



**TOWN OF OCCOQUAN**  
Circa 1734 • Chartered 1804 • Incorporated 1874

314 Mill Street  
PO BOX 195  
Occoquan, VA 22125  
(703) 491-1918  
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**Occoquan Town Council**  
**Regular Meeting**  
**September 1, 2015 | 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. **Approval of Minutes**
  - a. August 4, 2015 Regular Meeting Minutes
  - b. August 17, 2015 Special Meeting Minutes
5. **Councilmember Reports**
6. **Mayor's Report**
7. **Staff Reports**
  - a. Town Attorney
  - b. Town Engineer
  - c. Town Manager
  - d. Chief of Police
  - e. Craft Show Director
  - f. Boards and Commissions
8. **Public Hearing**
  - a. Joint Public Hearing of the Town Council and Planning Commission Regarding Zoning Text Amendment to Chapter 66, Article VIII of the Town Code Relating to Signs and Advertising

## **9. Regular Business**

- a. Request to Approve a Zoning Text Amendment to Chapter 66, Article VIII of the Town Code Relating to Signs and Advertising
- b. Request to Place Structure in Town Stormwater Easement
- c. Request to Award Contract for Consulting Services for the Comprehensive Plan Review and Update
- d. Request to Award Contract for FYE 2015 Audit
- e. Request to Approve Purchase of Town Logo Gaslight Banners

## **10. Closed Session**

## **11. Adjournment**



**OCCOQUAN TOWN COUNCIL**  
**Regular Meeting Minutes - DRAFT**  
**Town Hall - 314 Mill Street, Occoquan, VA 22125**  
**Tuesday, August 4, 2015**  
**7:00 p.m.**

**Present:** Mayor Liz Quist, Vice Mayor Pat Sivigny, and members Tyler Brown, J. Matthew Dawson and Joe McGuire.  
Staff: Kirstyn Jovanovich, Town Manager; Mike Vanderpool, Vanderpool, Frostick & Nishanian, PC; Bruce Reece, Town Engineer; Matt Williams, Assistant Town Engineer/Zoning Administrator; Chief Sheldon Levi, Town Sergeant/Chief of Police; Joe Barbeau, Town Building Official; Greg Holcomb, Town Clerk.

**Absent:** Jim Drakes

### **1. Call to Order**

Mayor Quist called the meeting to order at 7:00 p.m.

### **2. Pledge of Allegiance**

### **3. Citizen's Time**

Mr. Randall Dashkovitz, 102 E. Locust St., stated he received a letter regarding his trash can by his garage. He drove around Town and found more violations like his. He further stated that he walks his dog very early in the morning and sees many vehicles that were parked overnight and do not have Town decals. He asked what was being done to enforce the decal requirement. He ended by saying that he drove through the new developments in Town and said many of those vehicles do not have decals.

Ms. Sunhohara Yuko, 102 E. Locust St., asked how often the Town Code is updated. She stated that there were contradictions and formatting problems.

### **4. Approval of Minutes**

It was moved to approve the minutes of the June 7, 2015, Regular Meeting minutes.

**A motion was made by Vice Mayor Sivigny, seconded by Councilmember McGuire that the Action Item be approved. The motion carried by poll vote, unanimous.**

### **5. Council Member Reports**

Mr. Brown reported that he attended the July 20, 2015 meeting of the Prince William County Convention and Visitors Bureau. He advocated to keep the Visitors' Center open.

## 6. Mayor's Report

Mayor Quist stated that the Fairfax Water Authority has responded to the Town's request to move the barbed wire. They are removing wire up to their first gate which will improve the view of the River Mill Park.

She also attended the July 20, 2015 meeting of the Prince William County Convention and Visitors Bureau. She noted that there was a great turnout. The meeting produced recommendations to form a task force of two community members, two merchant members, and two convention and visitors' bureau board members. They will make recommendations to keep the Visitors' Center operating by November. Mayor Quist and Ms. Bryanna Altman will represent the Town and Ms. Laverne Carson and Mr. Stephen Powers will represent the merchants as members of the Task Force.

## 7. Staff Reports

**Report of Town Attorney:** Mr. Mike Vanderpool, reported that Mr. Crim, Town Attorney, was on vacation and that he did not have a report, but was there to answer any questions. No questions were asked by Council.

**Report of Town Engineer:** Mr. Reese, Town Engineer, reported on the following activities:

1. Land Disturbance Report:
  - a. Occoquan Heights
  - b. Gaslight Landing
  - c. Vistas of Occoquan
  - d. Rivertown Overlook
2. Zoning approvals are highlighted in the Building Official's report.
3. River Mill Park update:
  - a. VDOT approved bridge improvements for the hand rail, lighting and conduit.
  - b. The Phase I contract was signed with Miller Brothers Construction.
  - c. The VDOT permit application is being filed this week.
  - d. The Phase II site plan is under review and will be presented to the Town Council in September.
  - e. Continuing to work with Fairfax Water to provide early access to the park during construction.

Vice Mayor Sivigny asked if we have heard from the developers of Occoquan Heights regarding the erosion at the development. Mr. Reese stated he has not; however, they have requested the release of their bonds. The erosion issue would be something that needs to be corrected before the release. Mr. Reese stated that the bond is not being recommended for release and a letter is being drafted to the developer.

**Report of Town Manager:** Ms. Kirstyn Jovanovich, Town Manager, reported on the following:

1. Attended the National Main Street Program meeting in Richmond to learn more about the process to join as they are accepting three new communities in 2016. She believes we are a good candidate; however, the Town is needs to do some work to make a stronger application in a future cycle.
2. The Town will be working with Keep Prince William Beautiful to participate in the Adopt-a-Spot program. She identified Mamie Davis Park and the parking lot under the Route 123 Bridge as the initial locations. She noted that she discussed this with the ARB and they are in favor and do not have concerns with the signs.
3. Work has begun to remove the problem tree on Mill Street. The root under the sidewalk is much larger than thought and has cracked the concrete under the brick. Ms. Jovanovich contacted Prince William County Public Works to get a quote on removing the concrete and pouring a new pad. She requested a not to exceed amount of \$1,700.00 for removal of concrete and pour concrete and make appropriate repairs on Mill Street.

It was moved to approve a not-to-exceed amount of \$1,700.00 to contract with Prince William County Public Works for the removal of concrete and to pour a new concrete pad for sidewalk repairs on Mill Street.

**A motion was made by Councilmember McGuire, seconded by Councilmember Dawson. The motion carried by poll vote, unanimous.**

4. Signed an MOU with the property owner of 407 Mill Street for the public art project.
5. Twenty-five residents were sent letters of violation for not storing their trash cans in the rear of their property. Ms. Jovanovich checked for compliance and most have complied.
6. Businesses were also notified of the need to enclose their dumpsters. Madigan's Waterfront Restaurant and Riverwalk have complied.
7. We are working with Fairfax Water regarding temporary access to River Mill Park during construction. She stated that she is not confident that this will be able to be done due to Americans with Disabilities Act (ADA) requirements.
8. Discussed sending a letter to Mr. Mark Perry about the need for dock maintenance due to his ferry boat operations.

Mr. Perry discussed signage on the dock and stated he would have his work crew out within the week to fix a ladder and replace some boards.

Ms. Jovanovich stated that she will sit down with him to discuss signage at a later date.

9. Reported that the Town does not have any Meals Tax delinquencies and is still working on bringing businesses into compliance in regards to business licenses.

**Report of Chief of Police:** Chief Levi provided a report on public safety activities during June 2015.

Chief Levi also stated that he has started looking at body cameras in conjunction with the Prince William County Police Department. He will update the Council on future developments.

**Treasurer's Report:** Ms. Abigail Breeding provided presented her 4<sup>th</sup> quarter report.

**Architectural Review Board Report:** Ms. Brenda Seefeldt provided a report on the ARB.

She stated that at the July meeting, two signs were approved. She also informed the Council that at the June meeting, the Board updated the exterior elevations design guidelines. She noted that they were last update in 2005. She believes they will be before the Council in September for discussion.

**Planning Commission Report:** No report.

## 8. Regular Business

### **8A. Request to Participate in the Virginia Investment Pool**

It was moved to adopt an ordinance to authorize the Town's participation in the VACO/VML Virginia Investment Pool Trust Fund in the amount of \$100,000.

**A motion was made by Councilmember McGuire, seconded by Councilmember Brown. The motion carried, unanimous.**

### **8 B. Request to Approve Gaslight Landing As-Built Drawings and Bond Release Request.**

It was moved to approve the release of the Gaslight Landing Performance Bond in the amount of \$23,976 and Erosion and Sediment Control Bond in the amount of \$5,646, contingent upon completing a one-year Maintenance Agreement on installed landscaping and posting a \$446 surety with the Town of Occoquan, and opening public access to the boardwalk.

**A motion was made by Councilmember McGuire, seconded by Vice Mayor Sivigny, The motion carried by poll vote, unanimous.**

**8 C. Request to Initiate Zoning Text Amendment Relating to Chapter 66, Article VIII, Signs and Advertising**

It was moved to adopt a resolution to initiate a zoning text amendment for revisions to Chapter 66, Article VII, Signs and Advertising of the Town Code.

**A motion was made by Councilmember Dawson, seconded by Councilmember McGuire. The motion carried by poll vote, unanimous.**

**8 D. Request to Award Contract for Fiscal Year 2015 Financial Audit**

It was moved to table the agenda item until the September 1, 2015 Council Meeting so that staff can obtain additional quotes.

**A motion was made by Councilmember Brown, seconded by Councilmember Dawson. The motion carried by poll vote, unanimous.**

**8 E. Request to Award Contract for Street, Curb, and Parking Lot Markings**

It was moved to award a contract to Mullen's Markings in an amount not to exceed \$6,710 for road, curbing and parking lot striping and painting.

**A motion was made by Councilmember Brown, seconded by Councilmember Dawson. The motion carried by poll vote, unanimous.**

**8 F. Request to Set Not To Exceed Amount for Town Hall Roof Replacement**

Ms. Jovanovich removed the request from the agenda and will delay work until FY 2017.

