Plan	2023					x
Completing Riverwalk	Riverwalk Planning Project	2024					x
Completing Riverwalk	Riverwalk Expansion Project	2027			x		
Continuing to Investigate Opportunities to Expand Public Parking Facilities	Expanded Parking Lot at 123 Bridge	2024	x				
Continuing to Investigate Opportunities to Expand Public Parking Facilities	Parking Facility at Poplar Lane	2024	x				
Upgrading Stormwater Infrastructure	Flood Protection Study (CFPF Grant)	2022					x
Upgrading Stormwater Infrastructure	Sediment Removal and Stormwater Remediation (DEQ ARPA 2022 Appropriation)	2022					x
Upgrading Stormwater Infrastructure	Stormwater Improvements (Community Project Funding)	2023			x		
Capital 2							
Improving Town Gateways	Town Signage Updates	2023					x
Improving Town Gateways	123 and Commerce Mural	2023					x
Improving Town Gateways	Gateway Landscaping Improvements	2024					x

Promoting Connections with Regional Partners	Occoquan Greenway (VDOT TAP Grant Project)	2022				x	
Promoting Connections with Regional Partners	PWCDOT Crosswalk Safety Project	2024					x
Pursuing Energy Efficiency/Sustainability Enhancements	170 Mill Street EV Charging	2023					x
Pursuing Energy Efficiency/Sustainability Enhancements	EV Charging (CFI Grant)	2024					x
Pursuing Energy Efficiency/Sustainability Enhancements	Glass Recycling Bin	2024					x
Capital 3							
Implementing Public Safety Projects	Hybrid Patrol Vehicles	2023					x
Implementing Public Safety Projects	Body Worn Camera Expansion	2024					x
Implementing Public Safety Projects	County CAD and RMS Integration	2025					x
Improving Town Properties	River Road and Town Dumpster Storage	2024					x
Improving Town Properties	Annex Storage Enclosure	2024					x
Improving Town Properties	River Mill Park Upgrades	2024					x
Improving Town Properties	LOVE Sign Mural Update	2024					x
Improving Town Properties	Street and Informational Signage Updates	2025					x
Operating 1							
Enhancing Revenue from Town Events Programming	2024 Events Sponsorship Drive	2024					x
Enhancing Revenue from Town Events Programming	Replacement of Artisan Market and Concerts with Firelight Nights	2025					x

Enhancing Revenue from Town Events Programming	Parking Enforcement Personnel Increase	2024					x
Personnel Recruitment, Retention, and Succession Planning	Events Personnel Planning	2024				x	
Personnel Recruitment, Retention, and Succession Planning	New Town Treasurer	2024					x
Personnel Recruitment, Retention, and Succession Planning	Volunteer Program	2024				x	
Personnel Recruitment, Retention, and Succession Planning	Maintenance Associate Position	2025				x	
Tourism-led Economic Development	Visit Occoquan Partnership	2024				x	
Tourism-led Economic Development	VMS Mobilizing Main Street Cohort	2025				x	
Operating 2							
Business Support and Development Programming	Continuance of Quarterly Business Meetings	2024					x
Business Support and Development Programming	Visit Occoquan Business Support	2025				x	
Monitoring Technology Improvements for Productivity Enhancement	New Town Intranet	2024					x
Monitoring Technology Improvements for Productivity Enhancement	New Town Hall POS	2024					x
Monitoring Technology Improvements for Productivity Enhancement	New Online Payment System	2024					x

Capital and Maintenance Project Updates:

These are updates on significant maintenance items and existing and planned capital projects that are part of the Town's Capital Improvements Program (CIP) and additional to the Town Council's Strategic Framework priorities. Further project updates on capital and maintenance projects are available in the Public Works section of this report and at www.occoquanva.gov/construction-updates.

- Mill Street Water Issue: The recrowning work completed by VDOT contractors in 2023 along the section of Mill Street near the Ellicott Street intersection did not adequately address the longtime water flow issues in this area. Town staff removed the deteriorating temporary PVC pipe and replaced it with a new, more flexible temporary pipe to direct water from the pipe outlet at 426/430 Mill Street to the Ellicott Street stormwater inlet. The pipe is asphalted into place for added protection. As a result, water is not currently sheeting across Mill Street during and after large rainfall events and is instead traveling through the pipe to the Ellicott Street inlet. Updates will be available at www.occoquanva.gov/construction-updates.
- Edgehill Drive Water Issues: In early March 2024, Town staff received concerns about water bubbling through the road surface in the middle of Edgehill Drive. VDOT and PWC Service Authority have both responded to the issue and Service Authority has performed CCTV inspections of all its pipes in the vicinity in order to identify whether the issue was related to its system. In May 2024, VDOT removed part of the road surface and installing drainage pipes to move the water from under the roadway. The measure did not fully resolve the issue and further study and remediation efforts are planned for the summer. Town staff and VDOT will continue to monitor the situation.

Development Project Updates:

These are updates on private development projects in the Town of Occoquan. More information can be found in the Engineering Section.

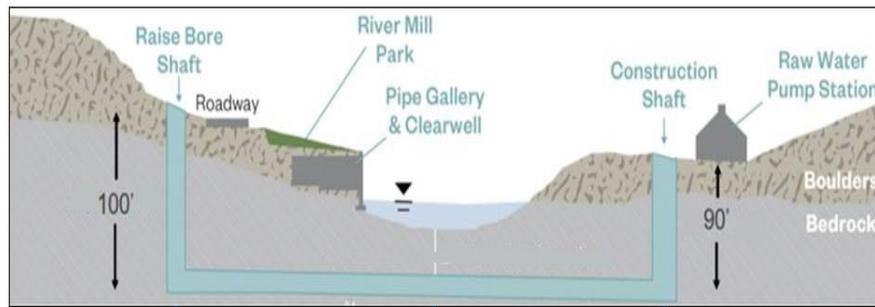
- The Mill at Occoquan: The Town approved the final site plan on August 12, 2024. As the developer finalizes a demolition permit with Prince William County, the Town is awaiting updates from the developer on asbestos removal and a new zoning permit application for demolition for the buildings on the properties. Previously, the Town approved a zoning application for demolition of the boat storage structure and the developer completed preliminary work in March.
- 406 McKenzie Drive Subdivision: Owners of 406 McKenzie Drive have submitted a subdivision application with the Town to divide the property into multiple parcels. Comments on the application have been provided to the owners. A meeting with the Town Engineer was held in April and a follow up meeting was held in October to review another version of the subdivision. Town staff is awaiting submission of a new subdivision application for the updated subdivision plan.

Other News and Updates:

These are updates on any other noteworthy projects, programs, or initiatives being carried out in and around the town, including updates on deadlines and administrative projects.

- Fairfax Water Construction - UPDATED: The boring project under the Occoquan River and the installation of new pipes have been completed. In December 2024, Fairfax Water completed work on the replacement of an adjacent pipe leading into the Mill Street cul-de-sac from Fairfax Water property. The area was fully milled and paved. To stay up to date on construction, please sign up for AlertOccoquan at www.occoquanva.gov/living-

[here/alertoccoquan](#). Below is a rendering of the project:



- **Tax Delinquencies:** A number of Real Estate and BPOL filings are still outstanding. **The former were due on December 5th, 2024 while the latter were due on March 1, 2024.** All delinquent accounts have received mail and/or email notices from Town staff. For more information on tax filing please contact the Town Clerk at townclerk@occoquanva.gov or visit www.occoquanva.gov/living-here/tax-information/ and www.occoquanva.gov/business/doing-business-in-occoquan/.
- **Upcoming Tax Deadlines – UPDATED: Town of Occoquan Business, Professional, and Occupational License (BPOL) renewals and payments for 2025 are both due by March 1st, 2025.** Renewal notices will be emailed and mailed in January to businesses holding a license with the Town. Please be sure to submit applications and payments on time. A penalty of 10% of the tax may be imposed upon failure to file an application or payment of the tax by the due date. The business license fee is based on gross receipts for the calendar year 2024. Visit www.occoquanva.gov/doing-business-in-occoquan for more information.
- **Town Vehicle License Enforcement – NEW:** Town Ordinance Section 71-02 requires that owners of any motor vehicle principally garaged, stored, or parked in Town pay an annual Vehicle License Fee by November 15th of each year. The current Town decal should be displayed on the front windshield. The Town Police are increasing enforcement for vehicles found to be principally garaged, stored, or parked in Town without the Town decal displayed. **If you have not applied for a 2025 Vehicle License, please do so by filling out the PDF or online form at www.occoquanva.gov/living-here/tax-information.**

Treasurer Report – Supplemental Information

The November 2024 Financial Report is included in the Town Council agenda packet. Highlights from the current report are below, as well as additional information regarding current delinquencies (as of November 30, 2024).

BPOL Tax Delinquencies		
Business Name	Delinquency Period	Date of Last Notice/Status
AMAYA STUDIOS LLC	10 months	11/19/2024; summons sent
BANN THAI OLD TOWN LLC	10 months	11/19/2024; summons sent
ECOGLO DETAILING	0 month	Completing audit
HAVANA BOUTIQUE*	2 years	1/17/25; summons sent
PIN CURLS HAIR SALON	2 years, 10 months	1/17/25; summons sent
TALENT ACQUISITION CONCEPTS	2 years, 10 months	11/19/2024; summons sent

*Business closed as of August 2023

Transient Occupancy Tax Delinquencies		
Business Owner	Delinquency Period	Date of Last Notice/Status

Meals Tax Delinquencies		
Business Name	Delinquency Period	Date of Last Notice/Status
BAR J CHILI PARLOR	2 months	12/31/24
BABBANME LLC	6 months	12/31/24; letter with penalty sent 11/4/24; preparing summons
BANN THAI*	2 months	12/31/24; preparing summons
BLACK MAGIC	6 months	12/31/24; letter with penalty sent 11/8/2024
GRIND N CREPE	2 months	12/31/24
THE SPOT ON MILL STREET	5 months	Payment Plan
THIRD BASE	2 months	12/31/24

*Prior delinquency paid with court case continuing on 12/5/24

Real Estate Delinquencies			
Property Owner	Delinquency Period	Date of Last Notice	Address
GRANNY'S COTTAGE INC	7 years, 10 months	7/29/2024	116 WASHINGTON ST

HOUGHTON RONALD W ETAL	5 years, 10 months	7/29/2024	103 WASHINGTON ST
INTERNATIONAL PEACE MISSION INC	1 year	7/29/2024	207 WASHINGTON ST
INTERNATIONAL PEACE MISSION INC	1 year	7/29/2024	209 WASHINGTON ST

Meals Tax by Fiscal Year			
Month	FY23	FY24	FY25
July	28,956	31,391	29,811*
August	27,894	31,014	31,051*
September	25,730	27,123	27,635*
October	24,180	24,872	24,422*
November	19,372	22,482	21,681*

*Delinquencies still outstanding for this month that will noticeably increase tax revenue

Engineering

River Mill Park Drainage - no change from last report: staff to set meeting with Fairfax County Water Authority to review options to modify park surface - awaiting response from FCWA to complete river crossing construction, then will set meeting.

Electrical Vehicle (EV) charging station grant - no change from last report: staff submitted CFI application on 9/11/24; charging stations installed by Greenspot on 8/16/24.

Mill at Occoquan - no change from last report: Site plan approved by Town on 8/12/24. Application for demolition of boat storage structure approved 2/27/24. 10/24/24 the applicant to be notified that additional demolition permits are needed for the removal of additional structures.

FCWA River Crossing Construction - no change from last report: Project continuing.

Ellicott Sidewalk Extension Project - update from last report: comments on 60% construction drawing provided to PWC on 8/24/24. Project construction tentatively scheduled for FY2026. Discussion held 11/22/24 (with Town Manager, Mayor, and PWCDOT leadership) working on alternative areas for connection; PWC proposal currently under review by staff and Council. Council chose option to protect the magnolia tree to the greatest extent possible.

Site Plans/Plats Under Review or Being Discussed with Owner/Tenant:

Address	Plan Number	Use	Status
Mill at Occoquan	SP2022-001	Mixed Use project	Plan approved by Town 8/12/24.
105 Poplar Lane	Not assigned	Single family detached	Modifications to house and lot for final Occupancy Permit
406 McKenzie Drive	SUB2023-036	Subdivide existing lot into two parcels	Applicant contemplating subdivision into more than 2 lots. Met Applicant 10/24/24 with possible layout for 5 lots. Plan still under review.

Zoning and Code Enforcement

Below is an overview of zoning permit applications and Town Code violations for the past month. Residents can learn more about zoning at www.occoquanva.gov/government/zoning-land-development-and-building.

A. The following is a list of **zoning reviews** from December 1 to December 31, 2024:

	Zoning Application #	Property Address	Activity
1			

A. The following is a list of **zoning modification requests** from December 1 to December 31, 2024:

	Zoning Application #	Property Address	Activity
1			

B. The following is a list of **new violation letters** from December 1 to December 31, 2024:

	Property Address	Violation #	Violation	Town Action
1				

C. The following is a list of **active/previous violations** from December 1 to December 31, 2024:

	Property Address	Violation #	Violation	Town Action
1	302 Poplar Alley	OZV-2023-01	Signage	Case resolved and violations abated 12/5/24
2	201 Union Street	OCV-2024-008	Signage	Referred to Town Attorney on 11/21/24

Building and Property Maintenance

Building: The Building Official monthly permit report provided by Prince William County is attached.

For more information on building permits and building code violations go to www.pwcva.gov/department/building-development-division.

Property Maintenance: The Property Maintenance monthly report provided by Prince William County is attached.

Starting in July 2023, Prince William County now provides property maintenance enforcement for the Town of Occoquan. All complaints for property issues, excluding signage, yard, and landscaping concerns, should be filed with the Prince William County Neighborhood Services at www.pwcva.gov/department/neighborhood-services.

Public Safety

Mission:

The mission of the Occoquan Police Department (OPD) is to: protect the lives and property of our residents, visitors, and businesses; to reduce the incidence and fear of crime; and to enhance the public safety of our historic waterfront community. To that end, we will hire and maintain a professional staff who through education, mentoring, and community policing will maintain a supportive partnership between our community and this Department. We will respect the rights and dignity of all people and always remain approachable and professional.



Monthly Departmental Goals:

- Goal 1: Provide for the public safety of the persons and property of the residents, businesses, and visitors of the Town of Occoquan.
- Goal 2: Promote a professional and accountable police department.
- Goal 3: Promote safe pedestrian and vehicular traffic within the Town of Occoquan.
- Goal 4: Prepare for and respond to all threats and hazards facing the Town of Occoquan.

OPD Division Reports:

Professional Standards Division

The Professional Standards Division (PSD) is responsible for internal affair investigations, criminal investigations, and background investigations. Additionally, the OPD Training Unit is housed within the PSD and is responsible for identifying training needs, designing, and implementing training for OPD Officers.

The OPD did not receive any complaints against officers within the Department for the month of December.

All officers met the state required annual mandatory in-service training for calendar year 2024.

Field Operations Division

The Field Operations Division (FOD) is responsible for day-to-day patrol operations throughout the Town.

Officers engaged in foot patrols throughout the residential district, historic district, and the Town Riverwalk.

FOD officers responded to several complex scenes during the month of December such as the overhead line fire on Mill St, a tractor trailer into a building and high visibility patrols due to holiday season.

Special Operations Division

The Special Operations Division (SOD) consists of OPD Officers who have a dual role within the FOD. The SOD consists of Auxiliary Patrol Officers, Parking Enforcement, Homeland Security and Emergency Management, Marine Patrol, Bicycle Patrol, Fire Services, and the Unmanned Aircraft System Unit.



SOD Officers supported the Town events such as the arrival of Santa by Boat event with specialized equipment and capabilities keeping the events safe for everyone who comes to participate.

The OPD continues to participate monthly in several Northern Virginia Emergency Response (NVERS) and Council of Government (COG) committees focused on keeping the region safe and secure.

Patrol and Enforcement Activities:

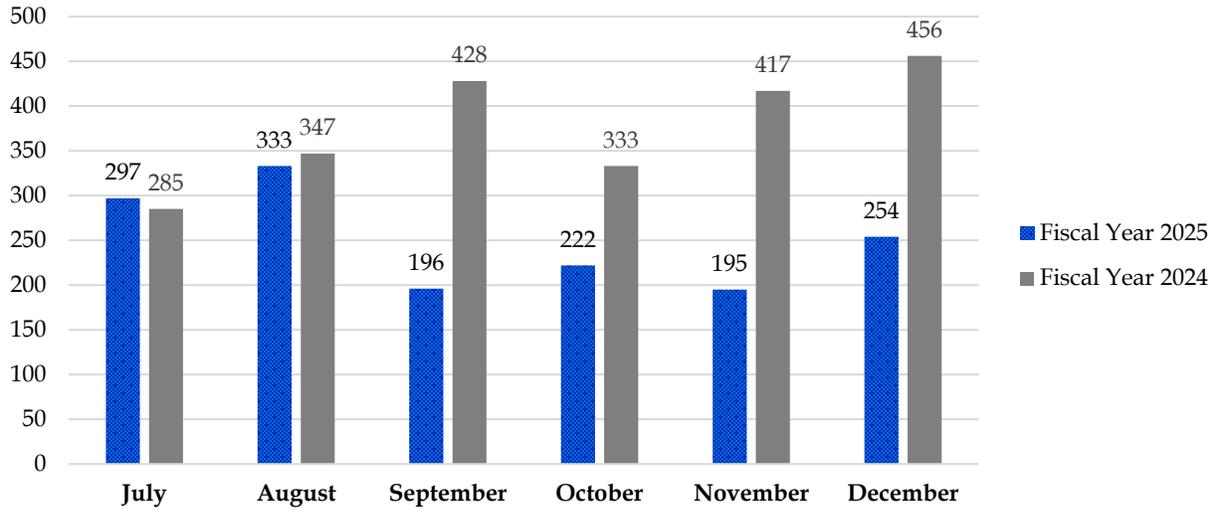
For the Month of December, Town police had 149 calls for service including:

<i>Call for Service</i>	<i>#</i>		<i>Call for Service</i>	<i>#</i>
Alarms	3		Impaired Driving Investigation	1
Burglary in Progress	1		Larceny / Theft	4
Complaints (misc.)	2		Medical/Mental Health	3
Disabled Vehicles/Motorist Assist	13		Missing Person	1
Disorderly	3		Neighbor Dispute	1
Destruction of Property	1		Noise Complaint	1
DOA	1		Other/Services	35
Domestic Complaint	6		Person In Crisis / Suicide Attempt	2
Drug Compliant	1		Roadway Obstruction	1
Drug Overdose	1		Robbery In Progress	1
DUI Arrest	1		Suspicious Calls	12
Fight in Progress	1		Traffic Control	3
Found/Lost Property	3		Trespassing	4
Gas leaks	1		Vandalism	1
HazMat Event	1		Vehicle Crash	17
Hit & Run	3		Warrant Service	2
Illegal Fireworks	1		Welfare Checks	15
Illegal Fishing	2			
				149

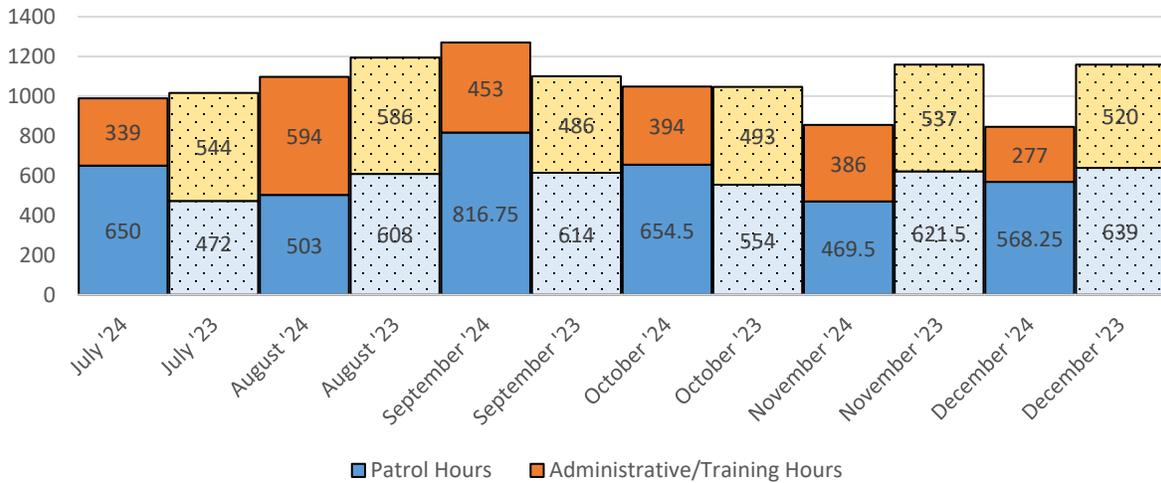
Town police made 2 custodial arrests, issued 254 traffic summonses, 8 parking violations, and 77 warnings.

Officers also engaged in 347 business checks and 224 park checks during the month of December.

Traffic Summonses FYTD (GRAPH)



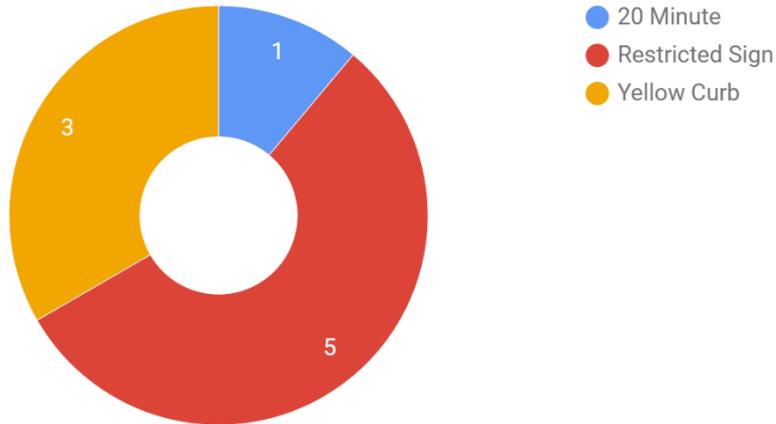
Patrol/Administrative/Training Hours FYTD (GRAPH)



Parking Enforcement (CHART/GRAPH)

Month	Parking Tickets	Warning
July	125	8
August	79	3
September	44	5
October	61	1
November	18	0
December	9	0

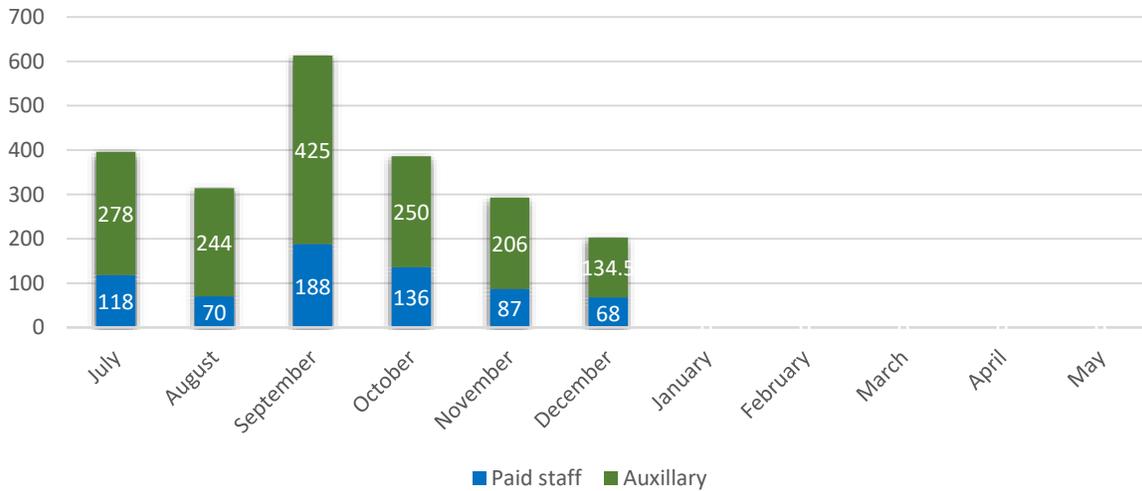
Occoquan VA - Tickets By Violation (Dec. 2024)



Data as of 1/2/2025, 12:00:00 AM

Volunteer in Police Service

For Fiscal Year 2025, our auxiliary police officers and paid police staff donated a total of 2,204.5 uncompensated hours to the Town. Below is a list of volunteer hours (uncompensated time) provided by our auxiliary police officers and paid police staff.



Special Operations Statistics

Marine Patrol					
Month	Hours on Patrol	Training Hours	Stops	Interactions	Calls for Service
July	46	0	3	12	1
August	24	0	9	12	4
September	24	0	28	28	9
October	0	0	0	0	0
November	0	0	0	0	0
December	1.5	0	0	0	0
FY Total	95.5	0	40	52	14
UAS Operations					
Month	Operational Hours	Training Hours		Call Outs	Calls for Service
July	0	0		0	0
August	0	0		0	0
September	0	0		0	0
October	0	2		0	0
November	0	0		0	0
December	0	0		0	0
FY Total	0	2		0	0
UTV / HSEM Operations					
Month	Hours Staffed	Training Hours		Special Events	Calls for Service
July	140	0		3	1
August	280	0		2	0
September	120	0		1	0
October	16	0		1	0
November	104	0		1	0
December	42	0		2	0
FY Total	702	0		10	1

Public Works

Routine Activities

The Public Works Department engages in the following regular maintenance activities:

Activity	Weekday	Sat/Sun	Weekly	Monthly	Notes
Trash Collection/Check	X	X			Weekend checks during high traffic seasons
Street Sweeping			X		Sweeping Season: April - October
Check/Repair Gaslights	X				Review and schedule repairs as needed
Check/Replace Doggie Bags			X		
Check/Clear Storm drains			X		Weekly + Storm Prep
Check Public Restrooms	X	X			Weekend checks during high traffic seasons
Contractor Cleaning - RMP			X		Contractor cleans Fridays and Mondays
Check Tanyard Hill Park			X		Review and schedule repairs as needed
Check Mamie Davis Park and Riverwalk	X				Review and schedule repairs as needed
Check/Clean Kayak Ramp				X	Monthly to quarterly cleaning
Check River Mill Park	X				Review and schedule repairs as needed
Clean/Maintain RMP Light Poles				X	
Check Furnace Branch Park			X		Review and schedule repairs as needed
Minor Brick Sidewalk Check/Repairs			X		Review and schedule repairs as needed
Maintain Town Buildings			X		Review and schedule repairs as needed
Maintain Town Equipment			X		Vehicle and small engine repair, seasonal and as needed
Clean Town Vehicle			X		Ensure cleanliness and care of town vehicle
Maintain Annex/PW Facility	X				External and Internal clean up and organization
Maintain Events Building at RMP				X	Monthly to quarterly
Check/Maintain Dumpster and storage area				X	
Water Flowers	X				Seasonal
Graffiti Check/Removal	X				
Litter Check/Removal	X				
Install/Repair Event Banners as Needed				X	Seasonal
Maintain Temporary Pipe on Mill Street				X	Until no longer needed
Pest Treatment				X	Town buildings every 3 months

Public Works Highlights (December 2024)

- Prepared for and supported the December Firelight Night.
- Worked with Vulcan to remove an obsolete landscape bed and added two new parking spaces to the Town parking lot at 126 Commerce.

