

Waters
Bernardin
Fairfax
McIntyre
Nickum
Smith

Clifton Town Council Meeting

Tuesday, January 6th, 1976

✓ Anchor
Boyle
Kincheloe
Post Office
Store

1. Discussion re: Randolph Buckley Property as a park
2. Chapter 3, Ordinances, if prepared
3. Letter from Fairfax County re: change in Sewer Taps
4. Access to Ford Lane
5. Let's Spruce up Clifton
6. Proposed new ordinance

7. Historic Zoning -

Posted, Post Office, Store, 12/30/75

8. Ordering license Rates -
to Historic Clifton -

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CLIFTON TOWN COUNCIL AGENDA

Tuesday, March 2, 1976

1. Report on sewer taps - Bernardin
2. Letter re: Ford Lane from Fire Marshal
3. Review plans for addition to the Pink House
4. Letters re: Historic Zoning - Smith (Diane)

Waters
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TOWN COUNCIL MEETING

Tuesday, February 3, 1976

The meeting was called to order and the minutes were read and accepted as corrected. (Correction: The Whites were to furnish proof of their final inspections prior to receiving their occupancy permit.) The Treasurer's report was read and approved as read.

Phyllis presented the various bills to be paid, and a motion was made to approve the payment. (AOK Printers, Trash, Oct. through Jan.), West End Printing, for Building Permit forms, Globe Newspaper, and Mr. Thompson, for the balance of the electrical installation on the Town Office Building.)

There was a request from the 2nd Baptist Church of Clifton to approve their plans for an addition at the rear of their building. They provided Council with the required 3 sets of plans, and also evidence of ownership of the Oddfellows Lodge. There was a motion to approve the plans. Motion approved.

Randolph Buckley's Property - the deed will be given to Jim Kincheloe to record it, and we have approximately 4 years left during which time a decision will have to be made as to how we shall use the property. The matter was referred to committee, of which Dave Smith is chairman. They'll make recommendations at a future council meeting.

Chapter 3 of the Ordinances was then read by Phyllis. There was then a motion to table any action on Chapter 3 until we have covered the subject of Historic Districts with the Planning Commission. Motion to table was approved.

Wayne moved that the Planning Commission include a provision for designating Historic Districts in their zoning proposal to Town. Motion approved.

Diane Smith explained that the Office of Comprehensive Planning has included 5 buildings in the town on its historic buildings list. There was a motion that Clifton adopt the County's criteria used in designating buildings and structures of historic interest. Motion approved, 4-1 (Mac's "no" vote).

There was a motion that the information re: the Clifton Baptist and Presbyterian Churches be given to the Planning Commission to use in formulating their recommendations for designating historic districts. Diane Smith's committee has this information. The vote was 4-1, approved (Nickum's "no" vote).

Phyllis then read a letter from the County re: change in sewer taps. Will volunteered to look into the matter and recommend action. Report in March.

Phyllis then read two letters from the County Fire Rescue Services re: access to Ford Lane. Dave Smith requested that the Council take action, to post Ford Lane as a Fire Lane so that the lane will be left open for access. The Clerk was directed to send a letter to the Deputy Chief Fire Marshall Peck, asking them how we would go about posting the lane as a Fire Lane if Council decides to do so.

Spruce up Clifton: Phyllis mentioned the various unsightly items throughout the town (car across from her house, debris across from Skujins, and the car in the CBA lot and refrigerator(s) next to the Achors), and indicated a stove on the front porch of the Clifton Hotel.

Earl Lee submitted plans for an addition to the Pink House, but discussion on this was tabled until the March meeting.

It was determined by Council that this year we will purchase 100 regular license plates, 10 half size for motorcycles, and five red ones for the volunteer Fire Department. The Clerk was directed to order these.

Brian Mulcahy, new owner of the Iron Horse Saddlery (formerly Clifton Livery) asked Council's direction on his use of the Livery's sign for his, to be repainted. He was told to provide a drawing to the Council and they would take quick action for him upon receipt of same.

There was a motion to dissolve the Building Official Committee. Motion approved.

The motion to adjourn was unanimous.

Respectfully submitted,

Louise F. Achor, Clerk

Approved: Phyllis Waters Date: _____

February 7, 1976

Mr. Ronald M. Peck
Deputy Chief Fire Marshal
County of Fairfax
4100 Chain Bridge Road
Fairfax, Virginia 22030

Dear Mr. Peck:

At the February 3rd meeting of the Clifton Town Council, there was considerable discussion as to the advisability of designating Ford Lane as a Fire Lane and posting it as such.

Although no action was taken in this matter, it was decided to inquire as to what steps would be necessary if Council should decide to take affirmative action.

Would you please let us know how we would go about posting Ford Lane as a Fire Lane, in the event that Council decides to do this? Thank you for your attention to this request.

Sincerely yours,

Phyllis Waters, Mayor
Town of Clifton

FW:ls

cc to D. Smith
E. Lee

February 7, 1976

County Executive
County of Fairfax
4100 Chain Bridge Road
Fairfax, Virginia 22030

Dear Sir:

On December 2, 1975, at the monthly meeting of the Town Council, the Council voted to adopt the Uniform Statewide Building Code and that an Office of Inspections be established with the proper fees for construction and other related permits.

The Town by ordinance has exercised its rights under section 107.1 of the Building Code to administer and enforce the Code by appointment of Mr. A. J. Calderone to the Office of Building Official effective January 1, 1976.

The Town requests the County as of the effective date to discontinue the issuance of permits covered under the Code and to continue coverage (inspections, etc.) for any and all permits issued by the County prior to such date.

Sincerely yours,

Phyllis Waters, Mayor
Town of Clifton

PW:la

Clerk

CHAPTER 3
BUILDINGS.

CHAPTER 3

BUILDINGS

Article 1 - Building Code Adopted

3-1 Adoption of State Building Code

Article 2 - Restoration Procedure

3-2 Certificate of Appropriateness Required

3-3 Compliance with State and Town Ordinances Required

3-4 Contents of Application

3-5 Application for Certificate of Appropriateness

3-6 Commencement and Completion of Work under Certificate of Appropriateness and Building Permit

3-7 Permit Required to Raze Building

3-8 Standards for Issuance or Denial of Certificates

3-9 (Reserved)

3-10 Procedure and Action on Application

3-11 Certificate of Appropriateness; issuance; display

3-12 Water and Drainage Rights Retained by Town

3-13 Compliance with Sanitation Provisions

3-14 Trailer Camps and Mobile Homes

3-15 Notification of Violation

3-16 Violations; Action by Town

3-17 Appeal to Circuit Court

3-18 Penalties

ARTICLE 1

BUILDING CODE ADOPTED

Sec. 3-1. Adoption of State Building Code

(A) The Uniform Statewide Building Code as promulgated by the State Board of Housing is adopted by this reference and made a part of this Chapter with the same force and effect as though set out in full herein, as the official Building Code of the Town.

(B) Copies of the Building Code shall be on file in the office of the Clerk for public inspection and use.

(C) The Uniform Statewide Building Code shall be enforced by the appropriate branch of the Fairfax County government or Town Building official.

ARTICLE 2
RESTORATION PROCEDURE.

Sec. 3-2. Certificate of Appropriateness Required.

(A) No building or structure shall be erected, reconstructed, altered or restored in an historic district unless and until an application for a Certificate of Appropriateness as to exterior architectural features, including painting, shall have been approved by the Council.

(B) The exterior reconstruction, alteration or restoration involving a cost over a twelve (12) month period of not over Five Hundred Dollars (\$500.00) in labor and material at going commercial rates in the area shall not require an application for a Certificate of Appropriateness.

(C) No Certificate of Appropriateness shall be required for the repairing of any structure by replacing any material provided that such repairs are of substantially the same architectural design or feature as the existing design or feature.

Sec. 3-3. Compliance with State and Town Ordinances Required.

In addition to securing the architectural approval of the Council, the applicant shall comply with all applicable building ordinances of the State and Town and shall apply to all appropriate Agents of the Town for all necessary building permits.

Sec. 3-4. Contents of Application.

(A) The application for a Certificate of Appropriateness shall state:

- (1) The name and address of the applicant;
- (2) The location or structure for which the certificate is desired;
- (3) A description of the work to be performed, including the estimated costs;
- (4) The name of the contractor or architect if any, and
- (5) Such other information as the Council may require.

(B) If the reconstruction, restoration or alteration which requires a Certificate of Appropriateness also requires building plans or documents to be submitted to the Town Building Official, such plans and/or documents shall accompany

the application for a Certificate of Appropriateness. Upon approval by the Council, plans shall be submitted to the Town Building Official for the issuance of a building permit covering such construction.

(C) Any subsequent submissions to the Town Building Official must also be submitted to, and subject to the approval of, the Town Council.

Sec. 3-5. Application for Certificate of Appropriateness.

All applications for a Certificate of Appropriateness shall be made to the Clerk.

Sec. 3-6. Commencement and Completion of Work under Certificate of Appropriateness and Building Permit.

(A) Work authorized by a Certificate of Appropriateness or a Building Permit shall commence within six months after issuance.

(B) Work authorized by a Certificate of Appropriateness or a Building Permit shall be completed within two years after issuance for a residential building and within three years for a commercial building.

(C) For cause, one or more extensions of time for periods not exceeding six months each may be allowed by the Council, upon written request thereto.

Sec. 3-7. Permit required to Raze Building.

(A) Subject to provisions of Virginia Code Section 15.1-503.2 (1950) as Amended: No building, landmark, building or structure, designated as historic, shall be razed without first obtaining a permit approved by the Council.

(B) The Council shall be empowered to refuse such permit for any structure designated of historic or architectural interest, the removal of which, in the opinion of the Council, would be detrimental to the public interest of this Town.

Sec. 3-8. Standards for issuance or denial of Certificates.

(A) In reviewing an application for Certificate of Appropriateness, the Council shall not consider interior arrangement, relative size of the building or structure, detailed design, or features not subject to any public view and shall not make any requirements except for the purpose of protection of the architectural and historic value of designated historic districts, landmarks, buildings and structures.

(B) The Council shall consider the following in passing upon the appropriateness of architectural features:

- (1) Exterior architectural features, including all signs;
- (2) General design and arrangement;
- (3) Texture and material;
- (4) The relation of the factors in Subsections (B) (1), (2), and (3) above to similar features of such landmarks, buildings or structures;
- (5) The extent to which the building or structure would be harmonious with, or obviously incongruous with, the existing character of the designated historic landmark, building or structure.
- (6) The extent to which the building or structure will preserve or protect designated historic landmarks, buildings or structures.
- (7) The extent to which the building or structure will promote the general welfare of the Town and citizens by the preservation and protection of designated historic landmarks, buildings or structures; and,
- (8) The extent to which the preservation and protection shall promote the general welfare by attracting students, writers, historians, artists and artisans, attracting new residents, encouraging study and interest in American history, stimulating interest and study in architecture and design, educating citizens in American culture and heritage, and making the Town a more attractive and desirable place in which to live.

Sec. 3-9. (Reserved)

Sec. 3-10. Procedure and Action on Application.

(A) 1. The applicant shall submit the certificate or permit application to the Clerk thirty (30) days before the meeting at which a decision is requested.

2. The Council shall act on an application for a Certificate of Appropriateness at its next meeting.

3. In the event an emergency exists, applicant can request waiver of 1. and 2. above in writing to the Clerk. The Council may waive 1. and 2. in instances where they judge an emergency to exist.

(B) In case of disapproval of the erection, reconstruction, alteration or restoration of a building or structure, the Council shall briefly state its reasons therefore in writing. The Council may make recommendations to the applicant with respect to the appropriateness of design, arrangement, texture, material, location, and the like of the building or structure involved. In case of disapproval accompanied by recommendations, the applicant may again be heard before the Council if within ninety (90) days he comes before the Council with his application so amended that it will comply with the recommendations of the Council.

(C) In matters covering the procedure for meetings not covered by this Chapter, the Council may establish its own rules, provided they are not contrary to the spirit of this Chapter.

Sec. 3-11. Certificate of Appropriateness; issuance; display.

(A) Upon approval by the Council of any erection, reconstruction, alteration or restoration, a Certificate of Appropriateness, signed by the Mayor and bearing the date of issuance, shall be made available to the applicants.

(B) The Certificate of Appropriateness shall be prominently displayed at the site for which the Certificate was issued.

Sec. 3-12. Water and drainage rights retained by the Town.

The Town reserves to itself the control of all water rights and drainage of all natural or storm water in connection with the issuance of use or building permits.

Sec. 3-13. Compliance with Sanitation Provisions.

No building permit will be issued for construction in any zoning district which does not comply with Chapter 6 of this Code.

Sec. 3-14. Trailer Camps and Mobile Homes.

(A) No person shall maintain or operate or permit the maintenance of any trailer park, camp, or other assemblage of impermanent dwelling units within the limits of the Town.

(B) No person shall maintain, operate or otherwise use any mobile home or trailer within the Town as a permanent dwelling.

(C) As used in this Section, Mobile Home or Trailer shall mean a manufactured transportable object with waste disposal or electrical conveniences, that is ready for occupancy, except for minor and incidental unpacking and assembly operations at the site.

*discussed
re:
Vas?*

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2/3/76*

Sec. 3-15. Notification of Violation.

Upon becoming aware of any violation of any provisions of this Chapter, the Council shall serve written notice of such violation on the person committing or permitting the violation. If the violation has not ceased within such reasonable time as the Council has specified in the notice, the Town may require the Town Attorney to institute such action as may be necessary to terminate the violation.

Sec. 3-16. Violations; action by Town.

(A) Any building erected, conducted, ^{structed} operated, used or maintained, contrary to any of the provisions of this Chapter, is hereby declared to be a nuisance. The Council may initiate injunction, mandamus, abatement or any other appropriate action to prevent, enjoin, abate or remove such erection or use.

(B) The remedies provided for in this Section shall be in addition to any other remedies provided by law.

Sec. 3-17. Appeal to Circuit Court.

Parties aggrieved by any decision of the Council shall have the right to appeal to the Circuit Court of the County for review by filing a petition setting forth the alleged illegality of the action of the Council. The petition shall be filed in accordance with section 15.1 - 503.2 of the Code of Virginia (1950) as Amended.

Sec. 3-18. Penalties.

Any person, whether as owner, lessee, principal, agent, employee or otherwise, who violates any of the provisions of this Chapter or who erects any building or uses any building or any land in violation of any detailed statement or plan submitted by him and approved under the provisions of this Chapter, shall be guilty of a misdemeanor.

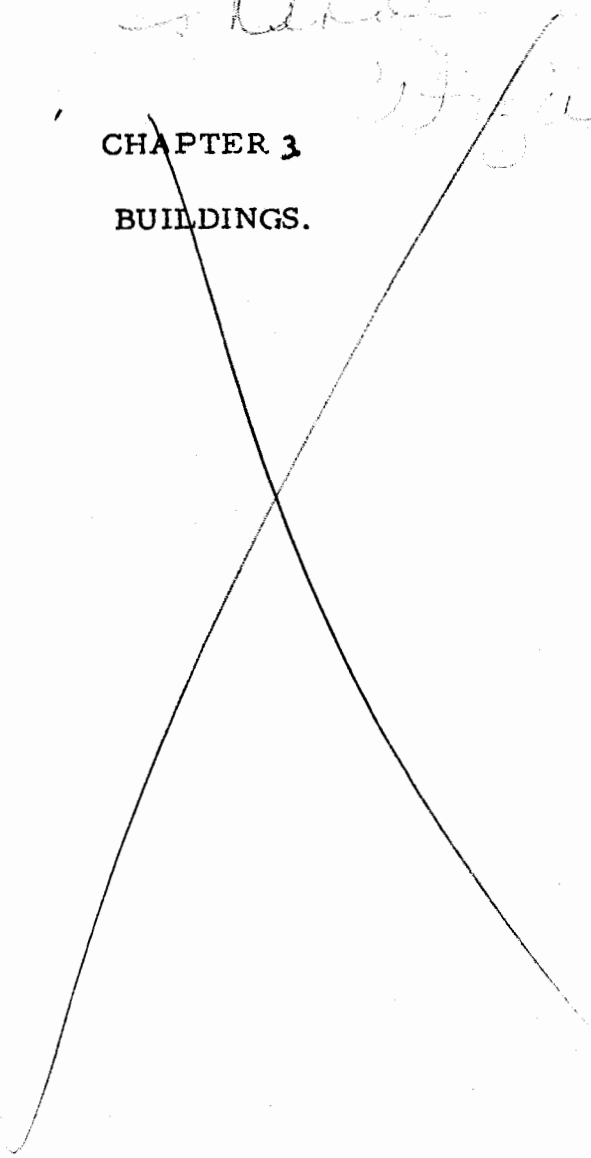
Clark

to be reported
as hand-drawn

Wiggins

CHAPTER 3

BUILDINGS.



CHAPTER 3.

BUILDINGS.

ARTICLE 1. GENERAL PROVISIONS.

- § 3-1. Plat and permit required.
- § 3-2. Building fees.
- § 3-3. Compliance with sanitation provisions.
- § 3-4. Trailer camps and mobile homes.
- § 3-5. Water and drainage rights retained by Town.

ARTICLE 2. BUILDING CODE ADOPTED.

- § 3-6. Adoption of State Building Code.
- § 3-7. Enforcement of Chapter.

ARTICLE 3. RESTORATION PROCEDURE.

- § 3-8. Restoration consultants; authority of Council to retain.
- § 3-9. Hazardous structures; applicability of County Code.
- § 3-10. Compliance with County Ordinances required.
- § 3-11. Certificate of Appropriateness required.
- § 3-12. Application for Certificate of Appropriateness.
- § 3-13. Contents of application.
- § 3-14. Time limitation of Certificate of Appropriateness.
- § 3-15. Certificate of Appropriateness; issuance; display.
- § 3-16. Permit required to raze building.
- § 3-17. Standards for issuance or denial of permit or certificate.
- § 3-18. Procedure and action on application.
- § 3-19. Notification of violation.
- § 3-20. Violations; action by Town.
- § 3-21. Appeal to Circuit Court.
- § 3-22. Penalties.

ARTICLE 1.

GENERAL PROVISIONS.

Sec. 3-1. Plat and permit required.

(a) No building or structure shall be erected, and no new construction or building additions shall be undertaken in the Town until a complete set of building plans ^{*} as required by the County Department of Permits and Inspections shall first be submitted to the Council for approval. Upon approval by the Council, plans shall be submitted to the County Department of Permits and Inspections for the issuance of a building permit covering such construction.

(b) Upon issuance of a building permit by the County, work shall commence within six (6) months. Failure to commence work within six (6) months or complete such work within a reasonable time shall void the building permit.

(c) Failure to ^{commence} complete work within 2 years

*What constitutes a "complete set"?

A certificate of appropriateness is required.

see Sec. 3-11
Sec. 3-2. Building fees.

~~No charge shall be made by the Town for use or building permits.~~

3-3-see 3-10

Sec. 3-3. Compliance with sanitation provisions.

No building permit will be issued for construction in any zoning district which does not comply with Chapter 7 of this Code.

Sec. 3-4. Trailer camps and mobile homes.

(a) No person shall maintain or operate or permit the maintenance of any trailer park, camp, or other assemblage of impermanent dwelling units within the limits of the Town.

(b) No person shall maintain, operate or otherwise use any mobile home or trailer within the Town as a permanent dwelling.

(c) As used in this Section, Mobile Home or Trailer shall mean a manufactured transportable single supply, waste disposal and electrical conveniences, and is ready for occupancy, except for minor and incidental unpacking and assembly operations at the site.

Sec. 3-5. Water and drainage rights retained by Town.

The Town reserves to itself the control of all water rights and drainage of all natural or storm water in connection with the issuance of use or building permits.

ARTICLE 2.

BUILDING CODE ADOPTED.

Sec. 3-6. Adoption of State Building Code.¹

(a) The Uniform Statewide Building Code as promulgated by the State Board of Housing is adopted by this reference and made a part of this Chapter with the same force and effect as though set out in full herein, as the official Building Code of the Town.

(b) Copies of the Building Code shall be on file in the office of the Clerk for public inspection and use.

(c) The Uniform Statewide Building Code shall be enforced by the appropriate branch of the Fairfax County government.

¹State law reference: As to the State Building Code, see § 36-97, et. seq.

ARTICLE 3.

RESTORATION PROCEDURE.

Sec. 3-8. Restoration consultant; authority of Council to retain.

For the purpose of making effective the provisions of this Article, the Council may retain or hire the services of a restoration consultant or consultants or other qualified personnel to aid the Council.

Sec. 3-9. Harzardous structures; applicability of County Code.

Nothing in this Article shall prevent the razing of any building or structure under the provisions of the County Building Code or the County Minimum Housing Hygiene Standards Code.

Sec. 3-10. Compliance with County Ordinances required.

In addition to securing the architectural approval of the Council, the applicant shall comply with all applicable building ordinances of the County and shall apply to all appropriate Departments of the County for all necessary building permits.

2
Sec. 3-11. Certificate of Appropriateness required.

(a) No building or structure shall be erected, reconstructed, altered ^{an historic} or restored in the Town unless and until an application for a Certificate of Appropriateness as to exterior architectural features including ^{painting and} signs, shall have been approved by the Council.

(b) The exterior reconstruction, alteration or restoration involving a cost over a twelve (12) month period of not over Five Hundred Dollars (\$500.00) in labor and material at going commercial rates in the area shall not require an application for a Certificate of Appropriateness.

(c) No Certificate of Appropriateness shall be required for the repairing of any structure by replacing any material provided that such repairs are of substantially the same architectural design ^{or feature} as the existing design. ^{or feature}

Sec. 3-12. Application for Certificate of Appropriateness.