**8 G. Request to Purchase New Banners for Town Gas Lights**

It was moved to approve the purchase of the spring and fall Arts and Craft Show banners for the Town's gas lights through Mosca Design in an amount not to exceed \$6,500.

**A motion was made by Councilmember Brown, seconded by Councilmember Dawson. The motion carried by poll vote, unanimous.**

**9. Closed Session**

Vice Mayor Sivigny moved that the Council convene in closed session to discuss as permitted by Virginia Code Section 2.2-3711(A) (3), a matter involving acquisition of real property for public purposes. Councilmember McGuire seconded. Ayes: all by voice vote.

The Council came out of closed session at 9:05 p.m. Vice Mayor Sivigny moved that the Council 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 under the provisions of the Virginia Freedom of Information Act cited in that motion. Councilmember McGuire seconded.

**Motion passed, Ayes: Councilmember Brown, Councilmember Dawson, Councilmember McGuire, and Vice Mayor Sivigny, by roll call.**

#### **10. Adjournment**

The meeting was adjourned at 9:06 p.m.

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Greg Holcomb  
Town Clerk

DRAFT





**OCCOQUAN TOWN COUNCIL**  
**Special Meeting Minutes - DRAFT**  
**Town Hall - 314 Mill Street, Occoquan, VA 22125**  
**Monday, August 17, 2015**  
**6:00 p.m.**

**Present:** Mayor Liz Quist, Vice Mayor Pat Sivigny, and members Tyler Brown, J. Matthew Dawson, and Joe McGuire.  
Staff: Mike Vanderpool, Vanderpool, Frostick, & Nishanian, P.C.; Greg Holcomb, Town Clerk.

**Absent:** Jim Drakes

**1. Call to Order**

Mayor Quist called the meeting to order at 6:00 p.m.

**2. Closed Session**

Vice Mayor Sivigny moved that the Council convene in closed session to discuss as permitted by Virginia Code Section 2.2-3711(A)(3), a matter involving acquisition of real property for public purposes. Councilmember McGuire seconded. **Motion passed, unanimous.**

The Council came out of closed session at 6:56 p.m. Vice Mayor Sivigny moved that the Council 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 under the provisions of the Virginia Freedom of Information Act cited in that motion. Councilmember McGuire seconded. **Motion passed, Ayes: Councilmember Brown, Councilmember Dawson, Councilmember McGuire, and Vice Mayor Sivigny, by roll call.**

**10. Adjournment**

The meeting adjourned at 6:57 p.m.

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Greg Holcomb  
Town Clerk



**TOWN OF OCCOQUAN**  
**TOWN COUNCIL MEETING**  
Agenda Communication

<b>8. Public Hearing</b>	<b>Meeting Date:</b> September 1, 2015
<b>8 A:</b> Joint Public Hearing of the Town Council and Planning Commission Regarding Zoning Text Amendment to Chapter 66, Article VIII of the Town Code Relating to Signs and Advertising	

**Explanation and Summary:**

During the August 4, 2015 regular meeting, Town Council adopted a resolution to initiate a Zoning Text Amendment (ZTA) to amend Chapter 66, Article VIII, Signs and Advertising and referred it to the Planning Commission for review and recommendation. During the Planning Commission's August 11, 2015 meeting, the Commission recommended a joint public hearing be scheduled to receive public comment on the proposed amendments.

This is an opportunity for the public to provide input on the proposed ordinance. Town Council will vote on the adoption of this ordinance under Regular Business.

**Proposed/Suggested Motion:**

"I move to close the public hearing."

OR

Other action Council deems appropriate.

**Attachments: (4)** Proposed Ordinance  
Public Hearing Advertisement  
ZTA Initiation Resolution  
Memo to Planning Commission Regarding ZTA Request




# TOWN OF OCCOQUAN

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**TOWN COUNCIL**  
Elizabeth A. C. Quist, Mayor  
Patrick A. Sivigny, Vice Mayor  
Tyler C. Brown  
J. Matthew Dawson  
Jim Drakes  
Joe McGuire

**TOWN MANAGER**  
Kirstyn Barr Jovanovich

## MEMORANDUM

**TO:** Planning Commission  
**FROM:** Town Manager   
**DATE:** August 7, 2015  
**SUBJECT:** Zoning Text Amendment – Town Code Chapter 66, Article VIII, Signs and Advertising

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During the August 4, 2015 regular meeting, Town Council adopted a resolution to initiate a Zoning Text Amendment (ZTA) to amend Chapter 66, Article VIII, Signs and Advertising. The process was initiated by a recent Supreme Court opinion in the case of *Reed v. Town of Gilbert*, which created a new, more stringent test of when a sign regulation is content based.

Since this is an amendment to the Town's zoning ordinance, all amendment requests must first be reviewed by the Planning Commission, after which, the Planning Commission will make a recommendation to Town Council. If a ZTA is recommended, the Town Council and Planning Commission will hold a public hearing to seek public input prior to Town Council adoption.

On August 11, 2015, the Planning Commission will be asked to review the proposed ordinance to amend Chapter 66, Article VIII of the Town Code and make a recommendation to Town Council.

**Attachments:**

1. Proposed Ordinance
2. Resolution Initiating Zoning Text Amendment

**NOTICE OF JOINT PUBLIC HEARING OF THE  
TOWN COUNCIL AND PLANNING COMMISSION  
TOWN HALL - 314 MILL STREET  
TOWN OF OCCOQUAN**

**SEPTEMBER 1, 2015 - 7:00 PM**

Notice is hereby given that the Occoquan Town Planning Commission and the Town Council will conduct a Public Hearing on the following item:

Zoning text amendment to Chapter 66, Article VIII of the Town Code related to signs and advertising. The proposed amended ordinance is a comprehensive interim ordinance to address content neutrality in light of a recent Supreme Court case, *Reed v. Town of Gilbert*, which created a new more stringent test of when a sign regulation is content based.

The draft zoning text amendment to be adopted by the Town Council of the Town of Occoquan is available for review in Town Hall, 314 Mill Street, Occoquan, Virginia 22125.

This hearing is being held at the Occoquan Town Hall, located at 314 Mill Street, Occoquan, Virginia 22125. The location of this public hearing is believed to be accessible to persons with disabilities. Any person with questions on the accessibility of the facility should contact the Town Clerk at the above address or by telephone at (703) 491-1918 x 1. Persons needing interpreter services for the hearing impaired and/or vision impaired should notify the Town Clerk no later than one week prior to the hearing.

**The Council of the Town of Occoquan, Virginia**

**Instruction to Publisher:**

Run This Notice Twice

August 21, 2015

August 28, 2015

**A RESOLUTION TO  
INITIATE ZONING TEXT AMENDMENT  
FOR REVISIONS TO CHAPTER 66, ARTICLE VIII,  
SIGNS AND ADVERTISING, OF THE TOWN CODE**

**WHEREAS**, the Occoquan Town Council finds that public necessity, convenience, general welfare, and good zoning practice requires amending the Town's sign ordinance provisions contained in Chapter 66, Article VIII of the Town Code, and

**WHEREAS**, by authority granted in §15.2-2286(A)(7) of the Code of Virginia, the Town Council may in such cases amend, supplement, or change the zoning regulations, and

**WHEREAS**, pursuant to §15.2-2286(A)(7)(i), such amendment may be initiated by resolution of the Town Council, and

**WHEREAS**, pursuant to §15.2-2285(B), no zoning ordinance shall be amended or reenacted unless the governing body has referred the proposed amendment or reenactment to the planning commission for its recommendations; and

**WHEREAS**, pursuant to §15.2-2285(C), before approving and adopting any zoning ordinance or amendment thereof, the governing body shall hold at least one public hearing thereon;

**NOW, THEREFORE, BE IT RESOLVED** that the Occoquan Town Council does hereby initiate ZTA-2015-01 to amend the Town's sign ordinance in Chapter 66, Article VIII of the Town Code; and

**BE IT FURTHER RESOLVED** that the Occoquan Town Council does hereby refer the proposed amendment to the Planning Commission for its recommendations; and

**BE IT FURTHER RESOLVED** that effective immediately the clerk is directed to advertise a joint public hearing of the Town Council and Planning Commission on the proposed amendment in accordance with the requirements of §15.2-2204 of the Code of Virginia.

**Adopted by the Town Council of the Town of Occoquan, Virginia this 4<sup>th</sup> Day of August, 2015.**

**MOTION: Mr. Dawson**

**DATE: August 4, 2015**

**SECOND: Mr. McGuire**

**Regular Meeting**

**Attachments:** Draft zoning text amendment language.

**Votes**

**Ayes:** Vice Mayor Sivigny, Mr. Brown, Mr. Dawson and Mr. McGuire

**Nays:** none


**Absent from Vote:** Mr. Drakes

**Absent from Meeting:** Mr. Drakes

**BY ORDER OF THE TOWN COUNCIL**

  
\_\_\_\_\_  
Elizabeth A.C. Quist, Mayor

**Attested:**

  
\_\_\_\_\_  
Greg Holcomb, Town Clerk

**AN ORDINANCE TO AMEND CHAPTER 66, ARTICLE VIII, SIGNS AND ADVERTISING.**

**WHEREAS**, the Occoquan Town Council finds that public necessity, convenience, general welfare, and good zoning practice requires amending the Town’s sign ordinance provisions contained in Chapter 66, Article VIII of the Town Code, and

**WHEREAS**, by authority granted in §15.2-2286(A)(7) of the Code of Virginia, the Town Council may in such cases amend, supplement, or change the zoning regulations, and

**WHEREAS**, pursuant to §15.2-2286(A)(7)(i), such amendment may be initiated by resolution of the Town Council, and

**WHEREAS**, pursuant to §15.2-2285(B), no zoning ordinance shall be amended or reenacted unless the governing body has referred the proposed amendment or reenactment to the planning commission for its recommendations; and

**WHEREAS**, pursuant to §15.2-2285(C), before approving and adopting any zoning ordinance or amendment thereof, the governing body shall hold at least one public hearing thereon;

**BE IT ORDAINED** by the Council for the Town of Occoquan, Virginia meeting in Regular session this \_\_\_\_ day of \_\_\_\_\_, 2015:

- 1. That the Occoquan Town Council amends Chapter 66 of the Occoquan Town Code is hereby amended to read as follows:

**Article VIII. Signs and Advertising\***

DIVISION 1. GENERALLY

**Sec. 66-360. Purpose and intent.**

(a) The purpose of this article is to regulate the size, color, illumination, movement, materials, location, height and construction of all signs placed for public observation ~~in~~ in order to:

- (1) Protect the public health, safety, convenience and general welfare;
- (2) facilitate the creation of a convenient, attractive and harmonious community;
- (3) Protect property values; and
- (4) Further the urban design and economic development objectives of the town comprehensive ~~town~~ plan.