Special Public Works Projects

Projects In-Progress: 5 Projects Completed: 4

Below is an updated list of maintenance activities with statuses updated as of December 31, 2024:

Project	Status	Completion Date	Notes
Building Maintenance			
Town Hall Kitchen Improvements	In progress		Winter 2024
Craft Show and Events Support			
Firelight Night Prep	Completed	12/13/24	
Firelight Night Support	Completed	12/16/24	
Holiday			
Replaced Damaged Outlets and Wiring on Multiple Utility Polee	Completed	12/11/24	Damage due to fire and wiring issues
Landscaping			
Seed and aerate town parks	Not started		TBD
Improvements at Tanyard Hill and Old Bridge Entrance	Paused		Incorporate into 2025 planning
Spring Annual and Perennial Plantings	Not started		Spring 2025
Park Maintenance			
Powerwash Gaslight Landing Riverwalk	Paused		Spring 2025
RMP Plumbing and Bathroom Upgrades	In progress		New water heater installed in January; further improvements in planning
Town Dock Repairs	In progress		Boards replaced; inspecting pedestals
Special Projects			
Backup Generator Project	Not started		Paused - OPD Joint Project
Transfer box set up at Annex	Not started		Paused - OPD Joint Project
River Road and Town Dumpster Improvements	In progress		Planning refuse storage; improving storage area at town dumpster - OPD Joint Project

Project	Status	Completion Date	Notes
Streets, Sidewalks, and Parking			
Repair Dogwoods on TH Bricks	Not started		TBD
Curb and Striping Review and Painting	Not started		Spring 2025
Added and Striped New Parking Spaces at 126 Commerce	Completed	12/20/24	

Brick Installation and Maintenance Projects

Below is the status of the replacement and maintenance of sidewalk bricks:

Location	Status	Notes
RMP Memorial Bricks	In progress	Winter 2024

Events and Community Development

Firelight Night

Friday, February 14 from 6-9pm

Mill House Museum - 413 Mill Street, Occoquan, VA

The Town will host a Firelight Night in the cul-de-sac on February 14, 2025 from 6-9pm. Bundle up, grab some friends, and hang under the stars! In addition to fire pits and live music, there will be hot drinks, adult beverages, and s'mores kits available for purchase. Ballywhack Shack Café is our sponsor for the event, so plan to arrive hungry! Hay bale seating will be available, but you are encouraged to BYO camp chairs for guaranteed seating. Admission is FREE!

TOWN OF OCCOQUAN
FINANCIAL STATEMENTS
AS OF NOVEMBER 2024

	As of 7/1/24 (unaudited)	Unaudited Income/ (Loss) FY25 YTD	As of 11/30/24 Unaudited
Nonspendable:			
Mamie Davis Fund	\$ 100,000	\$ -	\$ 100,000
Prepaid Items	\$ -	\$ -	\$ -
Restricted:			
E-Summons Fund	\$ 49,124	\$ 2,295	\$ 51,419
Assigned:			
Events Fund	\$ -	\$ 70,443	\$ 70,443
CIP Fund	\$ 436,006	\$ (29,678)	\$ 406,328
State Aid 599 Program Fund	\$ 24,235	\$ 14,186	\$ 38,421
Mamie Davis Park Fund	\$ 7,090	\$ 895	\$ 7,986
PEG Fund	\$ 2,111	\$ -	\$ 2,111
Subtotal Assigned:	\$ 469,442	\$ 55,846	\$ 525,289
Unassigned:			
Operating Reserves	\$ 200,000	\$ -	\$ 200,000
Other Unassigned	\$ 451,200	\$ 65,237	\$ 516,437
Subtotal Unassigned:	\$ 651,200	\$ 65,237	\$ 716,437
Total Fund Balance:	\$ 1,269,767	\$ 123,378	\$ 1,393,145

Town of Occoquan Budget vs. Actuals

July - November, 2024

	Actual	Annual Budget	Over Budget	% of Budget
Income				
40000 TAXES				
40010 Real Estate	\$ 227,140	304,351	(77,211)	74.63%
40020 Meals Tax	\$ 134,600	333,812	(199,212)	40.32%
40030 Sales Tax	\$ 19,922	48,000	(28,078)	41.50%
40040 Utility Tax	\$ 15,201	36,500	(21,299)	41.65%
40050 Communications Tax	\$ 12,687	33,000	(20,313)	38.44%
40060 Transient Occupancy Tax	\$ 19,915	46,500	(26,585)	42.83%
40070 Peer-to-Peer Vehicle Tax	\$ -	6,600	(6,600)	0.00%
Total 40000 TAXES	\$ 429,464	\$ 808,763	\$ (379,299)	53.10%
41000 FEES/LICENSES				
41010 Vehicle License	\$ 7,896	11,000	(3,105)	71.78%
41020 Business Licenses	\$ 3,228	90,402	(87,174)	3.57%
41025 Business License Fee	\$ 540	4,260	(3,720)	12.68%
Total 41020 Business Licenses	\$ 3,768	\$ 94,662	\$ (90,894)	3.98%
41030 Late Fees	\$ 1,326	1,500	(174)	88.43%
41040 FINES (PUBLIC SAFETY)	\$ 157,083	375,000	(217,917)	41.89%
41170 E-Summons	\$ -	15,250	-15,250	0.00%
Total 41040 FINES (PUBLIC SAFETY)	\$ 157,083	\$ 390,250	-\$ 233,167	40.25%
41100 Administrative Fees	\$ 3,218	8,500	(5,282)	37.86%
41120 Service Revenue - Eng	\$ 2,833	14,000	(11,168)	20.23%
41130 Service Revenue - Legal	\$ -	5,000	(5,000)	0.00%
41140 Service Revenue - Other	\$ -	600	(600)	0.00%
41160 Convenience Fees	\$ 399	0	399	
Total 41000 FEES/LICENSES	\$ 176,523	\$ 512,762	\$ (336,239)	34.43%
42000 GRANTS				
42021 NHSTA (DMV)	\$ 1,234		1,234	
42100 Alcohol	\$ -	16,000	(16,000)	0.00%
42101 Pedestrian	\$ 3,117		3,117	
42101 Pedestrian	\$ 1,305		1,305	
42102 Speed	\$ 7,237		7,237	
Total 42021 NHSTA (DMV)	\$ 11,660	\$ 16,000	(4,340)	72.87%
42110 Virginia DCJS	\$ -	0	0	
42020 HB 599	\$ 14,186	27,678	(13,492)	51.25%
Total 42110 Virginia DCJS	\$ 14,186	\$ 27,678	(13,492)	51.25%
42130 DEQ			0	
42010 LITTER	\$ 1,838	1,329	509	138.30%
Total 42130 DEQ	\$ 1,838	\$ 1,329	\$ 509	138.30%
Total 42000 GRANTS	\$ 28,918	\$ 45,007	(16,089)	64.25%
43000 RENTALS				
43020 River Mill Park	\$ 1,525	4,000	(2,475)	38.13%

43030 Mamie Davis Park Rental	\$	1,000	3,000	(2,000)	33.33%
43040 200 Mill Street Lease	\$	(5,919)	7,727	(13,645)	-76.60%
Total 43000 RENTALS	\$	(3,394)	\$ 14,727	\$ (18,120)	-23.05%
44000 OTHER				0	
44005 Insurance Proceeds	\$	8,649	0	8,649	
44010 General Fund Interest	\$	14,086	25,000	(10,914)	56.35%
44030 Mamie Davis Park Interest	\$	-	0	0	
44040 Bricks Revenue	\$	-	300	(300)	0.00%
44060 Other	\$	2,062	1,700	362	121.29%
Total 44000 OTHER	\$	24,797	\$ 27,000	\$ (2,203)	91.84%
Total Income	\$	656,309	\$ 1,408,258	\$ (751,950)	46.60%
Gross Profit	\$	656,309	\$ 1,408,258	\$ (751,950)	46.60%
Expenses					
Total 60000 PERSONNEL SERVICES	\$	296,731	\$ 827,001	\$ (530,270)	35.88%
Total 60400 PROFESSIONAL SERVICES	\$	60,129	\$ 175,967	\$ (115,838)	34.17%
Total 60800 INFORMATION TECH SERV	\$	21,431	\$ 40,430	\$ (18,999)	53.01%
Total 61200 MATERIALS AND SUPPLIES	\$	19,240	\$ 34,850	\$ (15,610)	55.21%
Total 61600 OPERATIONAL SERVICES	\$	3,174	\$ 9,200	\$ (6,026)	34.50%
Total 62000 CONTRACTS	\$	48,537	\$ 125,103	\$ (76,566)	38.80%
Total 62400 INSURANCE	\$	39,491	\$ 43,500	\$ (4,009)	90.78%
Total 62800 PUBLIC INFORMATION	\$	1,496	\$ 4,050	\$ (2,554)	36.93%
Total 63200 ADVERTISING	\$	304	\$ 6,610	\$ (6,306)	4.59%
Total 63600 TRAINING AND TRAVEL	\$	10,131	\$ 17,050	\$ (6,919)	59.42%
Total 64000 VEHICLES AND EQUIPMENT	\$	29,125	\$ 47,650	\$ (18,525)	61.12%
Total 64400 SEASONAL	\$	10,962	\$ 13,000	\$ (2,038)	84.32%
Total 64800 TOWN HALL	\$	4,159	\$ 11,344	\$ (7,184)	36.67%
Total 65200 MILL HOUSE MUSEUM	\$	11,436	\$ 6,500	\$ 4,936	175.94%
Total 66000 ANNEX / MAINTENANCE YARD	\$	1,601	\$ 3,350	\$ (1,749)	47.80%
Total 66800 RIVER MILL PARK & FACIL	\$	6,657	\$ 18,154	\$ (11,497)	36.67%
Total 67200* MAMIE DAVIS PARK & RIVERWALK	\$	1,344	\$ 2,900	\$ (1,556)	46.34%
Total 67800 OCCOQUAN RIVER	\$	-	\$ 2,500	\$ (2,500)	0.00%
Total 68000 FURNACE BRANCH PARK	\$	-	\$ 500	\$ (500)	0.00%
Total 68400* STREETS AND SIDEWALKS	\$	1,603	\$ 2,500	\$ (897)	64.11%
Total 68800 HISTORIC DISTRICT	\$	9,335	\$ 13,600	\$ (4,265)	68.64%
Total 64700 FACILITIES EXPENSE	\$	36,136	\$ 61,347	\$ (25,212)	58.90%
Total 68900 PUBLIC ART PROGRAM	\$	-	\$ 2,500	\$ (2,500)	0.00%
Total Expenses	\$	576,886	\$ 1,408,258	\$ (831,372)	40.96%
Net Operating Income	\$	79,423	\$ (0)	\$ 79,423	
Net Income	\$	79,423	\$ (0)	\$ 79,423	

CIP FUND

		Actual	Annual Budget	over Budget	% of Budget
Income					
42000 GRANTS	\$	-	935,025	(935,025)	0.00%
42050 DOJ BVP	\$	-	3,000	(3,000)	0.00%
42103 Virginia Dept of Fire Programs	\$	128			

42130 DEQ	\$	350		350	
Total 42000 GRANTS	\$	478	\$ 938,025	\$ (937,547)	0.05%
Total Income	\$	478	\$ 938,025	\$ (937,547)	0.05%
Gross Profit	\$	478	\$ 938,025	\$ (937,547)	0.05%
Expenses					
Total Expenses			\$	-	
Net Operating Income	\$	478	\$ 938,025	\$ (937,547)	0.05%
Other Expenses					
70000 CIP EXPENSE				0	
70001 Streetscape	\$	192			
70005 Building Improvements	\$	9,477	12,200	(2,723)	77.68%
70006 Stormwater Management	\$	-	1,150,031	(1,150,031)	0.00%
70014 Timed Parking Equipment	\$	-	5,500	(5,500)	0.00%
70018 Snow Removal Equipment	\$	-	7,300	(7,300)	0.00%
72006 Riverwalk Improvements	\$	6,055	110,000	(103,945)	5.50%
74001 Vehicles & Equipment	\$	10,792	53,000	(42,208)	20.36%
74003 Body Armor	\$	-	6,000	(6,000)	0.00%
76001 Computer Upgrades	\$	3,640	3,000	640	121.33%
76006 Records Management Syst	\$	-	27,000	(27,000)	0.00%
Total 70000 CIP EXPENSE	\$	30,156	\$ 1,374,031	\$ (1,343,875)	2.19%
Total Other Expenses	\$	30,156	\$ 1,374,031	\$ (1,343,875)	2.19%
Net Other Income	\$	(30,156)	\$ (1,374,031)	\$ 1,343,875	2.19%
Net Income	\$	(29,678)	\$ (436,006)	\$ 406,328	6.81%

E SUMMONS FUND

	Actual	Annual Budget	over Budget	% of Budget	
Income					
41000 FEES/LICENSES				0	
41040 FINES (PUBLIC SAFETY)	\$	-		0	
41170 E-Summons	\$	5,554	15,250	(9,696)	36.42%
Total 41040 FINES (PUBLIC SAFETY)	\$	5,554	\$ 15,250	\$ (9,696)	36.42%
Total 41000 FEES/LICENSES	\$	5,554	\$ 15,250	\$ (9,696)	36.42%
Total Income	\$	5,554	\$ 15,250	\$ (9,696)	36.42%
Gross Profit	\$	5,554	\$ 15,250	\$ (9,696)	36.42%
Expenses					
60800 INFORMATION TECH SERV				0	
60860 Hardware/Software & Maintenance	\$	3,259	5,600	(2,341)	58.19%
Total 60800 INFORMATION TECH SERV	\$	3,259	\$ 5,600	\$ (2,341)	58.19%
61200 MATERIALS AND SUPPLIES				0	
61220 Operational supplies	\$	-	1,600	(1,600)	0.00%
Total 61200 MATERIALS AND SUPPLIES	\$	-	\$ 1,600	\$ (1,600)	0.00%
Total Expenses	\$	3,259	\$ 7,200	\$ (3,941)	45.26%
Net Operating Income	\$	2,295	\$ 8,050	\$ (5,755)	28.51%
Net Income	\$	2,295	\$ 8,050	\$ (5,755)	28.51%

EVENTS FUND

	Actual	Annual Budget	over Budget	% of Budget
Income				
41000 FEES/LICENSES			0	
41160 Convenience Fees	\$ 2,124	4,550	(2,426)	46.68%
Total 41000 FEES/LICENSES	\$ 2,124	\$ 4,550	\$ (2,426)	46.68%
42000 GRANTS		10,000	(10,000)	0.00%
44000 OTHER		0	0	
44020 Events Fund Interest	\$ -	0	0	
44040 Bricks Revenue	\$ 170	1,575	(1,405)	10.79%
44060 Other	\$ -	4,260	(4,260)	0.00%
Total 44000 OTHER	\$ 170	\$ 5,835	\$ (5,665)	2.91%
47000 EVENTS REVENUE			0	
47010 Sponsorships	\$ 7,668	34,000	(26,332)	22.55%
47020 Booth Rentals	\$ 118,791	166,000	(47,209)	71.56%
47021 Ticket Sales	\$ 60	2,525	(2,465)	2.38%
47023 Community Events	\$ 12,139	16,750	(4,611)	72.47%
Total 47021 Ticket Sales	\$ 12,199	\$ 19,275	\$ (7,076)	63.29%
47030 Shuttle Fees	\$ 34,313	60,500	(26,187)	56.72%
47040 Parking Space Sales	\$ 6,150	10,500	(4,350)	58.57%
47060 Merchandise		1,125	(1,125)	0.00%
47105 Revenue Share Agreements	\$ -	1,500	(1,500)	0.00%
Total 47000 EVENTS REVENUE	\$ 179,121	\$ 292,900	\$ (113,779)	61.15%
Total Income	\$ 181,415	\$ 313,285	\$ (131,870)	57.91%
Gross Profit	\$ 181,415	\$ 313,285	\$ (131,870)	57.91%
Expenses				
Total 60000 PERSONNEL SERVICES	\$ 32,375	\$ 98,371	\$ (65,996)	32.91%
Total 60400 PROFESSIONAL SERVICES	\$ 4,288	\$ 5,050	\$ (762)	84.90%
Total 60800 INFORMATION TECH SERV	\$ 450	\$ 390	\$ 60	115.29%
Total 61200 MATERIALS AND SUPPLIES	\$ 5,249	\$ 13,545	\$ (8,296)	38.75%
Total 62000 CONTRACTS	\$ 39,707	\$ 75,100	\$ (35,393)	52.87%
Total 63200 ADVERTISING	\$ 16,097	\$ 32,500	(16,403)	49.53%
Total 64400 SEASONAL	\$ 150		150	
Total 64700 FACILITIES EXPENSE	\$ 369	\$ 850	\$ (481)	43.41%
Total 69200 SPECIAL EVENTS	\$ 12,288	\$ 12,920	\$ (632)	95.11%
Total Expenses	\$ 110,972	\$ 238,726	\$ (127,754)	46.49%
Net Operating Income	\$ 70,443	\$ 74,559	\$ (4,117)	94.48%
Net Income	\$ 70,443	\$ 74,559	\$ (4,117)	94.48%

MAMIE DAVIS PARK

	Actual	Annual Budget	over Budget	% of Budget
Income				
44000 OTHER			0	
44030 Mamie Davis Park Interest	\$ 895	256	639	349.75%
Total 44000 OTHER	\$ 895	\$ 256	\$ 639	349.75%
Total Income	\$ 895	\$ 256	\$ 639	349.75%

Gross Profit	\$	895	\$	256	\$	639	349.75%
Expenses							
Total Expenses					\$	-	
Net Operating Income	\$	895	\$	256	\$	639	349.75%
Net Income	\$	895	\$	256	\$	639	349.75%
TOTAL NET INCOME (LOSS) ALL FUNDS	\$	123,378		(353,141)		476,519	(0)

Town of Occoquan
Balance Sheet Comparison
As of November 30, 2024

	Total		
	As of Nov 30, 2024	As of Nov 30, 2023 (PY)	Change
ASSETS			
Current Assets			
Bank Accounts			
10001 Petty Cash - Operating	100	100	0
10010 Petty Cash - Events	75	0	75
10022 Checking Account 0058	246,139	101,818	144,321
10024 Money Market 4220	201,567	175,268	26,300
10029 Checking Account 3126 (deleted)	0	18,936	(18,936)
10034 VIP - Investment Pool	0	0	0
25-5001 VIP NAV Liquidity Pool 5001	616,302	416,756	199,546
Total 10034 VIP - Investment Pool	\$ 616,302	\$ 416,756	\$ 199,546
10082 Mamie Davis Savings 4201	3,600	2,176	1,424
10083 Mamie Davis CD	100,000	100,000	0
Total Bank Accounts	\$ 1,167,783	\$ 815,053	\$ 352,730
Accounts Receivable			
10180 Accounts Receivable	179,121	407,278	(228,156)
Total Accounts Receivable	\$ 179,121	\$ 407,278	\$ (228,156)
Other Current Assets			
14990 Undeposited Funds	147,590	137,002	10,588
Total Other Current Assets	\$ 147,590	\$ 137,002	\$ 10,588
Total Current Assets	\$ 1,494,495	\$ 1,359,333	\$ 135,162
TOTAL ASSETS	\$ 1,494,495	\$ 1,359,333	\$ 135,162
LIABILITIES AND EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
20000 Accounts Payable	71,703	106,309	(34,606)
Total Accounts Payable	\$ 71,703	\$ 106,309	\$ (34,606)
Credit Cards			
22000 Credit Cards			0
22010 ExxonMobil	1,567	1,853	(286)
22020 Home Depot	311	637	(326)
22030 Lowe's Proservices	364	2,840	(2,475)
22040 United Bank Credit Cards	6,194	8,087	(1,893)
Total 22000 Credit Cards	\$ 8,436	\$ 13,416	\$ (4,981)
Total Credit Cards	\$ 8,436	\$ 13,416	\$ (4,981)
Other Current Liabilities			
20935 Performance Bond	1,188	1,188	0
20940 Unearned Craft Show Rev	11,825		11,825

20960 Unearned Other Revenue			0
20970 Unearned Rental	525	250	275
20973 Unearned SLFRF Revenue	0	537,424	(537,424)
Total 20960 Unearned Other Revenue	\$ 525	\$ 537,674	\$ (537,149)
20980 Unearned R.E. Tax	728	558	170
21100 Unearned Fire Dept Grant	7,081	1,367	5,714
21200 Payroll Liabilities	0	0	0
21230 VRS Employee Contributions	(135)	(899)	763
Total 21200 Payroll Liabilities	\$ (135)	\$ (899)	\$ 763
Total Other Current Liabilities	\$ 21,211	\$ 539,887	\$ (518,676)
Total Current Liabilities	\$ 101,350	\$ 659,613	\$ (558,263)
Total Liabilities	\$ 101,350	\$ 659,613	\$ (558,263)
Equity			
31000 Restricted			0
31100 Mamie Davis (Endowment)	100,000	100,000	0
31200 E Summons Fund	49,124	36,123	13,002
Total 31000 Restricted	\$ 149,124	\$ 136,123	\$ 13,002
31400 Assigned			0
30030 Events Fund	(0)	88,492	(88,492)
30040 CIP Fund	436,006	26,843	409,163
31050 Public Safety Grant Fund	24,235	14,283	9,952
31060 Mamie Davis Park Fund	7,090	6,498	593
31070 Public Education Grant Fund	2,111	1,955	156
Total 31400 Assigned	\$ 469,442	\$ 138,071	\$ 331,371
31500 Unassigned			0
30010 Emergency Operating Fund	200,000	200,000	0
30020 Unrestricted	451,201	44,804	406,397
Total 31500 Unassigned	\$ 651,201	\$ 244,804	\$ 406,397
32000 Retained Earnings	0	0	0
Net Income	123,378	180,723	(57,345)
Total Equity	\$ 1,393,145	\$ 699,721	\$ 693,424
TOTAL LIABILITIES AND EQUITY	\$ 1,494,495	\$ 1,359,333	\$ 135,162

Thursday, Jan 09, 2025 01:10:52 PM GMT-8 - Accrual Basis

**Town of Occoquan - Permit Report
December 2024**

Permit Number	Main Address	Description	Permit Type	Permit Status	Permit Workclass	Issue Date	Finalize Date
GAS2025-00682	1521 COLONIAL DR	replace furnace and ac 60,000btu 2 ton LIKE FOR LIKE	Gas	Issued	C - Alteration/Repair	10/30/2024	
BLD2025-00277	100 FRAYERS FARM CT	INSTALL 9 SETTLESTOP PUSH PIERS, 38 LF OF BASEMENT GUTTER AND NEW SUMP PUMP (IMG8 OR EQUIVALENT) TO REPLACE EXISTING PUMP AND CONNECT TO EXISTING DISCHARGE LINE - MANDATORY THIRD PARTY INSPECTIONS FOR PUSH PIERS MANAGED BY CIB	Building	Issued	R - Alteration/Repair	10/10/2024	
FPP2024-00616	262 GASLIGHT LANDING CT	EMERGENCY REPAIR - Replace an existing air compressor in the parking garage	Fire Protection Permit	Issued	Sprinkler	07/08/2024	
BLD2025-00482	264 GASLIGHT LANDING CT	NON STRUCTURAL A/R - KITCHEN REMODEL ON SECOND FLOOR	Building	Issued	R - Alteration/Repair	11/12/2024	
PLB2025-01051	264 GASLIGHT LANDING CT	NON STRUCTURAL A/R - KITCHEN REMODEL ON SECOND FLOOR	Plumbing	Issued	R - Alteration/Repair	11/12/2024	
BLD2024-04194	404 MCKENZIE DR	home demolition	Building	Issued	Demolition	04/07/2024	
BLD2025-00025	126 MILL ST	INSTALLATION OF TWO (2) 16X20 SUNSHADES ON 6"X6" PRESSURE TREATED POSTS.	Building	Pending	C - Accessory Structure		
GAS2024-01446	126 MILL ST	TEMPLATE - Set (1) 120 gallon AG propane tank and run gas lines to stubout for food service trailer	Gas	Issued	C - Alteration/Repair	04/03/2024	
GAS2024-01446	126 MILL ST	TEMPLATE - Set (1) 120 gallon AG propane tank and run gas lines to stubout for food service trailer	Gas	Issued	C - Alteration/Repair	04/03/2024	
UGS2024-00180	126 MILL ST	Set (1) 120 gallon AG propane tank and run gas lines to stubout for food service trailer	Storage Tanks	Issued	C - Alteration/Repair	04/03/2024	
BLD2024-04356	204 MILL ST	REPAIR AND REPLACE (LIKE FOR LIKE) - EXTERIOR WOODEN STAIR TREADS, RAILS, AND STRINGERS.	Building	Pending	C - Alteration/Repair		
BLD2021-06635	450 MILL ST	TLO FOR THE COTTAGE	Building	Issued	C - Tenant Layout	05/03/2022	
ELE2022-00482	450 MILL ST	TLO FOR POPPS	Electrical	Issued	C - Tenant Layout	12/22/2023	
MEC2021-02381	450 MILL ST	THE COTTAGE - TLO	Mechanical	Pending	C - Tenant Layout		
PLB2022-00959	450 MILL ST	THE COTTAGE - TLO	Plumbing	Issued	C - Tenant Layout	11/08/2023	
MEC2025-00020	404 OVERLOOK DR	LIKE FOR LIKE REPLACEMENT OF ELECTRIC HEAT PUMP. INDOOR + OUTDOOR WORK.	Mechanical	Issued	C - Alteration/Repair	07/09/2024	