All applications for a Certificate of Appropriateness shall be made to the Clerk.

Sec. 3-13. Contents of application.

(a) The application for a Certificate of Appropriateness shall state:

- (1) The name and address of the applicant;
- (2) The location or structure for which the certificate is desired;
- (3) A description of the work to be performed, including the costs;
- (4) The name of the contractor or architect if any, and
- (5) Such other information as the Council may require.

Sec. 3-14. Time limitation of Certificate of Appropriateness.

Any permit issued shall become invalid unless the work authorized by it shall have been commenced within six (6) months after its issuance.

However, for cause, one or more extensions of time for periods not exceeding ninety (90) days each may be allowed in writing by the Council.

Séc. 3-15. Certificate of Appropriateness; issuance; display.

(a) Immediately upon approval by the Council of any erection, reconstruction, alteration or restoration, a Certificate of Appropriateness signed by the Mayor and bearing the date of issuance shall be made available to the applicants.

(b) The Certificate of Appropriateness shall be prominently displayed at the site for which the Certificate was issued.

Sec. 3-16. Permit required to raze building.

(a) No building in the Town shall be razed without first obtaining a permit approved by the Council except as provided in Section 4-9.

(b) The Council shall be empowered to refuse such permit for any ~~and~~ ^{or historic} structure of architectural interest, the removal of which in the opinion of the Council would be detrimental to the public interest of this Town.

Sec. 3-17. Standards for issuance or denial of permit or certificates.

(a) The Council shall not consider interior arrangement, relative size of the building or structure, detailed design, or features not subject to any public view and shall not make any requirements except for the purpose of protection of the health, morals, safety or welfare of inhabitants of the Town.

(b) The Council shall consider the following in passing upon the appropriateness of architectural features:

- (1) Exterior architectural features, including all signs;
- (2) General design and arrangement;
- (3) Texture and material;
- (4) The relation of the factors in Subsections (b) (1), (2) and (3) above to similar features of ^{existing} buildings and ^{of buildings &} structures in the immediate surroundings;
- (5) The extent to which the ^{existing} building or structure would be harmonious with or obviously incongruous with the ^{or with the} existing character of the Town;
- (6) The extent to which the building or structure will preserve or protect historic places and areas of historic interest in the Town;
- (7) The extent to which the building or structure will promote the general welfare of the Town and all citizens by the preservation and protection of historic places and areas of historic interest in the Town; and,
- (8) The extent to which the preservation and protection shall promote the general welfare by maintaining and increasing real estate values,

generating business, creating new positions, attracting tourists, students, writers, historians, artists and artisans, attracting new residents, encouraging study and interest in American history, stimulating interest and study in architecture and design, educating citizens in American culture and heritage, and making the Town a more attractive and desirable place in which to live.

Sec. 3-18. Procedure and action on application.

(a) The applicant shall submit the certificate or permit application to the Clerk thirty (30) days before the meeting at which a decision is requested.

(b) The Council should act on an application for a Certificate of Appropriateness or razing permit at its next meeting.

(c) The Council shall not reconsider any decision made by it, except in cases where an applicant appears within ninety (90) days with his application amended. The Council shall not hear for a period of one (1) year the subject matter of any application which has been denied, except in cases where an applicant appears within ninety (90) days with his application amended as provided in Subsection (d).

(d) In case of disapproval of the erection, reconstruction, alteration or restoration of a building or structure, the Council shall briefly state its reasons therefor in writing. The Council may make recommendations to the applicant with respect to the appropriateness of design, arrangement, texture, material, location, and the like of the building or structure involved. In case of disapproval accompanied by recommendations, the applicant may again be heard before the Council if within ninety (90) days he comes before the Council with his application so amended that it will comply with the recommendations of the Council

(e) In matters covering the procedure for meetings not covered by this Chapter, the Council may establish its own rules, provided they are not contrary to the spirit of this Chapter.

Sec. 3-19. Notification of violation.

Upon becoming aware of any violation of any provisions of this Chapter, the Council shall serve written notice of such violation on the person committing or permitting the violation. If the violation has not ceased within such reasonable time as the Council has specified in the notice, the Town shall institute such action as may be necessary to terminate the violation.

Sec. 3-20. Violations; action by Town.

(a) Any building erected, conducted, operated, used or maintained, contrary to any of the provisions of this Chapter, is hereby declared to be a nuisance. The Council may initiate injunction, mandamus, abatement or any other appropriate action to prevent, enjoin, abate or remove such erection or use. Such action may also be instituted by any property owner who may be particularly damaged by any violation of any provision of this Chapter.

(b) The remedies provided for in this Section shall be in addition to any other remedies provided by law.

Sec. 3-21. Appeal to Circuit Court.

Parties aggrieved by an decision of the Council shall have the right to appeal to the Circuit Court of the County for review by filing a petition, at law, setting forth the alleged illegality of the action of the Council. The petition shall be filed within thirty (30) days after the final decision is rendered by the Council. The filing of the petition shall stay the decision of the Council pending the outcome of the appeal to the Court.

Sec. 3-22. Penalties.

Any person, whether as owner, lessee, principal, agent, employee or otherwise, who violates any of the provisions of this Chapter or who erects any building or uses any building or any land in violation of any detailed statement or plan submitted by him and approved under the provisions of this Chapter, shall be guilty of a misdemeanor.

Present: Full Council, Kincheloe, Boyle, Achor, 6 residents

Town Council Minutes

Tuesday, March 2, 1976

The meeting was called to order and the minutes were read and accepted as read. The Treasurer's report was read and accepted as read. The Treasurer was reminded that any amount over \$2,000 in our checking account can be transferred to our Savings Account.

Phyllis announced that the deed to the Buckley Park property has now been recorded. The following bills were approved for payment: Kincheloe (for recording the deed), Globe Newspaper, Hricko, plus the regular monthly obligations of the Council.

Will reported on the sewer tap matter (see letter from Michael Long, administrative Aide in the County Executive's Office). He said that first, the proposal has not been formally adopted by the County. The change indicates that existing buildings, rather than occupied buildings will be allowed to hook up to the system. Existing residential buildings may be allowed to hook up to the system. New buildings will not be allowed to connect. It was moved that the suggestions for a change in their proposal be adopted and sent to the County. Existing commercial buildings will be allowed to connect. The Clerk is to direct a letter to Mr. Long, indicating these changes in their proposal.

Phyllis read the letter from the Fire Marshall re: Ford Lane, plus Will's written opinion, plus Dave Smith's letter of February 20th, the latter which requested passing of an ordinance which would prohibit blocking entrances to private drives. Will pointed out that we already have an ordinance which does that. Phyllis also read the letter from the Clifton Store. Dave stated that he was grateful for the new signs which the Lees said they have put up. Suggestions of signs to read, "No Parking-Private Drive" and "Do Not Block Ford Lane" were discussed. The Clerk was directed to write to the Chief of Police, telling him that we have an ordinance which prohibits the blocking of a private drive and asking for assisting in enforcement of this, and enclosing the ordinance for his files. A copy of this letter is to go to Mr. Peck, the deputy Fire Marshal.

Council then reviewed the Lee's plans for an addition to the Pink House. Mac clarified that the addition would be an extension to the newest building in the back. There was a motion to approve the plans, noting the useage is the same, it meets the zoning requirements and will be issued a Certificate of Appropriateness. Motion passed.

Dave read a letter from the Virginia Landmarks Commission, which Diane's committee on Histeric Zoning had received. What we're trying to secure from them is an official recognition that Clifton is an area of historical significance to the Commonwealth of Virginia. (This is what they bestow on areas which meet the necessary criteria for such distinction.) The five houses in Clifton considered of historic interest at present are the Quigg House, the Hetzel House, the Hotel, the Baptist and Presbyterian churches. There was a motion that the Town declare the Baptist Church (7152 Main Street) and the Presbyterian Church as buildings of historic interest. Motion approved.

Phyllis brought up a complaint which had been given to her regarding the flying of flags at night in the town without lights. (Achor and Buckley Inn). Buckleys' Inn has a light, the Achors will get one.

Sue Crick requested a Wrong Way sign to be posted on the ingress road to Clifton at the Triangle, due to a near accident she had had at that point. Phyllis will get in touch with the Highway Department to see what they can do to help. She'll also see if they can help in supplying the "No Parking" signs for Ford Lane.

Town Council and the Board of Zoning Appeals received a request from Dave Bean before the January meeting (which wasn't held) to have a special use permit for the barn on the property adjacent to Clifton Creek for a variety of possible services: Smithing, antique repair, bakery, woodcarving, furniture making, ceramics, crafts, weaving, and carpentry shop. When queried on these many uses, Dave said for purposes of expediting use of the building, he would cut down the possible uses of the building to woodworking, carpentry and refinishing antiques. There was a motion that this request be tabled for 30 days. Eventually the motion was approved. Dave Smith raised three questions: Was there proper Access (Dave replied that he had 20 feet); in whose name was the title? (Dave Bean replied that it is in his name); and did they need to hook up to the sewer? (Dave Bean said he would have to look into that - he didn't know). Dean Clamons will get the BZA to meet and act on it before the April meeting. Members of the Board of Zoning Appeals are Bob Achor, Pat Layden, Lou Monet, and Christine Fairfax.

Will announced that he was having a meeting at his house at 4 p.m., March 3, regarding Flood Insurance, and that Mayor, councilmen, and any interested citizens were invited to attend. It would be a working session.

We have received a letter from Gerald Hennessey, announcing the expiration of our lease for the playground on 4/10/76. He's willing to extend the lease, if we will allow him to place "For Sale" signs on the property. We're also to ask him what he is selling the property for, and to see if he'll agree to give Clifton an option to bid on the property. There was a motion to renew the lease, with the provision added in ink at the bottom to allow the placement of the "For Sale" signs on the property. If we are unable to find the copy of the lease, we shall request Mr. Hennessey for a copy.

Dave Smith requested information on how many Building Permits had been issued, and asked if Mr. Calderone could provide a report in writing on a monthly basis for the Council meetings for the official record, indicating the number of permits and the building activity during that month. A motion to this effect was approved.

Dave also queried the Treasurer as to status of the Business Licenses which had been paid, and asked for a report at the April meeting as to those licenses not yet paid.

The survey on the Town Office Building has not been done. Dave Smith was authorized to hire a meets and bounds survey for no more than \$100.

A motion to adjourn was approved.

Respectfully submitted,

Louise F. Achor
Town Clerk

LFA

Approved:** Phyllis Blatters Date 4-6-76

April 6, 1976

The Board of Zoning Appeals has received a request from David H. N. Bean to use the property located at 7141 Main Street, Clifton, Virginia, for the purposes of woodworking, carpentry, and refinishing of antiques.

A review has been made of the applicable sections of the Zoning Ordinance of the Town of Clifton, dated March, 1956, (with accompanying map dated 1949). As indicated on the 1949 Zoning map, the subject property is designated Industrial.

After due consideration, the Board of Zoning Appeals recommends, with the concurrence by the Town Council, that such uses as specifically enumerated above be approved, subject to compliance with existing ordinances in effect at this time.

Robert F. Achor
J. Dean Clamons
P. J. Layden

Recommendation
(~~Opinion~~ presented at the April 6, 1976, Town Council meeting)

March 5, 1976

To: Clifton Board of Zoning Appeals

From: Dean Clamons

Subject: Request from Dave Bean for use of industrial property

I am sorry that I will be out of town when the Board meets to consider Dave Bean's request. However, since I am on the Board I wish to present what little I know of the matter and my recommendations based on my limited knowledge.

Background

1. At the February Town Council meeting Mr. Bean gave me a letter addressed to the Town Council and the BZA. The letter requested permission to use his property on the creek which is zoned industrial for a number of crafts. (The property in question is apparently the piece which contains the barn behind the pink house.)

2. I took little action on the matter since it was not clear that the BZA was required to act at that time.

3. It has since been determined that a Town ordinance requires the BZA to review requests for usage of industrial property and to recommend action by the Town Council.

4. At the March Town Council meeting Mr. Bean modified his request to ask that the property be used specifically for woodworking.

In my opinion the following points should be examined by the BZA in considering the request.

1. The Town ordinances should be examined to see if the proposed use is specifically allowed or disallowed.

2. The question of whether sewer facilities are required should be looked at. This I presume depends on County health regulations and perhaps on the building code.

3. It must be decided whether the proposed use is desirable.

4. A public hearing on the matter may be required. If so it should be arranged at an early date with the appropriate notices being sent out.

The following are my recommendations for action by the BZA.

1. Meet with Mr. Bean as soon as possible to verify and clarify exactly what his proposed usage is. If a public hearing is required it should probably be set up at this meeting.

2. If no ordinance disallows the usage and there is no significant public disapproval, I feel the proposed usage for woodworking should be approved. This type of usage is, I believe, in the spirit of what we want the town to be. Approval should, of course, specify that all building and health regulations be complied with. The broader original request should be denied at this time in order to speed the process.

3. I believe the BZA should furthermore suggest that the Planning Commission and/or Town Council should include more exact specifications of allowed and disallowed uses of commercial and industrial property in the new zoning ordinance.

4. I believe that prompt action by the BZA is important. Too often in the past the town government has been very slow in acting on citizens' requests.

I will be available after April 1, and if the matter is not settled at that time I would like to be informed of the present status. I would at that time be available to help in any way possible.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Dean Clamons".

J. Dean Clamons

Clifton
To: Town Council
Board of Zoning Appeals

DAVID H. N. BEAN
Attorney At Law
3989 Chain Bridge Road
Fairfax, Virginia 22030
703-591-3086

1/6/76

This is to request that the approximately one acre of industrial land owned by the undersigned, and adjacent to Clifton Creek, located at 7141 Main Street, be used for the following purposes:

I Craft and Art Center

To be used for the fabrication and sale of: furniture & cabinetmaking, carpentry, millwork, weaving, candlemaking, ceramics, wood carving, and similar related crafts including antique repair.

II

Bakery, butcher shop, cheesemaking, winemaking

Very truly yours
David H. N. Bean
OWNER

6811 White Rock Road
Clifton, Virginia 22024

February 27, 1976

Mayer Phyllis Waters
Town of Clifton
Clifton, Virginia 22024

Dear Mayer Waters:

The lease which I have granted on the land in Clifton expires on the 10th of April, 1976. I plan to put this property up for sale. In the meantime, however, if the Town wishes to extend the lease would you please have the necessary papers drawn up, or let me know otherwise prior to the expiration date, so there is no lapse in the insurance coverage. If extended, please be sure to include the provision added in ink in the present lease that the "Landlord may place for sale signs on property during period of lease".

Sincerely,

Gerald Hennesy
Gerald Hennesy

*option to bid
or buy*

Town Council Agenda

Tuesday, April 6, 1976

Waters
Bernardin
Fairfax
McIntyre
Nickum
Smith

- | | |
|--|-------------|
| ✓1. BZA report on Bean request for use of Barn | Achor |
| ✓2. Report, Business Licenses - Treasurer | Boyle |
| ✓3. Status, Building Permits | Kincheloe |
| ✓4. Letter from Hemmesy re: Sale of Playground | Post Office |
| ✓5. Mowing playground | Store |
| ✓6. Discussion re: change in date of installation of newly elected Council members | |

Posted, Post Office and Store, 4/3/76

TOWN COUNCIL MINUTES

Tuesday, April 6, 1976

The meeting was called to order and the minutes were accepted as corrected. The Treasurer's Report was given, and accepted as read.

1. Bob Achor read the recommendation of the Board of Zoning Appeals re: Dave Bean's request for a use permit for the barn behind the pink houses. (BZA Report recommended the use be allowed for woodworking, carpentry, and refinishing of antiques.) A question was raised as to the wisdom of allowing use for horses and services at the same time. After some discussion, a motion was made to indicate that woodworking, carpentry, and refinishing furniture was a proper use as to the zoning ordinances. The approval of the use for the building does not specify the right to occupy or an approval of sanitary facilities for same. The motion was approved.
2. Bills to be paid: Lamb, Seal and Stencil, license plates; Survey of Town Office building, \$250.00, and AOK Printers. Motion to pay the bills, in addition to the usual monthly obligations, was approved.
3. Phyllis then read the letter from A. J. Calderone indicating Building Activity for January through March. (That letter is filed under "Building Inspector - Monthly Reports")
4. Phyllis read the letter from Gerald Hennesy re: the price of the "Playground", \$25,000. A question was raised as to the conditions of the sale of the Firehouse to the County, meaning that if the Town had a right to a locked storage room for its files and could use the meeting room, people in the town might prefer to sell the Town Office Building and purchase the Playground. A motion was made to appoint a representative to sit down with Mr. Hennesy to explore the possibilities. Motion approved. Dave Bean and Earl Lee will be those representatives, and will give a report on their progress at the May meeting.
5. Mowing Playground - Phyllis mentioned that Tim Achor had indicated that he'd like to mow the playground again this summer, same terms as last year: \$20.00 a mowing, no more often than twice a month. There was a motion that Tim be hired to do the mowing at this rate. It was also recommended that he check with Phyllis or one of the Council members prior to mowing. Motion approved. It was also suggested that if any other people show an interest in the job, they be considered, too, for the future.
6. Fran Boyle gave a report on the status of Business Licenses paid and unpaid. Several are still outstanding.
7. Phyllis announced that the Clifton Town elections for Town Council are Tuesday, May 4th, and she apologized for not alerting Council and citizens to the fact that prospective candidates should have filed 60 days in advance, instead of the formerly customary 30 days, due to a change in the election laws. As a result of this, only 2 candidates have filed and will appear on the ballot - Wayne Nickum for mayor, and Dave Smith for Council. Any others will have to be written in on the ballot. Also, because of the election, the May Town Council meeting will be held on Tuesday, May 11th.
8. Under our present Charter, installation of new Council members is set for September. It was suggested that we request a Charter change to the effect that installation be changed to July 1, after the May election, and a motion was made to this effect, that a letter be sent to Tom Rothrock, asking for this change, and enclosing a copy of our Charter. (This change is in Section III-B of the Town Charter.) Motion approved.

9. Tor Rothman said he had heard from Mr. Clayton regarding the Sewage Treatment proposal. Clayton is awaiting a letter from the State, and still hasn't received permission from property owners to get on to the land for tests. Tor will report as soon as they have further information.
10. Phyllis announced Will Bernardin's resignation from the Planning Commission. She also indicated that Barry Schneiderman has agreed to fill this post. There was a motion that Barry Schneiderman take over this position. Motion approved.
11. Phyllis read a letter from Captain Kriss of the Chantilly sub-Police station, informing us that we are now under the West Springfield station, under Capt. E. W. Wingo, 6140 Rolling Road, Springfield, Va. 22152 (691-2301. We are to send a letter to Captain Wingo, asking for help in enforcing our ordinance which prohibits parking which blocks an entrance to a public drive.
12. Clifton Clean-up Day was designated as Saturday, April 24th, from 8 a.m. to 10 a.m. Notices will be posted in the Store, Post Office, and Fire House.
13. Tor Rothman requested the use of the end of Buckley Field to be developed into a riding and jumping ring for townspeople only, to be developed by those who wish to use it. Will moved that using the end of Buckley Field for a horse riding area would be within the "parks" definition for use. Motion approved. Tor will query SYA as to who gives permission for use of the area.

There was a motion to adjourn. Motion approved.

Respectfully submitted,

Louise F. Ashor, Clerk

LFA

Approved: _____ Date: _____

TOWN COUNCIL AGENDA
Tuesday, May 11, 1976

1. Discussion of possible acquisition of Playground - Lee and Bean
2. Thanks to Steve Ballard for Guard Rail at 645 and School Streets

Posted, Store and Post Office, 5/10/76

Waters
Bernardin
Fairfax
McIntyre
Nickum
Smith

Achor
Boyle
Kincheloe
Post Office
Store

TOWN COUNCIL MINUTES

Tuesday, May 11, 1976

The meeting was called to order, and the minutes of the April meeting were read and accepted as read. The Treasurer's Report was given, and accepted as read.

The bills to be paid were: Insurance renewal, 322.00; Election judges, 55.00, 35.00, and 35.00; Calderone, 100.00; mowing, 20.00; dry wall for the town hall, 525.00. There was a motion to pay the bills. Approved.

Mr. Rappleyea brought certificates to newly elected Council members and the newly elected mayor. He said that where Vienna turned out 42% of its registered voters in its election, Clifton turned out 65% of its registered voters!

Phyllis read the reply from Chief Wingo saying that his officers could only assist in the parking problem at Ford Lane and Main Street if and when state laws were broken.

She then read the letter from Tom Rothrock of May 6th, indicating that the legislature had granted Clifton the power ^{to borrow and to} tax, as we had requested.

Then she read a letter from Will Bernardin regarding the advisability of the Town's taking out a Workman's compensation policy, specifically to cover Tim Achor while he is mowing the playground, and the point was then raised that the Clerk and Treasurer should also be covered. Mac moved that the policy be taken out, so that all Town Employees are covered. Will pointed out that Tim Achor would have to be in compliance with the Child Labor Laws. The cost to the town will be approximately \$100.00 a year. Motion approved.

Phyllis read the letter from the County Executive's office, declaring that the two outstanding building permits would not be covered or completed by the County, in spite of the fact that these permits were issued by the County prior to our hiring Mr. Calderone. The permits are those issued to Dave Bean: August 27, 1973, for the Buckleys' Store; and April 18, 1975, for the Buckleys' Inn. This correspondence will be forwarded on to Mr. Calderone.

Steve Ballard was officially thanked for his efforts in getting a guard rail installed at 645 and School Streets. The Clerk was directed to send a letter to him telling him thanks. Motion approved.