(b) This article is intended to promote signs that are:

- (1) Compatible with the landscape/streetscape and architecture of surrounding buildings, including historic sites and structures;
- (2) Legible and appropriate for the zoning district in which they are found;
- (3) Not distracting to motorists; and
- (4) Constructed and maintained in a structurally sound and attractive condition.

**Sec. 66-361. Applicability.**

This article shall apply to all signs erected within the town following the effective date. No sign legally erected prior to the effective date shall be altered or moved, except in compliance with the provisions of this article.

~~Sec. 66-362. Nuisances.~~

~~Any sign in violation of this article is a public nuisance and is subject to removal.~~

**Sec. 66-363. Penalty for violation.**

Except as otherwise provided in this article, failure to comply with this article shall be punishable as provided in Virginia Code section ~~1-13~~15.2-2286 A.5.

**Sec. 66-364. Sign permit required.**

Except as provided in this article, no sign shall be erected, installed, used, altered, relocated, replaced, or reconstructed until a sign permit has been issued.



For the purposes of this article, all signs are considered accessory uses and, unless specifically qualified, shall be located on the same property with the principal use to which they pertain.

### **Sec. 66-365. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*A-Frame sign* means a two-faced chalk-board sign with supports that are connected at the top and separated at the base, forming an "A" shape. These are also referred to as "sandwich board" signs.

*Animated sign* means a sign or part of a sign that moves or appears to move.

*Auxiliary sign* means a sign that is not more than one square foot in area, not located within five feet of any lot line, and not illuminated.

*Awning sign* means a sign placed directly on the surface of an awning.

*Banner* means a temporary sign of flexible material designed to be installed with attachments at each of four corners.

*Billboard sign* means the same as "Off-premises sign."

*Box sign* means a sign contained in a box, transparent on one side, which is not more than six square feet in area and not more than one foot deep.

*Canopy sign* means a sign attached to a canopy.

*Chalk-board sign* means a single-faced, framed slate or chalk-board that can be written on with chalk or chalk markers.

*Changeable copy sign* means a sign or part of a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign.

~~*Construction sign* means a temporary sign identifying those engaged in construction of any building site.~~

~~*Directional sign* means an on-premises sign designed to guide vehicular and/or pedestrian traffic by using such words as "Entrance," "Exit," "Parking," "One Way," "More Shops" or similar directional instruction, but not including any advertising message.~~

~~Directory sign means a sign on which the name and locations of occupants or the use of a building is given.~~

Flag means a flexible material which communicates via distinctive color and/or design and which is flown from a pole; this includes pennants.

Flashing sign means a sign used for identification, direction, advertising or promotion that includes lights that flash, blink, or turn on and off intermittently.

Ground mounted sign means a sign that is supported by structures or supports in or upon the ground and independent of any support from any building.

~~Identification sign means a sign that displays only the address, telephone number, web address, business hours, QR code and name or crest, insignia, or trademark, occupation or profession of an occupant or the name of any building on the premises.~~

Interim Sign means a temporary sign intended to be replaced by a permanent sign pending architectural review board approval.

Illegal sign means any sign erected without a permit as described in section [66-40542-91](#) or which does not comply with any provisions of this article.

Illuminated sign means a sign illuminated internally by an artificial light source.

~~Institutional bulletin board sign means a sign containing a surface upon which is displayed the name of a religious institution, school, library, community center, municipal park, or similar institutional or community service use, and the announcement of its services or activities.~~

Marquee sign means a sign attached to and made part of a marquee or any other similar projection from a building.

~~Menu box mean a permanently affixed, enclosed frame used to display menus for a restaurant or food service business.~~

Monument sign means a sign affixed to a structure built on grade in which the sign and the structure are an integral part of one another; not a pole sign.

Neon sign means an electric sign containing exposed tubes filled with fluorescent gas.

Off-premises sign means a sign that is routinely rented for purposes of advertising ~~directs attention to~~ any business, commodity, service or establishment conducted, sold or offered at a location other than the premises on which the sign is erected.

~~Paddle sign means a sign which is attached to an original sign.~~

*Pole sign* means the same as "Ground mounted sign."

*Portable sign* means a sign that is not permanently attached to a building or other principal structure. Flags and banners, while moveable, are defined separately.

*Projecting sign* means any sign, other than a wall, awning or marquee sign, affixed to a building and supported only by the wall on which it is mounted.

*Right-of-way* means access over or across particularly described property for a specific purpose.

*Roof sign* means a sign erected or constructed, in whole or in part, upon or above the highest point of a building with a flat roof, or the lowest portion of a roof for any building with a pitched roof.

*Sign* means any device employing letters, words, symbols, etc., used or intended to attract the attention of the public from streets, sidewalks or other outside public right-of-way. For the purposes of this article, the term "sign" shall include all structural members. The term "Sign" does not include decorations, whether permanent or temporary, that do not incorporate letters, numerals, or logos.

*Sign area* means as defined in section 66-369.

*Temporary sign* means a sign or advertising display designed or intended to be displayed for a specific period of time, as provided in sections 66-367 and 66-368.

*Wall sign* means a sign attached to a wall, or painted on or against a flat vertical surface of a structure, which displays only one advertising surface.

*Waterfront sign* means a sign facing the river on riverfront property.

~~Way finding sign means town sponsored signs or maps indicating location of places of interest or routes in town.~~

*Window sign* means all signs attached to or applied directly onto the internal surface, or set back less than one foot from the interior surface, of any window in view of the general public from outside the structure.

#### **Sec. 66-366. Prohibited signs.**

(a) The following signs are expressly prohibited unless specifically stated otherwise.

(1) Off-premises signs, including billboards, ~~except as provided in section 66-368.~~

- (2) Portable signs, or any sign that is not permanently affixed to a building, structure or the ground, except as allowed in section 66-367(q). This prohibition shall not apply to authorized temporary signs. No movable sign, and no part of any such sign or its support, shall be placed in any portion of a public right-of-way.
- (3) Changeable copy signs, excluding approved institutional bulletin boards, theater signs, and fuel price signs as permitted by this article.
- (4) Simulated traffic signs or any sign that may be confused with or obstruct the view of any authorized traffic sign or signal.
- (5) Animated signs, including but not limited to pennants, propellers, discs and wind socks. This prohibition shall not apply to the hands of a clock, a weathervane, balloons meeting the requirements of section 66-367(s), digital media meeting the requirements of section 66-367(r), or flags meeting the requirements of section 66-367(d) or 66-370(f).
- (6) Flashing signs and electronic message boards, including time and temperature signs, but not including digital media meeting the requirements of section 66-367(18r).
- (7) Glaring signs with light sources of such brightness as to constitute a hazard or nuisance ~~as determined by the architectural review board, but not including digital media meeting the requirements of section 66-367(r).~~
- (8) Strings of colored lights outlining property lines, sales areas, or any portion of a structure unless part of an approved sign or sign-structure. This prohibition shall not apply to seasonal decorations.
- (9) Roof signs.
- (10) Signs affixed to a tree, other natural vegetation or rocks.
- (11) Signs that obstruct the visibility at intersections or block any window, door, fire escape, stairway or any opening intended for light, air or access to any building.
- (12) Signs erected in or over a public right-of-way, or on public land except ~~as permitted in this Code by the Town or a State agency.~~
- (13) ~~Home occupation sign. Reserved.~~
- (14) Canopy sign.

(15) Neon or LED signs ~~(i.e. Open/Closed, Coffee, etc.)~~ except as permitted by section 66-367 (r).

(16) Signs that emit sound, odor or smoke.

(17) Signs attached to utility or other poles in the public right-of-way except as authorized by the utility or pole provider.

~~(18) Signs attached, painted or otherwise affixed to, or placed in or upon, any parked vehicle or trailer which is obviously and conspicuously parked so as to advertise the business to the passing motorist or pedestrian; and the primary purpose of which is to provide additional signage, or is to serve the function of an outdoor advertising sign. Reserved.~~

(19) In the Historic District, lighted vending machines when any part of the machines is visible from the public right-of-way.

(b) Tacking, painting, posting, or otherwise affixing of signs or posters or handbills visible from the public highways on the walls of buildings, barns, sheds, trees, posts, poles, fences, walls, cars or other structures, except as provided for in this article, is prohibited.

### **Sec. 66-367. Exempt signs and flags.**

Sign permits shall not be required for the following signs; however, all other applicable regulations of this article shall apply. If any of the following exempt signs include a logo, business name, trademark, or similar identifying element, it will ~~count toward~~ be treated as a commercial signage.

~~(a) Address or identification signs as defined in section 66-365, not to exceed two square feet in area. Reserved.~~

(b) Changing the message content of an approved institutional bulletin board or theater marquee sign.

~~(c) Commemorative plaques and historical markers erected by a recognized historical agency or governmental body. Reserved.~~

(d) Flags set back from each property line at least the height of the pole on which it is hung, emblems and insignias of any governmental agency or religious, charitable, public or nonprofit organization; however, no single flag shall exceed 50 square feet in area.