Permit Number	Main Address	Description	Permit Type	Permit Status	Permit Workclass	Issue Date	Finalize Date
BLD2025-02629	422 OVERLOOK DR	KITCHEN AND MASTER BATHROOM RENOVATION	Building	Pending	C - Alteration/Repair		
BLD2024-03230	113 POPLAR LN	STRUCTURAL - INTERIOR A/R TO BASEMENT & 1FL: ADDING ROOMS & DOORS, ADJUSTING CEILING HEIGHT, REPLACE EXISTING BEAM WITH STEEL, REPLACING WINDOWS. WET BAR IN BASMENT.	Building	Issued	R - Alteration/Repair	02/01/2024	
ELE2024-05167	113 POPLAR LN	basement remodel master bath laundry bar	Electrical	Issued	R - Alteration/Repair	04/15/2024	
GAS2024-01516	113 POPLAR LN	1- Fireplace 30k 1- Gas log set 25k 1- Gas Water heater 48k 1- Gas Manifold 1" - 3/4" - 1/2" 1- Gas Range 36k 2- Gas Dryer 25k	Gas	Issued	R - Alteration/Repair	04/16/2024	
MEC2024-01598	113 POPLAR LN	install of direct vent gas fireplace Framing, gas, electric done by others existing building permit BLD2024-03230	Mechanical	Issued	R - Alteration/Repair	03/27/2024	
PLB2024-02021	113 POPLAR LN	Interior plumbing renovations	Plumbing	Issued	R - Alteration/Repair	04/11/2024	
ELE2024-04533	184 WASHINGTON ST	ELECTRICAL FOR TWO BATHROOMS AND LAUNDRY RENOVATIONS - TOWN OF OCCOQUAN APPROVAL ATTACHED	Electrical	Issued	R - Alteration/Repair	03/12/2024	
BLD2024-06310	92 WASHINGTON ST	22x10 Deck AND REPLACING A WINDOW WITH A SLIDING DOOR - NO STRUCTURAL MODIFICATIONS - UTILIZING EXISTING HEADER	Building	Finald	R - Addition	06/13/2024	10/24/2024
ELE2025-00288	92 WASHINGTON ST	22x10 Deck AND REPLACING A WINDOW WITH A SLIDING DOOR	Electrical	Finald	R - Addition	07/24/2024	10/24/2024
MEC2025-00386	92 WASHINGTON ST	*BLD2024-06310 LINKED* We are extending the gas furnace's PVC flue pipe 4 feet.	Mechanical	Finald	R - Alteration/Repair	09/11/2024	10/24/2024

Development Project

END OF REPORT

Town of Occoquan - Open BCE Case(s)

<u>CASE NUMBER</u>	<u>SITE ADDRESS</u>	<u>DESCRIPTION</u>	<u>CASE STATUS</u>	<u>DATE OPENED</u>	<u>ASSIGNED TO</u>	<u>ASSIGNED TO EMAIL</u>
--------------------	---------------------	--------------------	--------------------	--------------------	--------------------	--------------------------

END OF REPORT

PCE Cases Initiated by Town

All Open Cases and Cases Closed On or After 12/23/2024

**Counts business days only.*

<u>Site Address</u>	<u>Case Number / Case Status</u>	<u>Date Received</u>	<u>Date Closed</u>	<u>Business Days Open (Pending)</u>	<u>Assigned To</u>	<u>Case Description</u>	<u>Violation Description(s)</u>	<u>Date VIO Founded</u>	<u>Notice Issued</u>	<u>Summons Issued</u>	<u>Court Action</u>
				0							

Total Number of Cases for : 0

Total Number of Addresses Affected:

Total Number of Violations Issued: 0

Total Number of Cases Closed : 0

Total Number Cases Closed with No Violation: 0

Total Number of Cases Still Open: 0

Total Number of Open Cases with Violations: 0

Average Number of Business Days Cases are Open This Town:

Average Number of Business Days Cases are Open (Grouped by Address and Date Received) This Town:

Total Number of Cases with Pending Activities for this Town: 0

Total Business Days of Pending Activities for this Town:

PCE Cases Initiated by Town

All Open Cases and Cases Closed On or After 12/23/2024

**Counts business days only.*

Total Number of Cases for All Towns Selected: 0

Summary by Case Status:

END OF REPORT



TOWN OF OCCOQUAN

TOWN COUNCIL MEETING

Agenda Communication

10. Regular Business	Meeting Date: January 21, 2025
10A: Request to Adopt Ordinance to Amend Title IX of the Town Code	

Attachments: a. Draft Ordinance O-2025-01

Submitted by: Adam C. Linn
Town Manager

Explanation and Summary:

This is a request to adopt an ordinance to amend Title IX of the Town Code.

Title IX of the Town Code is divided into four (4) chapters, 90-93, covering regulations on animal care, fire prevention, health and sanitation, and the use and care of public streets, sidewalks, and other properties.

The amendments to this title deal primarily with Chapters 90, 92, and 93, covering the following topics:

- Revising the section on animal care to increase clarity on and improve enforcement of properly controlling pets in public areas;
- Revising the subchapter on refuse and recycling to increase clarity and improve enforcement;
- Adding a section on the use and rentals of public properties; and
- Adding a subchapter on the naming and addressing of streets in order to clarify the Town Manager's authorities, codify the Town process, and improve enforcement.

Background

As part of a months-long review process, Town staff is reviewing each title of the Town Code, to ensure consistency with the new Town Charter and make any other revisions that improve the efficiency of Town processes and services. Town staff will bring amended titles to the Town Council for adoption from time to time as needed.

Staff Recommendation: Recommend approval of the attached draft ordinance as presented.

Town Attorney Recommendation: Recommend approval.

Proposed/Suggested Motion:

"I move to adopt the ordinance as presented."

OR

Other action Council deems appropriate.

ORDINANCE # O-2025-01

AN ORDINANCE TO AMEND TITLE IX OF THE TOWN CODE

BE IT ORDAINED by the Council for the Town of Occoquan, Virginia meeting in regular session this 21th day of January, 2025:

1. That the Town Council hereby amends the Town Code as presented in the attached; and
2. That this ordinance is effective upon passage.

BY ORDER OF THE TOWN COUNCIL

Meeting Date: January 21, 2025
Town Council Meeting
Ord No. O-2025-01

RE: AN ORDINANCE TO AMEND TITLE IX OF THE TOWN CODE

MOTION:
SECOND:
ACTION:

Votes:
Ayes:
Nays:
Absent from Vote:
Absent from Meeting:

CERTIFIED COPY _____

Town Clerk

TITLE IX: GENERAL REGULATIONS

Chapter

- 90. ANIMALS**
- 91. FIRE PREVENTION**
- 92. HEALTH AND SANITATION**
- 93. STREETS, SIDEWALKS, AND
OTHER PUBLIC PLACES**

CHAPTER 90: ANIMALS

Section

- 90.01 Pets and farm animals
- 90.02 Pet excrement
- 90.03 Leashes required

- 90.99 Penalty

Statutory references:

Comprehensive animal laws, see VA Code §§ 3.2-6500 et seq. Cruelty to animals, see VA Code §§ 3.2-6570 et seq.
Diseased animals, dead animals, and the like, see VA Code §§ 18.2-323, 18.2-510
Dogs and cats deemed personal property, rights relating thereto, see VA Code § 3.2-6585
Estrays, see VA Code §§ 55-202 et seq.
Game, inland fisheries, and boating, see VA Code Title 29.1
Hunting near public schools and public parks, see VA Code § 29.1-527
Livestock and poultry, see VA Code §§ 3.2-6000 et seq.
Penalties for offenses involving animals, see VA Code §§ 3.2-6587, 18.2-403.1 et seq.

§ 90.01 PETS AND FARM ANIMALS.

It shall be unlawful for any ~~No~~ pet, companion animal, or farm animal ~~shall be allowed~~ to run at large.
(1998 Code, § 6-1) Penalty, see § 90.99

§ 90.02 PET EXCREMENT.

It shall be unlawful for the owner of any dog or any person restraining a dog by means of a leash, cord, or chain to fail to remove immediately the dog's excrement from a public right-of-way or any property other than the dog owner's property.
(1998 Code, § 6-2) Penalty, see § 90.99

Occoquan - General Regulations

§ 90.03 LEASHES REQUIRED.

(A) It shall be unlawful for the owner or custodian of any dog to permit the dog to go upon any park, public street, sidewalk or right-of-way in the town, unless it is kept firmly secured by a physical leash or lead attached to a collar or harness and under the control of a responsible person capable of physically restraining the dog.

(B) Any person who does not restrain his or her dog, in accordance with this section, whether such person be the owner or custodian of such dog, shall be guilty of a class 4 misdemeanor. Members of the Town Police may issue a summons to any person who violates this section.

~~A dog may be allowed on the streets or squares of the townTown only if accompanied by its owner or authorized custodian and securely controlled by a leash.~~

(1998 Code, § 6-3) Penalty, see § 90.99

§ 90.99 PENALTY.

Any person who violates any provision of this chapter shall be guilty of a class 4 misdemeanor. (1998 Code, § 6-4)

CHAPTER 91: FIRE PREVENTION

Section

- 91.01 Adopted; enforcement; availability for reference
- 91.02 Amendment to the Statewide Fire Prevention Code; generally
- 91.03 Violations of the Statewide Fire Prevention Code
- 91.04 Notification of fire
- 91.05 Responsibility for filing incident report
- 91.06 Obstruction of fire apparatus roads
- 91.07 Interior finish, decorative materials, and furnishings
- 91.08 Fire protection systems; standards
- 91.09 Fire protection systems; systems out of service
- 91.10 Fire alarms; faulty and nuisance alarms
- 91.11 Fire Department connections; signs
- 91.12 Means of egress from buildings and/or occupancies; maintenance and inspection
- 91.13 Hazardous materials; unauthorized discharges

- 91.99 Penalty

§ 91.01 ADOPTED; ENFORCEMENT; AVAILABILITY FOR REFERENCE.

(A) There is hereby adopted by the Town Council, for the purpose of prescribing regulations to safeguard life and property from the hazards of fire or explosion arising from the improper maintenance of life safety and fire prevention and protection materials, devices, systems, and structures, and the unsafe storage, handling, and use of substances, materials, and devices, wherever located, that certain code known as the Statewide Fire Prevention Code (“Fire Prevention Code”), as amended, save and except such portions as are deleted, modified, or amended by this chapter, and the same is hereby adopted and incorporated as fully as if set out at length herein.

(B) The Fire Marshal shall have responsibility for enforcement of the Fire Prevention Code. The term “Fire Official”, as used in the Fire Prevention Code, shall mean the Fire Marshal or his or her designee.

(C) At least one copy of the Fire Prevention Code adopted in division (A) above shall be on file in the office of the Fire Marshal, and it shall be available for inspection between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday inclusive, except for legal holidays.

(1998 Code, § 22-6)

Occoquan - General Regulations

§ 91.02 AMENDMENT TO THE STATEWIDE FIRE PREVENTION CODE; GENERALLY.

Pursuant to the authority found in VA Code Title 27, Chapter 9, the Statewide Fire Prevention Code (“Fire Prevention Code”), the ~~town~~Town hereby adopts the following changes to the Fire Prevention Code. (1998 Code, § 22-7)

§ 91.03 VIOLATIONS OF THE STATEWIDE FIRE PREVENTION CODE.

If any notice of violation issued pursuant to § 111 of the Fire Prevention Code is not complied with within the time specified in the notice citing the alleged violation, the Fire Marshal shall request the County Attorney to institute the appropriate legal proceedings to restrain, correct, or abate such alleged violation. Where two or more follow-up inspections are required because a responsible party, person, firm, or corporation has failed to comply with a previously issued order or notice of violation, a fee shall be charged as permitted in § 107.15 of the Fire Prevention Code. Fees shall be in accordance with the fee schedule set out in § 107.15 of the Fire Prevention Code.

(1998 Code, § 22-8)

§ 91.04 NOTIFICATION OF FIRE.

In any building subject to inspection under any provision of the Fire Prevention Code, when a fire or evidence of there having been a fire is discovered, even though it has apparently been extinguished, it shall be immediately reported to the Prince William County Public Communications Center. This shall be the duty of the owner, manager, or person in control of such building at the time of discovery. This requirement shall not be construed to forbid the owner, manager, or person in control of said building from using all diligence necessary to extinguish such fire prior to the arrival of public safety personnel.~~the Fire Department.~~

(1998 Code, § 22-9)

§ 91.05 RESPONSIBILITY FOR FILING INCIDENT REPORT.

It shall be the responsibility of the Fire Department officer-in-charge, or his or her designee, to file with the Chief Fire Marshal, in such form as he or she shall prescribe, a report of every fire, explosion, or incident to which apparatus or equipment responds. Such reports shall be filed at such time and location prescribed by the Chief Fire Marshal.

(1998 Code, § 22-10)

§ 91.06 OBSTRUCTION OF FIRE APPARATUS ROADS.

Fire Prevention

7

Fire apparatus access roads and approved designated fire lanes shall not be obstructed in any manner including the parking of vehicles, staging, or storage of devices, equipment, or materials or any

Fire Prevention

unauthorized use in accordance with [the latest version of the SPFC as adopted by the Virginia Department of Housing and Community Development §§ 503.4.1 through 503.4.2 of the International Fire Code \(2009\)](#). ~~The minimum widths and clearances established in § 503.2.1 shall be maintained at all times.~~

(1998 Code, § 22-11)

§ 91.07 INTERIOR FINISH, DECORATIVE MATERIALS, AND FURNISHINGS.

This section shall be applicable to all assembly, educational, and institutional occupancies. Combustible materials such as paper, cotton batting, straw, cut or dry vines, leaves, trees, artificial flowers or shrubbery, or similar combustible materials, and foam plastic materials, shall not be used for decorative purposes in non-sprinklered show windows, building lobbies, exits or exit accesses, interior stairways, or other parts of buildings, or any area of public use in such a quantity as to constitute a fire hazard.

(1998 Code, § 22-12)

§ 91.08 FIRE PROTECTION SYSTEMS; STANDARDS.

All fire protection systems that were installed in compliance with any law, ordinance, or order shall be maintained in an operative condition at all times. An owner or occupant shall not reduce the effectiveness of the protection so required to include to silence, reset, remove, tamper with, damage, destroy, or use without just cause any fire detection or alarm system, fire protection system, except for the purpose of extinguishing fire, training, recharging, repairing, or when approved by the Fire Official. Fire protection systems shall be inspected, tested, and maintained in accordance with [the latest version of the SPFC as adopted by the Virginia Department of Housing and Community Development](#)~~the referenced standards listing in Table 901.6.1 of the International Fire Code (2009 Edition) as amended.~~

(1998 Code, § 22-13)

§ 91.09 FIRE PROTECTION SYSTEMS; SYSTEMS OUT OF SERVICE.

Where a required fire protection system is out of service, the [Prince William County Public Safety Communications Center](#) and the Fire Marshal shall be notified immediately and, where required by the Fire Marshal, the building shall be evacuated and/or an approved and documented fire watch shall be provided for all occupants and premises left unprotected by the inoperative system until the fire protection system has been returned to service and the fire watch has been terminated by the Fire Marshal. Where utilized, fire watches shall be provided with at least one approved means for notification of the Fire Department and their only duty shall be to perform constant patrols of the premises and keep watch for fire.

(1998 Code, § 22-14)

Occoquan - General Regulations**§ 91.10 FIRE ALARMS; FAULTY AND NUISANCE ALARMS.**

(A) Notwithstanding the provisions found in §§ 2.5-1 et seq., of Chapter 2.5 of the County Code, whenever faulty or nuisance alarms in an occupancy exceed three in any one-month period, the Fire

Occoquan - General Regulations

Official may require the owner or occupant to conduct a witnessed test of the fire protection system causing the faulty or nuisance alarm.

(B) For the purpose of this section, a faulty or nuisance alarm is deemed to occur whenever the Fire ~~Officer~~Official in charge responding to a fire alarm call shall determine, after investigation, that faulty equipment initiated the alarm. An alarm caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance, or an alarm activated by a cause that cannot be determined may be deemed a faulty alarm.

(C) As soon as practical following the faulty or nuisance alarm, the responding officer-in-charge shall cause the Fire Marshal's office to be notified in writing of the facts and circumstances supporting his or her determination that faulty equipment initiated the alarm.

(D) Whenever an owner or occupant is required by this section to conduct a test of a fire alarm or suppression system, the Fire Official shall notify the owner or occupant in writing and prescribe a certified test consistent with standard procedures to be witnessed by the Fire Official or his or her designee.

(E) (1) Any faulty equipment or systems identified during the test which will reduce the effectiveness of the protection shall be recorded and a notice of violation prepared and served in accordance with the provisions of § 111.0 of Statewide Fire Prevention Code (2009), as amended. The notice of violation will require the repair, abatement, or correction of any noted defects, the restoration of the system to normal operative condition, and compliance with any law, ordinance, or order affecting such alarm system.

(2) The notice of violation shall be enforced pursuant to the provisions of the latest version of the SPFC as adopted by the Virginia Department of Housing and Community Development~~§ 110 of the International Fire Code (2009), as amended~~.
(1998 Code, § 22-15)

§ 91.11 FIRE DEPARTMENT CONNECTIONS; SIGNS.

(A) A metal sign with raised letters at least one-inch in size shall be mounted on all Fire Department connections serving automatic sprinklers, standpipes, or fire pump connections. Such signs shall read: "AUTOMATIC SPRINKLERS" or "STANDPIPES" or "TEST CONNECTION" or a combination thereof as applicable.

(B) Where multiple Fire Department connections are provided, a metal sign with raised letters at least one-inch in size shall be provided at all Fire Department connections to indicate the numerical street address, range of numerical street addresses, or fire protection zones served by a fire protection system connected to Fire Department connection. This sign is to be

Fire Prevention

placed in a location as to be readily visible, free of obstruction, and approved by the Fire Marshal.

(1998 Code, § 22-16)

Occoquan - General Regulations

§ 91.12 MEANS OF EGRESS FROM BUILDINGS AND/OR OCCUPANCIES; MAINTENANCE AND INSPECTION.

The owner, operator, manager, or other person responsible for the operation of an assembly, educational, or mercantile occupancy, or other occupancy or building open to the general public, shall inspect and check egress facilities before such occupancy or building is occupied to determine compliance with this section. If such inspection reveals that any element of the means of egress cannot be accessed, is obstructed, locked, fastened, or otherwise unsuited for immediate utilization, admittance to the occupancy or building shall not be permitted until necessary corrective action has been completed and the means of egress restored to a safe and compliant condition.

(1998 Code, § 22-17)

§ 91.13 HAZARDOUS MATERIALS; UNAUTHORIZED DISCHARGES.

(A) The storage, use, and handling of all hazardous materials shall be in accordance with Chapter 9.2, Article V of the Prince William County Code of Ordinances.

(B) When hazardous materials or hazardous waste are released in any quantity, the Code Official shall be notified and the procedures required in accordance with Chapter 9.2, Article V of the Prince William County Code of Ordinances shall be followed.

(1998 Code, § 22-18)

§ 91.99 PENALTY.

(A) Unless otherwise specified in this chapter, any person, firm, or corporation who shall violate any of the sections of this chapter, or any provisions of the Fire Prevention Code adopted in accordance with this chapter, shall separately, for each and every such violation and noncompliance respectively, be guilty of a violation of this chapter, and shall, upon conviction, be punishable as a class 1 misdemeanor.

~~(B) A violation of this chapter shall be construed to be an infringement, breach, or failure to comply with any provision of this chapter or any order made thereunder, or any act of building in violation of any detailed statement, specifications, or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or any failure to comply with such an order within the time fixed therein.~~

~~(C) Each day that a violation continues after a service of notice as provided for in this code shall be deemed a separate offense.~~

(1998 Code, § 22-27)

Occoquan - General Regulations
CHAPTER 92: HEALTH AND SANITATION

Section

Article 92.00 – General Provisions

92.01 Dangerous conditions

Article 92.10 – Noise

92.0292.10 Declaration of findings and policy
92.0392.11 Definitions
92.0492.12 Administration and enforcement
92.0592.13 Violations
92.0692.14 Maximum permissible sound levels generally
92.0792.15 Specific prohibitions
92.0892.16 Exemptions
92.10—Waste, recycling, and refuse removal
92.17
92.11—Noise from animals
92.18
92.12—Measurement procedures
92.19
92.1092.20 Sound levels; restaurants

Article 92.30 – Refuse; Vegetation

92.30 Definitions
92.31 Refuse storage; collection and disposal
92.32 Refuse storage; standards and regulations
92.33 Property to be free of refuse
92.34 Removal
92.35 Grass, weeds, and other foreign growth

92.99 Penalty

Statutory references:

Certain local regulations pertaining to food and beverage containers prohibited, see VA Code § 10.1-1425

Health, see VA Code Title 32.1

Inspection warrant for inspecting or testing for toxic substances, see VA Code §§ 19.2-393 et seq. Regulation of well covers, see VA Code § 18.2-318

Sanitation in transportation terminals, festivals, fairs, service stations, and the like, see VA Code § 32.1-202

Occoquan - General Regulations

ARTICLE 92.00 – GENERAL PROVISIONS

§ 92.01 DANGEROUS CONDITIONS.

(A) Purpose. Various methods for removing, repairing and securing buildings, walls and other structures which might endanger the public health or safety or the health or safety of residents of the town are prescribed in other provisions of this Code and in the building and fire prevention codes and in state and county laws, ordinances and regulations. It is the intent of the Town Council in enacting this article to make it supplemental to those other chapters, codes, laws, ordinances and regulations. The provisions of this article are alternative methods for removing, repairing and securing buildings, walls and other structures in those instances where such other methods are provided.

~~(A) In addition to any other remedies provided by this code or the VA Code, the town may protect public health, safety, and welfare by addressing dangers to health and safety as provided in this division (A).~~

(1) The owners of property in the town shall, at such time or times as the Council may prescribe, remove therefrom any and all trash, garbage, refuse, litter, and other substances which might endanger the health or safety of other residents of the town. The town may, whenever the Council deems it necessary, after reasonable notice, have such trash, garbage, refuse, litter, and other like substances which might endanger the health of other residents of the town, removed by its own agents or employees, in which event the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the town as taxes are collected. Any tree, bush, or other plant which endangers persons or poses a risk of fire or other property damage because of its location and/or condition shall constitute a substance which might endanger the health or safety of residents of the town for purposes of this division (A).

(2) Every charge authorized by this division (A) or VA Code § 15.2-900 with which the owner of any such property has been assessed and that remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local taxes and enforceable in the same manner as provided in VA Code Title 58.1, Chapter 39, Articles 3 (§§ 58.1-3940 et seq.) and 4 (§§ 58.1-3965 et seq.). The Town Council may by resolution waive such liens in order to facilitate the sale of the property. Such liens may be waived only as to a purchaser who is unrelated by blood or marriage to the owner and who has no business association with the owner. All such liens shall remain a personal obligation of the owner of the property at the time the liens were imposed.

~~(B) In addition to any other remedies provided by this code or the VA Code, the town~~Town may protect public health, safety, and welfare by addressing dangerous structures as provided in this ~~subsection~~division (B).

Health and Sanitation

(1) The owners of property in the town shall remove, repair, or secure any building, wall or any other structure that might endanger the public health or safety of other residents of the town at such time or times as the ~~Town~~Town Council may prescribe by resolution or ordinance.

(2) The ~~town~~Town through its agents or employees may remove, repair, or secure any building, wall, or any other structure that might endanger the public health or safety of other residents of the town, if the owner and lien holder of such property have failed to remove, repair, or secure the building, wall, or other structure, after the notice provided in this division (B) has been sent and the time to act provided in that notice has elapsed.

Health and Sanitation

(a) For purposes of this ~~subsection~~ ~~division~~ (B), repair may include maintenance work to the exterior of a building to prevent deterioration of the building or adjacent buildings.

(b) For purposes of this ~~subsection~~ ~~division~~ (B), reasonable notice includes a written notice: mailed by certified or registered mail, return receipt requested, sent to the last known address of the property owner; and published once a week for two successive weeks in a newspaper having general circulation in the locality.

(c) No action shall be taken to remove, repair, or secure any building, wall, or other structure for at least 30 days following the later of the return of the receipt or newspaper publication, except that the ~~town~~Town may take action to prevent unauthorized access to the building within seven days of such notice if the structure is deemed to pose a significant threat to public safety and such fact is stated in the notice.

(3) If the ~~town~~Town, through its own agents or employees, removes, repairs, or secures any building, wall, or any other structure after complying with the notice provisions of this ~~subsection~~~~division~~ (B) or as otherwise permitted under the Virginia Uniform Statewide Building Code in the event of an emergency, the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the ~~town~~Town as taxes are collected.

(4) Every charge authorized by this division (B) or VA Code § 15.2-900 with which the owner of any such property has been assessed and that remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local real estate taxes and enforceable in the same manner as provided in VA Code Title 58.1, Chapter 39, Articles 3 (§§ 58.1-3940 et seq.) and 4 (§§ 58.1-3965 et seq.). The ~~Town~~Town Council may, by resolution, waive such liens in order to facilitate the sale of the property. Such liens may be waived only as to a purchaser who is unrelated by blood or marriage to the owner and who has no business association with the owner. All such liens shall remain a personal obligation of the owner of the property at the time the liens were imposed.

(C) In addition to any other remedies provided by this code or the VA Code, the ~~town~~Town may protect public health, safety, and welfare by addressing dangerous wharves, piers, pilings, bulkheads, vessels, or abandoned, obstructing, or hazardous property as provided in this division (C).

(1) The owners of property in the town shall, at such time or times as the ~~Town~~Town Council may prescribe, remove, repair, or secure any vessel which has been abandoned or any wharf, pier, piling, bulkhead, or any other structure or vessel which might endanger the public health or safety of other persons, or which might constitute an obstruction or hazard to the lawful use of the waters within or adjoining such locality. If such property is deemed to be abandoned, the ~~Town~~Town Council may designate and empower an official to ascertain the lawful owner of such property and to have the owner repair, remove, or secure such property.

Occoquan - General Regulations

(2) The ~~town~~Town, through its own agents or employees, may remove, repair, or secure any vessel which has been abandoned or any wharf, pier, piling, bulkhead, or other structure or vessel which might endanger the public health or safety of other persons or which might constitute a hazard or obstruction to the lawful use of the waters within the town, if the owner of such property, after reasonable notice and reasonable time to do so, has failed to remove, repair, or secure such wharf, pier, piling, bulkhead, or other structure or vessel.