Discussion re: acquisition of playground from Hennessey. Dave Bean reported on his discussion with Mr. Hennessey, and the possibility of the Town's acquiring the playground. A lengthy discussion followed, as we tried to figure out a way for the town to be able to do this. CBA representatives indicated CBA's interest in helping out with several thousand dollars. It was decided that the Town Treasurer, Will, reps. for the CBA, Dave Bean and Earl Lee get together again with Hennessey. It was pointed out that a 2/3 vote of the Council would have to approve whatever plan is adopted.

Phyllis read a letter from Soil Erosion and Sediment Control, and that Clifton is supposed to comply with their requirements. Mac said he would look into the situation and report back.

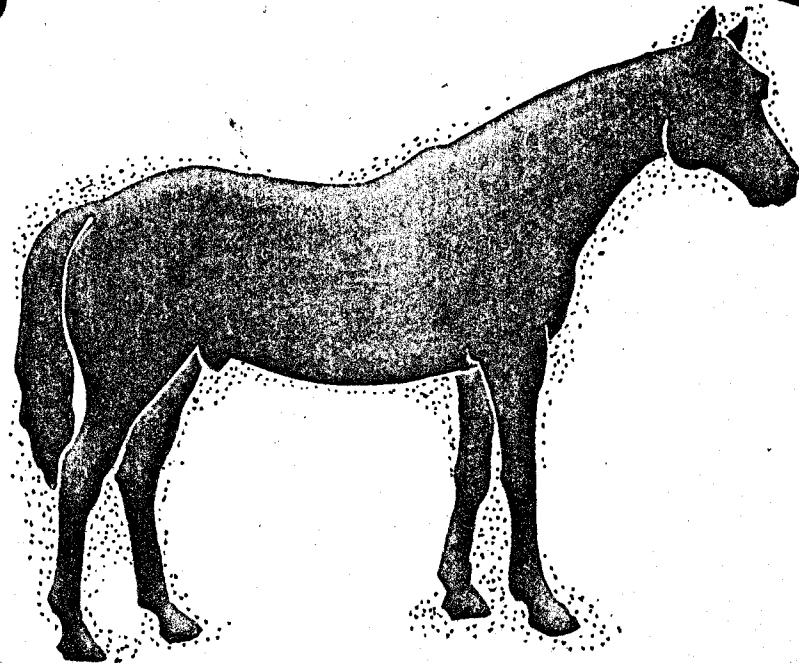
Fran reported that we still had one business license outstanding. The motion to adjourn was approved.

Approved: Phyllis A. Wingo 6/1/76

Respectfully submitted,
Louise F. Achor, Clerk

\$1500.00 - not several thousand

IRON HORSE



SADDLERY

3x5 feet approved 6/1/76 Council meeting

Willard Bernardin
7151 Main Street
Clifton, Virginia 22024
(703) 830-3060

Dear Pinky,

For purposes of the planning commission and general council use, I would like to request that the Town purchase the full set of BOCA codes per the recommendation from Mr. Calderone.

I believe total cost would be about \$50 and they are very useful from time to time.

I would also like to request that Mr. Calderone render an opinion on the compliance of the Hotel with the building code, now that all the doors and windows are being left open. This seems to me to be an unnecessary hazard, and one perhaps against the code.

Thank you.

A handwritten signature in dark ink, appearing to read 'Will'.

Will Bernardin

4-30-76

May 20, 1976

Mr. Steve Ballard
Clifton, Virginia 22024

Dear Steve:

The Clifton Town Council is very grateful to you for the effort you went to in order to have the safety guard rail installed at the corner of Rt. 645 and School streets.

We appreciate the many hours you must have spent on the telephone in order to get the job done. We applaud this display of your concern for safety in Clifton, and commend you for this action.

Sincerely yours,

Phyllis B. Waters, Mayor
Town of Clifton

PHW:la



TOWN COUNCIL MINUTES

Tuesday, May 11, 1976

The meeting was called to order, and the minutes of the April meeting were read and accepted as read. The Treasurer's Report was given, and accepted as read.

The bills to be paid were: Insurance renewal, \$22.00; Election judges, \$5.00, \$5.00, and \$5.00; Calderone, 100.00; moving, \$0.00; dry wall for the town hall, \$25.00. There was a motion to pay the bills. Approved.

Mr. Repplayea brought certificates to newly elected Council members and the newly elected mayor. He said that where Vienna turned out 42% of its registered voters in its election, Clifton turned out 65% of its registered voters.

Phyllis read the reply from Chief Wingo saying that his officers could only assist in the parking problem at Ford Lane and Main Street if and when state laws were broken.

She then read the letter from Tom Rothrock of May 6th, indicating that the legislature had granted Clifton the power to tax, as we had requested.

Then she read a letter from Will Bernardin regarding the advisability of the Town's taking out a Workmen's compensation policy, specifically to cover Tim Ashor while he is mowing the playground, and the point was then raised that the Clerk and Treasurer should also be covered. Mac moved that the policy be taken out, so that all Town Employees are covered. Will pointed out that Tim Ashor would have to be in compliance with the Child Labor Laws. The cost to the town will be approximately \$100.00 a year. Motion approved.

Phyllis read the letter from the County Executive's office, declaring that the two outstanding building permits would not be covered or completed by the County, in spite of the fact that these permits were issued by the County prior to our hiring Mr. Calderone. The permits are those issued to Dave Bean: August 27, 1973, for the Buckleys' Store; and April 18, 1975, for the Buckleys' Inn. This correspondence will be forwarded on to Mr. Calderone.

Steve Ballard was officially thanked for his efforts in getting a guard rail installed at 645 and School Streets. The Clerk was directed to send a letter to him telling him thanks. Motion approved.

Discussion re: acquisition of playground from Hennessey. Dave Bean reported on his discussion with Mr. Hennessey, and the possibility of the Town's acquiring the playground. A lengthy discussion followed, as we tried to figure out a way for the town to be able to do this. CBA representatives indicated CBA's interest in helping out with several thousand dollars. It was decided that the Town Treasurer, Will, reps. for the CBA, Dave Bean and Earl Lee get together again with Hennessey. It was pointed out that a 2/3 vote of the Council would have to approve whatever plan is adopted.

Phyllis read a letter from Soil Erosion and Sediment Control, and that Clifton is supposed to comply with their requirements. Mac said he would look into the situation and report back.

Fran reported that we still had one business license outstanding. The motion to adjourn was approved.

Respectfully submitted,

Approved: _____ Date _____

Louise F. Ashor, Clerk

Clifton Town Council Agenda

Tuesday, June 1, 1976

1. Purchase BICA Codes, approx. \$50.00
2. Discussion re: Possible Trash Collection for Town
3. Discussion re: Speeders in Town
4. Enforce Noise Ordinance by day?
5. Report on Hennessey's Playground

Postcard, Store, Post Office, 5/25/76

Waters
Bernardin
Fairfax
McIntyre
Nickum
Smith

Achor
Boyle
Kincheloe
Post Office
Store

June 27, 1976

Department of Environmental Management
Division of Administration Services
10555 Main Street
Fairfax, Virginia 22030

Attention: Mrs. MacFall

Dear Mrs. MacFall:

As a result of a motion passed at the June 1, 1976, meeting of the Clifton Town Council, I have been asked to secure the following codes for the Town:

BOCA Building Code, 1975,	\$12.50
BOCA Electrical Code,	
1975	5.50
BOCA Plumbing Code, 1975	9.50
BOCA Mechanical Code,	
1975	9.50
BOCA 1 and 2 family dwelling Code, 1975	8.00
TOTAL	<u>\$45.00</u>

Enclosed is our check in the amount of \$45.00. Please send the volumes to me at the following address:
Mrs. Robert F. Achor, Clifton, Virginia 22024.

Thank you for your attention to this request.

Sincerely yours,

Louise F. Achor, Clerk
Clifton Town Council
(Mrs. Robert F.)

LFA

Enclosure

Present: Waters, Fairfax, McIntyre, Nickum, Achor, Boyle, Kincheloe, 8 res.

Town Council Minutes

Tuesday, June 1, 1976

The meeting was called to order and the minutes of the May meeting were read and approved as corrected. The Treasurer's report was approved as read.

The bills approved for payment were: Insurance, \$75.00 annual fee; Treasurer, \$120 for 6 months; Clerk, \$40, bal. on 6 months; Calderone, \$100; monthly payment on the Town Hall. The motion to pay the bills was approved.

1. Iron Horse Saddlery - request permission to erect sign, 3x5, design attached. Approval given.

2. Sediment Control: Mac suggested that we adopt the County plan, because we don't know enough about the matter. It was suggested that Mac direct a letter to a member of the Soil and Water Conservation Commission and someone in the corresponding County offices, to meet with members of the Council, along with Mr. Smith. Motion to this effect approved.

3. The Clerk was directed to contact Mr. Calderone to purchase for the Town a set of the BOCA Codes, for Building, Electrical, Mechanical, Plumbing, and 1 and 2-family Dwelling Code, total cost not to exceed \$75.00. Motion approved.

3. Trash Pick-up: We discussed various possibilities which the Town might consider, including having the Trash service as a revenue source for the Town. The consensus was to see what the County decides to do, before developing the subject further.

4. Speeders in Town: Jim Kincheloe suggested that the County might be able to loan us a radar device which Steve Ballard could use. We might explore the possibility of issuing tickets. Jim also suggested that we set up a committee to go to the Board of Supervisors and get together with Jack Herrity, to see if there is a possibility of having one policeman assigned to the Town of Clifton. He further suggested that members of the committee could circulate petitions in the area, asking for this additional policeman, and that these petitions be presented to the Board of Supervisors. It was also decided it would be a wise idea to get a badge for Steve Ballard, the Town Sergeant. The discussion was tabled, and Mac, Jim, and Steve Ballard are to see what they can find out from the Commonwealth Attorney just what we can do.

5. The question was raised whether we could enforce the noise ordinance by day.

6. Nennessey Playground - we're awaiting an appraisal on it.

7. Phyllis said that as the Smiths have sold the Ford Lane house and will be moving this July, Dave had asked that he be replaced on the Town Hall Committee. However, no appointment was made at this time.

The motion to adjourn was accepted unanimously.

Respectfully submitted,

Louise F. Achor, Clerk

Present: Waters, Fairfax, McIntyre, Nickum, Achor, Boyle, Kincheloe, 8 res.

Town Council Minutes

Tuesday, June 1, 1976

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The motion to adjourn was accepted unanimously.

Respectfully submitted,

Louise F. Achor, Clerk

LFA

Approved:

Phyllis B. Waters

Date:

July 6 1976

TO: SPEED our message to you — and to speed your reply to us we use this informal Timesaver letterhead.

Please reply in the space indicated below, detach the yellow copy for your files and return the white to us.

FIRST GENERAL INSURANCE AGENCY, INC.

ONE FIRST VIRGINIA PLAZA
6400 ARLINGTON BOULEVARD
FALLS CHURCH, VIRGINIA 22046
Phone: 241-4444

TO Terry Vought
Northern Virginia Planning Commission
7309 Arlington Blvd.
Falls Church, Va. 22042

SUBJECT:

Clifton Zoning Ordinance and Map

DATE: 6-25-76

M
E
S
S
A
G
E

Attached are the current zoning ordinances and map. They are likely to be amended by the end of the year.

Thank you


Will Bernardin member of Clifton Town Council

DATE:

R
E
P
L
Y

ORIGINATOR OF MESSAGE: Detach this sheet only for your follow-up and mail rest of set.

Clifton Town Council Agenda

Tuesday, July 6, 1976

1. Report: Hennessy Playground
2. Discussion: Ambler's House Plans

Posted, Post Office and Store, 6/29/76

Waters
Bernadine
Fairfax
McIntyre
Nickum
Smith

Achor
Boyle
Kinohaloe
Post Office
Store



July 21, 1976

Captain E. W. Wingo
West Springfield District Station
6140 Rolling Road
Springfield, Virginia 22152

Dear Captain Wingo:

At its regular monthly meeting held on July 6, 1976, a resolution was passed by the Clifton Town Council that Council had no objection to the posting of "No Parking" signs and other aids to traffic control as may be deemed necessary by the Fairfax County Police Department, to facilitate the flow of traffic on Clifton Bay, October 10, 1976, or October 17, 1976, in case of rain.

This action is in response to a request from you, Captain Wingo, and we hope it will provide whatever you need to order the necessary signs.

Please let us know if we can be of assistance in any other ways.

Sincerely yours,

Phyllis B. Waters, Mayor
Clifton Town Council

PBW:la

✓ cc to R. P. Acher

Town Council Minutes - Tuesday, July 6, 1976

There was an opening motion to appoint Mac as the temporary chairman until Phyllis arrived. Motion seconded and approved. Mac called for the reading of the June minutes. Minutes approved as read. Treasurer's Report was then given and approved.

Mac announced the following bills to be paid:	Xerox	8.70
	Va. Municipal League	100.00
	Mowing	20.00
	Calderone	100.00
	Town Hall payment	67.42
	Business License refund	25.00

There was a motion to pay the bills. Motion approved.

1. Hennessey Playground - There was much discussion on the various possible plans whereby the playground property could be purchased by the Town. Wayne mentioned the possibility of the Town buying the Oddfellows Hall, moving it to the playground, and eventually rennovating it for a Town meeting place, and selling the present Town Hall to pay for it. Will presented the information from the surveyor who came up with an estimated worth of the playground. Mac moved that we offer Mr. Hennesy \$20,000.00, paying \$5,000.00 as a downpayment, and that the purchase is subject to the approval of the Town Council following the Public Hearing, in compliance with Section 15.1-18 of the Virginia Code. The motion was seconded and passed unanimously. 5 ayes, no abstentions, and no nays. Jim Kincheloe will draft the contract.

2. Polly Ambler addition: According to a request of June 22, 1976, Polly wants to add 5 rooms upstairs on to her old building, on Lot. No. 9. Wayne moved to approve the zoning and that we issue a certificate of appropriateness, subject to the 6-8" siding overlap for the house. Council did not uphold that motion. Council needs more specific information before being able to judge wisely in this matter. Rick Dygve was requested to deliver a Certificate of Appropriateness to Miss Ambler. Other discussion was tabled until more information could be acquired. Motion to table the discussion was approved. There was a request that this be added to the August agenda.

3. During the end of the above discussion, Mr. and Mrs. Brill indicated their concern over a seriously eroding lawn as a result of too much run-off of water on their property. Mr. Brill, Veronica Roth, and Wayne Nickum agreed to form a committee to study this problem and come up with some sort of suggestion to the August meeting.

4. The Town Council officially designated Clifton Day to be Sunday, Oct. 10, with the rain date being Sunday, October 17th. Motion to this effect was approved.

5. Bob Achor proposed that Council send a letter to Captain Wingo, authorizing the Police Department to post "no parking" signs and utilize other aides to controlling the parking on Clifton Day. A motion to approve the proposed letter was seconded and approved.

6. Rick Dygve asked if the Smiths on Dell Avenue could please move their school buses and park them elsewhere. He requested that this item be entered on the August agenda.

7. Motion to adjourn was approved.

Respectfully submitted,

Approved: _____ Date: _____ Louise F. Achor, Clerk, Clifton Town Council

schools, and from the PLA office, Main St., Fairfax.
"Bike-N-Hike" registration will be held at Layton Hall
School parking lot, 3705 Old Lee Hwy., beginning at 9
a.m.

From there, participants will cover a trail through
Daniels Park and Van Dyke Park. The 20 miles of the
"Bike-N-Hike" will be patrolled by police and by
volunteers.

For additional information, contact the Potomac Lung
Association, 591-4131.

crafts and photography.
Registration will be from
8:30 to 11 a.m. Judging will
be at noon.

Further information may
be obtained by calling the
recreation department's per-
forming and fine arts divi-
sion, 691-2671.

Legal Notice

9-16(1t)FF

Legal Notice

NOTICE IS HEREBY GIVEN
PURSUANT to provisions of
Section 30-6, Article VI of the
Zoning Ordinance that at a
meeting to be held in the Board
Room of the Massey Building,
Tuesday, September 28, 1976,
the Board of Zoning Appeals will
hold a public hearing on the
following:

10:00 A.M. — LUCK
QUARRIES, INC. appl. under
Sect. 30-7.2.1.3.1 of Ord. to per-
mit renewal of SUP #S-271-66 for
stone quarrying operation, NW
corner of Lee Highway (Rt. 29-
211) and Bull Run Post Office
Road (Rt. 621), 64((1))3 & 5,
(72.0662 ac.), Springfield Dist.,
(RE-1), S-113-76, (Deferred
from 6-22-76 in order for both
north and south quarry
applications to be heard
together.)

10:00 A.M. — LUCK
QUARRIES, INC. appl. under
Sect. 30-7.2.1.1.3 of Ord. to per-
mit extension of existing Special
Use Permit for stone quarrying
and stockpiling of quarried
stone and accessory uses, 15717
Lee Hwy., 64((11))12, 13, 14, 15
& 72, (99.99 acres), Springfield
Dist., (RE-1 & IG), S-180-76.

by Daniel Smith
Chairman

9-9;9-16(2t)FC

City Clerk

Rules and Regulations of the
Federal Deposit Insurance Cor-
poration.

Clarendon Bank & Trust
By: Charles R. Fenimore
Treasurer

9-16(1t)FG

ACTUAL 1975-76 Sept.-August

RECEIPTS

Motor Vehicle tags
Share of ABC Profits
Share Of Sales Tax
Share of Cigarette Tax
Revenue Sharing
Business License
Building Permits

TOTAL RECEIPTS

EXPENDITURES

Insurance
Motor Vehicle Tags
Supplies and Equipment
Professional and Legal
Playground maintenance
Advertising
Trash Collection
Town Clerk
Town Treasurer
Va. Municipal League
Elections
Town Hall
Ordinances
Miscellaneous
Building Inspector
Mortgage
Refunds
Printing

TOTAL EXPENSES

9-16(1t)FD

Suzie Atalla, 2640 Main Ct.,
Falls Church, Va., Vice Presi-
dent.

Signed this 14th day of
September, 1976.

Sam E. Taweel

9-16(1t)FE

Court of said County, at
Milwaukee, Wisconsin, the 16th
day of August, 1976.

Jack N. Lange
Chief Deputy Clerk of
said County Court

9-16(1t)FA

TOWN OF CLIFTON
Clifton, Virginia
Fiscal year Sept.-August

PROPOSED BUDGET 1976-77 Sept.-August

RECEIPTS

Motor Vehicle Tags
Share of ABC Profits
Share of Sales Tax
Share of Cigarette Tax
Revenue Sharing
Business License
Building Permits

\$12,219.16

TOTAL RECEIPTS

EXPENDITURES

Insurance
Motor Vehicle Tags
Supplies and equipment
Professional and Legal
Playground maintenance
Advertising
Trash Collection
Town Clerk
Town Treasurer
Va. Municipal League
Elections
Town Hall
Town Land (Playground)
Ordinances
Miscellaneous
Building Inspector
Mortgage Town Hall
Printing

6,638.62

TOTAL EXPENSES

ried applicants or this
General Election.

Helen J. Gehman
General Registrar
Fairfax City Hall
101 Armstrong St.
Fairfax, Virginia

9-16(1t)FB

GENERAL REVENUE SHARING

ACTUAL USE REPORT

6

GENERAL REVENUE SHARING PROVIDES FEDERAL FUNDS DIRECTLY TO LOCAL AND STATE GOVERNMENTS. YOUR GOVERNMENT MUST PUBLISH
THIS REPORT ADVISING YOU HOW THESE FUNDS HAVE BEEN USED OR OBLIGATED DURING THE YEAR FROM JULY 1, 1975, THRU JUNE 30, 1976.
THIS IS TO INFORM YOU OF YOUR GOVERNMENT'S PRIORITIES AND TO ENCOURAGE YOUR PARTICIPATION IN DECISIONS ON HOW FUTURE FUNDS
SHOULD BE SPENT. NOTE: ANY COMPLAINTS OF DISCRIMINATION IN THE USE OF THESE FUNDS MAY BE SENT TO THE OFFICE OF REVENUE
SHARING, WASHINGTON, D.C. 20226.

ACTUAL EXPENDITURES (Include Obligations)			THE GOVERNMENT OF CLIFTON TOWN	
(A) CATEGORIES	(B) CAPITAL	(C) OPERATING / MAINTENANCE		
1. PUBLIC SAFETY	\$	\$	has received General Revenue Sharing payments totaling \$	685
2. ENVIRONMENTAL PROTECTION	\$	\$	during the period from July 1, 1975 thru June 30, 1976	
3. PUBLIC TRANSPORTATION	\$	\$	ACCOUNT NO. 47 2-030 001	
4. HEALTH	\$	\$	CLIFTON TOWN	
5. RECREATION	\$	\$	MAYOR	
6. LIBRARIES	\$	\$	CLIFTON VIRGINIA 22024	102
7. SOCIAL SERVICES FOR AGED OR POOR	\$	\$		
8. FINANCIAL ADMINISTRATION	\$	\$		
9. MULTIPURPOSE AND GENERAL GOVT.	\$	\$		
10. EDUCATION	\$	\$		
11. SOCIAL DEVELOPMENT	\$	\$		
12. HOUSING & COMMUNITY DEVELOPMENT	\$	\$		
13. ECONOMIC DEVELOPMENT	\$	\$		
14. OTHER (Specify)	\$	\$		
15. TOTALS	\$	\$		
NONDISCRIMINATION REQUIREMENTS HAVE BEEN MET				
(E) CERTIFICATION: I certify that I am the Chief Executive Officer and with respect to the entitlement funds reported herein, I certify that they have not been used in violation of either the priority expenditure requirement (Section 103) or the matching funds prohibition (Section 104) of the Act.				
Signature of Chief Executive Officer Date 8/30/76				
Name and Title				

9-16(1t)FH

elementary school years and be used for non-instructional school purposes thereafter.