~~(e) Disabled parking space sign. Reserved.~~

- ~~(f) Directional signs, not more than two auxiliary signs per lot, not exceeding one square foot in area, not located within five feet of any lot line, not incorporating business name or logo, and not illuminated.~~
- ~~(g) Security and warning signs posted on private property warning the public against trespassing, or similar messages, provided that any such sign does not exceed 1.5 square feet in area. Reserved.~~
- ~~(h) Private drive signs, one per entrance, not exceeding two square feet in area, with the message content limited to the words "Private Drive" and the address of any residences utilizing the private roadway. Reserved.~~
- (i) Public signs, including traffic, utility and other regulatory signs.
- ~~(j) Seasonal or temporary displays of patriotic, religious or civic character on private property, not advertising a product or service, displayed from November 1 to January 15 or at other times for a period not to exceed 30 days. Reserved.~~
- (k) Signs not visible beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way.
- ~~(l) Temporary political signs on private property, if posted with the permission of the property owner, not to exceed a total of sixteen square feet in area and not exceeding six feet in height. Temporary signs may be displayed for a maximum of 90 days. If pertaining to an election or referendum, such signs shall be removed within five days after the election. If, after reasonable notice, such signs are not removed, the town may remove them; and the candidate, organization or person who caused the sign to be erected may be charged for the removal.~~
- ~~(m) Temporary private yard sale signs, not exceeding three in number per yard sale and not placed in a public right of way. All such signs are to be removed within 24 hours of the end of the sale. Reserved.~~
- ~~(n) Temporary real estate signs, located on the premises, not exceeding four square feet in area for single family residential districts, or eight square feet in area for other zoning districts. No real estate sign shall exceed a height of six feet. One real estate sign shall be permitted on each lot, except on corner lots, which may have two such signs. Temporary real estate signs shall be removed within seven days of the settlement or lease of the property. Reserved.~~
- ~~(1) Real estate signs must clearly state what is for sale or rent (e.g., building or business).~~
- ~~(2) Real estate signs for new developments require temporary/interim sign permits in accordance with section 66-368(3).~~

(o) Signs attached temporarily to the interior of a whole window or glass door. Such signs, individually or collectively, shall not cover more than 25 percent of the surface area of the transparent portion of the window or door to which they are attached and shall not be posted for more than 30 days.

~~(p) Vehicle safety inspection signs not exceeding ten square feet in area. Such signs may be either a wall sign or attached to an existing authorized ground mounted sign structure (one per business) not to exceed the height of the ground mounted sign. Reserved.~~

(q) Up to two portable signs, A-frame and/or chalk-board, per business. Size shall not exceed two feet by three feet. Frames shall be either wood or metal and may be black, natural wood tone, or similar historic color as recommended for the business' hanging/wall sign. The A-frames/chalk-boards shall not have a pre-printed logo; must be placed away from doorways and the public right-of-way; if leaning or standing, may not project more than two feet from the building; shall not be placed within any portion of the right-of-way; and, if a chalk-board, may be hung on the exterior of the building with hooks or eyes or leaned against the building independently or on a stand.

~~(r) One digital media device per business for window display, to promote the business' products or services, but not displaying a static store name or logo and not to exceed 25% of the window area.~~

(s) Balloons no more than 50 inches in circumference and not displayed higher than 10 feet from the ground.

~~(t) One wall-mounted menu-box sign per restaurant or food-service business, no larger than two feet by three feet and either not illuminated or illuminated with steady white light.~~

~~(u) Web address strip or other words as part of a One window display one per window of each building located in a commercial zoning district, on a clear background with letters no larger than three inches in recommended ARB colors and placed along the top or bottom of the window frame.~~

(v) Magnetic or permanently affixed vehicle signs where the signs are incidental to the vehicle's daily use in conducting business in conjunction with the vehicle sign. In order to be deemed an "incidental" vehicle sign, the vehicle must be used in the daily operation of the business, properly parked in a legal parking space for not more than 12 continuous hours per business day, and in working order. If the vehicle does not meet these requirements, the sign will be considered a prohibited sign under section 66-366(a)(2).

~~(w) Decorative yard flags on residential lots, four square feet in area or less and mounted on a metal or wooden frame. Reserved.~~

(x) Signs erected by the Town of Occoquan on public property or with the permission of the property owner.

**Sec. 66-368. Signs requiring temporary/interim sign permit.**

~~(a) The following signs shall require the issuance of a temporary/interim sign permit by the architectural review board prior to their erection. The permit shall cite the length of time any such sign may be displayed. If after the expiration of the temporary/interim sign permit such signs are not removed, the town may remove them and charge the costs of removal to the enterprise or proprietor responsible.~~

~~(1) Temporary and seasonal produce stand signs, the total area of which shall not exceed 16 square feet, nor shall any sign exceed four feet in height.~~

~~(2) Construction signs, not to exceed one per street frontage. The total area of all such signs shall not exceed 16 square feet. Such signs shall be removed within 14 days following completion of construction.~~

~~(3) Temporary residential subdivision and model home identification signs. One sign may be erected for not more than two years at each principal entrance to the development. Such signs shall not exceed eight feet in height or 16 square feet in area. In addition, one model home sign of not more than four square feet may be maintained at each model home.~~

~~(4) Temporary signs announcing a civic, philanthropic, educational or religious event. Such signs shall not exceed 16 square feet in area or six feet in height. The location of the sign shall be determined by the architectural review board. Such signs shall not be erected more than 14 days prior to the event and shall be removed within five days after the event. Reserved.~~

(b) ~~Special events~~ bBanners shall require the issuance of a permit by the Town Manager prior to their erection. ~~All other banners, including those promoting commercial products or with logos, are prohibited.~~ Banner colors shall be consistent with those recommended in the ARB guidelines. The applicant is limited to four colors per banner, including black and white. Banners shall be



installed in a taut manner to restrict movement and shall be maintained in this manner at all times. ~~The final decision of the appropriateness of a banner versus other ARB approved signage rests with the business owner. Banners are discouraged in the historic district if other signage will appropriately convey the merchant's message.~~

~~The bBanner permits shall cite the length of time any such banner may be displayed. This time span shall be for 20 consecutive days for grand openings or closings, 10 days for "featured artist" and "book signings", and 10 days per business, and no more than twice in one calendar year, for other special events (such as anniversary).~~ Such banners shall be attached to an existing principal structure (with a clearance of at least 12" from the edge of the store or building) or sign pole. They must not obscure architectural features of the building (such as windows, railings or ornamentation) and shall not exceed 16 square feet in total area. They may be hung in a horizontal or vertical manner and shall be attached at all four corners in a taut manner. ~~They shall be removed within two days following the end of the event as per permit.~~ If after the expiration of the permit such banners are not removed, the town may remove them and charge the costs of removal to the applicant.

Banners installed and used for special events and festivals sponsored by the Town of Occoquan may be erected without a permit and shall be removed within two days after the event.

#### **Sec. 66-369. General sign standards.**

- (a) *Determination of sign height.* The height of a sign shall be measured from the average elevation of the street to which the sign is oriented.
- (b) *Number of sign faces.* No sign shall have more than two sign faces.
- (c) *Determination of sign area.* The area of a sign shall be determined by measuring the surface area encompassing any regular geometric figure (square, circle, rectangle, etc.) enclosing all parts of the sign face. The supports or structure on which any sign is supported shall not be included in determining the sign area unless such supports or structure are designed in such manner as to form an integral background of the display; except, however, when a sign is placed on a fence, wall, planter or other similar structure that is designed to serve a separate purpose other than to support the sign, the entire area of such structure shall not be computed.

(d) *Computation of area.* To compute area of sign faces separated by an interior angle of 45 degrees or more, both sign faces shall be included. When sign faces are separated by an interior angle of less than 45 degrees, one sign face shall be included; however, the area of the largest sign face shall be used when two faces are unequal in area.

(e) *Blank space.* At least 50 percent of total sign area must remain blank space.

**Sec. 66-370. Development standards for permitted sign types and flags.**

All new signs and flags and all existing signs and flags which are replaced, reconstructed, extended or changed structurally or in content shall comply with the following development standards. No sign shall cover, cross or otherwise hide columns, railings, belt courses, or other decorative architectural features of a building, including balconies.

(a) Ground mounted signs shall have a maximum height of eight feet.

(b) Projecting sign development standards are:

(1) Angle of projection shall be 90 degrees.

(2) The limit on projection shall be five feet or one-third the width of the sidewalk, whichever is less.

(3) Projection over a right-of-way is prohibited if it obstructs pedestrian or vehicular traffic.

(4) Minimum clearance shall be seven feet.

(c) Wall sign development standards are:

(1) The limit on projection shall be six inches.

(2) Permanent window signs shall be limited in area to 25 percent of the window area or 25 square feet, whichever is less, and shall be included in the sign area calculation.

(d) Awning and marquee signs development standards are:

(1) The location must be parallel to the face and not projecting above or below the face of the awning, or marquee.

(2) The limit on projection shall be within one foot of the vertical placement of curbs, but shall in no way interfere or obstruct either pedestrian or vehicular traffic.

(3) The limit on projection of a marquee shall be to within one foot of the face of the building but in no way shall interfere or obstruct either pedestrian or vehicular traffic.

(e) Waterfront signs shall be no wider or taller than the riverfront face of the building. They may be wall or ground mounted or projecting, but if ground mounted or projecting then no part of the sign shall be visible from Mill Street or Poplar Lane.

(f) Flags shall be no larger than ~~16~~50 square feet. The angle of projection shall be between 45 and 90 degrees; multiple businesses on the same zoning lot shall hang flags at the same angle of projection. Flags shall not obscure other businesses or architectural features of a building; they shall not interfere with pedestrian walkways or rights-of-way; when hung over a right-of-way, they shall have a seven foot ground clearance.

**Sec. 66-371. Construction and maintenance standards.**

(a) *Building code compliance.* All signs shall be constructed in compliance with the Virginia Uniform Statewide Building Code.

(b) *Condition of signs and flags.* All signs, flags and components shall be maintained in good repair and in a safe, clean and attractive condition.