(3) If the ~~town~~Town, through its own agents or employees, removes, repairs, or secures any wharf, pier, piling, bulkhead, or other structure or vessel after complying with the notice provisions of this division (C), the cost or expenses thereof shall be chargeable to and paid by the owners of such property and to the extent applicable may be collected by the locality as taxes are collected.

(4) If the identity or whereabouts of the lawful owner is unknown or not able to be ascertained after a reasonable search and after lawful notice has been made to the last known address of any known owner, the ~~town~~Town, through its own agents or employees, may repair such wharf, pier, piling, bulkhead, or other structure or vessel or remove such property after giving notice by publication once each week for two weeks in a newspaper of general circulation in the area where such property is located.

(5) Every charge authorized by this division (C) with which the owner of any such property has been assessed and which remains unpaid, to the extent applicable, shall constitute a lien against the owner's real property, and such lien shall be recorded in the judgment lien docket book in the County Circuit Court. Such lien may also be reduced to a personal judgment against the owner.

(D) Nothing in this section shall affect the ~~town~~Town's ability to abate or remove dangerous conditions pursuant to a declared national, state, or local emergency. (1998 Code, § 30-1) (Ord. O-2014-01, passed 6-17-2014) Penalty, see § 92.99

ARTICLE 92.10 – NOISE

§ 92.~~1002~~ DECLARATION OF FINDINGS AND POLICY.

The ~~Town~~Town Council hereby finds and declares that excessive noise is a serious hazard to the public health, welfare, commerce, peace and safety and the quality of life; that a substantial body of science and technology exists by which excessive noise may be substantially abated; that the people have a right to and should be ensured an environment free from excessive noise that may jeopardize the public health, welfare, commerce, peace and safety or degrade the quality of life; and that preventing such excessive noise serves a substantial governmental interest. It is the intent of this ~~subchapter~~ article to create reasonable, narrowly tailored, and content-neutral time, place, and manner restrictions that leave open ample alternative avenues for communication.

(Ord. O-2023-14, passed 9-5-2023)

Health and Sanitation

§ 92.1103 DEFINITIONS.

For purposes of this ~~subchapter~~ article the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ANSI. The American National Standards Institute, Inc., New York, New York.

A-WEIGHTED DECIBEL. The sound level, in decibels, measured with a sound level meter using the A-weighting network or scale as specified in the ANSI S1.4-1983 (specification for sound level meters). The level so read shall be postscripted dB(A) or dBA.

CHIEF. The Chief of Police of the ~~town~~Town Police Department, or their designee.

DAYTIME. The local time of day between the hours of 6:00 a.m. and 10:00 p.m. weekdays, and from 9:00 a.m. to 10:00 p.m. on Saturdays, Sundays and legal holidays observed by the ~~town~~Town government unless otherwise specified.

DECIBEL. A unit that describes the sound pressure level or intensity of sound. The sound pressure level in decibels is 20 times the logarithm to the base ten of the ratio of the pressure of the sound in microbars to a reference pressure of 0.0002 microbar; abbreviated dB.

DWELLING UNIT. One or more rooms arranged, designed or intended to be occupied as separate living quarters by one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

HORN. Any audible signaling device on any automobile, motorcycle or other vehicle.

MOTOR CARRIER VEHICLE ENGAGED IN INTERSTATE COMMERCE. Any vehicle for which regulations apply pursuant to section 18 of the Federal Noise Control Act of 1972 (P.L. 92-574), as amended, pertaining to motor carriers engaged in interstate commerce.

MOTORCYCLE. Any two-wheeled or three-wheeled motor vehicle, excepting farm tractors.

MOTOR VEHICLE. Any self-propelled device or device designed for self-propulsion, upon or by which any person or property is or may be drawn or transported upon a street or highway, except devices moved by human power or used exclusively upon stationary wheels or tracks.

NIGHTTIME. Those times excluded from the definition of daytime.

NOISE. Any steady-state or impulsive sound occurring on either a continuous or intermittent basis.

Occoquan - General Regulations

PLAINLY AUDIBLE. Capable of being perceived by the human ear of a person with normal hearing ability, including persons dependent upon normally functioning hearing aid devices. When music is involved, the detection of rhythmic bass tones or vibrations shall be sufficient to be considered plainly audible sound.

PROPERTY BOUNDARY. An imaginary line along the ground surface, and its vertical extension, which separates the real property owned, leased, or otherwise legally controlled by one person from that owned, leased, or otherwise legally controlled by another, including intra-building real property divisions.

PUBLIC AREA. Any real property owned by the government, including, but not limited to, public rights-of-way, sidewalks, parks, and buildings.

RESIDENTIAL AREA. Any building or other structure in which one or more persons resides on a permanent or temporary basis, including, but not limited to, houses, apartments, condominiums, hotels, and motels.

SOUND AMPLIFYING EQUIPMENT. Any machine or device used for the amplification of the human voice, music or any other sound. This term shall not include warning devices on authorized emergency vehicles, or horns or other warning devices on other vehicles used only for traffic safety purposes.

SOUND LEVEL METER. An instrument to measure sound pressure levels that meets or exceeds performance standards for a Type 2 meter as specified by the ANSI.

SOUND PRESSURE LEVEL. The intensity in decibels (dB) of a sound.

THIS ARTICLE. This subchapter of Ch. 92 of this code.

TOWNTOWN MANAGER. The ~~Town~~Town Manager or their designee.

ZONING DISTRICT CLASSIFICATION. The scheme of land use classification contained in the ~~town~~Town zoning ordinance.
(Ord. O-2023-14, passed 9-5-2023)

§ 92.1204 ADMINISTRATION AND ENFORCEMENT.

(A) The police department may issue a summons for violations of this ~~subchapter~~ article and may be assisted by other ~~town~~Town departments as required.

(B) Nothing in this section shall preclude a private citizen from obtaining a magistrate's summons based upon a probable cause determination by the magistrate's office.
(Ord. O-2023-14, passed 9-5-2023)

Health and Sanitation

§ 92.1305 VIOLATIONS.

(A) *Criminal violation.* Any person who owns or is in possession of property where a noise emanates from or is in charge of the source of a noise, is guilty of a Class 2 misdemeanor if that noise violates this [subchapterarticle](#).

(B) In addition to and not in lieu of the penalties prescribed in this section, the ~~town~~[Town](#) may apply to the circuit court for an injunction against the continuing violation of any of the provisions of this [subchapter article](#) and may seek any other remedy or relief authorized by law.

(Ord. O-2023-14, passed 9-5-2023)

§ 92.1406 MAXIMUM PERMISSIBLE SOUND LEVELS GENERALLY.

(A) Except as otherwise provided in this [subchapterarticle](#), any noise which emanates from any operation, activity or source and which exceeds the maximum permissible sound levels established in this section below is hereby prohibited. Such levels shall be measured at the property boundary of the sound source or at any point within any other property affected by the noise. When a noise source can be identified and its noise measured in more than one zoning district classification, the limits of the most restrictive classification shall apply.

<i>Maximum permissible sound pressure levels</i>		
<i>Zoning district classification</i>	<i>Maximum dBA: daytime</i>	<i>Maximum dBA: nighttime</i>
Residential (R-1 through R-4)	60	55
Business (B-1)	65	60
Parks and Public Utility District (PPU)	60	55
Old and Historic Occoquan District	65	60

Oscoquan - General Regulations

(B) Heating and cooling systems, including but not limited to air conditioners and heat pumps, shall not be subject to the night levels enumerated above.

(C) Any person, with lawfully obtained permits, who during daytime operates or causes to be operated any equipment used in construction, repair, alteration or demolition work on buildings, structures, alleys or appurtenances thereto in the outdoors shall not be subject to the levels enumerated above.

(D) Persons performing construction of public projects, repair or maintenance work for such projects or persons performing work for private or public utilities for the repair of facilities or restoration of services shall not be subject to the levels enumerated above.

(Ord. O-2023-14, passed 9-5-2023)

§ 92.1507 SPECIFIC PROHIBITIONS.

Except as expressly provided otherwise in this [subchapterarticle](#), the following acts are violations of this [subchapterarticle](#):

(A) Sounding any horn on any right-of-way or in any public space except when the sounding of the horn is intended as an emergency or danger warning signal. However, sounding a horn continuously or intermittently in a manner that is plainly audible for more than five consecutive seconds shall be a violation of this section.

(B) Operating or causing to be operated a public or private motor vehicle or motorcycle on a public right-of-way at any time in such a manner that the sound level emitted by the motor vehicle or motorcycle, when measured at a distance of 50 feet or more, exceeds the level set forth in the following table. This section shall not apply to motor carrier vehicles engaged in interstate commerce.

	<i>Sound level in dBA</i>	
<i>Vehicle class</i>	<i>Speed limit 25 mph or less</i>	<i>Speed limit over 25 mph</i>
All motor vehicles of GVWR or GCWR of 6,000 lbs or more	86	90
Any motorcycle	82	86
Any other motor vehicle or any combination of vehicles towed by any motor vehicle	76	82

(C) Operating, loading or unloading any vehicle, including but not limited to trucks, or the opening and destruction of bales, boxes, crates and containers in the outdoors during nighttime.

Health and Sanitation

(D) Operating or causing to be operated during nighttime any equipment used in construction, repair, alteration or demolition work on buildings, structures, alleys, real property, or appurtenances thereto in the outdoors in any zoning district. This includes, but is not limited to, lawn care, tree maintenance or removal, and other landscaping activities. This section shall not apply to construction of public projects, the repair or maintenance work performed on such projects, or work performed by private or public utility companies for the repair of utility facilities or restoration of services.

(E) The playing of radio, phonographs, television, tape or disc players, musical instruments or drums, sound amplifiers or other devices which produce, reproduce or amplify sound in such a manner as to emit sound that is plainly audible at a distance of 50 feet from the source or that is plainly audible inside another dwelling unit; provided, however that the provisions of this division shall not apply to any outdoor performance, parade, gathering, dance, concert, show, sporting event, or other event sponsored by the ~~town~~[Town](#).

(F) Talking, yelling, shouting, screaming, singing, or any other form of human sounds produced by any person or group of people, or any human-produced excessive noise at nighttime in such a manner as to be plainly audible across property boundaries or plainly audible inside a dwelling unit other than the dwelling unit from which the sound originates.

(G) Sounding or permitting the sounding of any amplified signal continuously or intermittently from any bell, chime, siren, whistle or similar device from any one location that is plainly audible for more than ten consecutive seconds in any hourly period. This provision shall not apply to public bodies or agencies for testing, traffic control or other public purposes.
(Ord. O-2023-14, passed 9-5-2023)

§ 92.1608 EXEMPTIONS.

The following activities or sources of noise shall be exempt from the prohibitions set forth in this ~~subchapter~~[article](#):

(A) ~~town~~[Town](#) sanctioned activities in ~~town~~[Town](#) parks or facilities.

(B) Public transportation.

(C) Public safety activities by government entities. (Ord. O-2023-14, passed 9-5-2023)

Occoquan - General Regulations

§ 92.1709 WASTE, RECYCLING, AND REFUSE REMOVAL.

Waste, recycling and refuse shall be removed only during daytime and must be removed in a manner which does not create a nuisance or excessive noise, or adversely affect the public health.

(Ord. O-2023-14, passed 9-5-2023)

§ 92.1810 NOISE FROM ANIMALS.

It shall be unlawful to own, keep, possess, harbor, or allow any animal which howls, barks, meows, squawks or makes other noise such that it is plainly audible at least once a minute for ten consecutive minutes at 50 feet from the property boundary of the dwelling unit, house or apartment of another; or plainly audible within a dwelling unit other than the one from which the sound emanates.

(Ord. O-2023-14, passed 9-5-2023)

§ 92.1911 MEASUREMENT PROCEDURES.

When this [subchapter article](#) requires measurement of the sound level, the measurement shall be as follows.

(A) The measurement of sound or noise shall be made with sound level meters Type 1 or Type 2 which meet the standards prescribed by the ANSI. The instruments shall be maintained in calibration and good working order. A calibration shall be made of the system at the time of any noise measurement. Measurements recorded shall be taken so as to provide a proper representation of the noise source. The microphone during measurement shall be positioned so as not to create any unnatural enhancement or diminution of the measured noise. A windscreen for the microphone shall be used. A minimum of three sound level readings will be taken. The geometric mean of these readings will be used as the average sound level. If the background noise is equal to the levels set forth in § 92.06, three dB shall be subtracted out of the average sound level.

(B) The slow meter response of the sound level meter shall be used to determine that the average amplitude has not exceeded the dBA readings or the limiting noise spectra set forth in § 92.06.

(C) Unless otherwise specified in this [subchapter article](#), the measurement shall be made at:

- (1) The property boundary on which such noise is generated;
- (2) Any point within the receiving property affected by the noise; or

Health and Sanitation

(3) Any public area including, but not limited to, any public streets, docks or sidewalks. (Ord. O-2023-14, passed 9-5-2023)

Occoquan - General Regulations

§ 92.~~2012~~ SOUND LEVELS; RESTAURANTS.

The sound levels provided elsewhere in this ~~subchapter~~-~~article~~ shall not apply to sound emanating from a restaurant. It shall be a violation of this ~~subchapter~~-~~article~~ for a source of sound emanating from a restaurant to create a sound level during daytime in excess of 80 dBA, or during nighttime in excess of 60 dBA when measured from the boundary line of the restaurant property or any public area including, but not limited to, any public streets, docks or sidewalks.

(Ord. O-2023-14, passed 9-5-2023)

Health and Sanitation

ARTICLE 92.30 – REFUSE; VEGETATION

§ 92.~~3015~~ DEFINITIONS.

For the purpose of this ~~subchapter~~article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GARBAGE. Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of food.

PRIVATE COLLECTORS. Persons engaged in the collection and transportation of refuse from residential, commercial, industrial, institutional, or other establishments for compensation.

RECYCLING: The terms “recycling” or “recyclable materials” shall, unless otherwise specified by the Town Manager or their designee, include newspapers, magazines, phonebooks, paperback books, catalogs, mail, mixed paper (office, copy and computer paper), cardboard, paperboard, cardstock, brown paper bags, non-metallic wrapping paper, shredded paper; acceptable Polyethylene Terephthalate (PETE) and High-Density Polyethylene (HDPE) plastic containers #1-7 including bottles, jars, jugs, wide-mouth tubs and trays, aluminum, steel, tin, bi-metal cans, foil, glass bottles, and jars.

REFUSE. All putrescible and non-putrescible solid wastes of the town, including trash, garbage, ashes, rubbish, street cleanings, and solid wastes generated from manufacturing, industrial, commercial, and agricultural activities and any other business or profession.

STORAGE AREA. An enclosed area on private property of commercial, industrial, institutional, or other establishment used for the storage of refuse.

~~TOWN~~TOWN COLLECTORS. Persons contracted by the ~~town~~Town engaged in the collection and transporting of refuse.
(1998 Code, § 30-31)

§ 92.~~3116~~ REFUSE STORAGE; COLLECTION AND DISPOSAL.

~~(A)~~ Purpose. The purpose of this ~~subchapter~~article is to provide regulations for the sanitary and effective storage, collection, and disposal of refuse in the town.

~~(A)~~(B) Establishment of Days and Hours of Collection. The Town Manager or their designee shall establish and specify the days and hours each week when the Town employees or contractors shall collect refuse and recycling in the town and the routes to be served at the

Occoquan - General Regulations

time so specified. In the event inclement weather prohibits the collection on the established collection day, collection shall will occur the following business day if all roadways and streets are safe and passible. If a collection day falls on a scheduled holiday, collection shall will occur the following business day.

~~(B)~~ *Authority to administer.* The ~~Zoning Administrator~~ Town Manager or their designee is delegated authority to administer this ~~subchapter article~~ and to issue supplementary rules and regulations that are in support of and not in conflict with the provisions of this ~~subchapter article~~. Such supplemental rules and regulations shall have the same force and effect as if fully set forth in this ~~subchapter article~~.

(C)
(1998 Code, § 30-32)

Health and Sanitation

§ 92.3217 REFUSE STORAGE; STANDARDS AND REGULATIONS.

(A) Residential-Town collected refuse.

(1) *Storage.* Except as otherwise permitted in writing by the Town Manager or their designee, ~~residential refuse shall be stored in~~ must shall be stored in a refuse container provided by the Town or in a sufficient number of watertight metal or non-breakable ~~plastic~~ containers, made of plastic or another durable material, equipped with handles and tightfitting covers. The size and characteristics of containers shall be subject to reasonable regulation by the Town Manager or their designee, consistent with the ~~town~~ Town's current contract for trash ~~pick-up~~ collection. Containers and storage areas for ~~residential~~ refuse shall be emptied regularly and cleaned sufficiently often to keep them free of obnoxious odors and vermin.

(2) *Exceptions.* The following are exceptions to the provisions of this section:

(a) Tree trimmings with a maximum diameter of one and one-half inches, bushes and brush must be tied securely in bundles not more than four feet in length.

(b) Refuse collected during the spring cleanup that is too large or bulky for containers may be placed next to the containers.

(c) Ashes shall only be disposed of when cold, and shall only be placed in metal containers.

(3) *Placement.* All ~~residential~~ refuse ~~for collection by Town Collectors shall~~ must shall be placed at the curb line not earlier than 4:00 p.m. of the day preceding pickup and not later than 6:00 a.m. on the day of pickup. Containers must be tightly covered. Plastic bags must be securely tied. Refuse shall not be placed on the sidewalk or on any portion of a street right-of-way where it will interfere with pedestrian or vehicular traffic. Containers shall be removed from the curb line as soon as possible after trash pickup and no later than 9:00 a.m. on the day proceeding the day of pickup. When not placed at the curblines for pickup, and containers shall be stored in the rear of the building or in a screened or enclosed trash receptacle storage area, subject to reasonable regulation set by the Town Manager or their designee.

~~(3)~~(4) Special and/or Bulk Collection. In the event a customer has a special collection item that is too large, bulky or heavy to be handled in the normal refuse curb-side collection, the customer must contact the Town Collector to request a special collection at least twenty-four (24) hours prior to their regular collection day. Said special collection items shall be placed out for collection in accordance with the requirements of Section 92.17(A)(4) of this Chapter.

Occoquan - General Regulations

(B) ~~Non-residential~~Non-Town collected refuse.

~~(1) Each non-residential establishment shall be equipped with adequate refuse containers or storage areas. All containers, except those for storage of bulky refuse, shall be vermin proof and waterproof, of noncorrosive material and equipped with tight lids, which shall be kept closed at all times except when filling or emptying the container. When determined by the Town Manager, or designee, that a health issue may exist due to the volume or material being placed out for collection or due to code violations of the customer, due to the volume of refuse being placed out for collection, the Town may decline to provide refuse collection services to non-residential establishments. In such event, the customer non-residential establishment will be required to secure separate refuse collection services and if the determination is for volume install a dumpster.~~

~~(2) Containers and storage areas for non-residential refuse shall be emptied regularly and cleaned sufficiently often to keep them free of obnoxious odors and vermin. Each establishment required to use a dumpster as their storage container(s) must ensure that they are vermin-proof and waterproof, constructed of noncorrosive material and equipped with tight fitting lids which must be kept closed at all times, except when filling or emptying the container. The dumpster must be contained in the rear of the building or in a storage area, placed in a location as approved by the Town Manager, or designee, to protect the public health. Said dumpster must be emptied at least once per week unless determined by the Town Manager, or designee, that more frequent collection is advisable to protect the public health or to abate a public nuisance. The property owner or business must contract for the dumpster and its associated collections through a licensed solid waste hauler.~~

~~(3)~~

~~(3) All storage areas for non-residential refuse shall be enclosed by adequate walls or opaque fencing and shall be well drained. Storage areas must remain and fully accessible to collection equipment and to public health inspection. These areas shall protect refuse from dispersal by wind or otherwise, and must be kept free of litter and refuse overflow.~~

(C) Recycling collection.

(1) All recyclable materials shall be separated from garbage, trash, and refuse and shall be placed in a suitable container, stored, and placed at curbside as set out in Section 92.17(A) of this article. All recyclable materials shall be clean, and all bottles and cans shall be rinsed before being placed in the bin for pickup.

(2) Nothing in this Code shall prohibit any person from selling or donating recyclable materials rather than putting them out for collection by the Town or non-Town contractor.

~~(D)~~ Prohibited activities.

Health and Sanitation

(1) It shall be unlawful to place refuse in any street, alley, or public or private place except in accordance with this section.

(2) It shall be unlawful to accumulate refuse on either residential or non-residential properties, except in approved containers or storage areas.

(3) It shall be unlawful to place any refuse in a manner where it may be scattered by the elements.

(4) It shall be unlawful to permit private containers to remain on public streets at times other than those described in Section 92.17(A)(4) of this Chapter~~division (A)(3) of this section.~~

(5) The placement into trash or recycling containers of hazardous materials, including but not limited to motor oil, paint, radioactive materials, explosives, poisons, or highly combustible materials, is prohibited. No such material will be picked up by the Town or its agents.

~~(4)~~
(1998 Code, § 30-33) (Ord. O-2018-03, passed 8-7-2018) Penalty, see § 92.99

§ 92.~~3318~~ **PROPERTY TO BE FREE OF REFUSE.**

(A) The ~~Town~~Town Council finds that the proliferation of refuse and litter including, but not limited to, food- and beverage-related trash and litter, unused or abandoned machinery or appliances, within the town, constitutes a threat to the health, welfare, and safety of the community, degrades the appearance of the community, and reduces the value of surrounding properties.

(B) Owners of property within the town ~~shall~~must keep such property free of any and all trash, garbage, refuse, litter, clutter~~refuse, litter, dismantled, inoperable, or dilapidated unused or abandoned~~ machinery or appliances, and other substances that might endanger the health, safety, and welfare of residents of the ~~town~~Town.

~~(B)~~
(1998 Code, § 30-34) Penalty, see § 92.99

Statutory reference:

Removal of trash, see VA Code § 15.2-901

§ 92.~~3419~~ **REMOVAL.**

(A) When substances of the nature set forth in § 92.18(B) are found upon property within the town, the ~~Zoning Administrator~~Town Manager or their designee shall immediately notify the owner of such property to remove such substance. Such notification shall be by registered

Occoquan - General Regulations

or certified letter sent to the owner at his or her last known address. If after diligent inquiry no address can be found for such owner, the letter shall be posted in a conspicuous place on the property.

(B) If the substances have not been removed from the property by the owner within ten days from the date the letter has been mailed, or the notice posted, the Town Manager or their designee Zoning Administrator shall cause the removal by townTown forces or the townTown's agent of such substances from such property forthwith.

(C) Where substances have been removed from property by the Zoning AdministratorTown Manager or their designee pursuant to the provisions of this section, the cost of such removal shall be chargeable to and paid by the owner of the property and may be collected by the townTown as taxes and levies are collected. Every charge authorized by this section with which the owner and lienholder of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property ranking on a priority with liens for unpaid local taxes and enforceable in the same manner as provided in VA Code §§ 58.1-3940 et seq. and 58.1-3965 et seq. (1998 Code, § 30-35)

§ 92.3520 GRASS, WEEDS, AND OTHER FOREIGN GROWTH.

(A) Where grass, weeds, or other foreign growth in excess of 12 inches in height is found upon property, the Zoning AdministratorTown Manager or their designee shall will immediately notify the owner of such property to cut such grass, weeds, or other foreign substances down to a height not to exceed three inches. Notification shall be made by the same procedure as set forth in § 92.19.

(B) If the grass, weeds, or other foreign growth have not been cut down within ten days from the date of the letter or posting, the Town Manager or their designee Zoning Administrator shall may cause the cutting down by the townTown, or the townTown's agent, of such grass, weeds, or other foreign growth forthwith.

(C) Where grass, weeds, or other foreign growth have been cut down on property by the Town Manager or their designee Zoning Administrator pursuant to the provisions of this section, the cost of such cutting shall be chargeable to and paid by the owner of the property and may be collected by the townTown as taxes and levies are collected. (1998 Code, § 30-36)

§ 92.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

~~(B)~~(1) Violations of § 92.01(A) shall be subject to a civil penalty of \$50 for the first

Health and Sanitation

violation, or violations arising from the same set of operative facts. The civil penalty for subsequent violations not arising from the same set of operative facts within 12 months of the first violation shall be \$200. Each business day during which the same violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same set of operative facts result in civil penalties that exceed a total of \$3,000 in a 12-month period.

(B)

—
~~(2)~~ The imposition of civil penalties under § 92.01(A) shall be in lieu of criminal penalties and shall preclude prosecution of such violation as a misdemeanor. However, such violations shall be a class 3 misdemeanor in the event three civil penalties have previously been imposed on the same defendant for the same or similar violation, not arising from the same set of operative facts, within a 24-month period. Classifying such subsequent violations as criminal offenses shall preclude the imposition of civil penalties for the same violation.

(2)

—
(3) The ~~town~~Town may impose and collect civil penalties, not to exceed a total of \$1,000, for violations of § 92.01(B).
(1998 Code, § 30-1)

(C) Any person who violates any provision of §§ 92.15 through 92.20 by doing a prohibited act, or failing to perform a required act, or failing to perform permitted acts in the prescribed manner, shall be deemed guilty of a class 3 misdemeanor.
(1998 Code, § 30-37)

Occoquan - General Regulations

CHAPTER 93: STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES

Section

Article 93.00 – General Provisions

93.01 Definitions

93.02 Obstruction of and encroachment onto street, sidewalk, or alley

~~93.04~~93.03 Use of public property

~~93.02~~ Approval of permits

~~93.03~~93.04 Placing dirt, ashes, similar materials upon streets prohibited; exceptions

~~93.04~~93.05 Riding of horses or ponies on sidewalks and sidewalk areas

~~93.05~~93.06 Removal of snow and ice from sidewalks

93.07 Removal of sidewalks

Article 93.10 – Trees

~~93.06~~

~~93.07~~93.10 Trees, shrubs, vines, hedges

93.11 Public tree care

Article 93.20 – Street Naming and Street Signs

93.20 Purpose and intent

93.21 Definitions

93.22 Administration and enforcement

93.23 Master town street directory

93.24 Uniform property and building numbering system adopted

93.25 New street naming standards

93.26 Display of address numbers

93.27 Street naming and addressing process

93.28 Procurement of address number prerequisite to issuance of zoning, building and occupancy permits

93.29 Street name and address signs

~~93.08~~

93.99 Penalty

ARTICLE 93.00 – GENERAL PROVISIONS

§ 93.01 DEFINITIONS

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ORGANIZED PUBLIC GATHERING. Any gathering of persons, with or without vehicles, in or on public areas or facilities for any activity as a group, and includes, but is not limited to, a parade, sidewalk gathering, street closure, or park gathering. Such gatherings may be open to the public or privately held for members of a group.