As of early this week, another public meeting on the issue was planned

For more information about the city's community theatre, call 250-9796.

Toastmasters' Contest

The annual humorous speech contest of Fairfax

The September meeting of the Fairfax City branch of the American Association of University Women will take place Sept. 28 at Truro Episcopal Church.

See page 2

Neilson said that two case workers from the social services office were extremely helpful and understanding in helping her handle problems after the eviction, however.



ART, NOT SCIENCE was on display this past weekend at the Lake Anne Center in Reston in the form of metal tubes twisted and balanced to produce a unique effect. Examining this exhibit at the open air market is Kevin Segalla.

Estate Tax Bill Crucial to Area

by Bowen Hosford, J.D.

Thousands of Northern Virginians will want to reconsider their estate planning if the new federal tax bill now under consideration becomes law.

The House of Representatives was scheduled to take up the bill today (Thursday). The measure is really in two parts — estate tax changes and other tax revisions — and the House was expected to vote separately on the estate and gift tax portion.

A conference committee included estate tax changes in a surprise

Hosford's Law

move a week ago. If these become law, Northern Virginians ought to take back everything bad they ever said about Congress because fewer estates would be taxed.

Forget that old definition of Congress in session; Nothing ado about much.

Let's see if you are one of those affected by the estate tax provisions. Compare your situation with a fictional Virginia couple.

We'll call them Ralph and Susan. They have two children, Junior and Debbie.

Ralph is a government worker,

making \$25,000. Susan does not have a paying job.

The government automatically provides insurance of \$27,000 on Ralph's life. In addition, Ralph has bought the government's optional life insurance of \$10,000.

His G.I. insurance is worth \$10,000.

He has a term policy of \$35,000 and a regular life policy of \$10,000 with a commercial life insurance company.

A few years ago, he and Susan bought a house for \$40,000 and took out mortgage insurance to protect Susan if Ralph died before it was paid off. The house today is worth \$100,000.

Ralph and his wife have \$10,000 in the credit union.

They have borrowed \$7,000 from the credit union. If Ralph dies before it is paid back, the credit union will forgive the debt. Insurance carried by the credit union will pay it off.

They have Series E bonds worth \$2,500 and mutual fund stocks worth \$2,500.

They have cars and other personal property worth \$5,000.

They have \$25.10 in their checking account.

If Ralph should die, the government will count every asset listed above in his estate. This will be true regardless of whether he and Susan are listed as joint owners.

So Ralph's estate is worth \$219,000 (and to keep it simple I

have not even listed any retirement credits that he might have, which would also be counted in his estate).

Let's say that after paying off various expenses, the taxable estate after Ralph's death would be \$200,000. He leaves it all to Susan.

Under the present law — unless changed — Susan would pay a federal estate tax of \$4,800.

It would be that low because Ralph can leave her half his property tax-free under the "marital deduction" provision of the estate-tax law.

Suppose Susan lived on for several years and was frugal. Suppose in addition that the house kept going up in value and so, considering everything, she left Junior and Debbie a taxable estate of \$175,000 when she died.

The two children would not get a marital deduction for the inheritance, so under the present law they would pay a federal estate tax of \$25,000.

This horrendous potential \$25,000 bite is called the "second tax." It has caused Northern Virginians to jump through hoops with their lawyers, constructing elaborate estate plans.

The estate tax law was designed to make rich heirs cough up money. Funny: Ralph has never thought of himself as rich. It's inflation that has made his ship come in, and it is going to be docked by the government under the present law.

See page 6

TOWN COUNCIL AGENDA

Tuesday, August 4, 1976

- ✓ 1. Hennesy Playground - report on negotiations
- ✓ 2. Discussion re: Ambler addition
- ✓ 3. Report - Committee on Erosion on Dell Avenue (Brill, Roth, Nickum)
- ✓ 4. Discussion re: Buses on Dell Avenue
- ✓ 5. Discussion: Police for Clifton - Kincheloe *Dick King + Balthazar*
- ✓ 6. Discussion re: Oddfellows Hall - Rev. Gray

7. Night Watchmen

Waters
Bernardin
Fairfax
McIntyre
Nickum
Smith

Acher
Boyle
Kincheloe
Post Office
Store

Minutes of Clifton Town
Council Meeting

August 8, 1976

Present:

Phyllis Waters, Mayor
Wayne Nickum
Will Bernardin Council Members
Nellie Fairfax
Mynor McIntyre

Fran Boyle, Treasurer
Jim Kincheloe, Town Attorney

About 32 citizens
Will Bernardin acted as Clerk for the Meeting

Mayor Waters Opened the meeting shortly after 8:00 P.M.
The reading of the minutes was Passed as was the Treasurers report, upon motion duly made, seconded and carried.

Mayor Waters then introduced Robert Horan, the Commonwealth Attorney, and Colonel King, the Fairfax County chief of Police, to the Council and citizens and noted that there is additional need for police protection because of an increasing number of crimes.

Robert Horan spoke of the house burglaries in town and said that a recent opinion of the Virginia Attorney General held that County Police have full power within the Town's limits. Mr. Horan then offered the help of the County to the Town of Clifton.

Colonel King then said that his ^{police} and he have "total willingness to provide as much assistance as we can to the Town." He added that there has been no loss of response time to the Clifton area by switching the area responsibility to ~~from~~ Springfield from Chantilly.

Mr. Horan stated that there are training requirements for those officers who enforce state ordinances and that Clifton's Town Sergeant could not enforce any ordinances except the Town's, and the State's noise and pollution ordinances. Additional training is available to the Town Sergeant if necessary.

Mr. Horan also said that the Fairfax County Police cannot enforce the Town's ordinances and the Town Sergeant cannot enforce the County Ordinances.

Colonel King said that the Clifton Patrol Area (Area 74) will get heavier manning and improved response time, within one month. He emphasized as did Mr. Horan that it is important to establish a good working relationship between the Town's people and the police and that citizens should make a point to report infractions.

Reverend Gray of the Second Baptist Church then offered to give the old Odd Fellows Hall (the old building that is next to the site of the Church construction on Kincheloe Road) to the Town, since they would have to tear it down in order to have sufficient parking for the church. Wayne Nickum had obtained an estimate of about \$8,000 to move the building. After much discussion a motion by Councilman Nickum to accept the Hall died for lack of a second. An informal vote of the citizens present indicated that most were in favor of accepting the Hall and then moving it and restoring it. The Church said it is in no hurry for a decision as long as the Town permits its churchgoers to park in the streets. This arrangement was informally agreed on. Mayor Waters appointed a Committee of William Wadsham and Emmett Barrett to prepare a report on the the feasibility and cost of the project.

Mayor Waters then introduced a discussion regarding the Town's purchase of the Hennessey playground. Mayor Waters, Jim Kincheloe and Earl Lee had made an offer to Mr. Hennessey which had been informally accepted, and Jim Kincheloe advised that in his opinion a public hearing was adviseable before the Council closed on the land.

Councilman McIntyre made a motion as follows:
That the Town proposes to buy the playground (Hennessey property) for \$21,000, on terms of \$5,000 cash down, \$7,000 ten year note at 8% to Mr. Hennessey with monthly payments, and assumption of a note of about \$9,000 with interest only payments until August 1977 when the note will be due but which can probably be renegotiated to similar terms; and,

That the Town hold a public hearing on September 7 to review the transaction.

The motion was seconded by Councilman Bernardin and was then carried. Councilman Nickum abstained from the voting.

Mayor Waters then stated that an application for a Town building permit had been rejected by the Town Building Inspector for Miss Ida Ambler's house. He had rejected it because the ordinance provides that a building project must be begun within six months of the permit approval and Miss Ambler's work had not done that. The Council noted that in 1969 when the permit had been approved there was no such six month requirement, and asked the clerk to send a letter to Mr. Calderone (the inspector) asking him to proceed with the permit.

Mrs. Roth presented a report on Dell Avenue's Drainage problems (attached to these minutes) asking the Town to request the State Highway Department improve the maintenance on Dell Avenue. Upon motion duly made, seconded and carried, it was decided to send such a letter.

Mayor Waters opened a discussion about the previous complaint by the Dygves that buses were improperly parked on Dell Avenue. After some discussion, Mr. Dygve withdrew the complaint. The attorney for the owner of the buses in question stated that he felt the Town procedures for this complaint were inappropriate.

Mayor Waters presented a letter from Mr. Earl Lee requesting that he be permitted to have a person live in the Pink House (on Main Street next to the railroad tracks) and act as a night watchman. Upon motion duly made, seconded and carried, Mr. Lee's request was approved.

Upon motion, duly made, seconded and carried, the meeting was adjourned.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Willard Bernardin", with a long horizontal flourish extending to the right.

Willard Bernardin, Acting Town Clerk

Mayor Phyllis Waters

Committee on Dell Avenue's Drainage Problem: Summary

7/7/76 Called State Highway Dept. and filed complaint with Superintendent Thrall's office. (273-0660, ext. 271)

7/28/76 Again called Mr. Thrall's office to request report on Highway Dept.'s evaluation of street condition. Spoke with Mr. Lumsford, Resident Maintenance Supervisor, (and Mr. Thrall's supervisor.)

Mr. Lumsford said he was personally familiar with Dell Ave. because he had examined the road about one year ago in response to a resident's complaint. He acknowledged that the State Highway Dept. is responsible for maintenance of Dell Ave., and they have repaired portions of the road at the request of the residents. He agreed that the road needed more work than the piecemeal repairs made so far.

However the Highway Dept. has not pursued correction of the entire street condition because the complaints have been filed by individual residents. In order for the state maintenance crews to make the necessary repairs to correct the drainage system for the whole street, Mr. Lumsford stated the Clifton Town Council would have to make a written request for repairs to the State Highway Dept.

Committee Recommendation:

For the Town Council to please address a letter to the Highway Dept. requesting the State make the necessary repairs to correct the drainage system on Dell Ave.

The attached letter is offered for the Council's consideration and is based on Mr. Lumsford's guidelines.

Town Council

8/3/76

Mac

W. B.

Phyllis

Wayne

Fran Boyle

Nellie

~~22~~ citizens

32 +

Jim Knudsen

user Acting Clerk

- ① Move reading of Minutes + Treas report postponed til next mtg.

All in Favor

② Police Protection

Ed Horan - Commonwealth Atty
King - Chief of Police

Phyllis intro a additional need because of claim
Horan - large increase in incidents

e.g. household burglaries

- has been question re: powers of city
police in towns.

7/16/76 via Atty Gen opinion re:
city police have full authority
in towns in its limits

- With the help of the city to Clifton.

Clifton is Patrol Area 74 W. Springfield
headed by Ed Wings.

King "total willingness to provide as much
assistance as we can to Town"
No loss of response time by switch of
station to W. Springfield from
Charlton.

Horan - noted training reqs for police local
+ state

Town Sergeant (w/out training) can enforce only Noise & pollution for state code, but can enforce local ordinances.

Additional training is available for Town Sergeant through Fairfax Police.

Horan - Ffx Police cannot enforce Town Ordinances
~~Horan~~ - Town ~~Sergeant~~ cannot enforce Cty. ordinances.

King - within this no. Patrol Area 74 will get heavier manning + get improved response & time.

Horan - Ffx City has grown a lot (3x in 20 yrs) + this increasing growth now + City slightly behind.
- Critical thing is to develop a good working relationship with police.

King - W. Spring district will get additional 5 personnel + could mean a substantial increase in Clifton Coverage if Wingo chooses.

- will immediately increase availability but this may not continue at this heavy rate.

(3) Rev. Gray + Odd Fellows Hall.

Need land that Hall is on for parking.
Offered to give town the Hall at no cost if Town pays to move it.
Town must put it someplace.

If he can't give it away, he must destroy it.

Then construction permit required they have parking + there is not enough space to have building and parking.

Wayne verbal price to move (as is) -- \$ 8,000
Church sees a "big top off" of October.

~~Wayne motion~~

Wayne motion: Accept Odd Fellows Hall
from Church.

Not seconded

Church lady (Mrs. Gray) - would like Town
to make it into a parking area.

Town Vote re acceptance of Hall
moved + restored

most in favor

Church is in no hurry to decision as long
as they can park on the street

- informally agreed.

Committee - Travis Worsham to look
Fumett Barnett into

④ Hennessey Playground

Earl + Jim + Phyllis went to Hennessey
8/3/76

Hennessey made an offer. ~~21,000~~

Town presented written proposal to him.

21,000

\$ 5,000

~~7,000~~ → at 8% of 10 yrs.
7,000 (\$84.98/mo)

9,000 assume second trust
due Aug 1977

He wants settlement 30-45 days for this
price.

This price is based on his cost in the property.

pop
12.1.44
9
15.4.78

-B-
Public Hearing necessary (per Kennedy part 15.1-18.) with notice etc.

Mac Motion ~~that town proposes to buy~~ \$2,000 per terms specified

\$5000 down cash

7000
~ 9000

890 ^{Kennedy takeback} 10 yr monthly pmts.
90% ^{interest only} ~~assumption~~ due Aug 1977 with possib. of renewal.

Town hold
Public hearing to announce Sept 7

Use second.

Motion carried
Wayne abstains

⑤ Ambler Addition on New House

for new const.
approved in 1969

Want a letter to Calderone telling him to honor Ambler app. since there was no b no req. at the time it was approved.

Refer him to Pinky's files.

⑥ Erosion on Dell Ave.

Mrs. Roth - State Hwy Dept wants Council to ask Hwy Dept to fix rather than individuals.

Motion approved and letter
Wayne abstain

⑦ Buses on Dell Ave.

Dyggve withdrew complaint.

Wise Kelly - Mrs. Smith did not get proper notice.

- No communication

- will advise Mrs. Smith not to come to mtg like this. If you want action, sue her.

⑧

Night Watchman

Earl Lee letter

Pinkhouse industrial

use it as night watchman residence.

Motion Wayne reconsider

Approve

Adjourned

TIMESAVER = REPLY

THE MINES PRESS INC. — NEW YORK, N. Y. 10014

TO SPEED our message to you — and to speed your reply to us we use this informal Timesaver letterhead.

Please reply in the space indicated below, detach the yellow copy for your files and return the white to us.

FIRST GENERAL INSURANCE AGENCY, INC.

ONE FIRST VIRGINIA PLAZA
6400 ARLINGTON BOULEVARD
FALLS CHURCH, VIRGINIA 22046
Phone: 241-4444

TO Louise Archer
Chapel Rd
Clifton Va 22024

SUBJECT:

DATE:

8/5/76

M
E
S
S
A
G
E

Attached are letters sent from council meeting Tues. I haven't done minutes yet.

Please note the Worsham / Barnett report is to be on next agenda.

Also there will be a public hearing.

Please also let me have some more Town letterhead paper.

Thank you

Will Bernardi

DATE:

R
E
P
L
Y

TOWN OF CLIFTON

August 5, 1976

Mr. William Worsham
Main Street
Clifton, Virginia 22024

Mr. Emmett Barrett
Chestnut Street
Clifton, Virginia 22024

Gentlemen:

At the Council Meeting of August 3, 1976 you were selected to jointly look into the feasibility of the Town accepting the building known as the Odd Fellows Hall as a gift from the Baptist Church.

Although the information you are to seek wasn't specified in my instructions, please try to prepare a preliminary report for the September Town Council Meeting covering generally such things as:

1. total cost to move the building to the Hennessey playground, including the many things that Wayne Nickum preliminary estimate left out. Please venture an opinion on the ability of the building to withstand such a move, and the amount of time it would take, as well as what approvals would be necessary beforehand (such as Highway Dept.)
2. total cost to modestly restore the building once moved, so that it could be used as a Town Meeting Place (such as would not be permitted at the Town Hall under construction)
3. feasibility of leaving the building where it is and otherwise providing parking areas for the Baptist Church. (The Town Clerk would have the Church's plans)

Please assume for your report that the Town owns or will own the Playground.

Thank you

Very truly yours,

Phyllis Waters
Mayor

cc: Louise Achor

TOWN OF CLIFTON

August 5, 1976

State Highway Department
Resident Engineer
Box 429
3555 Chainbridge Road
Fairfax, Virginia 22030

Dear Sir:

The residents of Dell Avenue, Clifton, Virginia have brought to this Council's attention the need for repairs to their street to correct the drainage system. A committee examining the situation was advised by Mr. Lumsford that the Highway Department could not act to correct the entire street repairs on the basis of individually filed complaints.

Therefore the Clifton Town Council submits this letter as a request for the State Highway Department to examine the conditions and take the necessary actions to correct the drainage system along all of Dell Avenue.

Thank you for your consideration.

Very truly yours,

Phyllis Waters
Mayor

cc: Town Clerk
Mrs. Roth

TOWN OF CLIFTON

August 5, 1976

Mr. A. J. Calderone
Office of Inspections
Box 138
Clifton, Virginia 22024

Dear Mr. Calderone:

Miss Ida Ambler has recently requested the Council to rule on the continued validity of her new building plans which were approved in 1969 but not submitted for building review until recently. It is our understanding that you returned her plans because of the current six month start of construction requirement.

The Council has ruled that since the six month requirement was not in effect in 1969, it does not apply to her application. Therefore please honor her application without regard for the requirement that construction must begin by a specific date.

Louise Achor has copies of the previously approved application if you should need them.

Thank you

Very truly yours,

Phyllis Waters
Mayor

cc: Ida Ambler

August 26, 1976

Mr. Robert Horan
Commonwealth Attorney
Beaver Creek Road
Clifton, Virginia 22024

Dear Mr. Horan:

The Clifton Town Council is deeply grateful to you and Chief King for spending an evening with us to discuss the needs of the Clifton area for additional police protection. We know how many demands there are upon your time, and know that you came during "off hours" in order to share your thinking with Clifton area residents.

Citizens around Clifton have seen a marked population growth, and we also see greatly increased activity around the Regional Park, all of which creates increased traffic and more people coming through our community. For these reasons we hope it will be possible for additional police protection to be provided the town.

Again, we truly appreciate your concern and are hopeful that something can be worked out in the near future.

Sincerely yours,

Phyllis E. Waters
Mayor

PBW:la

cc to Kincheloe

August 25, 1976

Col. Richard King
Chief of Police
Fairfax County Police Department
10600 Page Avenue
Fairfax, Virginia 22030

Dear Col. King:

The Clifton Town Council is deeply grateful to you and Mr. Horan for spending an evening with us to discuss the needs of the Clifton area for additional police protection. Time is a precious commodity, and we are well aware that you came during your own time, in order to share your thinking with Clifton area residents.

Clifton area citizens are seeing a marked population growth around us, and also see greatly increased activity around the Regional Park, and all of this increased traffic makes us hope that it will be possible for Clifton to have additional police protection.

Again, we truly appreciate your concern, and are hopeful that something can be worked out in the near future.

Sincerely yours,

Phyllis B. Waters
Mayor

PBW:la

cc to Kincheloe



CERTIFICATE OF PROOF OF PUBLICATION

in the
Fairfax Globe

3847 Pickett Rd., Fairfax, Va. 22030

Published weekly at Fairfax Virginia

I hereby certify that the attached advertisement re: Hennesy Playground purchase

was published in the Fairfax Globe for Four (4)

successive weeks, commencing with the issue of August 12, 1976

Phyllis J Feit
Bookkeeper

THIS AGREEMENT, Made this 4th day of June, 1946, between

of _____, Virginia, hereinafter called "Owner" (the word "Owner" wherever used herein being intended to include the grantors whether one or more or masculine or feminine), and the Prince William Electric Cooperative, a Virginia corporation, hereinafter called "Cooperative".

WITNESSETH:

That for the sum of One Dollar (\$1), and other valuable considerations, the receipt whereof is hereby acknowledged, Owner grants unto Cooperative, its successors and assigns, the right, privilege and easement of right of way _____ feet in width to lay, construct, operate and maintain underground conduit and cable lines for transmitting and distributing electric power, including all wires, cable, handholes, manholes, transformers, transformer enclosures, concrete pads, connection boxes, ground connections, attachments, equipment, accessories and appurtenances desirable in connection therewith (hereinafter referred to as "facilities"), under, upon and across the lands of Owner, situated in _____ FAIRFAX COUNTY, Virginia, as shown on Plat No. 76-298, hereto attached and made a part of this agreement; the location of the center line of said right of way being shown in broken lines on said plat.

The facilities erected hereunder shall remain the property of Cooperative. Cooperative shall have the right to inspect, rebuild, remove, repair, improve and make such changes, alterations, substitutions and additions in and to its facilities as Cooperative may from time to time deem advisable, including the right to increase or decrease the number of conduits, wires, cables, handholes, manholes, connection boxes, transformers and transformer enclosures.

Cooperative shall at all times have the right to keep the easement clear of all buildings, structures or other obstructions, trees, shrubbery, undergrowth and roots. All trees and limbs cut by Cooperative at any time shall remain the property of Owner.

Owner, his successors and assigns, may use the land within the easement for any purpose not inconsistent with the rights hereby granted, provided such use does not interfere with or endanger the construction, operation or maintenance of Cooperative's facilities.

For the purpose of constructing, inspecting, maintaining or operating its facilities, Cooperative shall have the right of ingress to and egress from the easement over the lands of Owner adjacent to the easement and lying between public or private roads and the easement, such right to be exercised in such manner as shall occasion the least practicable damage and inconvenience to Owner.

Owner covenants that he is seised of and has the right to convey the said easement, rights and privileges; that Cooperative shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges, and that Owner shall execute such further assurances thereof as may be required.