(c) *Repair or removal of nuisance signs or flags.* Any sign, flag and/or support declared by the zoning administrator to be an immediate or imminent hazard to life or property may be caused to be immediately removed or repaired. All costs associated with the removal or repair shall be charged to the owner of the premises.

(d) *Removal of obsolete signs or flags.* Any sign or flag that is obsolete because of discontinuance of the advertised activity, or any other reason that would cause the sign or flag and/or support to be obsolete, shall be removed within 30 days of becoming obsolete. Thereafter, that sign or flag will be illegal.

**Sec. 66-372. Nonconforming signs.**

(a) *Generally.* Any sign lawfully in existence on the effective date of this ordinance, which does not conform to the provisions of this article, and any sign accessory to a nonconforming use, shall be deemed a nonconforming sign and may remain except as qualified in subsection (b) of this section. No

nonconforming sign shall be enlarged, extended, structurally reconstructed or altered in any manner.

(b) *Removal of nonconforming signs.* Nonconforming signs may remain, provided they are kept in good repair, except for the following:

(1) *Damage or destruction of nonconforming sign.* A nonconforming sign that is destroyed or damaged to the extent exceeding 50 percent of its appraised value shall not be altered, replaced or reinstalled unless it is in conformance with this article. If the damage or destruction is 50 percent or less of the appraised value, the sign may be restored within two months of the destruction, but shall not be changed in any manner.

(2) *Damage or destruction of use.* A nonconforming sign shall be removed if the structure or use to which it is accessory is destroyed or demolished to the extent exceeding 50 percent of the principal structure's appraised value.

(3) *Change of use.* Whenever a change of use occurs upon a zoning lot that contains a nonconforming sign, such sign shall not be permitted without being modified in such manner as to be in full compliance with this article.

### **Sec. 66-373. Outdoor Merchandise Displays.**

Outdoor merchandise displays by businesses with first floor frontage are permitted during business hours. The merchandise must be stored inside when the business which displays it is closed. Merchandise shall not be placed in the public right-of-way, nor shall it obscure the architectural features of a building (columns, railings, belt courses, balconies or other decorative features) or extend past the length of the storefront. Permanent display tables or racks or other permanent display pieces are prohibited outside of buildings. All items and displays shall be safe and stable with no risk of overturning due to wind or contact. No signs may be placed upon or hung from outdoor merchandise.

## DIVISION 2. SIGNS AND FLAGS PERMITTED BY ZONING DISTRICT

### **Sec. 66-391. Generally.**

This division specifies the types and sizes of signs and flags permitted within the various zoning districts within the town.

**Sec. 66-392. Residential zoning districts; permitted signs and flags.**

(a) *General regulations.*

(1) *Minimum setback.* The minimum setback shall be five feet from all public rights-of-way unless further restricted by the provisions of this article.

(2) ~~*Illumination of signs in residential districts.*~~ The following signs may not be illuminated except as expressly permitted in this section by white light only:

~~a. Institutional bulletin boards.~~

~~b. Residential development identification signs.~~

(b) *Signs and flags for permitted principal uses.* Signs and flags for permitted principal uses are regulated as follows:

(1) For single-family and two-family dwellings, no signs or flags are allowed except for those exempt from permit requirements and temporary signs authorized in sections 66-367 and 66-368, respectively.

(2) For residential developments, ~~permanent subdivision or development signs indicating only the name and/or address of the premises are allowed. The identification sign shall be ground mounted~~ sign(s) are permitted, and with the maximum number, sign area and height shall be determined as follows:

a. For developments of ten units or less, one ground mounted sign, not to exceed six square feet in area or eight feet in height. The sign may be illuminated by steady white light only.

b. For developments of 11 units or more, one ground mounted sign at each major entrance, not to exceed 12 square feet in area or eight feet in height. The sign may be illuminated by steady white light only.

(c) *Signs for accessory uses.* Signs for accessory uses are regulated as follows:

(1) For accessory management or rental offices, one wall or projecting sign up to four square feet in area.

(2) For other accessory uses, one wall or projecting sign up to four square feet in area.

(d) *Signs for special exception and conditionally permitted uses.* Signs for special exception and conditionally permitted uses are as provided in the permit. regulated as follows:

~~(1) For institutional bulletin boards, one ground mounted or wall sign per use, not to exceed eight square feet in area and, if a ground mounted sign, six feet in height.~~

~~(2) For other special exception and conditionally permitted uses, one sign of any type identifying only the name and/or address of the premises, not to exceed eight square feet in area and, if a ground mounted sign, six feet in height.~~

**Sec. 66-393. Business and old and historic districts; permitted signs and flags.**

(a) *General regulations.*

(1) All development and construction signs requiring a permit shall comply with the requirements of sections 66-369 and 66-370.

(2) Any sign erected within 100 feet of either an existing residential use or a residential zoning district shall be non-illuminated and limited to 16 square feet in area.

(3) The maximum permitted area of a waterfront sign is two square feet per linear foot of the building's riverfront width. If more than one business is located on a riverfront parcel, then they may share the maximum permitted area in a single sign or in multiple signs, each of which meets the restrictions imposed by this Chapter.

(b) *Signs and flags for individual businesses on a single zoning lot.* A single business located on one zoning lot may erect signs and flags as follows:

(1) With the exception of riverfront property, the maximum number of signs and flags in combination per business shall be four; riverfront businesses may also have one waterfront sign. No zoning lot shall be permitted to have both a ground mounted sign and a projecting sign, unless one is a waterfront sign.

(2) Types of signs permitted are wall, ground mounted, projecting, awning, waterfront or marquee.

(3) The maximum size of signs other than waterfront signs shall be, for:

a. A wall or marquee sign, 16 square feet.

b. A ground mounted sign, 16 square feet.

c. An awning sign, one square foot per linear foot of the awning, up to ten square feet.

d. A projecting sign, one square foot per linear foot of building frontage on which the sign is to be attached, up to 16 square feet.

~~e. Paddle signs are permitted provided the measuring of the square foot area of such signs shall be the total square foot area of all the signs, including the area of the open space between each sign.~~

(c) *Signs and flags for multiple businesses on a single zoning lot.* Multiple businesses located on a single zoning lot may erect signs and flags as follows:

(1) With the exception of riverfront property, the maximum number of signs and flags in combination per business shall be four; riverfront businesses may also have one waterfront sign.

(2) Types of signs permitted are wall, ground mounted, projecting, awning, marquee, and waterfront, ~~or paddle~~ signs. All signs must be harmonious as to color and lettering, and must be ~~either in historic or restoration shades~~ ARB colors.

(3) The maximum size of signs other than waterfront signs shall be 16 square feet.

(4) Other than a waterfront sign, each business on a single zoning lot may have four signs and flags in combination, one of which may be a projecting sign.

(5) Other than a waterfront sign, no more than one ground mounted sign per business, maximum of 16 square feet in area and eight feet in height is allowed.

~~(6) Only the Town of Occoquan may erect directional signs indicating "More Shops" or other signs with similar wording.~~

### DIVISION 3. ADMINISTRATION

#### **Sec. 66-401. Sign permit procedures.**

(a) *Applicability.* A sign permit shall be required for all signs erected after December 12, 1995, except for those signs specifically excluded from the sign permit requirements as provided in section 66-367.

(b) *Filing of application; fees.* Applications for sign permits shall be filed on a form provided by the town by the applicant or his agent. Applications for permits for signs in the Old and Historic District shall be subject to review and approval by the architectural review board, ~~shall contain information required in subsection (c) of this section, and shall be accompanied by a fee, as established from time to~~

~~time by resolution of the town council. All applications for permits for signs outside the Old and Historic District shall be subject to the review and approval of the Town Manager Zoning Administrator, and shall contain information required in subsection (c) of this section, and shall be accompanied by a fee, as established from time to time by resolution of the town council. Denial of a permit by the Town Manager may be appealed to the Town Council.~~

(c) *Information required.* All applications for sign permits shall contain or have attached thereto the following information in either written or graphic form:

(1) Name, address and telephone number of the sign erector and the sign owner.

(2) Positions of the sign in relation to adjacent lot lines, buildings, sidewalks, streets and intersections.

(3) Type of sign and general description of structural design and construction materials to be used.

(4) ~~Purpose of the proposed sign.~~ Reserved.

(5) Drawings of the proposed sign, which shall contain specifications indicating the height, perimeter and area dimensions, means of support, method of illumination, colors, and other significant aspects of the proposed sign.

(d) ~~Recording of sign permit. The architectural review board shall maintain a record of all sign permits issued. All sign permits shall be numbered in the order of their issuance. In addition, the architectural review board will maintain a list of non-conforming signs (i.e. signs legally erected prior to January 1, 2012 that would not otherwise be permitted) as they are discovered or recognized. If the architectural review board denies a sign application, the applicant may request that a written statement be issued no later than two weeks after the denial, citing the code section and/or architectural review board guidelines basis for denial.~~ Reserved.

(e) *Inspections.* A final inspection shall be completed after installation of approved signs. Any discrepancies between the approved sign and the sign as constructed shall be identified and may result in the halt of construction or sign removal, if so ordered by the ~~zoning administrator or the architectural review board~~ Town.

(f) *Revocations.* The ~~zoning administrator~~ Town ~~or the architectural review board~~ may revoke a permit or approval if it is found that there has been concealment or misrepresentation of material facts in either the application or plans.



**Sec. 66-402. Temporary sign permit procedures.**

(a) All applications for signs requiring the issuance of a temporary sign permit, as established in section 66-368, shall contain all information requested by the architectural review board prior to the issuance of such permit. The approved permit shall include the expiration date of the temporary permit. The applicant may request extensions of the permit for good cause. Temporary signs remaining after the expiration of the permit shall be considered obsolete.

(b) All applications for banners, as established in section 66-368, shall contain all information requested by the Town ~~Manager~~ prior to the issuance of such permit. The approved permit shall include the expiration date of the temporary permit. The applicant may request extensions of the permit for good cause. Banners remaining after the expiration of the permit shall be considered obsolete.