PUBLIC AREAS OR FACILITIES. Any public grounds, places and streets owned by the Town or within the town limits of the town, including but not limited to Town parks, docks, and buildings.

§ 93.021 OBSTRUCTION OF AND ENCROACHMENT ONTO STREET, SIDEWALK, OR ALLEY PUBLIC RIGHT-OF-WAY AND PROPERTY.

(A) Except as provided in this Code, no person shall cause or maintain an obstruction of or encroachment over, under or in any street, highway, road, alley, bridge, viaduct, subway, underpass or other public right-of-way or place. No person shall place any obstruction on any street or sidewalk; provided that any person desiring to use any part of a street or sidewalk ~~public~~ public right-of-way for building material the temporary purposes of building and construction ~~—~~ may obtain a permit from the Town ~~Town~~ Hall, after approval by the Mayor ~~Manager or their designee~~, which permit shall state the mode and character of the obstruction and length of time it shall continue; and further provided that no such permit shall be granted when such obstruction can be reasonably avoided.

(B) Any person building near the street line shall be required to erect such overhead scaffolding as may be necessary to protect the public from anything that may fall from the wall or scaffolding of such building.

(C) It shall be the duty of the Mayor ~~Town Manager or their designee~~, when approving such permit, to require the party obtaining the permit give such assurance as may be necessary to protect the town ~~Town~~ from liability from any damage that may result from such obstruction.

(D) The Town may remove any unpermitted obstruction or encroachment and charge the cost thereof to the owner or occupant of the property so obstructing or encroaching, and may collect the cost in any manner provided by law for the collection of Commonwealth or local taxes.

(E) Every person who desires to construct a building, fence, gate, porch, steps, post, pole, door or other similar structure permanently encroaching on any street or sidewalk in the Town must secure a license to encroach from the Town Council. The applicant shall have a certified land surveyor establish the line of such street at the place where such improvement is intended to be constructed and prepare an encroachment plat in accordance with applicable Town and

Occoquan - General Regulations

Virginia Code. Such applicant shall not be required to remove any improvement constructed in accordance with such permission. It shall be unlawful for any person, without obtaining such permission, to construct any such improvement in such manner as to encroach upon the street or sidewalk or interfere with the grade thereof.

~~(C)(F)~~ No part of this section shall be construed to prevent businesses and individuals from placing signage on streets and sidewalks that are otherwise in compliance with the provisions of §§ 157.300 through 157.321.

(1998 Code, § 50-1)

§ 93.03 USE OF PUBLIC PROPERTY.

(A) General requirement. Unless otherwise specifically provided by this Code, other law, or applicable regulations created by the Town Manager or their designee, no organized public gathering of either (1) fifteen (15) or more persons or (2) that results in the closing of any public areas or facilities, shall be conducted, allowed or maintained on or within public areas or facilities without first obtaining a permit from the Town.

(B) Authority to administer. The Town Manager or their designee is delegated authority to administer this section and shall issue supplementary rules and regulations, as deemed necessary, that are in support of and not in conflict with the provisions of this section. Such supplemental rules and regulations shall have the same force and effect as if fully set forth in this section.

(C) Application and Use Guidelines. Except as provided in subsection (D) of this section, an application for a permit with the application fee and applicable additional fees shall be filed with the Town ahead of any organized public or private gathering as outlined in subsection (A). The application process, the rules and regulations for use of the public area or facility, and any fees for rental of public facilities, labor, and other costs incurred by the Town shall be set by the Town Manager or their designee, and published for public reference.

(D) Standards for Issuance. The standards which shall be considered in determining whether a permit should be issued shall include, but not be limited to, the following:

(1) Whether the proposed public meeting or parade will conflict with one already scheduled.

(2) Whether the proposed public meeting or parade will seriously obstruct the free flow of vehicular or pedestrian traffic.

(3) Whether the potential damage to public property and facilities will be excessive because of the unusual or extraordinary character and/or circumstances of the proposed public meeting or parade.

(4) The reasonableness of the hour of day or night the proposed public meeting or parade will take place.

(5) Whether the proposed public meeting or parade will put undue hardship upon available public sanitary facilities and trash disposal facilities.

(6) It is intended that the parks be open to the general public at all times; therefore, should the proposed public meeting or parade seriously hamper or interfere with the general use, it may be denied.

(7) Where there is a reasonable threat of violence and/or public damage resulting from the proposed public meeting or parade, the party requesting such authorization shall provide the Town with a written plan which reasonably sets forth measures to adequately control and ensure against the anticipated violence and/or property damage. The Town may also request a surety bond to pay for repairs caused by any damage. If the foregoing plans and/or bond is found to be satisfactory to the Town Manager, the proposed authorization may be granted.

(8) Whether the proposed meeting or parade will be conducted in conformity with all applicable provisions of the state code, state law and town ordinances, rules and regulations.

(E) *Exceptions.* The permit provisions of this section shall be optional for:

(1) Activities by the U.S. government, Commonwealth of Virginia, or Town of Occoquan, or any division, department, or agency thereof;

(2) Spontaneous gatherings;

(3) Funeral processions where law enforcement either provides traffic control or determines that no traffic control is needed.

(F) *Illegal activities.* Nothing in this section or any permit issued under it shall authorize a person to:

(1) Obstruct the entrance to any building, property, or vehicle, except to the extent expressly permitted by a public safety plan;

(2) Cross police lines, perimeters or barricades set up pursuant to Code of Virginia, § 15.2-1714;

(3) Trespass on private property in violation of Code of Virginia, § 18.2-119, or on school property in violation of Code of Virginia, § 18.2-128;

(4) Obstruct the free passage of others in violation of Code of Virginia, § 18.2-404, except to the extent expressly permitted by a public safety plan;

Occoquan - General Regulations

(5) Create an unlawful assembly or riot in violation of Code of Virginia, §§ 18.2-405 or 18.2-406;

(6) Engage in disorderly conduct in violation of Code of Virginia, § 18.2-415;

(7) Engage in picketing that violates the National Labor Relations Act or Code of Virginia, §§ 18.2-418, 18.2-419, 40.1-53, or 40.1-66;

(8) Violate the noise standards set out in section 58-35 of this Code; or

(9) Otherwise violate applicable law.

(G) *Abatement of hazards and obstructions.* This subsection applies whether there is a permit for the gathering or not and whether the gathering is organized or not. If any gathering on public areas or facilities creates a hazard to public safety or violates any provisions of this section, then the Town may require that the hazard or violation be promptly ended or that the gathering move to the nearest location where the risk of harm will be diminished to a reasonable level in light of the purposes of this article. Any such direction shall be narrowly tailored to abate the risk of harm without limiting the public gathering more than reasonably necessary. Failure to obey such direction constitutes a violation of this section. A "hazard to public safety" as used in this subsection includes any condition or action that:

(1) Creates a hazard or obstruction to pedestrians or traffic beyond what is permitted by a public safety plan; or

(2) Damages public facilities.

Penalty, see § 93.99

~~§ 93.02 APPROVAL OF PERMITS.~~

~~The Mayor shall approve or disapprove and establish the conditions for a permit under this chapter pursuant to uniform town standards.~~

~~(1998 Code, § 50-2)~~

Occoquan - General Regulations

§ 93.043 PLACING DIRT, ASHES, SIMILAR MATERIALS UPON STREETS PROHIBITED; EXCEPTIONS.

It shall be unlawful for any person to throw or place dirt, ashes, stone, wood, or any other material upon any street within the town; provided, that the penalty for violation of this section shall not be imposed upon persons placing building materials upon a street, in connection with construction work, after having obtained a permit to place such materials upon the street for a limited period of time and having placed such materials in the space designated and manner directed and having not permitted the materials to remain there longer than the limited period stipulated in the permit.

(1998 Code, § 50-3) Penalty, see § 93.99

§ 93.054 RIDING OF HORSES OR PONIES ON SIDEWALKS AND SIDEWALK AREAS.

It shall be unlawful for any person to ride or lead any horse or pony on any sidewalk or in any area between any sidewalk and any curb or curb line in the town.

(1998 Code, § 50-4) Penalty, see § 93.99

§ 93.065 REMOVAL OF SNOW AND ICE FROM SIDEWALKS.

It shall be the duty of the occupant of any property which has a sidewalk of brick, wood, or concrete abutting on such property to have all snow removed from such sidewalk within 12 hours after it has ceased falling; provided that, if snow falls during the night, it shall be removed by 5:00 p.m. on the following day. The same requirements shall exist with respect to ice or sleet on sidewalks, except that ice and sleet, if it cannot be removed without injury to the sidewalk, shall be covered within the time required in this section, with sawdust, ashes, or other material which will render the sidewalk safe for travel. When there is no occupant of such property, it shall be the duty of the owner thereof to have such snow, ice, and sleet removed or covered as provided in this section. If after such reasonable notice as the ~~town~~Town may prescribe the owner or occupant of the property affected by the provisions of this section shall fail to abate or obviate the condition, the ~~town~~Town may do so and charge and collect the cost thereof from the owner or occupant of the property affected in any manner provided by law for the collection of state or local taxes

(1998 Code, § 50-5) (Ord. O-2003-02, passed 2-18-2003)

§ 93.076 REMOVAL OF SIDEWALKS.

No person shall remove any portion of the walkways or sidewalks in the town or in any way interfere with walkways or sidewalks without a permit authorized by the [MayorTown Manager, or designee](#).
(1998 Code, § 50-6)

Occoquan - General Regulations

ARTICLE 93.10 – TREES

Streets, Sidewalks, and Other Public Places

§ 93.1007 TREES, SHRUBS, VINES, HEDGES.

(A) It shall be unlawful for the owners of property within the town to allow tree branches, shrubs, vines, or hedges to overhang sidewalks or other public rights-of-way in such a manner as to obstruct the free movement of or endanger pedestrians using such sidewalks.

~~(B)~~ Where tree branches, shrubs, vines, or hedges on such property are found to so obstruct sidewalks or rights-of-way, ~~a town official~~ the Town ~~may cause such obstructions to be removed such obstruction to the extent it they occupies the public right-of-way shall immediately notify the owner of such property to cut such tree branches, shrubs, vines, or hedges so as to render any affected sidewalks or rights of way free of obstruction.~~

~~(B)~~(C) The Town may notify the owner of such property to cut such tree branches, shrubs, vines, or hedges so as to render any affected sidewalks or rights-of-way free of obstruction or may, if there is an imminent and immediate threat to life or property, cut such tree branches, shrubs, vines or hedges without prior notice.

~~(C)~~(D) Such notice ~~shall~~must be in writing and posted at the property or sent by certified mail to the occupant of such property or the owner of the property at the last known address as reflected on the real property tax records of the ~~town~~Town. ~~If, after diligent inquiry, no address can be found for such owner, the notice shall be posted in a conspicuous place on the property.~~

~~(D)~~(E) If such tree branches, shrubs, vines, or hedges have not been cut within ten days from the date of mailing or posting of the notice, ~~thea town~~Town ~~official~~ shall cause the cutting down by the ~~town~~Town's agent of such tree branches, shrubs, vines, or hedges.

~~(E)~~(F) Where, after such notice, tree branches, shrubs, vines, or hedges have been cut down on property by a ~~town~~Town ~~official~~agent, the cost of such cutting shall be billed to the owner of the property. If such bill is not paid, prior to issuance of the next real estate tax bill, it shall be added to the ~~town~~Town real estate tax bill on such property and shall be a lien on such property to the same extent and effect as the real estate tax. (1998 Code, § 50-7) (Ord. O-2004-01, passed 8-12-2003) Penalty, see § 93.99

§ 93.1108 PUBLIC TREE CARE.

(A) The ~~Town~~Town Manager or designee shall be responsible for the care, preservation, pruning, planting, removal, or disposition of trees in parks, along streets, and in other public areas. The ~~Town~~Town Manager or designee, in coordination with a certified arborist, shall consider, investigate, issue findings, report, and make recommendations on any matter or

question related to the care, preservation, pruning, planting, removal, or disposition of public trees.

(B) The ~~town~~Town shall have the right to plant, prune, maintain, and remove trees, plants, and shrubs located on ~~town~~Town-owned property as may be necessary to ensure public safety or preserve or enhance the beauty and function of such public spaces.

(C) The ~~Fown~~Town Manager may remove or cause or order to be removed any tree located on ~~town~~Town property or part thereof which is in an unsafe condition or which, by reason of its nature, is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected by any injurious fungus, insect, or other pest.

(Ord. O-2017-05, passed 12-5-2017)

ARTICLE 93.20 – STREET NAMING AND ADDRESSING

§ 93.20 PURPOSE AND INTENT.

This article is intended to:

- (1) Promote the general health, safety and welfare of the public.
- (2) Provide a uniform system of street addressing for all properties and buildings throughout the town.
- (3) Facilitate the provision of adequate public safety services.
- (4) Relieve conditions causing difficulty in locating properties and buildings for Town and County agencies, the general public, and others.

§ 93.21 DEFINITIONS.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADDRESSABLE STRUCTURE. Any permanent building used for human habitation or gathering or any structure used for institutional, commercial or industrial purposes.

TRAVELWAY. A public or private right of way such as a street, road, lane, alley, used for vehicular travel, including parking lots used as access for multifamily residential, commercial or industrial structures.

MASTER TOWN STREET DIRECTORY. The official town listing of existing street names in the Town of Occoquan.

Occoquan - General Regulations

§ 93.22 ADMINISTRATION AND ENFORCEMENT.

(A) The Town Manager or their designee shall be responsible for the interpretation, administration and enforcement of this article and is delegated authority to set supplementary standards in addition to the standards set in this article, that are in support of and not in conflict with the provisions of this article. Such supplemental standards shall have the same force and effect as if fully set forth in this section.

(B) Whenever the Town Manager or their designee determines that any person is in violation of any provision of this article, they may give notice, by certified mail with return receipt requested, of such violation to the violator and order such person to take the necessary corrective measures within thirty (30) days from the date of notification.

(C) If any person fails to comply with an order issued pursuant to this section, the Town Manager or their designee may initiate such action as is necessary to terminate the violation, including obtaining criminal warrants, applying to courts of competent jurisdiction for injunctive relief, or any other appropriate action.

(D) All numbers for properties and buildings shall be assigned by the Town Manager.

(E) The Town Manager and the Prince William County Geospatial Technology Services Program shall maintain records of all street names and addresses for each property and building on the parcel identification maps, which shall be located in the County offices.

(F) When street numbers are noted by the Town Manager or the County as either incorrect or otherwise in need of reassignment, the Town Manager shall have the authority to effect and order a change in address in accordance with the provisions of this article.

§ 93.23 MASTER TOWN STREET DIRECTORY.

Notwithstanding the provisions of subsection A of § 15.2-2000 of the Code of Virginia, street names listed for the Town in the Prince William County Master Street Directory, which is on file with the County Geospatial Technology Services Program, are hereby declared to be the official names of such streets, until officially changed by action of the Town Council.

§ 93.24 UNIFORM PROPERTY AND BUILDING NUMBERING SYSTEM ADOPTED.

(A) A uniform system of numbering properties and buildings, as shown on the parcel identification maps maintained by the Prince William County Geospatial Technology Services Program, shall be used. All properties or parcels of land within the limits of the Town shall be identified by reference to the uniform numbering system. Address numbers shall be assigned

to all principal buildings and facilities within The Town of Occoquan.

(B) Address Number Requirements.

(1) Address numbers shall be assigned based on the location of the driveway or point of access. Addresses on corner lots or lots which front on more than one street shall be assigned on the street the driveway originates. If the driveway accesses both streets, the address shall be assigned to the street on which the building fronts.

(2) Street numbers shall be uniformly assigned, with numbers increasing from north to south and east to west as shown on the parcel identification maps. The directional orientation of a street shall be determined by the Town Manager.

(3) Numbers on the north side of east-west streets shall be even, and numbers on the south side of these streets shall be odd. Numbers on the west side of north-south streets shall be even, and numbers on the east side of these streets shall be odd.

(4) Numerical Street segments (blocks) or building grouping is encouraged within new developments. Such block numbering should attempt to build off of existing addressing schemes where possible.

(5) On existing streets outside of new developments, numbers shall be assigned based on their geographical location in relation to existing addresses (e.g. a new address exactly between 100 and 140 should be 120).

(6) For townhomes, number assignment should be sequential along a row of townhomes with a minimum increase of 10 when assigning numbers to the next row within the same block (e.g. First Row: 101, 103, 105, 107, 109, 111; Second Row: 121, 123...).

(7) In cases where a building has a shared entrance for multiple businesses or dwelling units, each separate apartment or suite shall be designated by an approved suite number. Suite numbers should be sequential and intuitive in layout and assignment. The use of odd and even assignments should be considered in hallways as they are for streets. The first numeric shall be indicative of the floor on which the business or dwelling unit is located (e.g. Suite 201 is on the second floor, Suite 301 is on the third floor...). The exclusive use of odd numbers in order to preserve room for future adjustments of commercial suites should be considered when possible. Alphabetical letters and/or half numbers shall not be used as suite numbers.

(8) Buildings with separate entrances leading to separate clusters of apartments or suites shall be given separate addresses for each entrance.

2

§ 93.25 STREET NAMING AND SIGNAGE STANDARDS.

Occoquan - General Regulations

(A) Street Naming Requirements.

(1) Public and private travelways serving three or more properties or addressable structures shall be named. Travelways serving less than three properties or addressable structures shall be addressed using the name of the travelway from which the travelway originates.

(2) Every public and private street and travelway required to be named by this article shall be identified by a sign showing the official name of such street.

(3) Street signs shall be placed at all intersections and shall identify both intersecting streets.

(B) Street Naming Limitations.

(1) Must not duplicate or phonetically resemble existing street names within The Town of Occoquan or any adjacent locality servicing 911.

(2) Must not exceed twenty (20) characters in length, excluding the street type designation.

(3) Must not contain more than two words, excluding the street type and directional descriptors.

(C) Installation and maintenance of street signs on private travelways shall be the responsibility of the property owners served by such private travelways.

(D) For development projects, permanent signs conforming to all applicable standards shall be installed by the developer, upon approval pursuant to § 93.27, on all streets under construction within five (5) days of establishment of the rough grade of said streets

§ 93.26 DISPLAY OF ADDRESS NUMBERS.

(A) Each assigned address number must be displayed at the front building entrance or that entrance which is clearly visible during both day and night from the street providing access to that building. If the address number cannot be posted on a building in a manner that makes it clearly visible from the street, then the address number shall be displayed at the end of the accessway nearest the street providing access to the building. Display of a street address at the corner of an accessway shall be such that clear identification can be made of the location of the building to which the address is assigned. Such identification shall be clear and visible and able to be made from both directions of travel on the roadway.

(B) An unnamed private travelway serving two or fewer properties or addressable structures shall be identified with a sign showing the range of such addresses, placed at the

intersection of the travelway and the street from which the structures are addressed.

(C) Except as provided in subsection (c) of this section, numerals indicating the official numbers for each principal building or each front entrance to such building shall be at least three (3) inches in height and shall be posted in a manner as to be visible and distinguishable from the street on which the property is located. The number shall be Arabic numerals only. Nonnumeric postings of street addresses shall not be permitted, except in cases where such postings are in addition to the standard numeric posting required.

(D) The display of street address numbers for multiple dwelling units, commercial and industrial buildings shall be solid numerals that are a minimum of six inches in height and one inch in width. Such numerals shall contrast with the background on which they are posted and be clearly visible from the street on which the building is addressed and from easements in the rear of such buildings.

(E) The owner of a principal building shall be responsible for posting the building's assigned number and shall be responsible for the cost of such posting.

(F) The Town Manager shall have the authority to grant special exceptions and to require the additional display of numbers as is necessary to facilitate the clear identification of a building.

§ 93.27 STREET NAMING AND ADDRESSING PROCESS.

(A) All proposed street names must be reviewed by the Town Manager or their designee for conformance with this article and recommended to the Town Council, in accordance with the provisions of this section.

(B) All addresses must be assigned by the Town Manager or their designee in accordance with this article. Addresses may be assigned either through the land development review process or on the basis of individual address requests. All requests for addresses shall be supported by a clearly legible address plat.

(C) *Street Naming and Addressing During Subdivision and Site Plan Review.* All streets in proposed development projects must be named and all addressable structures addressed during the subdivision or site plan review process. The process shall apply to proposed public or private streets or travelways.

(1) Proposed street names and addresses shall appear on all preliminary and final subdivision plats, construction plans, and site plans.

(2) Names and addresses proposed through the land subdivision and development process must be reviewed by the Town Engineer or applicable Town agent and approved by the Town Manager or their designee. Street names will then be recommended to the Town

Occoquan - General Regulations

Council for approval.

(3) Subdivision plats and/or final plans shall not be approved, nor zoning permits issued, until approved street names and addresses are shown correctly upon such plats/plans.

(D) Requests to Name or Rename Streets and/or Address a Structure Outside the Development Review Process. Requests for new or revised street names and/or addresses other than those proposed for new development must be submitted in writing to the Town Manager or their designee by filing a zoning permit with the applicable fee. The Town Manager or their designee shall review the request, determine its compliance with this article, and, in the case of a street naming, forward a recommendation to the Town Council or, in the case of an addressing, make a determination.

(1) For street names, the request must include a plat showing the travelway for which a naming or renaming is being requested and all addressable structures having access to the travelway, a petition containing the names and signatures of the owners representing the properties addressed to the street who are in concurrence with the change, and a statement that the requestors understand that they are responsible for purchasing and installing new street signs.

(2) For addresses, the request must include an address plat showing the proposed access street, the location of the proposed addressable structure and any driveway to serve it, and any other addressable structures having access to the driveway.

(E) Notification.

(1) To become the lawful street name, all new street names must be officially adopted by action of the Town Council via the processes outlined in this section and then be submitted, along with all approved addresses, to the County for inclusion in the Master Street Name Directory and the County parcel identification maps, notwithstanding the provisions of Virginia Code § 15.2-2000(A).

(2) The following agencies shall be notified of the establishment of an address: Building Plan Review Department of Prince William County, the Emergency Communications Center (9-1-1), the United States Post Office, Fire and Rescue (including the Fire Marshal's Office), the Sheriff's Office, and the Town Treasurer.

(F) No street or address signage shall be installed on a public or private travelway unless it is in compliance with this article and approved via the official processes described in this article.

(G) Appeals. When a citizen is aggrieved by the application of the provisions of this article to property owned by such citizen, an appeal may be made to the Town Council provided the person files, with the Town Clerk, on or before thirty (30) days after the decision, a written notice of intention to appeal that states the nature of the appeal and pays the

nonrefundable fee as set forth in the uncodified fee schedule adopted by the Town Council.

§ 93.28 PROCUREMENT OF ADDRESS NUMBER PREREQUISITE TO ISSUANCE OF ZONING, BUILDING AND OCCUPANCY PERMITS.

(A) No building permit shall be issued for any structure until the owner or developer has procured the official number of the premises from the Town of Occoquan. An occupancy permit for any structure erected or repaired shall be withheld until permanent and proper numbers have been affixed to such structure in accordance with this article.

(B) If a structure is modified in use or design so that either a change in address or the assignment of additional addresses is required for continued compliance with this article, such addresses must be acquired from the Town in accordance with this article. No building permit or occupancy permit shall be issued until the proper street address numbers for a modified structure have been assigned.

~~(A)~~(C) No zoning permit shall be issued for any addressable structure until the owner or developer has procured the official address of such structure from the Town.

DRAFT

Occoquan - General Regulations

§ 93.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) Any person who violates any provision of §§ 93.01 through 93.1807 shall be guilty of a class 1 misdemeanor. Any person who violates any provision of § 93.15 shall be punished by a civil penalty not to exceed \$100 for a violation that has not been corrected within 15 days of notice of such violation.

(1998 Code, § 50-8)



TOWN OF OCCOQUAN

TOWN COUNCIL MEETING

Agenda Communication

10. Regular Business	Meeting Date: January 21, 2025
10B: Request to Adopt the National Incident Management System (NIMS) and Emergency Operations Plan Resolutions	

Attachments:

- a. Draft Resolution R-2025-01
- b. Draft Resolution R-2025-02
- c. Draft Occoquan Emergency Operations Plan

Submitted by:

Adam C. Linn
Town Manager

Explanation and Summary:

This is a request for Town Council to consider two resolutions adopting the National Incident Management System (NIMS) and an Emergency Operations Plan for the Town of Occoquan.

Background

At its January 16th, 2024, meeting, the Town Council adopted Section 34.20 et seq. of the Town Code entitled "Emergency Management" in accordance with the Commonwealth of Virginia Emergency Services and Disaster Law of 2000 (Code of Virginia, § 44-146.19 et seq.). At the February 6, 2024, meeting, The Town Council appointed Deputy Chief of Police Jason Forman as Coordinator of Emergency Management for the Town to collaborate closely with the Prince William County Office of Emergency Management (OEM) and the Virginia Department of Emergency Management (VDEM). Mr. Forman and Town staff have worked with partner agencies to draft an Emergency Operations Plan and Comprehensive Emergency Management Program for the Town.

To better coordinate with the Prince William County OEM and VDEM, the Coordinator of Emergency Management recommends the Town formally adopt the National Incident Management System (NIMS) and adopt an Emergency Operations Plan. The proposed Emergency Operations Plan is attached.

Staff Recommendation: Recommend adoption of the Resolution.

Proposed/Suggested Motion:

"I move to appoint adopt Resolution R-2025-01 and Resolution R-2025-02."

OR

Other action Council deems appropriate.

**TOWN OF OCCOQUAN, VIRGINIA
RESOLUTION R-2025-01**

**RESOLUTION TO ADOPT THE NATIONAL INCIDENT
MANAGEMENT SYSTEM (NIMS)**

WHEREAS, the Town of Occoquan has adopted Section 34.20 et seq. of the Town Code, entitled “Emergency Management” in accordance with the Commonwealth of Virginia Emergency Services and Disaster Law of 2000 (Code of Virginia, § 44-146.19 et seq.); and

WHEREAS, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS), which provides a consistent nationwide approach to Federal, State and Local governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the collective input and guidance from all Federal, State, Territorial, Tribal, and local partners has been and will continue to be vital to the development, effective implementation and utilization of a comprehensive NIMS; and entities involved in emergency response to adopt NIMS; and

WHEREAS, it is necessary and desirable that all Federal, State and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the Town of Occoquan's ability to utilize federal funding to enhance local agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Governor of the State of Virginia has similarly endorsed NIMS by proclaiming it the official basis for management of incident response in Virginia; and

WHEREAS, that NIMS will enable responders at all levels to work together more effectively and efficiently to manage domestic incidents no matter what the cause, size or complexity, including catastrophic acts of terrorism and natural disaster; and

WHEREAS, the Town of Occoquan Police Department (OPD) currently uses the Incident Command System (ICS) as referred to in NIMS and the OPD Homeland Security and Emergency Management Unit – Office of Emergency Management recognizes the need for a single Incident Management System to be used by all local agencies and disciplines.