WITNESS the following signature and seal :

Phyllis B. Waters, Mayor (SEAL)

(SEAL)

STATE OF VIRGINIA

County of Prince William } To-wit:

I, Harvey J. Danvers, a Notary Public in and for the City aforesaid, County aforesaid, State of Virginia at Large, whose commission expires on the 21st day of July, 1947, do hereby certify that Phyllis B. Waters, Mayor of City of Clifton

whose name _____ signed to the foregoing writing dated the 4th day of June, 1946, acknowledged the same before me in the County aforesaid this 4th day of _____, 1946.

Harvey J. Danvers
Notary Public.

STATE OF VIRGINIA

_____ of _____ } To-wit:

I, _____, a Notary Public in and for the City aforesaid, County aforesaid, State of Virginia at Large, whose commission expires on the _____ day of _____, 19_____, do hereby certify that _____

whose name _____ signed to the foregoing writing dated the _____ day of _____, 19_____, acknowledged the same before me in the _____ aforesaid this _____ day of _____, 19_____.

Notary Public.

CHAPEL Rd.

ELLYETT

N. 28° 37' 03" W

13400'

8500'

S. 59° 34' 00" W

S. 28° 37' 03" E

13271'

N. 00° 46' 00" E

SOUTHERN RAILROAD

CENTERLINE OF PR WM ELEC
CO-OP UTILITY BASEMT. SEE LEGEND.

CLIFTON BETTERMERT ASSCO
TOWN IMPROVEMENT FUND

PLAT SHOWING
PRINCE WILLIAM ELECTRIC COOPERATIVE
UTILITY BASEMENT
THRU
PROPERTY OF:

NAME: P. B. WATERS and/or SUB. DIV.: PARCEL
HAIRFAX COUNTY TOWN OF CLIFTON DISTRICT
WO. NO. 5039

LEGEND

----- INDICATES CENTERLINE OF TEN (10')
FEET WIDE, PRINCE WILLIAM
ELECTRIC COOPERATIVE, UNDER-
GROUND UTILITY BASEMENT AS
SHOWN ON PLAT.

DRAWN BY: TO BE FILED UNDER: /



Don Winter — The GLOBE

A STUDY OF CONCENTRATION. A competitor in the U. S. Open Chess Tournament ponders his next move. The tournament is being held through Aug. 27 in the Student Union of George Mason University in Fairfax.

Virginia Waits for Vaccine Before Making Shot Plans

by Marie Kisner

Immunization of Northern Virginians against swine flu is tentatively scheduled for Oct. 4-13, according to Fairfax County Health Department official Joseph C. Muzyka.

The firm dates and locations of immunization centers will not be known until the vaccine becomes available, Muzyka said. "It's difficult to commit ourselves to sites when we can't say when the vaccine will be delivered," he said. "There's already been slippage in the schedule. At first we were told we'd have the vaccine this month. Now they're saying late September."

The mass inoculation program was proposed by President Ford last March

and approved by Congress last week after the matter of insurance against suits brought by persons who suffered adverse reactions from the shots was settled.

Free immunization clinics will be set up in fire and police stations, schools and community centers. Health department staff and volunteers will administer the shots at the rate of up to 1,000 an hour with jet injector guns. Private doctors and company health programs will also be able to receive the vaccine. "And there will be follow-up clinics," Muzyka said. "We won't stop with the shots."

Maryland and District health officials were invited to a meeting Monday of the Northern Virginia health region to discuss a

cooperative, concentrated inoculation program for the entire metropolitan area. The Northern Virginia health region includes Alexandria and the counties of Arlington, Fairfax, Loudoun and Prince William. It will be

the first region in the state to give the flu shots.

"We would like the shots to be given in the same time frame throughout the area," Muzyka said. "That way commuters could receive

See page 27

Too Late for Trolleys?

by Marie Kisner

The trolley tracks that ran between Washington, D.C. and Northern Virginia during the first quarter of this century were lifelines to Vienna, Fairfax City and other towns before adequate road systems were built. The old trolley car is making a comeback in some areas of the country under the name of light rail and it has been suggested as an alternative to Metrorail.

In a paper prepared for a course in mass transit at Virginia Polytechnic Institute, Vienna town planner James A. Grant proposed a feasibility study of the light rail alternative to Metro's K route between the West Falls Church and Vienna stations. This route serves central Arlington and Fairfax counties within the Rosslyn-Vienna corridor, a diverse area including high rise development, retail centers, residential areas and light industry.

According to Grant, the area presents a planning conflict between those who favor high density development around Metro stations and those who want Metro designed to serve low density communities. This dispute, he writes, is the basic recommendation for light rail on the K route.

Light rail has been used successfully in Europe and in Boston, San Francisco, Newark and Shaker Heights. The main advantage of the system, according to James Hogan of the Metropolitan Washington Council of Governments, is its flexibility.

"They can run underground, on the median, even in the streets," he said. Tunnels, the major cost of Metrorail, are necessary for light rail only in a few places to avoid traffic jams.

Light rail, Grant's report states, offers a "middle ground alternative" between buses and subways. Light rail advocates point out that the system causes less pollution and traffic congestion than buses and less impact on land development than subways. Metro, they say, pressures existing neighborhoods into changing to serve the system while light rail modifies the system to serve the community.

A light rail car is smaller and slower than a Metro car, carrying about 100 riders and reaching speeds of 60 mph. Metro can accommodate 175 passengers per car with maximum speeds of 75 mph. Hogan said that in some cities light rail is used as a "pre-Metro," using the heavy rail tracks until the

subway cars are ready.

Hogan said that light rail is no panacea despite its apparent advantages. After passing Glebe Road, he said, the subway will be above ground to the end of the line so light rail would not be any cheaper to construct. Also, because of the lack of demand for light rail cars the cost of one is about the same as that for a Metro car, between \$300,000 and \$600,000.

He said light rail could have been used effectively along three or four miles of the line between Rosslyn and Glebe Road and saved between \$30 and \$70 million per mile. But construction of the subway tunnel there is now too far advanced. The last potential corridor where the system could be used, he said, is in Prince Georges County where more tunnel is still to be built.

In a letter last week to John F. Herrity, Fairfax County board of supervisors chairman, Perry J. Mitchell, recent unsuccessful candidate for the Democratic senate nomination, asked that a light rail proposal be placed on the board's agenda. Mitchell said Monday that he would like the board to look at the use of light rail along the I-66 corridor in

See page 27

Jurisdictions Settle Sewer Plant Dispute

by Jim Walls

A planned \$82 million regional sewage treatment plant was saved from further construction delays and potential bankruptcy this week when four area jurisdictions reached agreement on additional local borrowing to fund completion of the facility.

The four local governments — Fairfax County, Prince William County and the cities of Manassas and Manassas Park—decided Tuesday to sell an additional \$8 million in bonds for the project. But the agreement came only after Manassas Park was taken to court by the other three member jurisdictions of the Upper Occoquan Sewage Authority (UOSA) for its refusal to ratify the bond sale.

The lawsuit, filed last week in Prince William County Circuit Court, asked that Manassas Park be required to approve or reject by Tuesday, Aug. 17, an increase in UOSA's debt ceiling from \$16 to \$24 million. If the city turned down the borrowing proposal, UOSA asked the court to drop Manassas Park from membership in the authority. The city would then be sold sewer service at the same rate as UOSA members would pay.

The suit was dismissed Tuesday after attorneys for the four jurisdictions agreed to a compromise which extended UOSA's borrowing power but retained limitations on Fairfax County's treatment allocation at the plant. Manassas Park's request for an injunction halting the project until

UOSA considered all other cost-cutting measures was also dismissed.

A bid for a \$10.88 million construction contract would have expired yesterday (Wednesday) if the bond sale had not been approved, since UOSA did not have the funds to cover the contract award. The bid had already been extended for six weeks by the low bidder.

notes with some of the proceeds of the bond sale.

Rebidding of the final construction contract would also have left the plant's completion date up in the air and would have endangered attempts to finance the project, according to UOSA chairman Garnett Y. Carpenter Jr. of Manassas.

UOSA financial consultants have said that "the marketing of bonds or renewal of the (bond anticipation) notes under these circumstances would be extremely difficult," he said.

If additional borrowing capacity had not been approved for the sewage treatment facility, "we just would

have had 80 per cent of a sewage plant sitting out there," according to Carpenter.

"The authority would have had to go bankrupt," Carpenter said in an interview Tuesday. "The member jurisdictions are in no way obligated to pay off (UOSA's) indebtedness."

While Manassas Park gave in on the borrowing issue, Fairfax County also made an important concession, agreeing to retain the current limitation on the amount of sewage flows which may be sent to the UOSA plant from Fairfax County.

See page 27

Flu epidemic of 1918. Story and pictures on page 15

A step to Broadway. See page 15

Youth Arrested After Shootings

by Jim Walls

A 17-year-old Kentucky youth has been arrested in connection with two shootings, one fatal, during separate robberies early Tuesday morning in the Hybla Valley area of Fairfax County.

Dead was James D. Cox Jr., 32, night manager of the 7-11 convenience store located at 7330 Richmond Hwy. Cox was fatally wounded about 1 a.m. Tuesday.

Mohammad Younes, 33, was admitted to Alexandria Hospital in stable condition Tuesday after being shot once in the back. Younes is night manager at Musso's service station next door to the 7-11 store.

The suspect was apprehended by District of Columbia police at the Greyhound bus terminal at 1110 New York Ave. N.W. in Washington. The youth was described as a white male standing 5 feet 6 inches and weighing 140 to 150 pounds. Fairfax County police said he had been staying with relatives in the area.

At press time Wednesday, the youth had not yet been formally charged in the shootings. A hearing on the custody of county police was scheduled for Wednesday, but the outcome of the proceedings was not available at press time.

Police believe that both Cox and Younes were shot

See page 27

Clara Barton Nursed War Wounded at St. Mary's

by Jean Geddes

There's a stillness at St. Mary's.

A sense of quietness and peace pervade at the small white church and surrounding graveyard located at Fairfax Station. Yet over 100 years ago, during the Civil War, this same church and the area around it were bustling with activity as sick, wounded and dying federal soldiers were stretched out on the church floor and spread over the surrounding ground.

It was Aug. 30, 1862, and the Battle of Second Manassas raged. The three days of fighting that resulted in the killing of some 1,744 men and the wounding of another 8,452, brought the war to St. Mary's Roman Catholic Church.

An 88-car train had arrived that day and waited at

the small railroad yard while its contents were unloaded. This same train would provide the transportation back to Washington for the wounded soldiers, but until they could be loaded in the cars they lay suffering on the nearby hillside.

A passenger on that train was an idealistic dedicated woman named Clara Barton who would be credited one day with having founded the American Red Cross. She came to Fairfax Station to nurse the wounded, and for three days and nights she did just that.

As the rain poured down the doctors used the interior of the church for an operating room. Clara Barton had brought with her a large supply of candles and some cooking utensils. She and a few helpers worked round-the-clock trying to stop the bleeding of the injured men and to dress and bandage their wounds.

As the day wore on and the food rations dwindled, she hurried about with her buckets and dippers and stew pan and prepared the rations she had brought along herself. These included coffee, hard crackers, jams and jellies and as she

emptied the jelly jars she filled them again with soup, or coffee or bread soaked in wine.

She broke open bales of hay and placed them beneath the injured to protect them from the soaked ground. She then took all the food leftovers and made a mixture of hard crackers pounded into crumbs, and together with wine, brown sugar and hot water fed the men again. She did everything from feeding them this gruel to holding the dying soldiers in her arms trying as best she could to calm their fears.

The next day she organized the loading of the wounded men onto the trains and then continued nursing the remaining ones. In her diary she wrote: "While our soldiers can stand and fight, I can stand and nurse them."

At the dedication of the commemorative marker honoring this woman at Fairfax Station a few yards from St. Mary's Church, Brigadier General William A. Collier said: "During the third afternoon, many Federal troops including the remnants of Kearny's division of Heintzelman's III Corps, withdrew through the

Fairfax Station area enroute to Alexandria. This plus a Confederate cavalry raid expected momentarily through the woods south of the railroad, from the rapidly closing in left flank, added to the confusion.

But, because the situation looked dim, she sent her volunteer helpers back but she herself remained throughout the evening until the last of more than three thousand wounded had been evacuated. Only then did she leave and then on the last train. Soon thereafter Fairfax Station changed hands."

And Clara Barton went down in history known as "the angel of the battlefield."

Few reminders of these events remain at the little white church. Most of the soldiers who were buried in the churchyard were moved to Arlington National Cemetery and only one Confederate grave on the upper edge of the Church courtyard remains. But the small church tells its own tale.

St. Mary's Church

Founded prior to the Civil War

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Don Winter — The GLOBE

ST. MARY'S CATHOLIC CHURCH. a peaceful setting now, once saw the horror of the American Civil War.

FAIRFAX COMMUNITY NEWS

by Mary Jean Moroney

The Fairfax County Department of Recreation and Community Services is now accepting registrations for the fall semester.

A few of the class offerings are tennis, dance, arts and crafts, physical fitness and gymnastics. Consult the fall 1976 brochure of leisure time activities for specific locations, days and times.

Call 691-2672 for more information.

Commission for Women

The Fairfax County Commission for Women maintains a talent bank for women who would like to

serve on county boards and commissions.

The commission is currently updating this roster and welcomes any inquiries or requests for application forms.

The talent bank is made available to the Fairfax Board of Supervisors and the Fairfax County Office of Personnel.

Copies of applications and resumes are regularly brought to the attention of the local officials, a commission spokesman said.

The commission is not an employment agency and cannot place women in specific jobs, the spokesman added.

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High-Tension Meeting Fails

Electric Lines May Pass Through Citizens' Yards

by Jim Walls

When the residents of Aylor Road south of Fairfax City moved into their new homes last year, they did not realize that their back yards would lie beneath a 115,000-volt electric transmission line.

And now that the citizens of the Bonnie Brae community are aware—and angry—that the high-tension lines are going up soon, the Virginia Electric and Power Company (Vepco) has refused to relocate the facilities to another area of the county. The utility backed its plans in a highly charged meeting with the residents Monday night.

The law firm which handled the settlements on the home purchases says it was not required to point out the proposal to build the lines through the properties. Vepco maintains it had no responsibility to so inform

the power lines does not specify how much of the homeowners' property is under the control of the utility.

The easement grants Vepco authority to remove all trees, shrubs, buildings and other structures which would interfere with the transmission lines.

Vepco has brought up easement rights for a 40-foot stretch on one side of the proposed lines. If the unspecified easement on the Aylor Road side of the lines is interpreted to be 40 feet, about one-third of the 20 homes on Aylor Road would fall within the easement and could therefore be removed at Vepco's request.

Vepco officials said Monday that none of the homes would be endangered by the power lines. Only "danger tree rights"—which grant the power to remove any tree which could fall within ten feet of the power lines—are required, according to R. W. Carroll, Northern Virginia division staff manager for Vepco.

"We're prepared to put that offer into writing," Carroll said Monday night after meeting with a packed room of irate Bonnie Brae citizens. "But we aren't

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High school football previews. See sports.

Marching bands warm up. See page 15.

Pornography 'Cover-Up' in Stores Asked

by Marie Kisner

The Fairfax County Advisory Committee on Control of Obscenity, created last year by the board of supervisors to help curb the distribution of sex-oriented material, is currently studying the display of adult books and magazines in local drug, grocery and convenience stores.

Among such stores, the committee said in a report to the board in February, "there is a rather lax policy of display and sale of sex-oriented books and magazines so that children are brought face to face with sex vulgarities."

Committee members now say their greatest concern is that the magazines are prominently displayed and accessible to children. "Minors are in and out of these stores all day," said member Donald Moak. "Some stores put this material out where anyone can look at it, including very young children who don't understand it."

Jean Jonnard, the committee member heading up the study, said she is not seeking to make the stores stop selling such material, but she wants them to be more discreet in displaying it. "At the least the magazines could be sealed in plastic so they can't be opened (until bought)," she said.

Other suggestions include putting the magazines in display racks that block out everything but the title

or keeping them behind the counter. "In other words," Moak said, "put them where they have to be asked for."

He said he has found some magazine covers particularly offensive, and that they should not be kept in plain view of children.

Jonnard said the committee will contact individual store managers to try to obtain voluntary discretion in their displays of sex-oriented materials. Members say they believe the merchants will cooperate.

"When they are advised that the committee exists and represents strong public opinion, I think they will comply," Moak said.

Frank C. Kimball, chairman of the committee, said stores will cooperate because they do not want to offend their family-oriented trade. "When you're talking groceries you're talking kids," he said.

Committee members also say they are optimistic because of the cooperative attitudes of store managements in the past.

Revenue Share Relief Expected

by Jim Walls

Legislation which would cure Fairfax County of a \$2.8 million headache has cleared the U.S. Senate Finance Committee.

The bill approved by the committee extends until mid-1982 federal revenue-sharing payments to state and local governments. The committee accepted an amendment introduced by Sen. Harry F. Byrd Jr. (I-Va.) which prevents the Office of Revenue Sharing from applying retroactively any changes in the revenue-sharing allocation formula that would require localities to repay funds already paid to them.

Fairfax County was told in July that it had received \$2.8 million in excess of the amount it should have received under the revenue-sharing program due to a revision in the allocation formula.

The revenue-sharing program was established as a means of providing state and local governments with funds which could be spent at their discretion. The allocation formula was changed after a federal court ruled in 1973 in favor of 27 local governments in Virginia, including Fairfax County, which claimed the formula was unfair.

The office of revenue sharing subsequently revised the allocation formula and submitted the new allocation plan to the court early this year. Fairfax County had already withdrawn from the suit, however, when county budget officials discovered the new formula would entitle Fairfax to fewer funds than under the old plan.

The county was nevertheless notified July 13 that it would be billed for close to \$2.8 million. County officials protested, contending that the regulation under which the repayments were required could only be enforced in the case of an overpayment resulting from a computational error, and not from a revision of the formula.

The finance committee vote is the major hurdle on

the way to Congressional approval of the Byrd amendment, according to Jack Herrity, chairman of the Fairfax County Board of Supervisors.

The revenue-sharing bill was expected to be reported to the full U.S. Senate sometime this week, according to a Byrd aide. The legislation would have to clear the Senate and a joint House-Senate conference before being submitted for the president's signature.

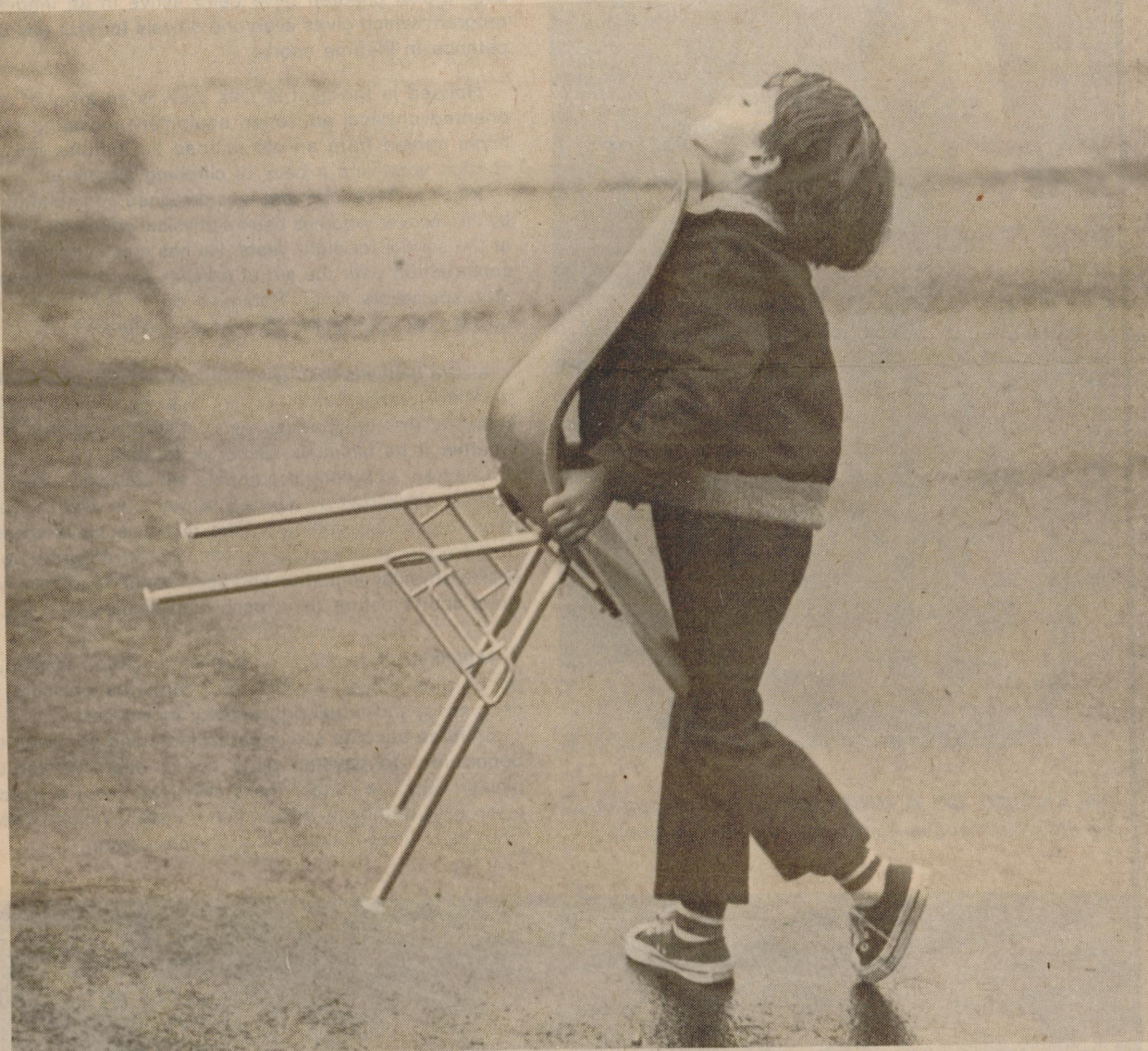
by Marie Kisner

In the first of a series of scheduled debates, incumbent congressman Joseph Fisher (D-10th District) and his opponents, Republican Vincent Callahan and American Party candidate Stan Rittenhouse, cited trust in government and the economy as major election issues.