**Sec. 66-403. Expiration of sign permits; signs not constructed.**

A sign permit shall expire and become null and void if the approved sign is not erected within a period of 12 months from the date the permit was originally issued. The ~~Town architectural review board~~ may grant one extension of the sign permit for a period of six months, but in no case shall a permit be valid for more than a total of 18 months. Extensions may be granted only when the proposed sign is in compliance with all current applicable regulations.

**Sec. 66-404. ~~Variances to sign regulations not permitted.~~**

~~Unless specifically authorized in this division, no variance to the standards established for regulating the type, size or location of signs shall be authorized, except by affirmative action of the town council. Reserved.~~

**Sec. 66-405. Removal of signs.**

(a) *Illegal signs.* The ~~zoning administrator or the architectural review board~~ Town may remove or order the removal of any illegal sign at the expense of the property owner. ~~Placement of an illegal sign shall be a class 4 misdemeanor.~~

(b) *Structurally unsafe signs.* Whenever, in the opinion of the zoning administrator or building official, ~~the architectural review board~~ a sign becomes structurally unsafe or endangers the safety of a building or premises, or endangers the public

safety, or is in need of maintenance, the zoning administrator shall order that such sign be made safe, repaired or removed. Such order shall be complied with within five days of receipt of the order by the person owning or using the sign or the owner of the building or premises on which such unsafe sign is affixed or erected.

- 2. This ordinance shall become effective upon its adoption.

**MOTION:**

**Date:**

**SECOND:**

**Regular Meeting**

**Ord. No. O-2015-05**

**RE: AN ORDINANCE TO AMEND CHAPTER 66, ARTICLE VIII, SIGNS AND ADVERTISING, OF THE OCCOQUAN TOWN CODE.**

**ACTION:**

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**CERTIFIED COPY**\_\_\_\_\_

Greg Holcomb, Town Clerk



**TOWN OF OCCOQUAN**  
**TOWN COUNCIL MEETING**  
Agenda Communication

<b>9. Regular Business</b>	<b>Meeting Date:</b> September 1, 2015
<b>9 A:</b> Request to Adopt an Ordinance to Amend Chapter 66, Article VIII of the Town Code Relating to Signs and Advertising	

**Explanation and Summary:**

During the August 4, 2015 regular meeting, Town Council adopted a resolution to initiate a Zoning Text Amendment (ZTA) to amend Chapter 66, Article VIII, Signs and Advertising and referred it to the Planning Commission for review and recommendation. During the Planning Commission's August 11, 2015 meeting, the Commission recommended a joint public hearing be scheduled to receive public comment on the proposed amendments. The joint public hearing has been advertised for September 1, 2015.

The purpose of this Zoning Text Amendment is in response to a recent Supreme Court opinion in the case of *Reed v. Town of Gilbert*, which created a new, more stringent test of when a sign regulation is content based. This is an interim ordinance and a complete review of the sign ordinance will be conducted within the next several months to include all stakeholders.

**Zoning Administrator's Recommendation:** Recommend approval.

**Town Attorney's Recommendation:** Recommend approval.

**Town Manager's Recommendation:** Recommend approval.

**Cost and Financing:** N/A

**Account Number:** N/A

**Proposed/Suggested Motion:**

"I move adopt an ordinance to amend Chapter 66, Article VIII of the Town Code Relating to Signs and Advertising."

OR

Other action Council deems appropriate.

**Attachments: (0)** See Attachments listed under 8A, Public Hearing



# TOWN OF OCCOQUAN

## TOWN COUNCIL MEETING

### Agenda Communication

<b>9. Regular Business</b>	<b>Meeting Date:</b> September 1, 2015
<b>9 B: Request to Place Structure in Town Stormwater Easement</b>	

#### **Explanation and Summary:**

In late June, the Town Engineer observed a structure placed within the Town's easement and blocking an inlet. As a result, a letter was sent to the property owner requesting that the structure (a decorative bridge) be removed as it is the Town's opinion that the placement of the bridge within the easement and over the inlet hinders the function of the easement. As a result of this communication, the property owner, Mr. Dave Facundo, contended that the structure was not impeding the easement's capacity since there have been no observed water issues to date, and requested permission to keep the structure in place over the inlet. As per the deed of subdivision, no building or any structure can be erected within Town easements without obtaining the written approval of the Town. Mr. Facundo's written request to Town Council to permit the structure to remain in place is attached to this agenda item.

#### **Town Engineer Recommendation**

It is the Town's recommendation to deny Mr. Facundo's request to maintain the structure within the easement and directly on the inlet. It is the opinion of the Town Engineer that as it is the responsibility of the Town to make sure the system, as a whole, operates at peak performance, any obstruction on the inlet causes it to operate at a diminished capacity. While that to date, the reduced capacity has not caused an issue is good, we still believe the potential for problems is increased with the placement of the decorative fixture directly on the inlet. In addition, allowing a resident permission to place a structure within the stormwater easement sets a precedent that will be more difficult for the Town to regulate should other property owners request a decorative fixture (or any structure) be placed on an inlet within Town easements. It is much better for the system, and the neighborhood, if we apply a standard consistently - one which states that inlets are not to be blocked.

**Town Engineer's Recommendation:** Recommend not allowing placement of any structure within the easement.

**Town Attorney's Recommendation:** Concur with Town Engineer's recommendation.

**Town Manager's Recommendation:** Concur with Town Engineer's recommendation.

**Cost and Financing:** N/A

**Account Number:** N/A

#### **Proposed/Suggested Motion:**

"I move to (approve/deny) the property owner's request to place a structure within the Town's easement."

OR

Other action Council deems appropriate.

**Attachments: (3)** Request to Place Structure from Mr. Facundo  
Photos of Location and Structure  
Letter to Mr. Facundo

David W. Facundo  
1427 Occoquan Heights Ct  
Occoquan, VA 22125

August 24, 2015

Town of Occoquan  
Attn: Town Manager, Kirstyn Jovanovich

Ms. Jovanovich,

Reference your letter dated July 7, 2015 concerning the small decorative bridge I placed over the storm water easement on my property. In accordance with your direction, I am petitioning the Town Council for permission to place a small decorative bridge atop the storm water drain on my property.

Regarding the following language in the deed of the subdivision:

4. Grantor, its successors and assigns, reserve the right to make any use of the easements herein granted which does not interfere with the flows of natural storm drainage or adversely affect other properties, or which may not be inconsistent with the rights herein conveyed or interfere with the use of said easements for the purposes named; provided, however, that Grantor, its successors and assigns, shall not erect any building or other structure, including fencing, on the easements granted to the Town without obtaining the prior written approval of the Town.

The decorative bridge in no way interferes with the flow of natural storm drainage (water). I have observed first-hand the natural flow of drainage (water) and there has been no interference what-so-ever. Furthermore, the decorative bridge sits on top of rocks allowing the flow of drainage (water). Furthermore, the decorative bridge has open slots on each end, and along the sides to feely allows the flow of drainage (water).

I am attaching photos that show the placement of the decorative bridge, along with photos of the rear of the property to show that there is no evidence of standing water.

Sincerely,



David W. Facundo

































# TOWN OF OCCOQUAN

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**TOWN COUNCIL**  
Elizabeth A. C. Quist, Mayor  
Patrick A. Sivigny, Vice Mayor  
Tyler C. Brown  
J. Matthew Dawson  
Jim Drakes  
Joe McGuire

**TOWN MANAGER**  
Kirstyn Barr Jovanovich

July 7, 2015

Mr. David Facundo  
1427 Occoquan Heights Court  
Occoquan, VA 22125

Dear Mr. Facundo,

It has been brought to my attention that there is a structure in a storm easement behind your property. While the encroachment into the easement is relatively unobtrusive, the small bridge is blocking the storm drain and is hindering the function of the easement. Please remove the structure from the easement in order to uncover the storm drain and allow the inlet to function as designed.

Please note that the Town is not obligated to replace any improvements made within the easement should repairs be made to the storm system within the easement. Any improvements made within the easement are done so at your own risk.

Should you have any questions, please contact me directly at (703) 491-1918 or [kjovanovich@occoquanva.gov](mailto:kjovanovich@occoquanva.gov).

Sincerely,

Kirstyn Barr Jovanovich  
Town Manager

cc: Bruce Reese, Town Engineer  
Ned Marshall, Zoning Administrator





# TOWN OF OCCOQUAN

## TOWN COUNCIL MEETING

### Agenda Communication

<b>9. Regular Business</b>	<b>Meeting Date:</b> September 1, 2015
<b>9 C: Request to Award Contract for Consulting Services for the Comprehensive Plan Review and Update</b>	

**Explanation and Summary:**

Earlier this year, the Planning Commission received training from Mike Chandler with the VT Land Use Education Program on the Commission’s role as it relates to land use, zoning and the community planning. Based on his experience with land use, zoning and comprehensive planning, the Town requested a proposal from him to assist the Planning Commission with reviewing and updating the Town’s Comprehensive Plan.

Prior to discussions with Mr. Chandler, the Town reached out to two other organizations to assist with this project, including the Northern Virginia Regional Commission (NVRC). Due to time and cost limitations, these options were not pursued further.

The Planning Commission reviewed the attached proposal at their August 11, 2015 meeting and fully supported this proposal by making a recommendation to Town Council that, based on the Commission’s previous experience with Mr. Chandler and on his combined education and experience, to approve a contract with Mr. Chandler for comprehensive planning consulting services.

If approved, work with the Planning Commission will begin immediately, with an expected time frame of 90 days. Funding has been identified as part of the FY 2016 CIP, Administration, Comprehensive Plan Review/Update.