NOW, THEREFORE, BE IT RESOLVED, the Occoquan Town Council hereby adopts the National Incident Management System, and this system will be used at all incidents and drills, taught in Town of Occoquan local emergency management training courses, and reflected in all emergency management mitigation, preparedness, response and recovery plans and programs.

Adopted by the Town Council of the Town of Occoquan, Virginia this 21st Day of January, 2025.

MOTION:

**DATE: January 21, 2025
Town Council Meeting**

SECOND:

Votes

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

BY ORDER OF THE TOWN COUNCIL

Attested:

Earnest W. Porta, Jr., Mayor

Philip Auville, Town Clerk

**TOWN OF OCCOQUAN, VIRGINIA
RESOLUTION R-2025-02**

**RESOLUTION TO ADOPT AND IMPLEMENT THE
TOWN OF OCCOQUAN EMERGENCY OPERATIONS PLAN**

WHEREAS, the Town of Occoquan has adopted Section 34.20 et seq. of the Town Code, entitled “Emergency Management” in accordance with the Commonwealth of Virginia Emergency Services and Disaster Law of 2000 (Code of Virginia, § 44-146.19 et seq.); and

WHEREAS, the Occoquan Town Council recognizes the need to prepare for, respond to, and recover from natural and human-caused disasters; and

WHEREAS, the Town of Occoquan has a responsibility to provide for the health, well-being, and safety of its residents and visitors; and

WHEREAS, the Town of Occoquan has established a robust Emergency Management Program led by an appointed Emergency Management Coordinator; and

WHEREAS, the Town of Occoquan wishes to adopt an Emergency Operations Plan to outline its response to natural and human-caused disasters and provide that it be reviewed every 4 years.

NOW, THEREFORE, BE IT RESOLVED, the Occoquan Town Council hereby adopts the attached Emergency Operations Plan and directs the Emergency Management Coordinator, or their designee, to revise, as necessary, said Emergency Operations Plan no less than every four (4) years or at such time as it be ordered to come before the Town Council.

Adopted by the Town Council of the Town of Occoquan, Virginia this 21st Day of January, 2025.

MOTION:

**DATE: January 21, 2025
Town Council Meeting**

SECOND:

Votes

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

BY ORDER OF THE TOWN COUNCIL

Attested:

Earnest W. Porta, Jr., Mayor

Philip Auville, Town Clerk

TOWN OF OCCOQUAN



EMERGENCY OPERATIONS PLAN (EOP)

2025

Promulgation

Local Government is responsible for ensuring the health, safety, and welfare of its citizens. The welfare and safety of citizens is never more threatened than during disasters. Emergency Management aims to ensure that mitigation, preparedness, response, and recovery actions exist so that public welfare and safety are preserved.

The Town of Occoquan has adopted this Emergency Operations Plan (EOP) to ensure the effective allocation of resources during an emergency to protect life, property, and the environment. This Plan supersedes any previous plans promulgated for this purpose.

The EOP provides a comprehensive framework for the Town Emergency Management Program. It addresses the roles and responsibilities of government organizations and provides a link to local, State, Federal, and private organizations and resources that may be activated to manage disasters and emergencies in the Town of Occoquan

The Town of Occoquan Emergency Operations Plan ensures consistency with current policy guidance and describes the interrelationship with other levels of government. The Plan will continue to evolve, responding to lessons learned from the actual disaster and emergency experiences, ongoing planning efforts, training and exercise activities, and Federal guidance.

Therefore, in recognition of the emergency management responsibilities of the Town of Occoquan government and by resolution of the Town Council, as the Chief Administrative Officer of the Town of Occoquan, Virginia, I hereby promulgate the Town of Occoquan Emergency Operations Plan.

Adam Linn, *Town Manager*
Town of Occoquan, Virginia

Table of Contents

Promulgation	2
Table of Contents.....	3
Record of Changes	4
Record of Distribution.....	5
Introduction.....	6
Purpose and Scope.....	7
Town Overview	9
Threats and Hazards	11
Assumptions	13
Capability Assessment.....	14
Concept of Operations	14
Organization and Assignment of Responsibility	18
Direction, Control, and Coordination	21
Emergency Declaration.....	22
Information Collection, Analysis, and Dissemination	23
Communications	24
Resource Management	25
Training and Exercise	28
Improvement Planning.....	28
Victim Services Reporting.....	29
Authorities and Reference	30

Record of Changes

Change Number	Date of Change	Page or Section Changed	Summary of Change	Name of Person Authorizing Change
001				
002				
003				
004				
005				
006				
007				
008				
009				
010				
011				
012				
013				
014				
015				

Introduction

The Town of Occoquan (Town) is committed to protecting life, the environment, and property. This Plan provides the basis for response and recovery operations in the Town of Occoquan, Virginia. The success of this Plan depends on the collaboration of the departments and agencies responsible for the development and maintenance of these plans and annexes.

Successful emergency planning utilizes a comprehensive approach to prepare for and plan for all-hazards. The Town of Occoquan is vulnerable to various natural hazards, including winter weather, severe storms & tornadoes, technological hazards, such as hazardous materials incidents & resource shortages, and human-caused events such as terrorist attacks & cyber threats. The threat of major disasters and events necessitates this Plan's all-hazards approach.

To respond effectively to any emergency of size or complexity beyond the routine response system, all Town of Occoquan elected officials, departments and agencies, non-governmental emergency organizations and the public must understand their roles and responsibilities. These non-routine responsibilities begin when an incident is recognized, and response ensues. As an incident develops and command organizes beyond first responders' initial reactive phase, the roles and responsibilities highlighted in this Plan become more critical.

Per the Commonwealth of Virginia Emergency Services and Disaster Law of 2000 (Code of Virginia, § 44-146.13 to 44-146.28:1), State and local governments are charged with developing and maintaining current Emergency Operations Plans (EOP) to be prepared for such events.

This Plan serves as the baseline by which the Town of Occoquan prepares for, mitigates against, responds to, and recovers from disasters and emergencies. It is the primary responsibility of the Emergency Management Coordinator of the Town of Occoquan to develop the Town of Occoquan Plan, update the Plan, and maintain a record of changes. This Plan seeks to address the Town of Occoquan emergency response procedures, roles and responsibilities of local departments, and other private organizations during disasters and emergencies.

Purpose and Scope

This Plan aims to direct actions intended to preserve life and protect property from further destruction in the event of an emergency. This EOP establishes an emergency organization to direct and control operations during the emergency situation by assigning responsibilities to specific entities. These responsibilities are generally extensions of normal, day-to-day functions involving the same personnel and resources. All essential entities are to utilize any and all available resources when mitigating against, preparing for, responding to, and recovering from a natural or human-caused emergency.

This EOP employs a multi-agency operational structure based upon the National Incident Management System (NIMS) Incident Command System (ICS) principles to manage, coordinate, and direct resources committed to an incident. The Town of Occoquan is a practitioner of the NIMS and is committed to ensuring that required training is provided to all persons with direct responsibility for implementing this EOP and critical functions within the EOP. Supporting plans for all-hazards disasters set forth the concepts and procedures whereby the Town of Occoquan can effectively apply available resources to ensure that casualties and property damage will be minimized, and those essential services will be restored as soon as possible following a disaster or emergency situation.

The Town of Occoquan includes all residents, governmental entities and departments, businesses, and non-profit organizations within the bounds of the Town of Occoquan and/or those individuals and entities operating, transiting through, or visiting the Town of Occoquan.

The Town of Occoquan relies on contracts or Memorandum of Understanding (MOU) and/or Mutual Aid Agreements (MAA) for key services and/or resources that have a direct bearing on emergency management actions; specifically, debris management, and sheltering. Close planning and coordination with these agencies and organizations is essential to the preparedness and response capabilities of the Town of Occoquan.

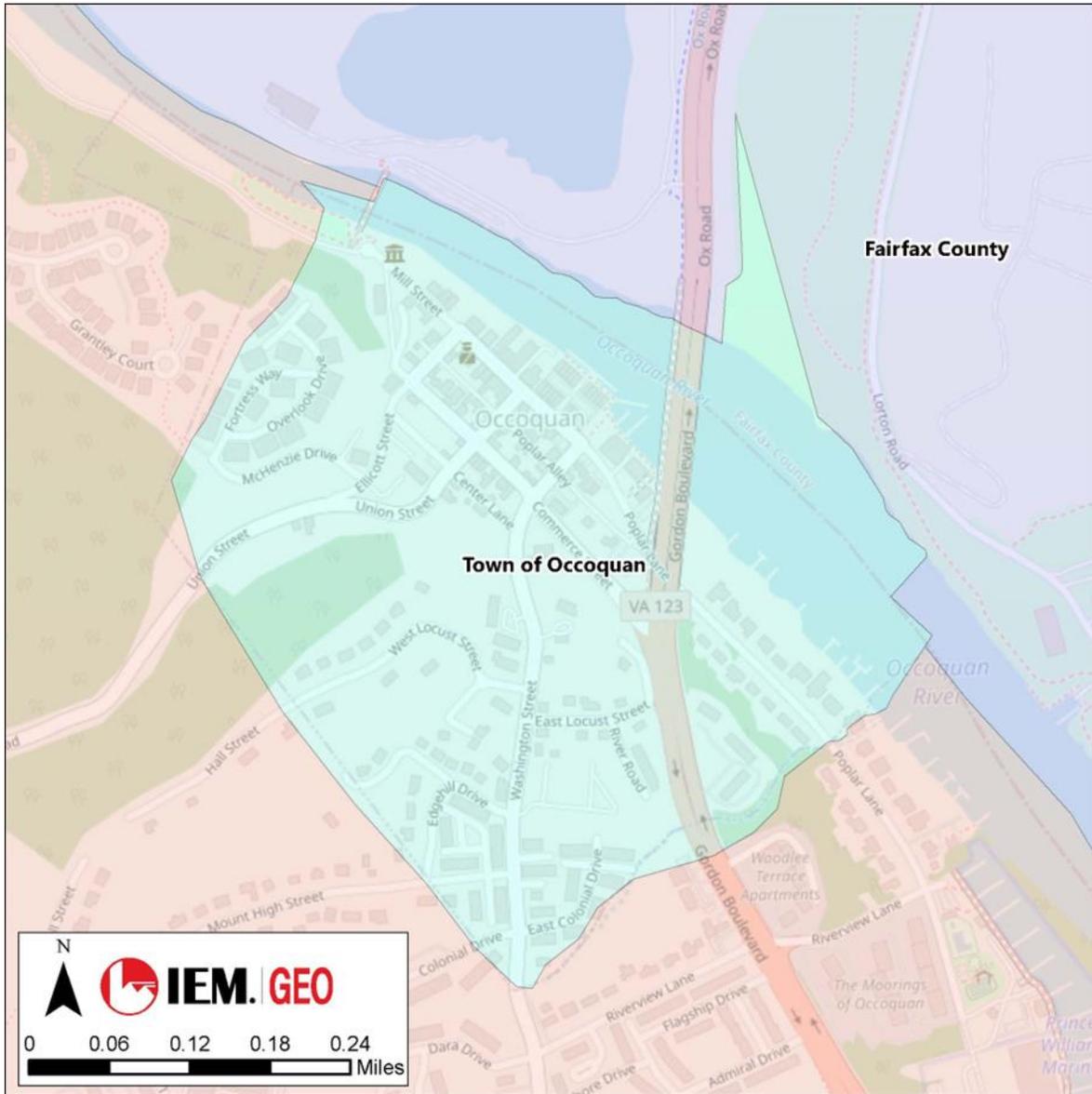
During emergencies, the Emergency Management Coordinator serves as the lead emergency management representative for the Town of Occoquan. The Town of Occoquan submits requests for additional support to the state through the Prince William County (PWC) Office of Emergency Management. If the needs cannot be fulfilled at the state level, the request will be sent on to the Federal level in accordance with NIMS.

This EOP identifies a range of disasters that could possibly occur in or near the Town of Occoquan. This EOP works to anticipate the needs that the Town of Occoquan might experience during an incident and provides guidance across Town departments, agencies, and response organizations by outlining a coordinated and collaborative emergency response system by:

- Outlining how Town departments/agencies will be organized during response to an event, including command authorities and resource management;
- Identifying critical actions and interfaces during response and recovery;
- Outlining how the interaction between the Town of Occoquan, regional, state, and federal authorities is managed;
- Identifying the interaction between the Town of Occoquan and its private partner organizations (hospitals, non-governmental emergency organizations and others) is managed during emergencies; and

DRAFT

Town Overview



 ESTABLISHED	 LAND AREA	 2020 POPULATION	 GOVERNMENT ADDRESS	 HOUSEHOLDS	 MITIGATION FOCUS
1804	0.2 sq. mi.	1,053	314 Mill Street, PO Box 195, Occoquan, VA 22125	548	Flood/Flash Flood

Location

The Town of Occoquan is located along the Occoquan River in both Prince William County (PWC) and Fairfax County. The town is situated 88 miles north of the Commonwealth of Virginia's capital of Richmond and is 23 miles south of the Nation's capital of Washington, D.C.

History

The Town of Occoquan is located along the Occoquan River in the northeastern portion of Prince William County and the southeastern portion of Fairfax County. The Town occupies approximately 125 acres, including 25 acres of the Occoquan River. While the populated portion of the Town is located along the southern shore of the Occoquan River, the Town boundary extends into Fairfax County. The Town is situated at the "fall line," which delineates the Piedmont and Coastal Plain geological provinces and represents the end of the navigable waters of the Occoquan River. The downtown and Poplar Lane portions of Occoquan are on a relatively level and low lying plain adjacent to the river. To the southwest of this low-lying plain is a ridge underlain by mostly granite rock. The ridge is dissected by several small streams that empty into the river. The largest stream is Ballywack Branch. The other streams are Furnace Branch, Boundary Branch, Phelps Creek, and the tributary of Boundary Branch designated as Edgehill Creek. The "high ground" located in Town is generally rolling with some very steep slopes and rocky outcrops adjacent to streams and the river plain.

Occoquan established its commercial and residential successes long before Virginia was a colony when Captain John Smith traveled the Occoquan River to establish trade routes between the Dogue Indians and English settlers. The rolling hills, strong waterfalls, and natural beauty of the area attracted entrepreneurs like John Ballandine. During the late eighteenth century, he established Occoquan as a full-service town with mills, forges, stores, tolling points, and multiple residences.

Threats and Hazards

After developing hazard profiles, the Town of Occoquan conducted a two-step quantitative risk assessment for each hazard that considered population vulnerability, geographic extent/location, probability of future occurrences, and potential impacts and consequences. The numerical scores for each category were totaled to obtain an overall risk score, which is summarized as one of these risk and vulnerability classifications:

Low: Minimal potential probability and impact. Minimal or no property damage or loss of life is expected.

Medium: Moderate probability and potential impact; moderate threat level to the general population and/or the built environment. The potential damage is more isolated and less costly than a widespread disaster.

High: Significant probability and widespread potential impact. This ranking carries a high threat to the general population and/or built environment. The potential for damage is widespread. Hazards in this category may have occurred in the past, causing a significant impact.

The overall risk score for each hazard served as the basis for determining whether a vulnerability assessment should be conducted. Natural hazard profiles are presented within the hazard sub-sections in **Section 5, Base Plan**, and local detail is provided in the Jurisdiction Annexes. Non-natural hazard profiles are presented in **Volume II of the Base Plan**.

Hazard	Total Probability Score	Total Consequence Score	Overall Risk Score	Hazard Ranking
Dam Failure	4.0	7.9	11.9	High
Flood	4.0	6.9	10.9	High
Tornado	4.0	6.0	10.0	High
High Wind/Severe Storm	4.0	5.4	9.4	High
Winter Weather	4.0	4.2	8.2	Medium
Earthquake	2.0	4.7	6.7	Medium
Extreme Temperatures (Hot/Cold)	4.0	2.4	6.4	Medium
Karst/Sinkhole/Land Subsidence	2.0	3.2	5.2	Medium
Drought	2.0	2.0	4.0	Medium
Landslide	2.0	2.0	4.0	Low
Wildfire	2.0	2.0	4.0	Low

Hazard	Total Probability Score	Total Consequence Score	Overall Risk Score	Hazard Ranking
Active Violence	4.0	6.1	10.1	High
Civil Unrest	4.0	6.1	10.1	High
Hazardous Materials	4.0	6.0	10.0	High
Terrorism	4.0	5.9	9.9	Medium
Communication Disruption	4.3	5.2	9.5	Medium
Cyberattack	4.3	5.2	9.5	Medium
Infectious Disease/Public Health	4.0	3.9	7.9	Low

National Flood Insurance Program

The Town of Occoquan is a participant in the National Flood Insurance Program (NFIP).

National Flood Insurance Program Status, Town of Occoquan

NFIP Data	Date
Initial flood hazard boundary map (FHBM) identified	7/19/1974
Initial flood insurance rate map (FIRM) identified	1/5/1995
Date of the current effective map	1/5/2015
Regular-Emergency date	9/1/1978
Digital Flood Insurance Rate Map (DFIRM)/(Q3)	Unknown

NFIP Policy and Claims Status, Town of Occoquan

NFIP Policy	Claims Status
Policies In-Force	34
Premiums Paid	\$57,025
Total Claims	19
Total Payment	\$65,187

Assumptions

Nothing in this EOP alters or impedes the ability of federal, state, or local departments and agencies to carry out their specific authorities or perform their responsibilities under all applicable laws, executive orders, and directives.

- When activated, the Town will commit all available resources to save lives, minimize property and environmental damage, and conduct emergency response and recovery operations while working to establish and maintain direction and control through the Town Emergency Operations Center (TEOC).
- Coordination with the Prince William County (PWC) Office of Emergency Management (OEM) is critical in any activation.
- An emergency situation may escalate quickly and require the rapid mobilization and reallocation of available resources. The situation may overwhelm Town resources and capabilities, requiring mutual aid assistance from outside agencies and organizations at different levels of government.
- Emergencies of various types, sizes, intensities, and durations may occur within or near the jurisdictional boundaries of the Town of Occoquan with or without warning. These emergencies can develop into disasters that affect the safety, health, and welfare of the population and cause damage or destruction to private and public property as well as the environment.
- This EOP has been developed to address all hazards that threaten the Town of Occoquan by providing the response framework and guidance for any emergency or disaster situation that occurs. The organization and concept of operations allow flexibility and discretion through command and control of the incident, using the concepts of the ICS. Emergency operations will be managed per the NIMS.
- The Town government must continue to function throughout a disaster or emergency situation. Depending upon the scope and magnitude of the incident, concurrent implementation of the Town of Occoquan Continuity of Operations Plan (COOP) may be necessary.
- Town departments may be required to respond on short notice and at any time of the day or night to provide adequate and timely assistance. It is the responsibility of each department to ensure staff and assets are trained, prepared, and available to respond.
- During emergencies, capabilities to respond to collateral and unrelated emergency situations must be maintained, further impacting the availability of resources for the emergency incident.
- Preparedness activities are a critical component of emergency management. Achieving and maintaining effective citizen and community preparedness reduces the immediate demands on response organizations. Community preparedness requires the Town to engage in continual and ongoing public awareness and education programs to ensure residents and businesses will take appropriate advance actions to reduce their vulnerability and increase their readiness for emergencies.
- Emergency preparedness is everyone's responsibility. Residents, business owners, and government staff should all understand their personal preparedness responsibilities and be educated on appropriately preparing for maintaining self-sufficiency in an emergency situation.

Capability Assessment

The Town of Occoquan recognizes its limitations in its ability to handle complex incidents. The Town relies solely on outside agencies for fire suppression, emergency medical services, and hazardous materials response and sheltering. The external organizations responsible for handling these tasks are comprised of local, state, and federal departments/agencies.

Concept of Operations

This EOP is the framework by which the Town will respond to events of high complexity emergencies or incidents. The Town Emergency Management Coordinator is responsible for maintaining comprehensive situational awareness of all incidents that may increase in complexity/impact. Below a framework of incident complexity (which was adapted from the Federal Emergency Management Agency Incident Complexity Guide) is provided for reference, beginning with the least complex incident, a Type 5 incident.

TYPE	INCIDENT INDICATORS	EXAMPLES
Type 5	<ul style="list-style-type: none"> • Incident shows no resistance to stabilization or mitigation • Incident objectives typically met within one or two hours once resources arrive on scene • Minimal effects to population immediately surrounding the incident; few or no evacuations needed during mitigation • No adverse impact on critical infrastructure and key resources (CIKR) • Elected/appointed governing officials and stakeholder groups require little or no interaction and may not need notification • Conditions or actions that caused the original incident do not persist; as a result, there is no probability of a cascading event or exacerbation of the current incident 	<p>Type 5 incidents and exercises can include a vehicle fire, a medical response to an injured/sick person, or a high-risk felony traffic stop.</p> <p>Planned events can include a 5K or 10K road race.</p>

<p>Type 4</p>	<ul style="list-style-type: none"> • Incident shows little resistance to stabilization or mitigation • Incident objectives typically met within several hours once resources arrive on scene • Incident may extend from several hours to 24 hours • Limited effects to population surrounding incident; few or no evacuations necessary during mitigation 	<p>Type 4 incidents and exercises can include a barricaded suspect, a hazardous materials (HAZMAT) spill on a roadway or waterway, a large commercial fire, or a localized flooding event affecting a neighborhood or subdivision.</p>
<p>Type 4</p>	<ul style="list-style-type: none"> • Incident threatens, damages, or destroys a minimal number of residential, commercial, cultural or environmental properties • CIKR may suffer adverse impacts, but mitigation measures are uncomplicated and can be implemented within 24 hours • Elected/appointed governing officials and stakeholder groups require little or no interaction, but they may need to be notified • Conditions or actions that caused the original incident do not persist; as a result, there is little to no probability of a cascading event or exacerbation of the current incident 	<p>Planned events include single day events with a smaller attendance and limited resources deployed.</p>
<p>Type 3</p>	<ul style="list-style-type: none"> • Incident shows some resistance to stabilization or mitigation • Incident objectives typically not met within the first 24 hours after resources arrive • Incident may extend from several days to one week • Population within and immediately surrounding incident area may require evacuations during mitigation • Incident threatens, damages, or destroys residential, commercial, or cultural properties • CIKR may suffer adverse impacts, and mitigation actions may extend into multiple operational periods • Elected/appointed governing officials and stakeholder groups require some level of interaction • Conditions or actions that caused the incident may persist; as a result, there is some possibility of a cascading event or exacerbation of the current incident 	<p>Type 3 incidents and exercises can include a tornado that damage a small section of Town; HAZMAT leak requiring evacuation of a neighborhood or section of a community; an active shooter; a sink hole; a water main break; a Category 1 or 2 hurricane; or a small aircraft crash in a populated area.</p> <p>Planned events include those that are multi-day, have a large attendance or require a large deployment of resources to support.</p>

<p>Type 2</p>	<ul style="list-style-type: none"> • Incident shows high resistance to stabilization or mitigation • Incident objectives typically not met within the first several days • Incident may extend from several days to two weeks • Population within and surrounding the general incident area are affected and may require evacuation during mitigation • Incident threatens damages, or destroys residential, commercial, and cultural properties 	<p>Type 2 incidents and exercises can include a tornado with damage to an entire section of a city, village, or Town; HAZMAT leak requiring a several-dayslong evacuation of an entire section of Town; a wildland fire in an area with numerous residences, requiring evacuations and</p>
<p>Type 2</p>	<ul style="list-style-type: none"> • CIKR may suffer adverse impacts, including destruction, and mitigation actions may extend into multiple operational periods, requiring considerable coordination • Elected/appointed governing officials, political organizations, and stakeholder groups require a moderate level of interaction • Incident has resulted in external influences, has widespread impact, and involves political and media sensitivities requiring comprehensive management • Conditions or actions that caused the original incident may persist, so a cascading event or exacerbation of the current incident is likely 	<p>several days of firefighting to bring under control; or a river flooding event affecting an entire section of Town, with continued precipitation anticipated.</p> <p>Planned events can include a VIP visit, a large demonstration or strike, or a large concert.</p>
<p>Type 1</p>	<ul style="list-style-type: none"> • Incident shows high resistance to stabilization or mitigation • Incident objectives cannot be met within numerous operational periods • Incident extends from two weeks to over a month or longer • Population within and surrounding the region or state where the incident occurred is significantly affected • Incident threatens, damages, or destroys significant numbers of residential, commercial, and cultural properties • Elected/appointed governing officials, political organizations, and stakeholder groups require a high level of interaction 	<p>Type 1 incidents and exercises can include a tornado with damage or destruction to an entire community; a multi-level terrorist attack; a Category 3, 4, or 5 hurricane; a pandemic; a large wind-driven wildland fire threatening the entire Town, causing several evacuations and destroying many homes, businesses, and critical infrastructure assets; or a widespread river flooding event in Town, with continued precipitation anticipated.</p>

<p>Type 1</p>	<ul style="list-style-type: none"> • Incident has resulted in external influences, has widespread impact, and involves political and media sensitivities requiring comprehensive management • Conditions or actions that caused the original incident still exist, so a cascading event or exacerbation of the current incident is likely 	<p>Planned events could include a political convention, the Super Bowl, the World Series, or a presidential visit</p>
---------------	---	---

When the Town Emergency Management Coordinator becomes aware of an event that is increasing in complexity or community impact, the first step is to notify Town leadership of the details surrounding the event to ensure awareness and begin creating a Common Operating Picture (COP). This notification is accomplished by issuing an informational bulletin or spot report. At a minimum, the informational document will include the following details:

- Type of incident
- A brief narrative of impacts
- Timeframe
- Required action or follow-up.

This bulletin will be issued primarily via email, however redundant systems are in place to distribute this message via text/SMS.