The question-and-answer session in Reston Monday night revealed many similarities among the candidates' positions, although Callahan and Rittenhouse repeatedly criticized Fisher's voting record, particularly on economic policy.

The debate was the first in recent years in the 10th District. Fisher said former Congressman Joel Brodyhill, whom he defeated in 1974, was to blame for the absence of debate, and he credited himself with initiating the debates to reverse the "spiraling down of confidence" in government caused by Watergate.

Callahan said no one was more hurt than himself by the "disgusting" Watergate scandals of the Nixon administration. "But the



Don Winter — The GLOBE

STRETCHING HIS CHIN to see over the chair he is carrying, five-year-old Peter Lake heads across the street for the best seat in the house as the Navy Rock Band prepares to perform. The band played at the Woodrow Wilson library in Baileys Crossroads on Friday.

Debate Season Open in the Tenth

Republicans have cleaned their house," he said. "The Democrats haven't."

Rittenhouse said he was running because he had lost his trust in government and congressmen "who say they stand for this but vote for that."

Aside from trust in government, the basic issue Monday night was money. Callahan quoted several tax and spending figures to "muddle your minds" with the billions of dollars involved. He said the U.S. must adopt the same attitude toward budgeting as does Virginia, which by law must operate in the black.

Callahan charged that Fisher was out of touch with the wishes of his constituents in his support of increases in gasoline taxes and milk prices and opposition to tax credits for those who make energy-saving home improvements.

He also challenged Fisher to vote to rescind congressional pay raises tied to the cost of living. "Congress rewards itself for its own inefficiency," he said. "When inflation goes up their salaries go up." He said Fisher provided the one-vote

margin on the pay raise.

Fisher said he is for tax write-offs for homeowners who install insulation and other energy saving measures but voted against one such proposal as being too much of a subsidy. He said he also preferred tax credits for oil companies over direct government subsidies to encourage their

search for fuel. Callahan and Rittenhouse said they too would like less government interference with private companies.

Fisher's two opponents accused him of voting for deficit spending. Fisher responded that he voted against his own party's bill in his efforts to reduce the debt ceiling, and charged

the recent Republican administrations with increasing the debt more than the Democrats.

The incumbent said earlier Republican policy had made raising the debt necessary. "This is just the fallout," he said. "There's nothing you can do about it."

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City, Businesses Ponder Compromise Sign Law

by Jean Geddes

A Falls Church City Council committee will meet with a committee of area businessmen, review possible changes to the sign law, and report back to the council on Nov. 8 under the provisions of an agreement passed unanimously at Monday's council meeting.

At that meeting, the chairman of the businessmen's sign or-

dinance committee, Alan Potter, urged the council to postpone enforcement of the seven-year-old sign law while the city and his committee try to reach a compromise replacing the current law, now being enforced for the first time.

More than 100 businesses have recently been notified by the city government that their signs are not in conformance with the provisions of the ordinance. City officials say they previously held off enforcement of the measure to give firms the opportunity to voluntarily replace non-conforming signs. City manager Harry E. Wells noted Monday that "many of the business people are already beginning to conform."

Potter, chairman of the board of the Frank R. Jelleff store, Monday night called the existing city sign law "nonsensical" and the city's enforcement efforts "shameful."

He said the businessmen's committee had "gone to some expense" to draft a version of a sign ordinance they felt acceptable and had asked to

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Rolling Road Eyed For Improvements

The Fairfax County board of supervisors is expected to decide Sept. 13 whether to put Rolling Road in Springfield on the county plan for upgrading, according to supervisor Marie Travesky.

Rolling Road at its intersection with Northumberland Road was the site Sunday of a car accident in which two teenagers were killed and three others injured.

Travesky said she constantly receives complaints from residents living along the road. "All of Rolling Road is the worst kind of road," she said. The road was not put on the county plan for state maintenance before because the West Springfield area was sparsely populated. Travesky said. "Many more people are there now," she said.

The accident last Sunday night killed the driver, Michael Gonzalez, 17, of 6220 Cumberland Ave., and Dale Tessel, 16, of 5724 Ash Dr. Tessel was a passenger in the front seat.

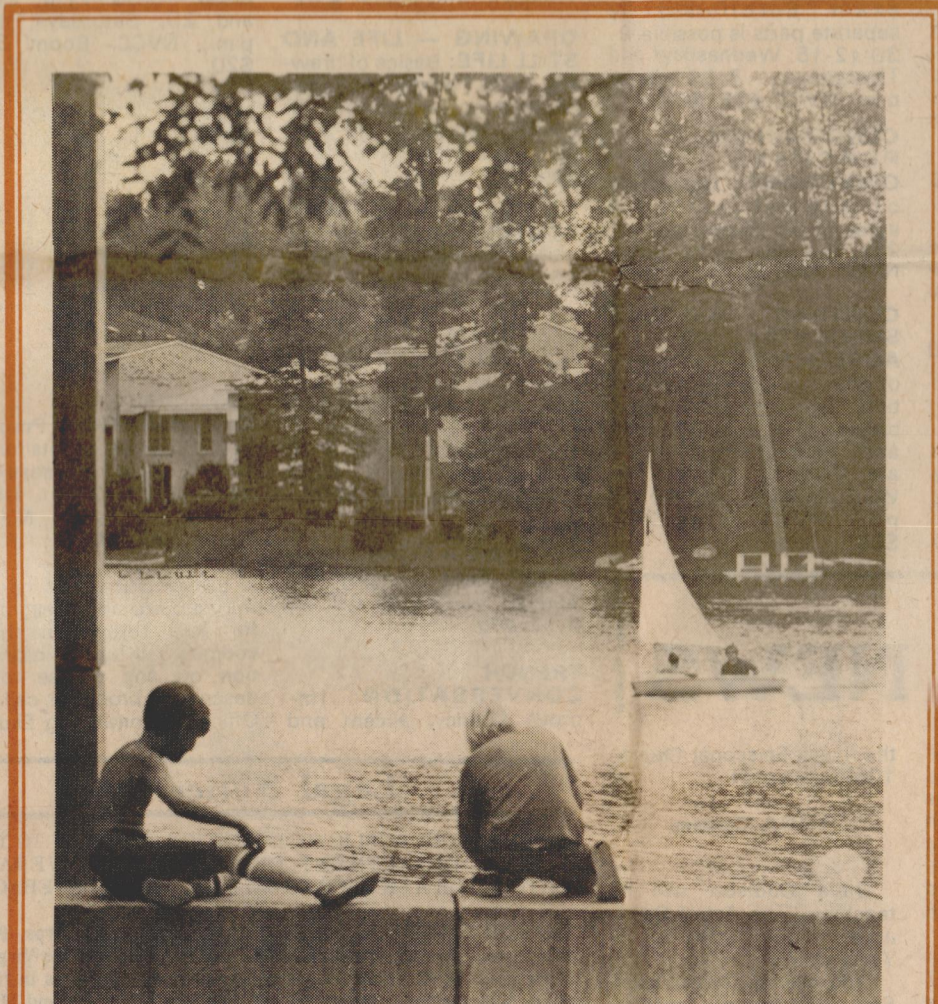
The other passengers were Linda Nash, 13, and her brothers William, 16, and Richard, 18, of 7736 Matisse Way. On Wednesday Linda Nash was listed in serious condition at Fairfax Hospital, and William and Richard were in fair condition.

According to police, the car was headed south on Rolling Road at high speed when the driver lost control going into a curve. Police said the car crossed over to the left shoulder of the road,

then slid across to the right shoulder and crashed broadside into a tree about six feet from the road.

A police spokesman said that three persons died and 32 were injured in accidents on Rolling Road between July 1975 and June of this year.

Travesky said she cannot foresee any opposition to putting Rolling Road on the county plan. Upgrading of the road will depend on the availability of funds, but Travesky said she will do whatever she can to make sure it is given the highest priority for maintenance.



Don Winter — The GLOBE

AS SUMMER SLIPS slowly away, youngsters enjoy beautiful weekend weather at Lake Anne in Reston. The weather held up early this week but the fun ended Monday for Fairfax County youth. Other students head back to classes Tuesday.

FAIRFAX COMMUNITY NEWS

by Mary Jean Moroney

Fairfax Fire Chief Charles Tuller is available as a speaker for civic groups and other community organizations.

His presentation imparts information on how to protect homes against fire, about smoke and heat detection devices and how to set up an escape plan. To arrange for a presentation, community organization leaders may call Chief Tuller at the fire station, 273-3888.

Welcome Wagon

If you are new to the area, the Fairfax Welcome Wagon Club provides an op-

portunity to meet others.

Long time members of the community may also attend meetings which are held the second Thursday of each month.

September 9 at the Fairfax Country Club, members and prospective members may meet for bridge at 9:30 a.m.

Bridge will be followed by luncheon and a program.

Non-card players may attend just the luncheon at 1 p.m. and the program.

This month's program features Harry McClellan from the Washington office of Dean Witter Investment Brokerage Firm who will speak on "Why Invest Today."

See page 2

Physical Instructor Stresses Lifetime Sports

by Audrey Van Vliet

Schools are open in Fairfax County and many fans are beginning to look forward to football season. However, there are thousands of students who will not share in the thrill of participating on one of the high school teams. Some of these have participated in the physical education program at Oak View Elementary School on Sideburn Road in Fairfax. During the past eight years over 5,000 children have been active in an innovative program which gives everyone a basis for skill and competence in lifetime sports.

Housed in the gym at Oak View is an array of child-oriented physical education equipment including a gym horse carved from an old railroad tie, hurdles made of conduit wire, and a bevy of climbing apparatus. Most of the equipment was designed and constructed by Jim Moyer who has been a physical education teacher at the school for eight years. He has master-minded this construction with the aid of parents and three industrial arts specialists from Robinson High School — J.C. Lockwood, Tom Stanberry and Paul Renick.

Moyer believes that we should not impose competitive standards on children at a young age. He thinks we live in a society that emphasizes every child playing on a team whether it be baseball, soccer or football. Children who cannot compete satisfactorily often are subtly ostracized by adults and peers as well, he maintains. Pressure is felt by youngsters to achieve success based upon adult standards. Many children grow up to dislike physical education and become turned off towards team sports before they reach high school, he adds. Movement Education in physical education as espoused by Jim Moyer emphasizes taking the pressure off children by individualizing activity for success. Children become active participants and are given the opportunity to develop body coordination, Moyer explains. They are taught basic skills, he says, in special awareness, tumbling, gymnastics, handling height, balancing, motor coordination and muscle control.

By providing enough equipment to allow all children to participate according to individual needs and interests, Moyer takes the traditional waiting boredom out of physical education. Emphasis is taken away from peer pressure and put on individual standards. The teacher then directs self-discovery, helping to build skill on skill. This allows time for helping children with special needs or deficiencies. Many skills are picked up automatically without teaching, while corrections and assistance are needed with others, Moyer says.

For half an hour twice a week each child participates in the centers in the gym supervised by Jim Moyer, Cathy Nolan and two aides. Nolan, who shares Moyer's educational philosophy has taught at Oak View for four years. Moyer also works with four-year-olds through the recreation program and is able to perform diagnosis of learning and motor problems early in a child's life. The gym is open and supervised on weekdays before school for any children who wish to participate on a voluntary basis. It is also open on weekends and after school for community use.

Roberta Henry, whose four children have benefited from Jim Moyer's program, says that all of these children had gained incentive to do better for themselves. Her son produced his best competitive swimming records while he was participating in Moyer's gymnastics, she adds. Jim Moyer was graduated from the University of Virginia with a masters degree in education and remained as a coach at the university from 1959 until 1962. He then became Nelson County's first full-time physical education specialist and was chosen as the county's outstanding young teacher in 1967. He joined Fairfax County schools in 1968.

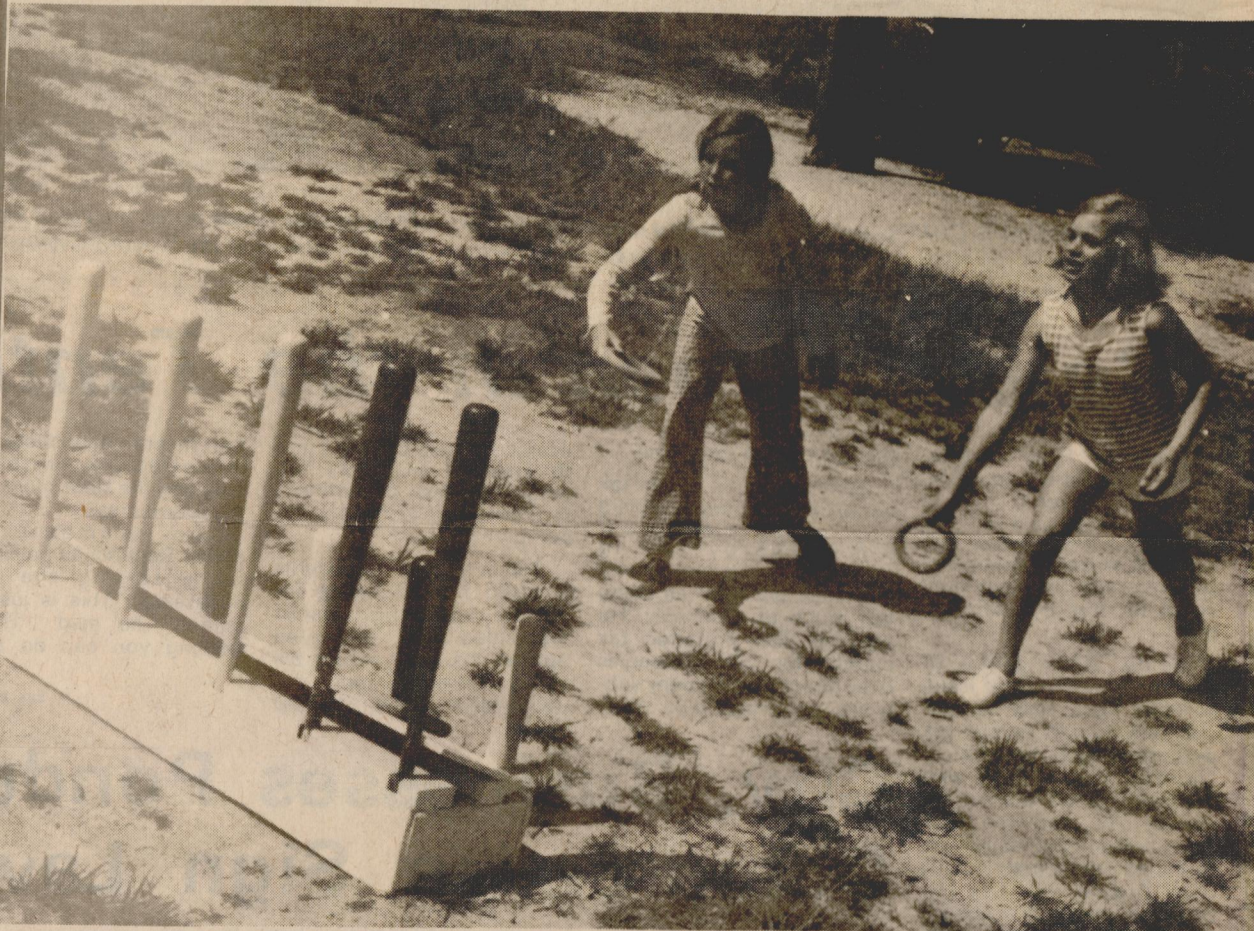
Working within a traditional framework in the beginning, Moyer says he thought that certain children would dominate and others would be left out because of lack of motivation or skills. So he began his search for innovative equipment and started de-emphasizing team sports in favor of individualizing for a lifetime love of physical activity.



OAK VIEW SCHOOL'S physical education program stressing individual skill and competence makes use of unsophisticated equipment such as a bicycle to allow participants to develop body coordination.



BALANCING ON A UNICYCLE is part of Oak View School's child-oriented physical education program.



JIM MOYER'S MOVEMENT EDUCATION program at Oak View School, Fairfax, emphasizes removing competitive standards from children and allowing them to pursue individual activities to build body coordination. Child-oriented equipment, mostly designed and constructed by Moyer, is used such as the blocks and ball bats to teach special awareness, motor coordination and muscle control.



oriented equipment, mostly designed and constructed by Moyer, is used such as the blocks and ball bats to teach special awareness, motor coordination and muscle control.

Community Service Classes Announced at NVCC

Community services courses are available this fall at Northern Virginia Community College. These are non-credit courses tailored to help people understand and meet the personal and community challenges of today's changing society, a NVCC spokesman said. "There are a multitude of reasons for doing work in the NVCC community service program," says Nancy McNamara, community services program developer at NVCC's Alexandria campus. Many people find the courses useful as transitional instruction, helping them discover what they want to do next with formal

education or work careers, or just their personal lives. "There are courses that help prepare one for various tests required for entrance into specific fields; there are 'personal development' courses and 'fun' courses, offering instruction and insight into such topics as developing one's self-worth, interior decorating, law for the layperson, auto and motorcycle maintenance and repair, yoga, and many, many more."

ANIMAL LIFE: Animal behavior; slides and tapes of selected species in Northern Virginia. 10-13-12-1; Wednesdays; 7:30-9:20 p.m.; T.C. Williams High School, Room D-28; \$25.

ANTIQUES - 18th, 19th,

Century & American: Slide lectures on identification of styles and periods through Victorian; detecting fakes; investments. 10-26-11-23; Tuesdays; 7:30-9:20 p.m.; T.C. Williams High School, Room D-28; \$25.

ASSERTIVENESS TRAINING: Dealing in professional and social situations with specific techniques. 10-15-10-17; Weekend; NVCC, Room 120, 327; \$25.

AUTO MECHANIC CERTIFICATION: Preparation for NIASE tests. 9-22-11-10; Mondays and Wednesdays; 7:30-11:20 p.m.; Bailey's Crossroads, Room 56; \$35.

BRAHMS: The Man and His Music. To be announced.

CALLIGRAPHY: Learn to write in several styles with a chisel pen; Traditional and Advanced alphabets. 10-13-12-1; 7:30-9:20

p.m.; T.C. Williams, Room D-11; \$20.

CERTIFIED PROFESSIONAL SECRETARY EXAM PREPARATION: Fall session treats Parts I, II, III of exam. Enrollment by separate parts is possible. 9-30-12-15; Wednesdays and Thursdays; 7:30-10:20 p.m.; NVCC 427; \$40.

CONDOMINIUM PURCHASE AND OWNERSHIP: Exploration of typical purchase agreements, deeds, etc. 10-23; Saturday; 9-12 noon; NVCC 427; \$5.

CONTRACT LAW AND SUBCONTRACTOR AGREEMENTS: Problems of offer, acceptance, revocation, waiver, performance, breach, damages, litigation and government contracts are included. 10-6-11-10; Wednesdays; 4:30-6:20 p.m.; NVCC, Room 244; \$25.

DEVELOPING SELF-WORTH: The use of TA concepts for growth in self confidence and the knowledge that "It's OK to be me." 11-13; Saturday; 9-5 p.m.; Office of Dr. Dan Montague; 6395 Little River Turnpike, Alexandria; \$20.

DRAWING — LIFE AND STILL LIFE: Basics of drawing with media optional: charcoal, pastel, etc. 10-18-11-22; Monday; 7:30-9:20 p.m.; T.C. Williams High School, Room D-11; \$25.

ENGLISH FOR FOREIGNERS: Assists foreign speaking residents in advanced English skills. Call for flyer. \$60.

ENGLISH FOR SECRETARIES: Effective writing techniques through acquisition of grammatical tools. 10-13-12-1; Wednesdays; 7:30-9:20 p.m.; Hammond High School, Room 123; \$25.

ENGLISH PREPARATION FOR TOEFL: Test of English as a Foreign Language. Call for flyer. \$60.

FRENCH CONVERSATION: Improve fluency, accent and

vocabulary. 10-21-12-2; Thursdays; 7:30-9:20 p.m.; Bailey's Crossroads, Room 55A; \$20.

JAZZ: A taste of Jazz; listen, discuss and enjoy a specific sound, style or composer. 10-30, 11-6, 11-13 and 20; Saturdays; 10-1 p.m.; NVCC, Room 327; \$20.

HOME PROTECTION CLINIC: 10-19; Tuesday; Room 111; Free.

HOW TO STUDY: Workshop on reading efficiently, time schedules, notes, memory aids, exams. 10-23; Saturday; 9 a.m.-3 p.m.; NVCC, Room 245; \$10.

INSURANCE CERTIFICATION: Preparation course for agents for the CPCU exam. 30 sessions: 10-7-12-23-12-30, 1-6-5-12; 5:30-7:20; NVCC, Room 120; \$95.

Senior citizens 65 or over may inquire about eligibility for free tuition in these courses. For further information on any course, or a descriptive brochure, call the Office of Continuing Education.

tion, Alexandria campus. 323-4280.

Legal Notices

NOTICE TO THE PUBLIC OF INTENTION TO APPLY TO THE VIRGINIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL FOR A LICENSE TO SELL ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT Sam & Muff Inc. The Spaghetti Tree, 10515 Main St., Fairfax, Va., 22030 intends to apply to the Virginia Department of Alcoholic Beverage Control, at its offices in Richmond, Virginia for a license to sell alcoholic beverages at the above location.

Signed this 24 day of August, 1976.