**Planning Commission Recommendation:** Recommend approval.

**Town Attorney’s Recommendation:** Recommend approval.

**Town Manager’s Recommendation:** Recommend approval.

**Cost and Financing:** \$6,000 (two installments of \$3,000 each)  
**Account Number:** CIP - Administration, Comprehensive Plan Review/Update (\$5,000)  
 CIP - Administration, Town Code Recodification/Legal Review (\$1,000)

**Proposed/Suggested Motion:**

“I move to award a contract to Mr. Mike Chandler for comprehensive plan consulting services in the amount of \$6,000 from FY 2016 Capital Improvement Plan Fund, Administration Division.”

OR

Other action Council deems appropriate.

**Attachments: (2)** Memo to Planning Commission, Proposal  
 Mike Chandler Bio



# TOWN OF OCCOQUAN

*Circa 1734 • Chartered 1804 • Incorporated 1874*  
314 Mill Street • PO Box 195 • Occoquan, Virginia 22125  
(703) 491-1918 • Fax (703) 491-4962 • info@occoquanva.gov  
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**TOWN COUNCIL**  
Elizabeth A. C. Quist, Mayor  
Patrick A. Sivigny, Vice Mayor  
Tyler C. Brown  
J. Matthew Dawson  
Jim Drakes  
Joe McGuire

**TOWN MANAGER**  
Kirstyn Barr Jovanovich

## MEMORANDUM

**TO:** Planning Commission

**CC:** The Honorable Town Council

**FROM:** Town Manager 

**DATE:** August 7, 2015

**SUBJECT:** Consulting Services - Comprehensive Plan Update

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Mr. Mike Chandler, Director of Education for VA Tech's Land Use Education Program, provided training in June to the Town's Planning Commission. During the training, he discussed zoning and land-use issues and the role of the Comprehensive Plan. Since then, I have been discussing next steps with Mr. Chandler in terms of how the Town should proceed in updating the Comprehensive Plan and aligning our zoning ordinance with the goals and strategies outlined in the plan.

The update of the Comprehensive Plan is the first step needed before the Town can move forward with a legal review of the Town's zoning and subdivision ordinances and the recodification of the Town Code.

The proposal below outlines a process in which Mr. Chandler would work with the Planning Commission, Council, staff and the community, over a three month period to update the Town's Comprehensive Plan. During your August 11, meeting, the Commission will be asked to consider this proposal and provide a recommendation to Council on whether or not to move forward with this service.

If recommended for approval by Planning Commission and subsequently approved by Town Council on September 1, the Comprehensive Plan update process will begin shortly thereafter and be completed by the end of the year. As a result, the legal review and recodification would begin in the beginning of 2016 for completion by the beginning of FY 2017.

## **PROPOSAL SUMMARY**

### *Key Items to be Accomplished*

- A reviewed/ revised Comprehensive Plan Vision Statement.
- A reviewed/ revised set of Comprehensive Plan goals, objectives and policies.
- A revamped Comprehensive Plan implementation schedule/strategy.
- Recommended changes to the existing and future land use map.
- The results of the Occoquan Open Forum.
- Adjustments/additions needed to bring the Comprehensive Plan in to conformance with the Virginia Code.
- Updated Occoquan socio-economic information.

## **PROPOSAL DETAIL**

### **I. PROPOSAL**

Perform a Community-Based Review and Diagnostic Examination of the Occoquan Comprehensive Plan.

### **II. PROPOSAL TIMELINE**

Comprehensive Plan Update - 3 Months from start to finish.

### **III. PROPOSAL PROCESS**

The Occoquan Comprehensive Plan Review and Diagnostic will feature five (5) distinct steps. In addition, a written report documenting each step taken in the process will be prepared along with a concluding report which will feature a series of actions the town can/should take to strengthen and update the Occoquan Comprehensive Plan.

#### **A. STEP ONE**

The comp plan review and diagnostic process will begin with the design of a survey instrument by the contractor that will be distributed to all members of the Occoquan Planning Commission, the Occoquan Town Council, the Occoquan BZA, the Occoquan Architectural Review Board, and all Town of Occoquan Department Heads. The survey will feature a series of questions designed to elicit respondent impressions relative to the strengths and weaknesses of the current Occoquan comprehensive plan. In addition, the survey will seek respondent input regarding the continued relevance of the community vision featured in the current Occoquan plan as well as the continued relevance of the goals, objectives and action policies listed in the current plan. The survey will also seek respondent input focused on the opportunities and threats Occoquan will likely face over the next 5 to 10 years and what actions/steps the town will need to take to enhance and strengthen the Town's Comprehensive Plan.

#### **B. STEP TWO.**

The contractor will tally the surveys received and will prepare a summary report that



will be shared with all survey participants in advance of the contractor being on-site for a series of interviews with the survey participants, as well as with a cross-section of Occoquan business leaders, over a three day period of time. While on-site, and in partnership with the town administrative staff, the contractor will conduct an Occoquan Comp Plan Open Forum for town residents. The forum will be featured over two consecutive evenings and will allow citizens the opportunity to share their impressions-both positive and negative-about the Occoquan comp plan as well as what they would like to see and experience in Occoquan 5 to 10 years into the future.

### **C. STEP THREE**

A report reflecting the input received during Step Two will be generated by the contractor. The report will also feature the contractor's recommendations and actions the Occoquan Planning Commission can/should take to revise and strengthen the current Occoquan Comprehensive Plan. This report will be delivered electronically to key town officials including all members of the Occoquan Planning Commission and the Occoquan Town Council.

### **D. STEP FOUR**

The contractor will be on-site for a second round of meetings with town leaders, town staff, and key business leaders. The report referenced in Step Three will be discussed during the scheduled meetings. While on-site the contractor will once again, in partnership with the town's administrative staff, conduct an open forum for town citizens to learn about the Step Three report and to share their thoughts and impressions. This second round of community meetings will take place over a three day period.

### **E. STEP FIVE**

A final report documenting the Occoquan Comprehensive Plan review and diagnostic process will be prepared by the contractor. The report will feature a summary of the findings as well as a list of actions Occoquan, specifically the Occoquan Planning Commission, can take that will update the Town's Comprehensive Plan and assure the Town's Comprehensive Plan is in full compliance with the provisions and mandates featured in the Code of Virginia. The contractor will deliver the final report electronically and will be on-site to present the report and its recommendations at a joint meeting of the Occoquan Planning Commission and the Occoquan Town Council.

## **IV. FEE**

An all-inclusive fee of \$6,000 will be charged to complete the 5 step process outlined above. The fee will be paid in two equal installments of \$3,000 each. The first installment will be due at the conclusion of Step 3 and the second will be due at the conclusion of Step 5. *(The Town has identified funding in the FY 2016 CIP to support the Comprehensive Plan Update.)*

## Michael Chandler

### Contact

Director of Education



**Address:**  
Richmond VA

**Email:**  
rmchan@vt.edu (mailto:rmchan@vt.edu)

**Phone:**  
804-794-6236

### Other information

**Other information:**

Michael Chandler is Director of Education for Virginia Tech's Land Use Education Program (LUEP). Mike is a planning/management consultant, and served as Education Director of the Citizen Planners Education Association of Virginia (CPEAV) for more than a decade. In his LUEP role, he conducts the Virginia Certified Planning Commissioners' Program, the Virginia Certified Boards of Zoning Appeals, the annual Commonwealth Planning and Zoning Conference, as well as other training and educational offerings.

A Professor Emeritus in the Department of Agricultural and Applied Economics at Virginia Tech, Dr. Chandler spent 27 years at Virginia Tech. Mike was responsible for the design, delivery and evaluation of off-campus extension and continuing education programs focused on community planning, land use and public management issues. Prior to joining the faculty at Virginia Tech, Mike Chandler worked two years as a legislative research specialist in Georgia, five years as a land use planner/community development agent in selected Virginia localities and two years as a high school government teacher. Mr. Chandler attended Old Dominion University in Norfolk, Virginia where he received the Bachelor of Science degree in Secondary Education. He continued his formal education at Virginia Polytechnic Institute and State University (Virginia Tech) where he was awarded the Master of Urban and Regional Planning degree. Mr. Chandler's formal education also includes a Doctor of Philosophy in Public Administration from the University of Georgia.

Mr. Chandler was a member of the Blacksburg Planning Commission for three years (two years as chairman) prior to his election to the Blacksburg Town Council in 1984. He was re-elected to a fifth term in 2000 and served on the Council through December 31, 2002. He resigned his seat upon relocating to Chesterfield County in 2003. Mr. Chandler is active in several state and national professional associations. From 1992 to 1994, Mr. Chandler served as President of the Virginia Citizens Planning Association. He also served a two year term (1996-98) as President of the Virginia Chapter of the American Planning Association (VAPA). From 2000-2004, he served on the American Planning Association National Board of Directors. In addition to providing planning/management consultative services in Virginia, Mr. Chandler has presented planning commission and board of zoning appeals training programs and seminars in 42 states since 1990.

### Contact Us:

Virginia Tech ([vt.edu](http://vt.edu)) · Virginia Cooperative Extension ([ext.vt.edu](http://ext.vt.edu)) · School of Public and International Affairs (<http://www.spia.vt.edu/>) · Center for Public Administration and Policy (<http://www.spia.vt.edu/cpap>) · Privacy (<http://www.vt.edu/about/privacy.html>) · Equal Opportunity/Accessibility (<http://www.assist.vt.edu/webAccessibility/accessPolicies/index.html>) · Browser Compatibility (<http://www.ext.vt.edu/about/compatibility.html>)



### Land Use Education Program

2810 N. Parham Rd., Suite 300

Richmond, VA, 23294



[AdminLogin \(https://planvirginia.com/adminlogin\)](https://planvirginia.com/adminlogin)

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[Back to Top](#)



**TOWN OF OCCOQUAN**  
**TOWN COUNCIL MEETING**  
 Agenda Communication

<b>9. Regular Business</b>	<b>Meeting Date:</b> September 1, 2015
<b>9 D: Request to Award Contract for Fiscal Year 2015 Audit</b>	

**Explanation and Summary:**

During the August 4, 2015 meeting, Town Council deferred approval of the contract with Robinson, Farmer, Cox and Associates and requested that staff seek additional quotes regarding the FYE 2015 Audit. The Town Treasurer reached out to two other firms to obtain cost estimates:

<b>Firm</b>	<b>Proposal Cost</b>
Robinson, Farmer, Cox Associates	\$7,750
Snead, Williams and Mayhew	Firm's policy is not to verbalize a price without a formal request for proposal. Another locality estimated their cost with SW&M as between \$10,000 and \$15,000, annually.
PBMares (formerly PBGH)	Provided ballpark figure of between \$20,000 and \$40,000.