If at the discretion of the coordinator, the event is of such scope or magnitude to require support from multiple Town departments, a recommendation to open the TEOC will be made to the Town Manager. This activation signals the shift to a centralized and coordinated response. The primary goal of the TEOC is to coordinate response across all departments to streamline response and recovery operations. This goal is achieved by setting overarching objectives, providing accurate and timely event-specific information, and coordinating the deployment of resources required to stabilize the event. Departments will provide qualified personnel to fill roles in the TEOC to support field operations. Additionally, the coordinator may recommend a declaration of local emergency to the Town Manager.

When all recovery objectives have been met, the TEOC Manager will begin to demobilize personnel to return to their normal day-to-day jobs. The size, scale, and complexity of the significant event will determine the amount of time until full demobilization. It is important that all resources (human and equipment) must be accounted for and provided adequate time for rest or repair, before fully demobilizing.

Organization and Assignment of Responsibility

Individuals and groups who have functional and/or operational responsibilities before, during, or after a significant event are outlined within this section of the EOP. The Town Emergency Management Coordinator may engage any Town department and assign specific tasks or missions even if the department is not pre-identified in this EOP.

Town Council

The Town Council is the Town's legislative body and is empowered by the Town Charter to make Town policy. The Council is composed of a Mayor and five Council members. If the Mayor is incapacitated or otherwise unavailable, the duties will fall to the Vice Mayor who was selected by the council. During an emergency, the Town Council:

- Serves as a conduit of information to and from constituents sharing incident information with Town staff
- Endorses a declaration of local emergency in accordance with Chapter 34 of the Town Code and Title 44 of the Code of Virginia
- Liaise with elected officials of other jurisdictions

Prior to a significant event, the Town Council plays an important role in Town wide preparedness through the following actions:

- Adopting and promulgating the Town of Occoquan Emergency Operations Plan
- Adopting the Northern Virginia Hazard Mitigation Plan
- Providing funding for preparedness, response and mitigation activities based on recommendations from the Emergency Management Coordinator

Town Manager

Town Manager is designated as the Director of Emergency Management. If the Town Manager is unavailable, powers shall pass to a successor official, in the following order: Chief of Police, Deputy Chief of Police, Deputy Town Manager, Emergency Management Coordinator. During an emergency, the director is authorized to:

- Endorses a declaration of local emergency in accordance with Chapter 34 of the Town Code and Title 44 of the Code of Virginia
- Implement any applicable emergency plan and mutual aid agreements
- Enter into contracts and incur obligations necessary to combat such threatened or actual disaster
- Protect the health and safety of persons and property and provide emergency assistance to the victims of such disaster
- Direct any Town employees to work at such hours and to perform such duties as are reasonably necessary to help protect and serve the public

- Request assistance from the Prince William County Administrator, Prince William County public safety agencies, the director of public health, or any other public official to make employees, officials, facilities, and equipment available to assist as needed with emergency efforts
- Order an emergency curfew
- Order the evacuation of areas of the Town.

Prior to a significant event, the Director of Emergency Management plays an important role in Town-wide preparedness through the following actions:

- Provide strategic direction to the Town Comprehensive Emergency Management Program (CEMP)
- Approve grant funding applications for preparedness, response, or mitigation activities
- Approve and authorize mutual aid agreements or memorandum of understanding supporting incident response

Emergency Management Coordinator

The Emergency Management Coordinator is responsible for the day-to-day management of the comprehensive emergency management program. During an emergency, the coordinator:

- Requests Emergency Declaration with Prince William County
- Ensures overall coordination between all Town departments and partner agencies to achieve emergency management goals
- Implements mutual aid agreements or requests resources from the Prince William County EOC
- Issues public alerts and warnings
- Maintains a COP and shares situational awareness with partner agencies at the local and state level
- Maintains a written record of all official actions taken hereunder for later review by applicable state, federal and local agencies

Prior to a significant event, the coordinator:

- Maintains the Town of Occoquan Emergency Operations Plan
- Assists departments with identifying and closing capability gaps
- Maintains awareness of Town resources and assists with the development of mutual aid agreements as required
- Provides training to educate personnel on their assigned roles and responsibilities
- Conducts exercises to test and refine plans and procedures
- Coordinates with local, state, and federal agencies to increase preparedness
- Conducts public outreach to educate and prepare residents and businesses

Town Government Departments

- Develops, maintains, and reviews detailed plans and procedures to support incident response and recovery
- Identifies sources of emergency supplies, equipment, and transportation
- Implements and maintains mutual aid agreements to support operations in the event resources become overwhelmed
- Maintains records of disaster-related expenditures and actions
- Protects and preserves records essential for the continuity of government
- Establishes and maintains a line of succession of key emergency personnel

Residents

During a significant event, residents are the first to respond, taking critical first steps before the arrival of responding personnel to protect lives and property. Resident preparedness is a critical component of the overall resiliency of the Town. All residents are encouraged to:

- Develop an emergency plan based on the hazards presented in this Plan
- Regularly test, review and update your personal Plan
- Maintain a well-supplied emergency kit
- Maintain multiple ways to receive emergency information from Town officials

Private Sector

Private sector organizations support emergency management through all phases. In the preparedness phase, they share information with the local government, identify risks, perform vulnerability assessments, and develop emergency response and business continuity plans to enhance their overall readiness. During the response and recovery phases, the private sector implements plans and may donate goods and services through contractual arrangements or government purchases. The Town strives to integrate the private sector into its emergency response activities and encourages these organizations to develop and maintain capabilities to respond and manage events of all size, scope and complexity.

Direction, Control, and Coordination

EOC Operations

The Town Emergency Operations Center (TEOC) serves as the central hub for incident coordination, focusing on sharing incident information and centralizing allocation of resources. The physical space provides audio visual and communications technology that allows staff to collect, analyze, and report incident specific information and create a common operating picture. The coordinator, or designee, is responsible for the maintenance and readiness of the TEOC.

All Town departments will cooperate in full with all directives from the Town Manager or the Emergency Management Coordinator. During a significant event, Town departments will:

- Provide personnel qualified and authorized to act on behalf of their department to the TEOC
- Maintain and report situational awareness regarding activities within the department's area of responsibility
- Notify the Emergency Management Coordinator of any resource deficiencies and provide detailed resource request information
- Maintain documentation of all actions taken supporting incident response to include cost tracking procedures

The coordinator makes the recommendation to the Town Manager to activate the TEOC at one of three levels listed below depending on the size, scope and complexity of the event:

1. **MONITORING:** Activation of representatives from key agencies to maintain situational awareness of an emerging or impending event
2. **PARTIAL:** Activation of two or less personnel
3. **FULL:** Activation of four or more personnel

The coordinator will also ensure the following actions are completed:

- Create the initial Incident Action Plan (IAP)
- Ensure the operational status of all TEOC equipment
- Notify PWC-OEM and Virginia Department of Emergency Management (VDEM) of the activation

Operational periods in the TEOC will not exceed 12 hours, and if 24-hour operations are warranted, two 12-hour shifts will be implemented. Personnel will be provided adequate rest periods to ensure their safety and well-being.

Briefings

Briefings are an essential part of any TEOC activation. Each operational period will begin with a briefing that includes the following information:

- Situation overview
- Personnel assignments
- Review current objectives, unmet resources, and future actions
- Questions and answers

Following this formal briefing, personnel speak with the people they are relieving to gather any more specific information that was not covered in the larger briefing.

Coordination with Prince William County EOC

The Town recognizes that an incident of significance may require the activation of the Prince William County EOC. In the event of a PWC EOC activation, the Town will ensure that coordination processes are not being duplicated. The Town may deploy personnel to the PWC EOC to assist with staffing, information sharing, and resource requests to achieve coordination.

Emergency Declaration

Declarations of emergency are the responsibility of Prince William County. However, the Chief of Police or Coordinator of Emergency Management may communicate a need or desire that Prince William County officials declare an emergency within the town. Prior to requesting a declaration of a local emergency to Prince William County, the Chief of Police or the Coordinator of Emergency Management shall attempt to obtain the consent of the Town Mayor. However, if such consent is not reasonably practical under emergent circumstances, then a declaration request shall nevertheless be transmitted as valid and of full force and authority.

During limited incidents or emergencies not rising to the level of a formal declaration of emergency but requiring enhanced and atypical emergency steps on behalf of the town's departments, offices, or personnel, the Chief of Police or Coordinator of Emergency Management, may take any or all actions to respond to or mitigate a threat, natural or manmade.

A local emergency is defined as the condition declared by the local governing body when in its judgment, the threat or actual occurrence of an emergency or disaster is or threatens to be of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate the damage, loss, hardship or suffering threatened or caused thereby. A declaration of local emergency shall activate this Plan and authorize the furnishing of aid and assistance thereunder.

The declaration shall be in writing and shall remain in effect for 45 days or until confirmed, modified, extended, or canceled by an official recorded council vote, whichever occurs first. If the council extends the declaration, it shall state the length of the extension and the conditions and procedures under which it shall be ended. When all emergency actions have been taken in the judgment of the council, the governing body shall take appropriate action to end the declared emergency.

Information Collection, Analysis, and Dissemination

The Planning Section in the TEOC will be responsible for the collection, analysis, and dissemination of incident-specific information through various mechanisms, including situation status reports, briefings, email communication, maps, graphics, and the Town Emergency Management Microsoft (MS) Teams Channel.

Each support function will be responsible for establishing the necessary communication and coordination mechanisms with partner organizations for information sharing and situational awareness.

The Occoquan Police Department receives intelligence products from various methods, including the Virginia Fusion Center (VFC), Northern Virginia Regional Intelligence Center (NVRIC), and other state, and federal fusion and intelligence centers. The OPD will be responsible for sharing pertinent information with the Planning Section before or during an incident or event. The OPD will also be responsible for reporting terrorist or potential terrorist activity to the Virginia Fusion Center.

During an activation of the TEOC, a situation report will be developed and issued at the end of each operational period or more frequently if necessary. Each activated support function will gather and provide information to the Planning Section. The Planning Section will be responsible for analyzing and developing a draft situation report that will be reviewed and approved by the TEOC manager before release.

Communications

Effective communications are critical for staff response, intergovernmental coordination, public awareness, and rumor control. The Town has in place robust and redundant systems, both internal and external, to facilitate incident-related communications.

Internal

The Town maintains or has access to multiple communications systems and infrastructure to facilitate critical communications during a significant event, including:

- Internal Microsoft suite system (email/teams)
- Internal VOIP phone system
- FirstNet cellular telephone service
- Prince William County-owned and operated public safety radio system
- Prince William-hosted Everbridge notification system

External

During a significant event, the Town uses a variety of means to communicate with residents, businesses, and visitors, including:

- Media notification to local print, radio, and television media
- Updates to the Town's website
- Postings to the Town's social media sites
- Electronic alerts through the AlertOccoquan (Everbridge) notification system
- Access to Wireless Emergency Alerts (WEA) or the Emergency Alert System (EAS) coordinated through PWC-OEM
- Electronic signboards, as available
- Public notices posted at Town facilities, time and circumstances permitting
- Announcements via public safety vehicles, time and circumstances permitting
- Door-to-door notification, time and circumstances permitting
- Press conferences and briefings

Throughout the event and during the recovery phase, the Public Information Office (PIO) will ensure that available information is disseminated to the public regarding:

- Town response/recovery activities
- Safety information (boil water notices, etc.)
- Restricted areas
- Movement or travel restrictions
- Shelter location(s)
- Types and locations of emergency assistance available
- Changes to Town services
- Other pertinent information

Resource Management

Before, during, and after a significant event, resource management is critical to a successful response. The Town follows NIMS best practices to conduct comprehensive resource management.

Preparedness

In the preparedness phase, resource management focuses on four key areas: identifying and typing resources; qualifying, certifying, and credentialing personnel; planning for resources; and acquiring, storing, and inventorying resources.

Identifying and Typing

Resource typing definitions establish a common language for discussing resources and defining minimum capabilities for personnel, teams, facilities, equipment, and supplies. All Town departments will maintain up-to-date resource inventories and work with the Emergency Management Coordinator annually to type resources using the FEMA Resource Typing Library Tool. This preparation will allow the Town to stand ready to support mutual aid requests and ensure horizontal and vertical integration with responding local, state, and federal response agencies if resources need to be requested to support Town response operations.

Qualifying, Certifying, and Credentialing Personnel

Qualifying, certifying, and credentialing are the essential steps that ensure that personnel deploying through mutual aid agreements have the knowledge, experience, training, and capability to perform the duties of their assigned roles. The Emergency Management Coordinator will establish minimum training requirements for personnel supporting Town response operations and certify and credential individuals who have demonstrated proficiency.

Planning for Resources

The Town Emergency Management Coordinator will complete a Threat and Hazard Identification and Risk Assessment (THIRA), which should be conducted every four years. Through this collaborative process, Town departments can identify resource requirements based on the threats to and vulnerabilities of the Town. Additionally, pre-event resource planning should consider:

- Storage of critical resources
- Establishing mutual aid agreements to obtain resources from neighboring jurisdictions
- Determining how and where to reassign existing resources from non-essential tasks
- Developing contracts to acquire resources from vendors rapidly when needed

Acquiring, Storing, and Inventorying Resources

The Town maintains many resources to support daily operations but should also incorporate planning focused on periodic replenishments, preventive maintenance, and capital improvements to support response operations. Planning should also consider the potential for large or complex incidents that may require ancillary support, supplies, or spaces. Effective resource management involves establishing a resource inventory and maintaining the currency and accuracy of the information. Each department should keep an accurate resource inventory and promptly report needs to the Emergency Management Coordinator.

During an Event

During a significant event, the TEOC facilitates resource management by identifying requirements, ordering and acquiring, mobilizing, tracking, and demobilizing.

Identifying Requirements

A principal objective of the TEOC is to ensure that field personnel have the resources they need to complete incident objectives. TEOC personnel should continually identify, validate, and refine resource needs during activation, which may change frequently during a complex event.

Ordering and Acquiring

Field and TEOC Personnel should work collaboratively to identify:

- Description of required capability or kind and type (if resource typing is known)
- Quantity needed
- Procurement source (if known)
- Required arrival date and time
- Required delivery or reporting location
- Who will receive and use the resource(s)

Once the information is known, TEOC personnel may begin acquiring the resource through the following sequential steps:

- Confirm the Town does not already have the requested resource
- Request the resource through PWC-OEM
- Acquisition through existing Town contract

Resource requests should include the following:

- Capability
 - Description of what you need and what it will be used for
- Size
 - A physical size descriptive word (small, large, adult, child, 4'x4')
- Amount
 - Numerical value
- Location
 - Address or coordinates where the resource will report
- Type
 - Unless the resource is FEMA typed, utilize descriptive words
- Timeframe needed
 - When you need the resource

Mobilization

Mobilization involves readying the resource for operations and providing the following critical information to the support department or agency:

- Reporting location (address, on-site point of contact, phone number, radio frequency)
- Anticipated incident assignment
- Anticipated duration of deployment
- Just-in-time training outlining Town geography, operations, and any other pertinent information

Resource Tracking

Once the resource has completed the assigned task, it may be reassigned or demobilized. The resource will report to check-out, and a number of functions may occur:

- Rehabilitation
- Replenishment
- Disposal
- Returned to operational condition

TEOC personnel will then update the event documentation to match the disposition identified in the check-out process.

Training and Exercise

A thorough training and exercise program is essential to support the effective implementation of the EOP. The Emergency Management Coordinator is responsible for the overall design and execution of training and exercises to support emergency operations utilizing the Homeland Security Exercise and Evaluation Program (HSEEP). This will be accomplished through a comprehensive Test, Training, and Exercise (TT&E) plan. Annually, the Town departments and partner agencies will assist the coordinator with identifying training/exercise priorities and target capabilities to develop a yearly training and exercise plan.

This Plan will ensure that staff members from all departments with assigned roles and responsibilities are trained and prepared for response and recovery operations.

The Town will also coordinate with Prince William County to ensure integration with training and exercise efforts at the county level. Departments are encouraged to engage in training and exercises with local and regional partner agencies.

Improvement Planning

The Town will conduct improvement planning after exercises and incidents to ensure continual learning and capacity building. The improvement planning process aims to identify both strengths and measurable corrective actions to enhance preparedness, response, and recovery activities. Actions identified during the improvement planning process will help strengthen elements of the organization's capability to plan, organize/equip, train, and exercise consistent with HSEEP process.

The Emergency Management Coordinator will facilitate the review process post-exercise or incident with affected departments focusing on:

- Discussion of strengths and areas of improvement by each department
- Prioritization of correction actions identified by participants
- Initiation of Plan, policy or procedure review or development
- Identification of needed training, equipment, or other resources
- Corrective action tracking and implementation

Victim Services Reporting

Per the Code of Virginia § 44-146.19E, the Virginia Department of Criminal Justice Services (DCJS) and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in § 19.2-11.01. DCJS has developed an online reporting form that can be accessed at: <https://www.dcjs.virginia.gov/victims-services/report-campus-local-emergency>.

Additional points of contact for DCJS / Virginia Victims Fund can be found below:

Department of Criminal Justice Services

Julia Fuller-Wilson, State Crisis Response Coordinator

- During office hours: (804) 371-0386
- After hours: (804) 840-4276

Virginia Victims Fund (officially the Criminal Injuries Compensation Fund)

Kassandra Bullock, Director

- During office hours: (804) 367-1018

Leigh Snellings, Assistant Director

- During office hours: 1-800-552-4007

Authorities and Reference

The following authorities and references constitute the statutory and operational basis for response to a significant event in the Town of Occoquan.

Authorities:

- Federal
 - Disaster Mitigation Act of 2000, Public Law 106-390
 - Homeland Security Act of 2002, 6 U.S.C. 101, et seq., as amended
 - Homeland Security Presidential Directive 5, Management of Domestic Incidents, February 28, 2003
 - Homeland Security Presidential Directive 8, National Preparedness, December 17, 2003
 - Post-Katrina Emergency Management Reform Act of 2006, Public Law 109-295
 - Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93- 288, as amended
- State
 - Code of Virginia, Title 44 Military and Emergency Laws, Chapter 3.2 Emergency Services and Disaster Law
 - Commonwealth of Virginia Emergency Services and Disaster Law of 1973, as amended. Commonwealth of Virginia's State-Wide Mutual Aid Compact
- Local
 - Town Code of Occoquan Virginia, Chapter 34 Public Safety
 - Prince William County Emergency Operations Plan

References:

- Federal
 - Homeland Security Exercise and Evaluation Program (HSEEP), January 2020
 - National Incident Management System, Third Edition, October 2017
 - National Preparedness Goal, Second Edition, September 2015
 - National Response Framework, Fourth Edition, October 2019
- State
 - Commonwealth of Virginia Emergency Operations Plan (COVEOP)
 - Virginia Department of Emergency Management Locality Plan Template
- Local
 - Town of Occoquan – Comprehensive Emergency Management Program
 - Town of Occoquan – Continuity of Operations Plan
 - Prince William County Emergency Operations Plan
 - Northern Virginia Hazard Mitigation Plan
 - Metropolitan Washington Council of Governments Regional Emergency Coordination Plan, September 2011



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
 Agenda Communication

11. Discussion Items	Meeting Date: January 21, 2025
11A. Tax on Sale of Cigarettes	

Attachments: a. Example Draft Ordinance

Submitted by: Adam C. Linn
 Town Manager

Explanation and Summary:

This is a discussion item to discuss the Town’s interest in joining the Northern Virginia Cigarette Tax Board (NVCTB) and adopting a cigarette tax. The Town Attorney will present on the matter.

Per § 58.1-3830 of the Code of Virginia, the Town is authorized to levy taxes on the sale or use of cigarettes. The recommended way to most effectively administer the cigarette sales tax is by joining the NVCTB. Attached is an example of a draft ordinance that both adopts a cigarette tax for the Town and recognizes the NVCTB as the administrator of the tax. The Town would first need to apply for and gain membership in the Board prior to enacting an ordinance similar to the attached.

If adopted, the ordinance would amend Chapter 35: Taxation of the Town Code to include this tax on cigarettes. The ordinance would need to be properly noticed per VA Code as well.

Background:

The Northern Virginia Cigarette Tax Board (NVCTB) was organized in 1970 and administers and enforces local cigarette taxes on behalf of member jurisdictions throughout Northern Virginia. Because cigarettes are a controlled substance, administration and enforcement of the tax is complex, requiring local and state tax stamping, inventory control, and payment prior to the sale. Collected tax revenue is distributed to localities to supplement general fund revenue.

The NVCTB represents the counties of Fairfax, Fauquier, Loudoun, Prince William, Spotsylvania, Stafford, cities of Alexandria, Fairfax, Falls Church, Fredericksburg, Manassas, Manassas Park, and the towns of Clifton, Dumfries, Haymarket, Herndon, Hillsboro, Leesburg, Lovettsville, Middleburg, Purcellville, Remington, Round Hill, Vienna, and Warrenton.

Staff Request: Provide staff direction on Town’s membership in the NVCTB and enacting a tax on the sale of cigarettes.

TOWN OF OCCOQUAN, VIRGINIA
ORDINANCE AMENDMENT # _____

An Ordinance Amending the Taxation Ordinances

WHEREAS, pursuant to § 58.1-3832 and § 58.1-3830 of the Code of Virginia, 1950, as amended, the Town of Occoquan (the “Town”) is authorized to impose a tax on the sale, use, or distribution of cigarettes within its jurisdictions; and

WHEREAS, the Town Council recognizes that participation in the Northern Virginia Cigarette Tax Board will ensure the efficient administration, collection, and enforcement of such a tax, as well as regional uniformity in the application of cigarette taxation policies; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Occoquan, Virginia does hereby amend Chapter 35 of the Occoquan Town Code as follows:

CHAPTER 35 - TAXATION
ARTICLE 35.05. CIGARETTE TAX

Sec. 35-052. Definitions.

For purposes of this Article, the following definitions shall apply unless the context clearly indicates otherwise:

Board or NVCTB means the Northern Virginia Cigarette Tax Board.

Carton means any container, regardless of material used in its construction, in which ten packages of cigarettes are placed.

Cigarette means any roll of any size or shape for smoking, whether filtered or unfiltered, with or without a mouthpiece, made wholly or partly of cut, shredded or crimped tobacco or other plant or substitute for tobacco, whether the same is flavored, adulterated or mixed with another ingredient, if the wrapper or cover is made of any material other than leaf tobacco or homogenized leaf tobacco, regardless of whether the roll is labeled or sold as a cigarette or by any other name.

Cigarette machine operator means any individual, entity, partnership or corporation engaged in the sale of packages of cigarettes from vending machines.

Town means Town of Occoquan, Virginia.

Dealer means every manufacturer's representative, self-wholesaler, wholesaler, or other person who shall sell, receive, store, possess, distribute or transport cigarettes within or into the Town.

Package means any container, regardless of the material used in its construction, in which separate cigarettes are placed without such cigarettes being placed into any container within the package. Packages are those containers of cigarettes from which individual cigarettes are ordinarily taken when they are consumed by their ultimate user. Ordinarily a package contains 20 cigarettes; however, the term "package" includes those containers in which fewer or more than 20 cigarettes are placed.

Person means any individual, firm, unincorporated association, company, corporation, joint stock company, group, agency, syndicate, trust or trustee, receiver, fiduciary, partnership and conservator. The word "person," as applied to a partnership, unincorporated association or other joint venture, means the partners or members thereof, and as applied to a corporation shall include all the officers and directors thereof.

Place of business means any place where cigarettes are sold, placed, stored, offered for sale or displayed for sale or where cigarettes are brought or kept for the purpose of sale, consumption or distribution, including vending machines, by dealers within the Town.

Registered agent means every dealer and other person who shall be required to report and collect the tax on cigarettes under the provisions of this article.

Retail dealer means and includes every person who, in the usual course of business, purchases or receives cigarettes from any source whatsoever for the purpose of sale within the Town to the ultimate consumer; or any person who, in the usual course of business, owns, leases or otherwise operates within his own place of business, one or more cigarette vending machines for the purpose of sale of cigarettes within the Town to the ultimate consumer; or any person who, in any manner, buys, sells, stores, transfers or deals in cigarettes for the purpose of sale within the Town to the ultimate consumer, who is not licensed as a wholesaler or vending machine operator.

Sale or sell means every act or transaction, regardless of the method or means employed, including barter, exchange or the use of vending machines or other mechanical devices or a criminal or tortuous act whereby either ownership or possession, or both, of any cigarettes shall be transferred within the Town from a dealer to any other person for a consideration.

Stamp means a small gummed piece of paper or decal used to evidence provision for payment of the tax as authorized by the Northern Virginia Cigarette Tax Board, required to be affixed to every package of cigarettes sold or used within the Town.

Store or storage means any keeping or retention of cigarettes in this Town for any purpose except sale in the regular course of business.

Treasurer means the treasurer of the Town, or any of his duly authorized deputies or agents.

Use means the exercise of any right or power over any cigarettes or packages of cigarettes incident to the ownership or possession of those cigarettes or packages of cigarettes including any transaction where possession is given or received or otherwise transferred, other than a sale.

User means any person who exercises any right or power over any cigarettes or packages of cigarettes subject to the provisions of this article incident to the ownership or possession of those cigarettes or packages of cigarettes or any transaction where possession is given or received or otherwise transferred, other than a sale.

Wholesale dealer means any individual, partnership or corporation engaged in the sale of cigarettes for resale into or within the Town.

State law reference(s)—Definitions pertaining to state cigarette tax, Code of Virginia, § 58.1-1000.

Sec. 35-052. Levy and Rate.

In addition to all other taxes of every kind now or hereafter imposed by law, there is hereby levied and imposed by the Town, upon every person who sells or uses cigarettes within the Town, an excise tax as established by an uncodified ordinance enacted by the Town council. The tax shall be paid to the Town treasurer and collected in the manner and at the time hereinafter prescribed in this article; provided that the tax payable for each cigarette or cigarette package sold or used within the Town shall be paid but once.

State law reference(s)—Power to levy cigarette tax, Code of Virginia, §§ 58.1-3830, 58.1-3840.

Sec. 35-053. Methods of collection; stamps.