A.S. Rassam, Sec.

9-2(10)FD

PUBLIC HEARING

The Town of Clifton is holding a Public Hearing, in compliance with Section 15.1-18 of the 1950 Code of Virginia, on Tuesday, September 7, at 8 p.m. in the Clifton Fire Hall. Subject of Hearing: Purchasing a piece of land commonly known as the "Hennessy Playground", Lots 2, 3, 4 and 5 of Old Orchard Court, Town of Clifton, Fairfax County, Virginia, containing 48,554 square feet, more or less, and also being part of the property of Gerald C. and Elizabeth L. Hennessy, referred to in the Fairfax County Tax records as Parcel 53 of Section 75-4-02. Terms: "chase price of \$21,000, with \$5,000 down, 8% interest for 10 years, with the Town to assume the outstanding Deed of Trust and balance of purchase price to be secured by an additional Deed of Trust to be held by Gerald C. and Elizabeth L. Hennessy.

By Authority of Louise F. Achor, Clerk
Town of Clifton, Virginia 22024
8-12-8-19; 8-26; 9-2(4)FC

Legal Notices

NOTICE IS HEREBY GIVEN PURSUANT TO provisions of Section 30-6, Article VI of the Zoning Ordinance that at a meeting to be held in the Board Room of the Massey Building, Tuesday, September 21, 1976, the Board of Zoning Appeals will hold a public hearing on the following:

11:30 A.M. — CLEMENTINE P. CHRISTEL appl. under Section 30-6.6 of Ord. to permit construction of 10' high grape arbor in front setback area, 4900 Briggs Rd., 56-4(1)121B, (1.16 acres), Springfield District, (RE-1), V-184-76.

By Daniel Smith
Chairman

9-2; 9-9(2)FA

NOTICE OF PUBLIC HEARING ON APPLICATION TO REZONE CERTAIN REAL ESTATE IN FAIRFAX COUNTY, VIRGINIA

NOTICE is hereby given pursuant to the provisions of Section 15.1-431 of the Code of Virginia as amended, that at a meeting of the Fairfax County Planning Commission of said County, to be held in the Board Room of the Massey Building, at Fairfax, Virginia, on THURSDAY SEPTEMBER 16, 1976 8:15 P.M.

the said Commission will hold a public hearing on the following rezoning application at the time indicated. (At the said public hearing any and all interested persons will be given an opportunity to express their views regarding the rezoning of said land and to speak in favor of the same or in opposition thereto.) 74-2-038- JACK W. CARNEY & BENJAMIN M. SMITH, JR., TR. — to rezone approx. 263.198 ac. located S.E. quadrant Legato Rd. & Random Hills Rd. N. side Lee Hwy. & (Rts. 29-211). From RE-0.5 & RE-1 to PDH-5 for residential uses. Springfield District.

Edward C. Gurski
Chairman
9-2; 9-9, (2)FB



YOU CAN OWN A WESTERN AUTO STORE IN:
CENTREVILLE, VA.
FORK UNION, VA.
LOVINGTON, VA.

There is an opportunity available in the above towns for a Western Auto Associate. Store selling hardware, sporting goods, automotive supplies, furniture, refrigerators, freezers, washers, televisions, C.R.s, radios, other electronics, etc. We will train you, help install your store and provide counseling after you're open. Financing is available to qualified prospects. If you're interested in owning your own Western Auto Associate Store call this toll free number today:

800-821-7700 Ext. 818

Or write:
R. T. Renfro, VP Western Auto
2001 Grand Ave., Kansas City, Mo. 64110
Be sure to provide your phone number and complete address.



FAIRFAX COMMUNITY NEWS

For reservations or further information, call Vida McQuire, 256-9046, or Maurice Ott, 978-3463.

The deadline for reservations is Sept. 7.

Youth Club Band Director

The Fairfax Police Youth Club (FPYC) has announced that David Caleb of Fairfax is the new director of its Drum and Bugle Corps. Caleb replaces Cdr. Charles Johnson, who has retired and is moving from the community.

Under Cdr. Johnson's direction, last year the group won first prize in the Flint Hill Parade and third place in the Fairfax City July Fourth Parade.

The new director is a recent graduate of George Mason University. He has studied composition with Stephen Burton, music theory with Joseph Kanyah, percussion with Garwood Whaley and conducting with Wilbert King.

The corps will register new members Sept. 6 and 7 from 4 to 6 p.m. in the Mathy Club House on Sager Avenue. Boys and girls, ages nine and up, may sign-up. Further information may be obtained by calling Caleb, 278-8036.

Scottish Dancing

Beginner and intermediate classes in Scottish country dancing will be held Sept. 13 at 8 p.m. in

the Truro Episcopal Church, 10520 Main St.

YOGA Classes

Jaya Coulson will be teaching "The Art of Relaxation" at the Fairfax County YWCA.

The classes, which begin Sept. 28, are not exercise classes.

Participants will learn techniques of proper breathing, concentration and positive thought projection.

YOGA classes taught by Coulson are also offered at the George Mason University and Northern Virginia Community College.

The YWCA number to call for information is 560-1111.

Legal Notice

NOTICE TO THE PUBLIC OF INTENTION TO APPLY TO THE VIRGINIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL FOR A LICENSE TO SELL ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT Earps, Inc., Earps, 10414 Main Street, Fairfax, Virginia 22030, intends to apply to the Virginia Department of Alcoholic Beverage Control, at its offices in Richmond, Virginia for a license to sell Wine and Beer On and Mixed Beverages at the above location.

The names, addresses, and nature of interest, of every person interested, or to be interested, in the business, to any extent whatsoever (exclusive of ownership of stock if the applicant be a Corporation), are as follows: Timothy Todd Fenton, Lucky Hit Farm, White Post, Va., President; David Reynolds Slonim, 1007 King Street, Alexandria, Va., Vice-Pres.; Sec.-Treas.; Joseph Aloysius Keating, 4680 20th Place, Arlington, Va., Registered Agent.

Signed this 31st day of August, 1976.

Timothy T. Fenton
9-2(1)FE

Bar Charges Attorney with Fund Misuse

by Jim Walls

Disbarment proceedings against a Vienna attorney charged with diverting a client's funds for his personal use have been scheduled to begin Sept. 7 before a three-judge panel in Fairfax County Circuit Court.

City Sign Law Gets Big Test

by Jim Walls

Falls Church officials kicked off the city's first enforcement of its seven-year-old sign ordinance by sending out violation notices this past week.

More than 100 businesses have been told so far that their signs are not in conformance with the provisions of the ordinance, according to the city chamber of commerce. Under the law, violators have 15 days from receipt of the notices to comply with the terms of the ordinance, either by replacing or removing their signs.

"We aren't going to go out and arrest people charged with violating the sign controls," city attorney Paul Terrence O'Grady said. "A violation doesn't exactly endanger the health and welfare of our citizens."

O'Grady said the city would prosecute at least some cases, and that he had some potential cases in mind. He declined to say when the first warrants would be issued for criminal violations of the sign controls, however.

"Let's just say the honey-moon is nearly over," he said.

Although the ordinance provides for a separate violation of the law for every day of non-compliance, O'Grady said he will only bring one charge per sign that is in violation of the law. "We want compliance, not convictions," he said.

Meanwhile, the city chamber of commerce has received a number of complaints about enforcement of the ordinance. Chamber executive director Col. Donald B. Wilson declined to speculate how the chamber might help in any legal challenge to the sign ordinance.

Attorney William O. Hansbarger has been retained by a committee of city businessmen to represent firms charged with violating the sign ordinance.

See page 5

representation" in connection with his testimony on the charge before a grievance committee of the Tenth District of the Virginia State Bar.

Edmiston conceded in February that he had failed to keep records properly identifying certain trust funds which he handled for a client, but he denied any wilful or malicious motive. He said that his apparent neglect was due to inadequate office bookkeeping methods at least partially attributable to secret work he performed for the U.S. National Security Agency (NSA), according to court records.

In his capacity as settlement attorney in a Reston real estate transaction, Edmiston was entrusted with \$34,800 to be used to pay off a construction loan for the property from the Equitable Trust Co., according to a complaint filed by the state bar's Tenth District committee.

Most or all of those funds, however, were "transferred from time to time from the trust account to (Edmiston's) personal or...business account where it was dispersed and used by Mr. Edmiston for personal expenses," the complaint said.

The committee also charged that Edmiston had intentionally backdated a letter to Equitable Trust Co. "for the sole purpose of concealing the fact that the pay off of the \$34,800 had not been made as required."

Edmiston had told the committee that a Dec. 12, 1973 letter to Equitable Trust Co. indicated the \$34,800 payment may have been lost in the mails. That letter was probably not written until October 1974, however, according to testimony before the bar committee by Charles A. Appel Jr., founder and principal examiner for 16 years in the FBI document analysis laboratory.

See page 7



Don Winter — The GLOBE

A STITCH IN TIME. Not embarrassed to be seen sewing in public, a member of the First Virginia Regiment works on a sweater as a Revolutionary era soldier might of done in his spare time. He was on hand at Sunday's Colvin Mill Flapjack Festival.

Fairfax Schools Open Monday

Sex Education Issue Revived

by Marie Kisner

After a short summer, Fairfax County students return to school on Monday. School superintendent S.

John Davis is promising a year of "few disruptions and interruptions" following last year's budget and personnel problems.

The issue promising to draw the most public attention early this school year is the proposed sex education program, which was rejected in its original form. A milder version is now scheduled for parental review. Davis said he has reviewed the program "wearing both hats" of parent and administrator and found it adequate.

Davis said he is surprised that some parents have described the sex education program as "watered-down and little more than a biology course." However, school board chairman Rodney F. Page said the program is not far-reaching, and that he is not sure it merits the controversy it has generated.

Two meetings have been scheduled during September and October in each of the county's 22 high schools to present the program to parents — one covering elementary school materials

and the other dealing with the intermediate and high school curriculum. "I would like to emphasize that the meetings are for parental review, discussion and reaction, and not for testimony or partisan debate," Davis said. (For schedule of meetings, see page 7.)

The school board will hold a public hearing on the program in November and will vote on the proposal the following month. If the course is approved, students will need parental consent to enroll.

Davis said he does not plan to worry too much about school system finances this year. "We had to tighten our belt last year and it had a negative effect," he said. Page said the hiring freezes were a "waste of money" because they undercut many programs in mid-year.

"We probably won't get hit as hard or as often this year," Page said, but he added that the board is still bracing itself for another potential decrease in state aid to education.

Ed Anderson, president of

the Fairfax Education Association, said his organization is quite concerned about personnel reductions. "We don't want an annual occurrence of the reduction-in-force situation we had last year," he said. Anderson added that the association will work hard to prevent morale problems among teachers caused last year when several hundred of them received notices that they might be laid off.

"It's a waste of power that should be devoted to the student," Anderson said of morale problems. "A teacher can't do well when he's worried about losing his job."

Anderson said the association is also very interested in the outcome of a suit filed by Governor Mills E. Godwin Jr. against collective bargaining by local governments. "We should have the right to mutually agree on what will be done in the educational system," he said.

Although the system will continue short-handed, especially in subjects such as

See page 7

Fairfax Housing Surplus Foreseen

by Marie Kisner

Fairfax County may be faced with skyrocketing prices and overbuilding in the local housing industry during the rest of this decade, according to statistics compiled by the county's office of research and statistics.

The current housing shortage is expected to disappear over the next several years as builders recover from the recession that slowed construction and made financing for the home buyer hard to get. However, the county's population has not increased as rapidly as had been predicted, so the demand for housing may not keep up with the supply of new units, county statistics show.

According to the recently released county housing report, which summarizes and analyzes housing, construction, population and land use data, the number of housing units granted building permits in the first quarter of this year was almost double the number for the same period in 1975.

Approximately 10,800 units have been authorized and nearly 7,000 are in some phase of construction. While this represents a decline from last year, units in the stages of site plan approval, site plan submission and rezoning have increased substantially, the report says.

This makes a total of 118,852 units in the various stages of development to be completed between 1977 and 1980. The report notes

that no significant population growth is expected in the county until 1978 or beyond.

Single family homes, as well as townhouses and condominiums, are becoming more expensive and more numerous. The median value of houses in the coun-

ty has risen 6 per cent during the last year, to \$62,600. The number of units under \$60,000 continued to decline, the report says, especially those under \$30,000, which dropped almost 40 per cent. At the same time units in the \$90,000 to \$100,000 range increased by about 38 per cent.

A trend toward more townhouses and multifamily units is confirmed by the report, which breaks down proposed development into 27 per cent townhouses and 40 per cent apartments. Although single family homes now make up 60 per cent of the existing housing units in the county, only 33 per cent of the proposed housing is in this category.

The number of housing units in each of the eight magisterial districts is approximately the same due to the revised boundaries that went into effect last January. Dranesville district has the most single family homes, Centreville the most townhouses and Mason the greatest number of apartments, figures show.

The largest percentage of

See page 5

A mother's warning on the "Moonies". See page 4.

Time for wedding bells? See pages 5 and 15.

Crime Figures Vary in Region

by Marie Kisner

Serious crime has increased nationwide as well as in Northern Virginia jurisdictions. The FBI's latest statistics, released yesterday (Aug. 25), show a 10 per cent increase in major crime in the U.S. in 1975 over the previous year. The figures vary considerably in the major local jurisdictions.

The violent crimes of murder, rape, robbery and aggravated assault increased 5 per cent, to a total of over one million nationwide, in the reporting period. Property crimes, which include burglary, larceny and auto theft, went up 10 per cent to more than 10 million incidents. The number of offenses increased in each category except for murder, which showed a 1 per cent decline.

Locally, Fairfax County had an overall crime increase of only 0.163 per cent which considered statistically insignificant, according to a county police spokesman. The number of violent crimes went down by 12 per cent and property crimes increased by 1 per cent, also termed statistically insignificant. However, there were 21 murders, a 50 per cent rise from the previous year.

Arlington County, which has computed crime statistics over a five-year period, had a 25.6 per cent increase in the crime rate between 1970 and 1975. The number of offenses went up in every category

except auto theft, police report.

Alexandria police recorded a 3.1 per cent increase in the crime rate last year. The number of rapes and thefts in the city went up, while all other categories showed a decrease. A police spokesman said such statistics can be misleading. For example, he said, the 20 per cent decrease in the murder rate seems substantial but represents only three fewer murders.

Both the FBI and the Virginia state police caution against comparing statistics between jurisdictions because the factors that contribute to crime vary from place to place. Some of those influences are size and density of the community, stability and economic status of the population, size and effectiveness of the police force, and relationship between the police and the community, officials say.

Statistics on crime patterns are used more for tracing increases and decreases within a jurisdiction than for comparison with other communities, the FBI says. Use of the figures can help police direct their work toward those areas where they are most needed.

Statistics from law enforcement officials across the country are compiled annually by the FBI through a system called the uniform crime reporting program, although comparative figures are not listed by

See page 7

Fairfax City's Ford House Was Home to Spy Antonia

by Roxanne Bilyeu

Antonia Ford, who lived in a gracious brick home near the Fairfax Court House, moved in "all the best circles" in Northern Virginia and in Washington in the mid-19th Century. Her proper upbringing proved essential during the Civil War when she was a key spy for the Confederacy.

She became so well known that a young Vermont Union soldier stationed in Fairfax wrote a letter home in 1863 in which he told of his concern for the progress of the war. "General Stoughton," he wrote, "who commands the Second Vermont Brigade, has his headquarters in the village, although his brigade is five or six miles away. What he could or would do in case of an attack I don't know, but it seems to me that a general should be with his men...."

"There is a woman living in the town by the name of Ford, not married, who has

been of great service to General (J.E.B.) Stuart in giving information, etc. So much so that Stuart has conferred on her the rank of major in the Rebel Army. She belongs to his staff. Why our people do not send her beyond the lines is another question. I understand that she and Stoughton are very intimate. If he gets picked up some night, he may thank her for it."

The letter's recipient promptly sent it to the *New York Times*, where it was published, much to the consternation of Stoughton's uncle, a Wall Street lawyer, who offered \$250 to one of the newspaper's editors to divulge the name of the writer. The offer was refused.

Four nights after the soldier had written his scorching note, Stoughton was indeed "picked up" by a small band of men led by John Singleton Mosby who was relying on information furnished by Antonia Ford.

Antonia was born in

1838 to E.R. Ford and his wife, Julia. Ford was a merchant and Fairfax's leading citizen. The Fords were known to be strongly secessionist in their views, but as Fairfax became a focal point in the plans for both the North and the South, the Fords' home became the center of social activities for troops of both sides. The Southerners were there because the Fords wanted them to be; the Northerners were there because the family had no choice.

In 1862, one of Gen. Irvin McDowell's staff officers came to the door and advised Antonia that his commander wanted to make her father's house his headquarters. The officer, Army Capt. Joseph C. Willard, would later become Antonia's husband.

Few people realized that Antonia's friendliness with the Yankees had a motive. She listened with wide-eyed interest to everything they had to say. As some of her

guests were to recall later, this attractive girl with a reputation as a witty conversationalist, frequently asked questions such as, "How much longer, sir, will we have the pleasure of your company here in Fairfax?" or "Tell me, captain, how many men do you have in that area?"

Antonia Ford was collecting information for the Richmond government — information that she sent by whatever means she could to the nearest Confederate camp.

Her most daring exploit was undertaken with her aunt, Mrs. Augustus Brower. The two women set out together on horseback on a dark, rainy night in August 1861, furtively dodging prowling enemy troops, riding over muddy roads to J.E.B. Stuart's camp miles away, in order to deliver several items of intelligence to the noted general in person.

Stuart, in recognition of Antonia's devotion and aid

to the South, issued a commission two months later, naming her aide de camp with the rank of major. This document, along with her role in Mosby's dramatic capture of Gen. Stoughton led to her own capture and imprisonment.

Edward H. Stoughton (at 25) was the youngest general in the Army of the Potomac. Vain and independently wealthy, he was given more to party giving than to soldierly duties. When he arrived in Fairfax, he commandeered the elegant home of Dr. William Presley Gunnell. This house is now the rectory for Truro Episcopal Church on Main Street.

Stoughton could not imagine himself "roughing it" with his men who were stationed several miles away, near Fairfax Station. One author has referred to these soldiers as Stoughton's "tented and discontented troops."

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Don Winter — The GLOBE

FORD HOUSE in Fairfax City, the site of some of Antonia Ford's Civil War spying for the Confederacy, is around the corner from the Main Street photo studio that was the scene of CIA intelligence activities in this decade.

FAIRFAX COMMUNITY NEWS

Fairfax Symphony Auditions

Six college credits may be earned by full participation in the Fairfax Symphony Orchestra.

Auditions are scheduled Aug. 27 and 28.

Call Mrs. Kenneth Chayt, 323-6228, for an audition appointment.

Rehearsals begin Sept. 13 and are scheduled every Monday.

Central Library Activities

Central Library will show "Willie Wonka and the Chocolate Factory" Aug. 31 at 4 p.m.

Advance sign-up is required for a pre-school craft workshop in string painting scheduled Sept. 8 at 10:30 a.m.

Pre-school stories are read to children, ages four and up, every Thursday at 10:30 a.m.

The film program for pre-schoolers Sept. 2 at 10:30 a.m. will include "Little Engine That Could," "Lentil"

and "Foolish Frog."

Ballet Registration

The Virginia Ballet Company and School Inc., a non-profit organization, announces registration for fall classes at 8001 Forbes Place, Springfield.

Classes begin Sept. 11. Call 321-8009 or 321-9887 for more information.

Training provides instruction in pre-ballet through professional level and adult classes.

Light Opera Auditions

The Vienna Light Opera Company announces auditions for its fall production of Menotti's "The Unicorn" an opera for chorus and pantomime dancers.

Basses and tenors are particularly needed but all voice ranges are welcome. Interested singers should come to Vienna Community Center between 2 and 4 p.m. Aug. 28.

Call 281-2570 for further information.

Fairfax Toastmasters

Fairfax Toastmasters Club 1899 will meet Thursday Sept. 2 at 8 p.m. in room A-22 of Fairfax High School.

Meetings are regularly held on the first and third Thursday of each month.

For further information, call Chuck Waterman, 273-1924, or J.D. Bates, 273-2934.

Salvation Army Auxiliary

Women interested in the work of the Salvation Army may join its auxiliary which

meets the third Wednesday of each month at 10 a.m. at the Vienna Presbyterian Church.

The auxiliary president is Rose Boone of Oakton. Ver-na Gifford of Fairfax is the corresponding secretary. Elma Vozzolo of Annandale is the vice president and Elizabeth Bennett is recording secretary.

Fall Recreation Program

The city's fall adult recreation program at Fairfax High School starts Sept. 13 and continues to Nov. 24. The center is open from 6 p.m. to 10 p.m. Monday to Thursday for racquetball, handball, basketball, weightroom and sauna.

Call the director, 591-3525, for more details.

Magic Show

A magician will entertain Aug. 26 on the west lawn of city hall, at 8 p.m. The show is free as part of the city's summer entertainment program.

Tennis Tournament

Fairfax City will sponsor its annual tennis tournament from Sept. 4 to 19. The tournament is open to residents, ages 18 and over.

Competition will include men's and women's singles, doubles and mixed doubles.

A registration fee of \$5 has been set.

Application forms are available at the public information office at city hall, the community affairs office at Fairfax High School and the Fairfax Racquet Club. The deadline for filing applications is 9 a.m. Aug. 30.

FIELD UNDERWRITER CLASS

If you are disturbed by limitations of your occupation, a large insurance company is conducting free evening classes to familiarize you with careers in Life Insurance Field Underwriting. Appointments will be made from those attending the school to a full time sales training program with the Company. Those selected will receive starting salary with increases as earned and excellent fringe benefits. Call Mr. Darr at 893-1045 for more information. EOE M&F



Tom Orndorff — The GLOBE

BATTLEFIELD LITTLE LEAGUE Senior Girls Softball player Carol Light readies to bat in summer league action.