The Town has utilized the services of Robinson, Famer, Cox Associates for the FYE 2011, FYE 2012, FYE 2013 and FYE 2014 financial audits. The attached engagement letter is a proposal to perform the FYE 2015 audit. Based on the cost estimates from the two additional firms, it is recommended to approve the contract with Robinson, Farmer, Cox Associates.

**Treasurer's Recommendation:** Recommend approval.

**Town Manager's Recommendation:** Recommend approval.

**Cost and Financing:** Not to Exceed \$7,750

**Account Number:** Operating - Professional Services, Audit Services

**Proposed/Suggested Motion:**

"I move to award a contract to Robinson, Farmer, Cox Associates to perform the Town's FYE 2015 audit in an amount not to exceed \$7,750."

OR

Other action Council deems appropriate.

**Attachments: (1)** Engagement Letter

# ROBINSON, FARMER, COX ASSOCIATES

CERTIFIED PUBLIC ACCOUNTANTS

A PROFESSIONAL LIMITED LIABILITY COMPANY

July 2, 2015

The Honorable Town Council  
Town of Occoquan, Virginia  
314 Mill Street  
Occoquan, Virginia 22125

Ladies and Gentlemen:

We are pleased to confirm our understanding of the services we are to provide Town of Occoquan, Virginia for the year ended June 30, 2015. We will audit the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of Town of Occoquan, Virginia as of and for the year ended June 30, 2015. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement Town of Occoquan, Virginia's 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. As part of our engagement, we will apply certain limited procedures to Town of Occoquan, Virginia's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding 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 will 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 following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1) Management's Discussion and Analysis.

The budgetary comparison information, presented as RSI, will be subjected to the auditing procedures applied in the audit of the basic financial statements and we will provide an in relation to opinion on it in relation to the financial statements as a whole.

We have also been engaged to report on supplementary information other than RSI that accompanies Town of Occoquan, Virginia's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and we will provide an opinion on it in relation to the financial statements as a whole:

FREDERICKSBURG OFFICE  
STREET ADDRESS

10709 SPOTSYLVANIA AVENUE, SUITE 101-A  
FREDERICKSBURG, VIRGINIA 22408

Andrew P. Grossnickle, CPA

TELEPHONE (540) 898-8983  
FAX (540) 898-8986

E-MAIL : [andrew@rfca.com](mailto:andrew@rfca.com)  
INTERNET: [WWW.RFCA.COM](http://WWW.RFCA.COM)



- 1) Schedule of expenditures of federal awards, if applicable.
- 2) Supporting schedules

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditor's report will not provide an opinion or any assurance on that other information:

- 1) Statistical information.

### **Audit Objectives**

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on—

- Internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of 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, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The OMB Circular A-133 report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the *Specifications for Audits of Counties, Cities, and Towns*, issued by the Auditor of Public Accounts of the Commonwealth of Virginia; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of OMB Circular A-133, and will include tests of accounting records, a determination of major program(s) in accordance with OMB Circular A-133, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Board of Supervisors of Town of Occoquan, Virginia. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements or the Single Audit compliance opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or may withdraw from this engagement.

### **Audit Procedures—General**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

### **Audit Procedures—Internal Control**

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by OMB Circular A-133, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and OMB Circular A-133.

#### **Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Town of Occoquan, Virginia's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

OMB Circular A-133 requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Circular A-133 Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of Town of Occoquan, Virginia's major programs. The purpose of these procedures will be to express an opinion on Town of Occoquan, Virginia's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to OMB Circular A-133.

#### **Other Services**

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of Town of Occoquan, Virginia in conformity with U.S. generally accepted accounting principles and OMB Circular A-133 based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*.

#### **Management Responsibilities**

Management is responsible for (1) establishing and maintaining effective internal controls, including internal controls over compliance, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.



Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities also include identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by OMB Circular A-133, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan. The summary schedule of prior audit findings should be available for our review if applicable.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received) in conformity with OMB Circular A-133. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon or make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon.

Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with OMB Circular A-133; (2) you believe the schedule of expenditures of federal awards, including its form and content, is fairly presented in accordance with OMB Circular A-133; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information.

You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal awards, related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

#### **Engagement Administration, Fees, and Other**

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse.

We will coordinate with you the electronic submission and certification. If applicable, we will provide copies of our report for you to include with the reporting package you will submit to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

We will provide copies of our reports to Town of Occoquan, Virginia; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Robinson, Farmer, Cox Associates and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to the cognizant or oversight agency or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Robinson, Farmer, Cox Associates personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the relevant parties. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to issue our reports based on a mutually agreed upon timeline. Andrew P. Grossnickle is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

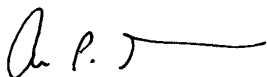
Our fees for these services will be \$6,750 to \$7,750. Our invoice for these fees will be rendered upon completion of the engagement and is payable on presentation. The above fees are based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

In accordance with Government Auditing Standards we make our most recent external peer review report and any subsequent peer review reports received during the period of the contract publicly available. In addition, our 2013 peer review report accompanies this letter.

We appreciate the opportunity to be of service to Town of Occoquan, Virginia and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

ROBINSON, FARMER, COX ASSOCIATES



Andrew P. Grossnickle  
Certified Public Accountant  
Member

RESPONSE:

This letter correctly sets forth the understanding of Town of Occoquan, Virginia.

By: \_\_\_\_\_

Title: \_\_\_Director of Finance/Treasurer\_\_\_\_\_

Date:\_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_Mayor\_\_\_\_\_

Date:\_\_\_\_\_



**Tetrick & Bartlett, PLLC**  
Certified Public Accountants  
Consultants

122 N. Oak St. • PO Box 1916 • Clarksburg, WV 26302-1916 • (304) 624-5564 • Fax: (304) 624-5582 • www.tetrickbartlett.com  
1517 Mary Lou Retton Drive • Fairmont, WV 26554 • (304) 366-2992 • Fax: (304) 366-2370

## SYSTEM REVIEW REPORT

To the Members of Robinson, Farmer, Cox Associates  
and the Peer Review Committee of the  
Virginia Society of CPAs

We have reviewed the system of quality control for the accounting and auditing practice of Robinson, Farmer, Cox Associates (the firm) in effect for the year ended June 30, 2013. Our peer review was conducted in accordance with the *Standards for Performing and Reporting on Peer Reviews* established by the Peer Review Board of the American Institute of Certified Public Accountants. As part of our peer review, we considered reviews by regulatory entities, if applicable, in determining the nature and extent of our procedures. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at [www.aicpa.org/prsummary](http://www.aicpa.org/prsummary).

As required by the standards, engagements selected for review included engagements performed under *Government Auditing Standards* and audits of employee benefit plans.

In our opinion, the system of quality control for the accounting and auditing practice of Robinson, Farmer, Cox Associates in effect for the year ended June 30, 2013, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)*, or *fail*. Robinson, Farmer, Cox Associates has received a peer review rating of *pass*.

Tetrick & Bartlett, PLLC

December 11, 2013



**TOWN OF OCCOQUAN**  
**TOWN COUNCIL MEETING**  
 Agenda Communication

<b>9. Regular Business</b>	<b>Meeting Date:</b> September 1, 2015
<b>9 E: Request to Approve Purchase of Town Logo Gaslight Banners</b>	

**Explanation and Summary:**

During the August 4, 2015 meeting, Town Council approved the purchase of the two seasonal Arts and Crafts Show Banner designs, but requested a quote for a color Town Logo Banner.

<b>Banner Description</b>	<b>Cost Per Banner (25)</b>	<b>Screen Charges</b>	<b>Shipping</b>	<b>Total</b>
1 ink color banner	\$59	\$70	\$60	\$1,605
4 ink color banner	\$85	\$280	\$60	\$2,465

Banners will be interchanged throughout the year and on alternating gas lights. Below is the general timeline for banner display:

April – August: Craft Show Banner (Spring Theme) and Patriotic Theme Banner

September – November: Craft Show Banner (Fall Theme) and Patriotic Theme Banner

December – March: Winter Theme and Town Logo Banner

**Town Manager’s Recommendation:** Recommend approval to purchase either full color or one ink color banners.

**Cost and Financing:** One Ink Color: NTE \$1,765 (includes 10% contingency)

Full Color: \$2,715 (include 10% contingency)

**Account Number:** FY2016 CIP

**Proposed/Suggested Motion:**

“I move to approve the purchase of (four ink OR one ink) banners for the Town’s gas lights through Mosca Design in an amount not to exceed \$\_\_\_\_\_.”

OR

Other action Council deems appropriate.

**Attachments: (2)** Mockup – 4-Ink  
 Mockup – 1-Ink

# HISTORIC OCCOQUAN



**Occoquan**  
VIRGINIA  
*Shopping, Dining, Art & History*

Occoquan, VA  
EDIT 13  
8/25/15

SIZE: 18" x 36"

FABRIC: Med Blue

INKS: 4 inks 

**MOSCA**  
*Design*

8450 Garvey Drive  
Raleigh, NC 27616  
Phone: (919) 954-0200  
Fax: (919) 954-0203  
Toll Free: 800-332-6798

APPROVAL SIGNATURE

**TAKE NOTHING FOR GRANTED, PLEASE CHECK PROOF CAREFULLY.**

Illustrations are a reasonable representation of ink colors on banner fabrics.  
All monitors display differently, therefore a free color match sample is available  
upon request. We are not responsible for any errors after approval.

# HISTORIC OCCOQUAN



**Occoquan**  
VIRGINIA  
*Shopping, Dining, Art & History*