- (a) The tax imposed by this article shall be evidenced by the use of a stamp and shall be paid by each dealer or other person liable for the tax under a reporting method deemed by the NVCTB to carry out the provisions of this article. The stamps shall be affixed in such a manner that their removal will require continued application of water or steam. Each dealer or other person liable for the tax is hereby required, and it shall be his duty, to collect and pay the tax and report all packages of cigarettes on forms prescribed for this purpose by the NVCTB:

- (1) The quantity of NVCTB stamped cigarettes sold or delivered to:
 - a. Each registered agent appointed by the NVCTB for which no tax was collected;
 - b. Each manufacturer's representative; and
 - c. Each separate person and place of business within the Town during the preceding calendar or fiscal month.
 - (2) The quantity of NVCTB stamps on hand, both affixed and unaffixed, on the first and last day of the preceding calendar month and the quantity of NVCTB stamps or NVCTB stamped cigarettes received during the preceding calendar month.
 - (3) The quantity of cigarettes on hand to which the NVCTB stamp has not been affixed on the first and last day of the preceding calendar month and the quantity of cigarettes received during the preceding calendar month to which the NVCTB stamps had not been affixed.
 - (4) Such further information as the administrator for the NVCTB may require for the proper administration and enforcement of this article for the determination of the exact number of cigarettes in the possession of each dealer or user.
- (b) Each dealer or other person liable for the tax shall file such reports with the NVCTB and pay the tax due to the NVCTB prior to the due date, and shall furnish copies of all cigarette tax reports submitted to the Virginia Department of Taxation.
 - (c) When, upon examination and audit of any invoices, records, books, cancelled checks or other memoranda touching on the purchase, sale, receipt, storage or possession of tobacco products taxed in this article, any dealer or other person liable for the tax is unable to furnish evidence to the NVCTB of sufficient tax payments and stamp purchases to cover cigarettes which were sold, used, stored, received, purchased or possessed by him, the prima facie presumption shall arise that such cigarettes were received, sold, used, stored, purchased or possessed by him without the proper tax having been paid. The NVCTB shall, from the results of such examination and audit based upon such direct or indirect information available, assess the tax due and unpaid and impose a penalty of ten percent and may impose interest of three-quarters percent per month of the gross tax due.
 - (d) When any dealer or other person liable for the tax files a false or fraudulent report or fails to file a report or fails to perform any act or performs any act to evade payment of the tax, the NVCTB shall administratively assess the tax due and unpaid and impose a penalty not to exceed 50 percent of the tax due and interest of three-quarters percent per month of the gross tax due.
 - (e) The dealer or other person liable for the tax shall be notified by certified mail of such deficiency and such tax, penalty and interest assessed shall be due and payable within ten days after notice of such deficiency has been issued. Every dealer or other person liable for the tax shall examine each package of cigarettes to ensure that the NVCTB stamp has been affixed thereto prior to offering them for sale.
 - (f) Any dealer or other person liable for the tax who shall receive cigarettes not bearing the NVCTB stamp shall, within one hour of receipt of such cigarettes, commence and with all reasonable diligence continue to affix the NVCTB stamp to each and every package of cigarettes until all unstamped packages of cigarettes have been stamped and before offering such cigarettes for sale. Any dealer or other person liable for the tax who has notified the NVCTB that he is engaged in interstate or intrastate business shall be permitted to set aside such part of his stock as may be legally kept for the conduct of such interstate or intrastate business (that is, cigarettes held for the sale outside the jurisdiction of the NVCTB) without affixing the stamps required by this article. Any such interstate or intrastate stock shall be kept entirely separate and apart from the NVCTB stamped stock, in such a manner as to prevent the commingling of the interstate or intrastate stock with the NVCTB stock. Any dealer or other person liable for the tax found to have untaxed cigarettes which have been lost whether by negligence, theft or any other unaccountable loss, shall be liable for and shall pay the tax due thereon.
 - (g) It shall also be the duty of each dealer or other person liable for the tax, and he is hereby required, to maintain and keep for a period of three years, not including the current calendar year, records of cigarettes received, sold, stored, possessed, transferred or handled by him in any manner whatsoever, whether the cigarettes were stamped or unstamped, to make all such records available for audit, inspection and examination and to make

available, at all reasonable times, the means, facilities and opportunity for making such audit, inspection or examination upon demand of the NVCTB.

State law reference(s)—Administration and enforcement of tax, Code of Virginia, § 58.1-3832.

Sec. 35-054. Registered agents.

- (a) Any dealer or other person liable for the tax imposed by this article who shall sell, use, store, possess, distribute or transport cigarettes within or into the Town shall first make application to the NVCTB to qualify as a registered agent. Such application blank, which shall be supplied upon request, shall require such information relative to the nature of the business engaged in by the applicant as the NVCTB deems necessary for the administration and enforcement of this article. There is a yearly registration fee for all wholesale dealers and for all cigarette machine operators. Applicant shall provide a surety bond to the NVCTB of 150 percent of his average monthly tax liability, with a surety company authorized to do business in the Commonwealth of Virginia. Such bond shall be so written that, on timely payment of the premium thereon, it shall continue in force from year to year. Any applicant whose place of business is outside the Town shall automatically, by filing his application, submit himself to the NVCTB's legal jurisdiction and appoint the administrator for the NVCTB as his agent for any service of lawful process.
- (b) Upon receipt of the properly completed required application forms, and the required surety bond executed, the NVCTB shall determine whether the said applicant qualifies to be a registered agent. The NVCTB will issue said qualified applicant a yearly registered agent permit to qualify him to purchase, sell, use, store, possess, distribute or transport within or into the Town, NVCTB stamped cigarettes.
- (c) Registered agents shall agree to the reporting and payment requirements placed upon them by this article and the rules and regulations as from time to time may be promulgated by the NVCTB. When any registered agent's monthly report and payment of the tax is not received within the dates prescribed, the NVCTB shall impose a late reporting penalty of ten percent of the gross tax due or \$10.00, whichever is greater, but in no event more than \$1,000.00. The NVCTB may also require such registered agent to provide proof that he has complied with all applicable laws of the Commonwealth of Virginia to legally conduct such business and to file financial statements showing all assets and liabilities. The NVCTB may revoke or suspend any registered agent's permit due to failure to file tax reports in a timely manner, nonpayment of taxes due or if the cigarette tax surety bond should become impaired for any reason.

State law reference(s)—Administration and enforcement of tax, Code of Virginia, § 58.1-3832.

Sec. 35-055. Requirements for retail dealers.

- (a) Retail dealers who shall sell, offer for sale, store, possess, distribute, purchase, receive or transport cigarettes for the purpose of sale within the Town shall purchase cigarettes only from registered agents giving or supplying business trade name and business address of the location where the cigarettes will be placed for sale to the public. Cigarettes purchased for personal use cannot be brought into a business for resale. Only properly registered and licensed retail stores may sell cigarettes to the public. To be properly registered and licensed, a retail store must first have a valid Virginia state sales and use tax certificate and valid retail business license. Cigarettes must be purchased and stored separately for each business location. All copies of cigarette purchase invoices/receipts must be retained by the retailer for a period of three years and shall be made available to agents of the NVCTB upon request for use in conducting audits and investigations. All copies of cigarette purchase invoices/receipts must be stored at the business retail location for a period of one year from date of purchase. Failure to provide cigarette invoices/receipts may result in confiscation of cigarettes until receipt can be reviewed by the NVCTB to verify the proper tax has been paid. It is the responsibility of each retail location to insure that all cigarettes placed for sale or stored at that location be properly taxed and stamped. Cigarettes found without the NVCTB stamp or the proper jurisdictional tax paid will be seized by the agents of the NVCTB.

- (b) Retail dealers must make their place of business available for inspection by tobacco revenue agents to insure that all cigarettes are properly stamped and all cigarettes taxes are properly paid.

Sec. 35-056. Presumption of illegality; seizure of contraband goods, sealing/seizing of machines.

- (a) If any dealer cigarette machine operator or other person liable for the tax imposed by this article is found to possess any cigarettes without the jurisdictional tax paid or the proper tax stamp affixed there shall be a rebuttable presumption that any such operator or other person shall be in possession of untaxed cigarettes in violation of this article.
- (b) If any cigarettes placed in any vending machines within the Town, then there shall be a rebuttable presumption that such cigarettes were placed in that machine for sale within the Town. If any vending machine located within the Town contains cigarettes upon which the NVCTB tax stamp has not been affixed or on which the jurisdictional tax has not been paid or containing cigarettes placed as so not to allow visual inspection of the NVCTB tax stamp through the viewing area as provided for by the vending machine manufacturer, then there shall be a rebuttable presumption that the machine contains untaxed cigarettes in violation of this article.
- (c) Any cigarettes, vending machines, cigarette tax stamps or other property found in violation of this article shall be declared contraband goods and may be seized by the NVCTB. In addition to any tax due, the dealer or other person liable for the tax possessing such untaxed cigarettes or tax stamps shall be subject to civil and criminal penalties herein provided.
- (d) In lieu of seizure, the NVCTB may seal such vending machines to prevent continued illegal sale or removal of such cigarettes. The removal of such seal from a vending machine by any unauthorized person shall be a violation of this article. Nothing in this article shall prevent the seizure of any vending machine at any time after it is sealed.
- (e) All cigarette vending machines shall be plainly marked with the name, address and telephone number of owner of said machine.

State law reference(s)—Administration and enforcement of tax, Code of Virginia, § 58.1-3832.

Sec. 35-057. Prohibited illegal acts.

It shall be unlawful and a violation of this article for any dealer or other person liable for the tax imposed by this article to:

- Perform any act or fail to perform any act for the purpose of evading the payment of any tax imposed by this article or of any part thereof, or to fail or refuse to perform any of the duties imposed upon him under the provisions of this article or to fail or refuse to obey any lawful order which may be issued under this article;
- (2) Falsely or fraudulently make, or cause to be made, any invoices or reports, or falsely or fraudulently forge, alter or counterfeit any stamp, or procure or cause to be made, forged, altered or counterfeited any such stamp, or knowingly and willfully alter, publish, pass or tender as true any false, altered, forged or counterfeited stamp or stamps;
- (3) Sell, offer for sale or distribute any cigarettes upon which the NVCTB tax stamp has not been affixed or upon which the jurisdictional tax has not been paid;
- (4) Possess, store, use, authorize or approve the possession, storage or use of any cigarette packages upon which the NVCTB stamp has not been affixed or upon which the jurisdictional tax has not been paid;
- (5) Transport, authorize or approve the transportation of any cigarette packages in quantities of more than 60 packages into or within the Town upon which the NVCTB tax stamp has not been affixed or upon which the jurisdictional tax has not been paid, if they are:

- a. Not accompanied by a bill of lading or other document indicating the true name and address of the consignor or seller and the consignee or purchaser and the brands and quantity of cigarettes transported;
- b. Accompanied by a bill of lading or other document which is false or fraudulent in whole or part; or
- c. Accompanied by a bill of lading or other document indicating:
 - 1. A consignee or purchaser in another state or the District of Columbia who is not authorized by the law of such other jurisdiction to receive or possess such tobacco products on which the taxes imposed by such other jurisdiction have not been paid, unless the tax of the jurisdiction of destination has been paid and the cigarettes bear the tax stamps of that jurisdiction; or
 - 2. A consignee or purchaser in the Commonwealth of Virginia but outside the taxing jurisdiction who does not possess a Virginia sales and use tax certificate, and, where applicable, any licenses issued by the Commonwealth of Virginia or local jurisdiction of destination.
- (6) Reuse or refill with cigarettes any package from which cigarettes have been removed, for which the tax imposed has been theretofore paid; or
- (7) Remove from any package any stamp with intent to use or cause the stamp to be used after the stamp has already been used, or to buy, sell or offer for sale or give away any used, removed, altered or restored stamps to any person, or to reuse any stamp which had therefore been used for evidence of the payment of any tax prescribed by this article, or to sell, or offer to sell, any stamp provided for in this article.
- (8) To sell, offer for sale or distribute any loose or single cigarettes;
- (9) To perform any act that violates the resolutions promulgated by the NVCTB.
- (b) It shall be unlawful and a violation of this article for any person or individual to transport, possess, store, use, authorize or approve the possession, storage or use of any cigarettes in quantities of more than 60 packages upon which the NVCTB tax stamp has not been affixed or upon which the jurisdictional tax has not been paid.

State law reference(s)—Administration and enforcement of tax, Code of Virginia, § 58.1-3832.

Sec. 35-058. Powers of the Northern Virginia Cigarette Tax Board.

- (a) The NVCTB may delegate any of its powers to its administrator or employees and may adopt regulations regarding the administration and enforcement of the provisions of this article.
- (b) The NVCTB shall be granted the following powers:
 - (1) Assess, collect and disburse the cigarette tax for each participating jurisdiction;
 - (2) Audit dealer sales of cigarettes for each participating jurisdiction;
 - (3) Provide information to the Commonwealth's attorneys, county, city or town attorneys for each participating jurisdiction;
 - (4) Designate an administrator;
 - (5) Manage the Northern Virginia Cigarette Tax Fund;
 - (6) Retain a certified public accountant to audit its books;
 - (7) Designate a depository bank or banks;
 - (8) Contract with member jurisdictions for administrative services;
 - (9) Hold and convey real and personal property;
 - (10) Enter into contracts;

- (11) Hire, supervise and discharge its own employees;
 - (12) Sue and be sued in its own name;
 - (13) Prescribe the design of a stamp(s) and to issue and sell said stamps to authorized dealers;
 - (14) Establish classes of taxpayers and extend varying discount rates;
 - (15) Promulgate resolutions for the assessment and collection of cigarette taxes and the enforcement of this article; and
 - (16) Conduct inspections of any place of business in order to enforce the provisions of this article and all resolutions of the NVCTB.
- (c) The NVCTB may employ legal counsel, bring appropriate court action in its own name to enforce payment of the cigarette tax or penalties owed and file tax liens against property of taxpayers under this article.
 - (d) The NVCTB is authorized to enter into an agreement with the Virginia Department of Taxation under which a registered agent with the NVCTB who is also qualified to purchase Virginia revenue stamps, may qualify to purchase dual Virginia-NVCTB stamps from the Virginia Department of Taxation. Authority to purchase dual Virginia-NVCTB stamps is granted solely by the NVCTB and may be revoked or suspended for violations of this ordinance or resolutions adopted by the NVCTB.
 - (e) The NVCTB may appoint certain employees as tobacco revenue agents, who shall be required to carry proper identification while performing their duties. Tobacco revenue agents are further authorized to conduct inspections of any place of business and shall have the power to seize or seal any vending machines, seize any cigarettes, counterfeit stamps or other property found in violation of this article and shall have the power of arrest upon reasonable and probable cause that a violation of this article has been committed. The NVCTB is authorized to provide its tobacco revenue agents with:
 - (1) Firearms for their protection;
 - (2) Emergency equipped vehicles while on duty; and
 - (3) Other equipment deemed necessary and proper.
 - (f) The NVCTB may exchange information relative to the sale, use, transportation or shipment of cigarettes with an official of any other jurisdiction entrusted with the enforcement of the cigarette tax laws of such other jurisdiction.

State law reference(s)—Arrangement for dual stamps, Code of Virginia, § 58.1-3830; administration and enforcement of tax, Code of Virginia, § 58.1-3832.

Sec. 35-058. Jeopardy assessment.

If the administrator for the NVCTB determines that the collection of any tax or any amount of tax required to be collected and paid under this article will be jeopardized by delay, he shall make an assessment of the tax or amount of tax required to be collected and shall mail or issue a notice of such assessment to the taxpayer together with a demand for immediate payment of the tax or of the deficiency in tax declared to be in jeopardy, including penalties and interest. In the case of a current period for which the tax is in jeopardy, the administrator may declare the taxable period of the taxpayer immediately terminated and shall cause notice of such finding and declaration to be mailed or issued to the taxpayer together with a demand for immediate payment of the tax based on the period declared terminated and such tax shall be immediately due and payable, whether or not the terms otherwise allowed by this article for filing a return and paying the tax have expired.

State law reference(s)—Jeopardy assessment of sales or use tax, Code of Virginia, § 58.1-631.

Sec. 35-059. Erroneous assessment; notices and hearings in event of sealing of vending machines or seizure of contraband property.

- (a) Any person assessed by the NVCTB with a cigarette tax, penalties and interest, or any person whose cigarettes, vending machines and other property have been sealed or seized under process of this article, who has been aggrieved by such assessment, seizure or sealing may file a request for a hearing before the administrator for the NVCTB for a correction of such assessment and the return of such property seized or sealed.
- (b) Where holders of property interest in cigarettes, vending machines or other property are known at time of seizure or sealing, notice of seizure or sealing shall be sent to them by certified mail within 24 hours. Where such holders of property interests are unknown at time of seizure or sealing, it shall be sufficient notice to such unknown interest holders to post such notice to a door or wall of the room or building which contained such seized or sealed property. Any such notice of seizure or sealing shall include procedures for an administrative hearing for return of such property seized or sealed as well as affirmative defenses set forth in this section which may be asserted.
- (c) Such hearing shall be requested within ten days of the notice of such assessment, seizure or sealing and shall set forth the reasons why the tax, penalties and interest and cigarettes, vending machines or other property should be returned or released. Within five days after receipt of such hearing request, the administrator shall notify the petitioner by certified mail of a date and time for the informal presentation of evidence at a hearing to be held within 15 days of the date notification is mailed. Any such request for hearing shall be denied if the assessed tax, penalties and interest have not been paid as required or if the request is received more than ten days from the first notice to the petitioner of such seizure or sealing. Within five days after the hearing, the administrator shall notify the petitioner by registered mail whether his request for a correction has been granted or refused.
- (d) Appropriate relief shall be given by the administrator if he is convinced by the preponderance of the evidence that such seized cigarettes were in the possession of a person other than the petitioner without the petitioner's consent at the time such cigarettes, vending machines or other property were seized or sealed or that the petitioner was authorized to possess such untaxed cigarettes. If the administrator is satisfied that the tax was erroneously assessed, he shall refund the amount erroneously assessed together with any interest and penalties paid thereon and shall return any cigarettes, vending machines or other property seized or sealed to the petitioner. Any petitioner who is dissatisfied with the written decision of the NVCTB may within 30 days of the date of such decision appeal such decision to the appropriate court in the jurisdiction where the seizure or sealing occurred.

State law reference(s)—Administration and enforcement of tax, Code of Virginia, § 58.1-3832.

Sec. 35-060. Disposal of seized property.

Any seized and confiscated cigarettes, vending machines or other property used in the furtherance of any illegal evasion of the tax imposed by this article may be disposed of by sale or other method deemed appropriate by the NVCTB after any petitioner has exhausted all administrative appeal procedures. No credit from any sale of cigarettes, vending machines or other property seized shall be allowed toward any tax and penalties assessed.

State law reference(s)—Administration and enforcement of tax, Code of Virginia, § 58.1-3832.

Sec. 35-061. Extension of time for filing tax report.

The administrator, upon a finding of good cause, may grant an extension of time to file a tax report upon written application for a period not exceeding 30 days. Except as provided in this article, no interest or penalty shall be charged, assessed or collected by reason of the granting of such an extension.

State law reference(s)—Administration and enforcement of tax, Code of Virginia, § 58.1-3832.

Sec. 35-062. Penalty for violation of article.

Any person violating any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$2,500.00 or imprisonment for not more than 12 months or by both such fine and imprisonment. Such fine and/or imprisonment shall not relieve any such person from the payment of any tax, penalty or interest imposed by this article.

State law reference(s)—Penalties for violation of ordinances, Code of Virginia, § 15.2-1429; violations of state cigarette tax law, Code of Virginia, § 58.1-1013; tobacco products found in quantities of more than six cartons, 58.1-3832.

Sec. 35-063. Each violation a separate offense.

The sale of any quantity, the use, possession, storage or transportation of more than sixty packages of cigarettes upon which the NVCTB tax stamp has not been affixed or the proper jurisdictional tax has not been paid shall be and constitute a separate violation. Each continuing day of violation shall be deemed to constitute a separate offense.

Sec. 35-064. Severability.

If any section, phrase or part of this article should for any reason be held invalid by a court of competent jurisdiction, such decision shall not affect the remainder of the article; and every remaining section, clause, phrase or part thereof shall continue in full force and effect.



TOWN OF OCCOQUAN

TOWN COUNCIL MEETING

Agenda Communication

11. Discussion Items	Meeting Date: January 21, 2025
11B. Holiday Events and Marketing Discussion with Visit Occoquan, Inc.	

Attachments: a. Visit Occoquan Report

Submitted by: Adam C. Linn
Town Manager

Explanation and Summary:

This is a discussion item to review and discuss Visit Occoquan's report on holiday events and marketing. A representative from Visit Occoquan will present the attached report and answer questions from the Town Council.

This item covers a requested by Town Council on marketing and social media analytics during the holiday season as well as a request by Visit Occoquan to report on the holiday season from a town businesses perspective, based on their holiday survey of town businesses.

For the 2024 holiday season, the Town hosted a revised event schedule, consisting of the Annual Tree Lighting, Shop Small Weekend, and a Sing-A-Long with Santa, and Visit Occoquan provided marketing support for the event. The Town no longer hosted an artisan market in early December nor marketed a HolidayFest as in recent years. Instead, the Town hosted a Firelight Night on December 13th and will host another in February 2025. This change was due to staffing and budget concerns.

To see examples of Visit Occoquan's events marketing please visit www.visitoccoquanva.com/events.

Staff Request: Provide feedback on the report. Town staff will incorporate feedback into its current 2025 event planning and budgeting process, ahead of discussion at Town Council meetings in February and March.

Tree Lighting Social Media Statistics

The statistics below are a snapshot of the social media for the annual Occoquan Tree Lighting event, taking place the Saturday before Thanksgiving in Occoquan. Content was created, posted, and monitored as part of the Town and Visit marketing contract. No ad spend has been used for the past few years' holiday events.

In addition to the post highlights (representing the pre-event marketing posts), dozens of additional stories were produced as short bites within the Instagram/Facebook stories function, in addition to day-of videos, photos, and a recap reel after the event. More video content was produced for 2024, versus 2023 to keep up with Instagram trends, which is where we have the most amount of reach and interactions.

2024

Instagram (IG) Followers	~4,900
Facebook (FB) Followers	~13,000
# of IG posts for holiday events:*	32
# of IG posts ahead of TL:	5
# of IG posts on day of TL:	4

*Artisan Market, Occoquan Express, Gingerbread Contest, and the Pop-Up Market for Tree Lighting did NOT occur this year.

Instagram pre-event posts and analytics:



100 likes / 40 shares
3 comments



73 likes / 15 shares
0 comments



66 likes / 10 shares
0 comments



47 likes / 0 shares
1 comment



246 likes / 105 shares
6 comments / 5,006 plays



60 likes / 11 shares
0 comments

2023

Instagram (IG) Followers	~2,800
Facebook (FB) Followers	~12,100
# of IG posts for holiday events:	41
# of IG posts ahead of TL:	3
# of IG posts on day of TL:	2

Instagram pre-event posts and analytics:



86 likes / 37 shares
1 comment



75 likes / 31 shares
0 comments

Business Holiday Survey Statistics

In December of 2024, Visit Occoquan produced a survey for business owners regarding their experiences and sales surrounding the holiday events in Occoquan. Out of the 80 eligible businesses who could respond (this was kept to brick and mortar businesses only), 29 responded. There were 11 main multiple-choice questions, 4 additional sales report questions, and 1 open comment section at the end.

While we understand and love that the town is made up of individual, unique businesses, we do feel it is important to create these surveys, so that everyone who wants to give their opinion about a matter can be heard. This way the Town Council hears what benefits the majority, not just one or two vocal minorities. Below is a summary of the results of this survey:

General Holiday Season

In general, **90% of businesses** indicated they **positively benefit from holiday events** produced by the Town.

When asked if they would prefer to have holidays events on one weekend, two weekends, or spread out on multiple days/weekends, the **69% indicated multiple days/weekends**. In the comments and through speaking with business owners, they felt that spreading events out throughout December gave more opportunity for high volume days with new and returning customers. In 2024, there was a feeling that not having a strong December event hurt the number of visitors in town after Thanksgiving. It was mentioned that Santa Sing-A-Long is nice, but parents are unlikely going to shop afterwards with kids, unlike an Artisan Market.

When asked about general holiday sales from Nov 1-Dec 24, 2024, **58% of businesses reported sales were the same or higher**, versus that same time frame in 2023. 11% were not open during that time and 32% said sales were lower in 2024.

Tree Lighting

When asked which date they would prefer for the annual Tree Lighting, **76% said the Saturday before Thanksgiving** with 72% agreeing they prefer the **6pm start time**.

When asked about sales for Tree Lighting night, **59% said it was beneficial to stay open later** than usual with 31% saying they had no strong opinion. For those who could run sales reports based on sales during specific times, **47% had their best sales between 6-8pm**.

Regarding marketing and additional events on this event day, **76% agree there should be more emphasis on shopping/dining** in town (24% were neutral or didn't have a strong opinion). **59% of businesses would like to keep it focused on shopping** and do not support additional entertainment or pop-up events with outside vendors. Because this event has traditionally been the "kick off" to the holiday season in town, it is a critical sales day for the retailers in town and the majority would like to keep the focus on the town's merchants. When asked about the timing of additional events, they were **more in favor of events before the Tree Lighting**, not during the high sales time of 6-8pm.

When asked if they like this event and **would like to see it continue**, **93% agreed** and 7% had no strong opinion.

Artisan Market

When asked about the event, **69% said they would like it to return in 2025**, 17% did not, and 14% had no strong opinion.

59% agreed the event provides exposure to new customers and 63% of businesses had higher sales when an Artisan Market took place, versus on the first weekend of December in 2024 when no market happened.

In the open comment section of the survey, businesses shared contextualizing, although anecdotal, information to demonstrate that sales were higher in 2023. In the comments, businesses reported as much as **50% higher sales during the Artisan Market**, versus the same weekend this year, and mentioned **making more money on Artisan Market weekend than RiverFest** while also having significantly lower expenses (no tent, vendor fee, additional staff, etc).

In general, the majority of businesses in Occoquan benefit from the Artisan Market and several voiced their disappointment that the event was cut for 2024. The Visit Occoquan team understands that the inclusion or exclusion of events take into account many factors, however if there is an opportunity for it to return, Visit believes the business community would be in favor of it.



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

11. Discussion Items	Meeting Date: January 21, 2025
11C. StormReady® Education and Emergency Management Discussion	

Attachments: a. None

Submitted by: Adam C. Linn
Town Manager

Explanation and Summary:

This is a discussion item to review and discuss the Occoquan Police Department's plans on educating residents about the Town's StormReady® Certification as well as review the Town's Emergency Management program with the Town Council. Deputy Chief Forman will present on the matter and answer questions from the Town Council.

This item covers a request from Town Council at their last meeting to discuss resident education on the StormReady® Certification.

Staff Request: Provide feedback.