Family Fire Protection May Be Planned Now

Most Virginians probably understand what to do in case of a fire — or at least they think they do.

The first thing to do is get out of the house. Unfortunately, the record of fire deaths and injuries reveals that many people do not know how to get out of their own homes during a fire.

During the warm summer months, families will have plenty of time to develop family escape plans and practice them until everyone knows what to do and how. The Insurance Information Institute says.

Why is a family escape

plan necessary?

First, most people panic in emergency situations like fires. They freeze and forget everything they are supposed to do. Emergency experts, like firemen, train vigorously to overcome this natural tendency. No amount of bravery or special quota of courage overcomes the need for planning and training.

Second, fire creates unusual circumstances. Although most people truthfully can say they can walk around their home with their eyes closed, that is not enough.

The circumstances created by a fire pose the following question: can you get out of your house crawling, eyes stinging because of smoke, lungs burning as you breathe hot air, and all doors blocked by heat or flame? Experts suggest that in case of fire you have only four minutes before the question turns into a plaintive "why me?"

Finally, most family decision makers are men and women in their prime. Confidence in their ability to get out of a fire is understandable, even if mistaken. What about old people and children? Has everyone thought about whether or not they can crawl quickly and get out of a house if the stairs and doors are blocked? Because most of those who die in fires are old people and children, the answers it seems is no.

The Insurance Information Institute recommends the following program of family fire protection:

- Install smoke fire alarms in your home.
- Develop a family escape plan.
- Take advantage of the warm summer months to start practicing the family escape plan developed.
- Select a meeting place outside the house where everyone will gather in case of a fire.
- Teach everyone in the family how to report a fire.

Legal Notice

PUBLIC HEARING

The Town of Clifton is holding a Public Hearing, in compliance with Section 15.1-18 of the 1950 Code of Virginia, on Tuesday, September 7, at 8 p.m. in the Clifton Fire Hall. Subject of Hearing: Purchasing a piece of land commonly known as the "Hennsey Playground", Lots 2, 3, 4 and 5 of Old Orchard Court, Town of Clifton, Fairfax County, Virginia, containing 48,554 square feet, more or less, and also being part of the property of Gerald C. and Elizabeth L. Hennsey, referred to in the Fairfax County Tax records as Parcel 53 of Section 75-4-02.

Terms: Purchase price of \$21,000, with \$3,000 down, 8% interest for 10 years, with the Town to assume the outstanding Deed of Trust and balance of purchase price to be secured by an additional Deed of Trust to be held by Gerald C. and Elizabeth L. Hennsey.

By Authority of Louise F. Achon, Clerk
Town of Clifton, Virginia 22024
8-12-8-19-8-26-9-2(4)FC

Legal Notice

CITY OF FAIRFAX, VIRGINIA NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Fairfax, Virginia, at its regular meeting on Tuesday, September 14, 1976, at 8:00 p.m. in Council Chambers at City Hall will hold a public hearing to consider the following:

Z-615-76-1 — Request of Bernard W. and E. Jean Good, owners, to rezone from R-3 (residential) to C1-L (commercial limited office) lots 83 and 84 of Fairfax Heights Subdivision, containing 24,271 square feet of land, on premises known as 3937 Walnut Street.

Z-607-74-3 — Request of the Pickett Company, owner, by A.J. Audet, Jr., attorney, to rezone from R-1 (residential) to I-2 (industrial) 3.066 acres of land located in the 3400 block of Pickett Road, and more particularly described on City Tax Map No. 58-1 (2)-36.

Z-616-76-2 — Request of James B. Eisenlohr, contract-owner, to rezone from R-2 and R-3 (residential) to CPD (commercial planned development), 150,000 sq. ft. of land bordered by Main St., Railroad Ave., and Moore St., and more particularly described on City Tax Map No. 57-1(19)-A-1,2,3,12,13,14, and 15; and to approve the proposed preliminary site plan for commercial planned development of this property.

Z-617-76-2 — Request of C. Douglas Adams, Jr. and Albert I. Kassabian, contract-owners, to rezone from R-3 (residential) to C1-L (commercial limited office) 118,671 sq. ft. of land, on premises known as 10511, 10513 and 10515 Jones Street.

Z-618-76-2 — Request of Robert E. and Jeannette H. Stafford, owners, to rezone from R-3 (residential) to C1-L (commercial limited office) 43,842 sq. ft. of land on premises known as 10509 Jones Street.

SU-658-76-2 — Request of Mantua Hills Swim and Tennis Club, owner, for a special use permit as required by Section 11, Subsection R-2 B.9 and B.13 of the Zoning Ordinance to allow lighting of two existing tennis courts between dusk and 11:00 p.m., on premises located at 9930 Pentland Place.

A proposed ordinance to amend the Subdivision Ordinance of the City of Fairfax, Virginia, to add provisions for pedestrian paths and, where feasible, for more than one vehicular entrance and exit to a subdivision.

A proposed ordinance amending the Zoning Ordinance to provide for FAR limits in the C-2 zone.

All interested parties are invited to attend this public hearing and express their views.

The applications, together with all supporting documents, are available for examination in the Public Services Department, Room 206, City Hall. Copies of the proposed ordinances are available for examination in the office of the City Clerk, Room 310, City Hall.

DOROTHY L. WILKINSON
City Clerk

8-26(1t)FD

ANNANDALE COMMUNITY NEWS

by Roz Levy

The Northern Virginia Youth Symphony Association is announcing the audition schedule for openings in its three ensembles, youth symphony, intermediate orchestra and string ensemble.

Auditions will be held Sept. 13 to 18 at Annandale High School, 4700 Medford Dr., Annandale.

The Youth Symphony violins and violas will audition Monday, September 13; intermediate orchestra violins and violas will audition Sept. 13 and 14; and the string ensemble violins and violas will audition Tuesday, Sept. 14.

Sept. 15, all cellos, double basses and woodwinds will audition. Thursday Sept. 16, brasses will audition.

Call the auditions chairman, 256-6285, for audition requirements and an appointment.

Speaker List

A pamphlet describing the speakers available through the Fairfax Hospital Association Department of Community Relations is available to program chairmen and officers of

local organizations.

Entitled, "First Aid Kit for Program Chairmen," the pamphlet lists speakers available by topic.

For a copy of the pamphlet, call 698-3481, or write to Department of Community Relations, Fairfax Hospital Association, 3300 Gallows Rd., Falls Church, 22046.

Photo Contests

Area photographers may explore park land in Northern Virginia in search of the picture that may win the "Picture Your Parks" contest being jointly sponsored by the Fairfax County and Northern Virginia Regional Park Authorities. The contest will receive submissions until Sept. 24.

For a brochure about this event, call 941-5000.

The second wildlife Art and Photography Show will be receiving applications until Sept. 11. The show is scheduled Sept. 12 from 11 a.m. to 7 p.m. at Colvin Run Mill Park off Route 7 near Reston.

For applications and more information contact: Art Committee Riverbend Interpretive Center, 8814 Jeffrey Rd., Great Falls 22066.

Legal Notices

INVITATION TO BID

The City of Fairfax is requesting bids to furnish paving of certain streets and highways in the City of Fairfax, in the fiscal year 1976-77. Paving material shall be type S-5 Bituminous Concrete and shall be applied at an average rate of 165 lbs. per square yard. Existing on the faces shall be primed and tacked to assure proper bonding of the paving material. All materials and the application of same shall conform to current standards and specifications of the Virginia Department of Highways & Transportation and of the City of Fairfax.

Bid packages may be picked up in Room 211, City Hall, Fairfax.

Bids will be opened at 11:00 A.M., on Tuesday, September 7, in the office of the Comptroller, City Hall, 10455 Armstrong St., 212, Fairfax, Va.

A bidder may withdraw his bid from consideration if the price was substantially lower than the other bids due solely to a mistake therein, provided the bid was submitted in good faith, and the take was a clerical mistake as opposed to a judgment mistake. It was actually due to an unintentional omission of a quantity of work, labor, or material made directly in the compilation of the which shown by objective evidence drawn from inspection of original work papers, documents and materials used in the preparation of the bid sought to be withdrawn. The bidder must give notice in writing of his claim of right to withdraw his bid within business days after the conclusion of the bid opening procedure. A claim of a bidder for withdrawal shall be governed by section 11 of the 1950 Code of Virginia, as amended, which is incorporated herein by reference.

Edward J. Cawle
Comptroller
City of Fairfax, Va.

8-26(1t)FE

IN THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT OF FAIRFAX COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA
In Re:
GARNET BROWN, Petitioner
and
PHILIP SCOTT BROWN, a Minor
v.
WILLIAM F. BROWN
Respondent

ORDER OF PUBLICATION

The object of the above styled action is to obtain permanent custody of Philip Scott Brown, a minor, by his natural mother, Garnet Brown, who has been awarded temporary custody of a minor by an order of this Court on the 8th day of July, 1976.

An affidavit having been made and filed showing that the natural father of the aforesaid minor, William F. Brown, is a non-resident of the State of Virginia, and that his last known post office address is as follows: to wit:

William F. Brown
c/o William C. Brown
1727 Lake Avenue
Shady Side, Maryland

Upon consideration whereof this order of Publication is granted, and it is ordered that the above named non-resident do appear within 10 days after the due publication of this order and do what is necessary to protect his interest in this cause.

It is further ordered that this order by published once a week for four successive weeks in the Fairfax Globe, a newspaper having general circulation in Fairfax County, Virginia, and published therein.

Teste:
Barbara J. Daymude
Clerk
By Karen Lawrence
Deputy

Molloy, Simpson & Johnson, P.C.
307 Maple Avenue West (Suite E)
Vienna, Va. 22180
by Charles J. King
Attorney for Petitioner

IN THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT OF FAIRFAX COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA
In Re:
GARNET BROWN, Petitioner and
PHILIP SCOTT BROWN, a Minor

AFFIDAVIT

STATE OF VIRGINIA
ss
COUNTY OF FAIRFAX

Before me, a Notary Public in and for the State and County aforesaid, personally appeared GARNET BROWN, who being first duly sworn, deposes and says as follows:

1. That she is the Petitioner in the above cause.
 2. That she is the mother of the minor child, PHILIP SCOTT BROWN.
 3. That WILLIAM F. BROWN is the father of the aforesaid PHILIP SCOTT BROWN, a minor.
 4. That the Respondent WILLIAM F. BROWN is a non-resident of the State of Virginia, whose last known address is c/o William C. Brown, 1727 Lake Avenue, Shady Side, Maryland.
 5. That upon information and belief, she believes that the Respondent is not a resident of the State of Virginia and to her knowledge has not been such a resident at any time.
- GIVEN UNDER MY HAND this 19th day of July, 1976.

GARNET BROWN

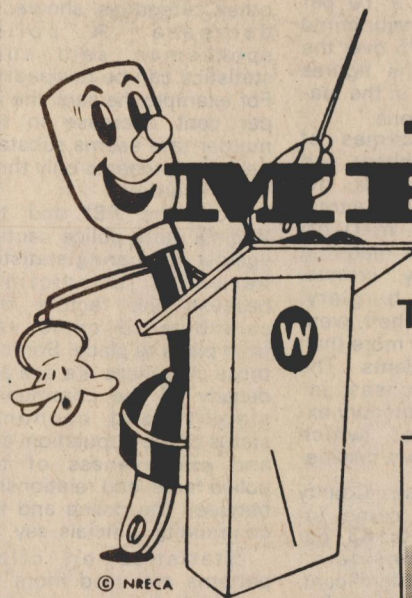
Sworn to and subscribed before me this 19th day of July, 1976.

SANDRA B. VARNEY, Notary Public

My Commission Expires: February 26, 1980.

8-5-8-12-8-19-8-26(4t)FB

ATTENTION PRINCE WILLIAM COOPERATIVE MEMBERS



Annual MEETING

THURSDAY, SEPTEMBER 2 7:30 P.M.

STONEWALL JACKSON HIGH SCHOOL AUDITORIUM
8820 RIXLEW LANE, MANASSAS, VA.

EVENING ENTERTAINMENT

STARTING 7:00 P.M.



KAREN WHEELER



TEENIE CHENAULT

FEATURING

THE TEENIE CHENAULT SHOW
AND KAREN WHEELER
FROM NASHVILLE

HOME OF THE GRAND OLE OPRY

SPECIAL PRIZE

NASHVILLE, TENN., TO ATTEND THE
GRAND OLE OPRY

Trip includes
Round Trip Air Transportation
2 Tickets for Fri. Night Grand Ole Opry
3 Days-2 Nights Twin Room at the Roadway Inn
A Day at Opryland
Tour of Hall of Fame
October 22, 23, 24, 1976

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J. E. RICE APPLIANCES
Manassas, Va.

PLAN NOW TO ATTEND

If you cannot attend be sure to return to the headquarters office your signed proxy you received in the mail with the meeting notice. By returning your signed proxy card you become eligible for one of the prizes, and help to establish a quorum.

PRINCE WILLIAM ELECTRIC cooperative

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ANNIVERSARY

1941

1976

Charter Changes Challenged in City

by Jim Walls

Proposed Falls Church city charter changes which would abolish the elective offices of the treasurer and the commissioner of the revenue have been set for city council consideration at a Sept. 13 public hearing. Implementation of the changes would require approval at a public referendum which could be held as early as November. The charter changes would then have to be ratified by the state legislature.

Meanwhile, recent council action providing for appointment rather than election of the city attorney has been challenged by some city residents who are seeking a public referendum on the issue.

Critics of the two elected finance positions say the system is archaic, ineffective and confusing. The treasurer and revenue commissioner are primarily administrators, not policy-makers, they say, and therefore should not be independent of the city council and city manager.

Others contend that election of the officials makes those responsible for property assessment and taxation directly accountable to the people. The current system provides a set-up of checks and balances which will prevent the misuse of public funds, they say.

"When I was approached (in 1974) about running for this job, I said 'No,'" revenue commissioner Claude M. Wells said Monday. "I felt maybe we didn't need a commissioner of the revenue, and thought to myself, 'Apparently, the people of Falls Church are willing to pay someone for not doing anything.'"

Wells decided to campaign for the position, but said he would recommend elimination of the job if his

own experience after assuming office, showed him the post was unnecessary. "Frankly, I made a 180 degree turn," Wells said. "The longer I stayed, the more I realized how important the job really is. It's a full-time job."

Counseling for the dying. See page 15

Back to school information. See page 8.

The revenue commissioner's major responsibility is the supervision of assessment of all real estate and taxable personal property in the city, according to Wells, the brother of city manager Harry E. Wells. He said his office is also required to process applications for tax and rent relief for the elderly, to assess business licenses and to check for compliance with the city's auto registration requirements.

One major service for city residents which Wells feels will be eliminated if his elected office is abolished is the auditing of citizens' state income tax returns. The office audits more than 6000

returns each year and finds a way to save money for residents in about 10 percent of the returns, he said. Wells estimated the tax auditing service saves Falls Church citizens between \$50,000 and \$60,000 each year.

"We have a system that has almost completely precluded any sort of scandal," Wells said. "Why change it? The danger may come when all the power to assess and to tax and to collect taxes and to spend the tax money is given to one person."

One new position, the assistant finance director, would be created to assume the duties of the treasurer and revenue commissioner under a reorganization proposal sent to the city council last month. The staff report estimates the city could save as much as \$30,000 per year in salaries if the reorganization is approved.

City treasurer James E. Durant declined to comment on the proposals.

Most city council members said this week they have not yet decided whether the organization proposals should go to public referendum.

"These jobs are becoming more and more technical in nature and are tending to overlap with the duties of the finance director," councilman Harold Silverstein said Tuesday. "I'm uneasy about leaving (selection of the finance officials) up to the vagaries of the electorate, but I'm rather conservative when it comes to tinkering with something when we know it works."

"I would hope the citizens will see the economies of the idea," Mayor Harold L. Miller said. "A community of 12,000 people just doesn't need three finance officers."

See page 27



Don Winter — The GLOBE

VIPPEE!!! 4-H's Jean Beard, Kim Higgins and Jane Beard celebrate their being named winners at the annual Fairfax County 4-H Fair at Frying Pan Park last Sunday. Jean's vegetables entry won her a prize, Kim won the high point trophy in home environment, and Jane was a winner in the crafts — home environment category.

Historic Cemetery Vandalized

by Marie Kisner

The Flint Hill cemetery on Courthouse Road in Oakton is a great place for weekend history buffs to roam around searching for the graves of ancestors, civil war soldiers and colorful characters. Sometime last week the

cemetery was hit by vandals. In addition to the property damage and the sacrilege of disturbing the dead, the destruction represented a narrowly avoided loss to historians. "Luckily, none of the stones was broken," said Mayo Stuntz, a Vienna

historian and president of the Flint Hill Cemetery Association. "But I counted 41 overturned stones." Stuntz met county police at the cemetery Wednesday, Aug. 11, to survey the damage. "You can almost see where they walked through the cemetery at an angle turning the stones over," he said. Police are continuing their investigation of the vandalism.

Established in 1832 when Oakton was still known as Flint Hill many of the cemetery's tombstones carry mournful, amusing or mysterious inscriptions. For example, the single word "Misunderstood" on the tombstone of a woman who taught school in the county before the Civil War invites all kinds of speculation.

During the Civil War, Fort Libby was built next to the cemetery to guard the Courthouse Road to Vienna. The Oakton Church of the Brethren now stands on that site. The church has its own small cemetery that was unharmed by the vandals.

Costs Not Amusing

Upsetting tombstones has often been considered a harmless adolescent prank, but the labor and expense of righting them is not amusing to the cemetery plot owners who must pay the costs. According to Stuntz, it costs between \$50 and \$100 to right each stone, bringing the total damages to over \$2,000.

Stuntz said the cemetery association has been unable

to get vandalism insurance and its maintenance fees are mainly exhausted in mowing operations. He said he may ask community organizations to undertake the righting of the stones as a civic project.

The cemetery association now faces the task of contacting the plot owners. The job will be difficult since there is no plat of the five acre, 1,500 grave cemetery. In addition, some of the overturned stones, which weigh around 400 pounds each, are lying face down so there is no way of seeing the name on them.

Stuntz said the association is going to survey all of the stones soon and write a form letter to be sent to plot

See page 27

Matildaville Once Thrived As Potowmack Canal Town

by Jean Geddes

Only a few stone ruins of a town named in memory of a woman known as "the divine Matilda" remain along the nature trail at Great Falls Park.

The "divine Matilda" was the first wife of "Light Horse Harry" Lee, the father of General Robert E. Lee.

Actually, little is known about Matilda for there are no portraits of her to tell what she looked like, and only a few lines of correspondence from her.

Her family and friends referred to her simply as "divine" and it is known that when "Light Horse Harry" visited the home of his second cousin Matilda Lee

at Stratford, she "took his breath away."

After graduating from Princeton, Lee took command of a cavalry company in Virginia and served in the Continental Army under the immediate control of Washington. The company became the flower of Washington's troops and although consisting of only

300 men, it proved to be brilliant in action, impeccable in dress and efficient and swift on its missions.

The main task assigned to the outfit was to spy on the enemy and capture supplies. Speed then became the essential factor for survival. The soldiers were equipped as lightly as possible and so Lee soon got the nickname of "Light Horse Harry."

Lee's fame increased and at Cornwallis' surrender, he was among the officers present. It was after the fighting that Lee returned to Leesylvania at Freestone Point, seeking the peace and solitude of his home and a well-deserved rest. But this lasted only a short time, for he was too active to remain long by himself and it was then that he decided a visit to his cousin at Stratford was in order.

He knew that after the death of Philip Ludwell Lee, son of Thomas Lee who built Stratford, the Stratford mansion had passed to the oldest child, Matilda, but he was not prepared for the effect this 19-year-old girl would have upon him. He was smitten with both her beauty and charm and it was less than a month after he arrived at the mansion that the two were married.

Matilda was lovely and had expensive tastes, but she could well afford them. Not only had she inherited Stratford with its vast six thousand acres of rich tobacco land but also other lands throughout Northern Virginia. Old records indicate that music lessons for Matilda on the harpsichord cost 3,330 pounds of tobacco and a side saddle for her cost twelve hundred pounds of tobacco.

Their life together was happy and gay and Harry took Matilda with him when he represented Virginia in Congress. But the happiness was shortlived and Matilda suddenly was dead at the age of twenty-six, leaving Harry to raise two children, Lucy Grymes, named for Harry's mother, and Henry.

A notice in the Alexandria paper read:

Matildaville Established

But Matilda was not to be forgotten. Later her husband and his close friend, George Washington, stood on a site near the Great Falls of the Potomac and planned a town which the two hoped would become a strategic point on a major trade route to the West. The town was given the name Matildaville.

The Potowmack Canal Company located its headquarters there and shops, as well as a grist mill and saw mill, sprang up. There were also a forge and superintendent's house. The Virginia Assembly in 1790 issued a charter for the town and a group of prominent citizens served as trustees. Among these were George Gilpin, William Gunnell, Richard Bland Lee, Leven Powell and Samuel Love. The town consisted of forty acres divided into lots and the streets carried such names as Washington, Gilpin, Lee, Fairfax and Canal.

The town was located on land that was part of an original grant of over 5000 acres patented from the Northern Neck Proprietor by John Colvill, Bryan Fairfax, who was at the time rector of Christ Church, allowed Light Horse Harry to lease the land which circumscribed the property where the town was located.

Matildaville, however, like the lady for which it was named, had only a short active life. When the Potowmack Canal Company

See page 27

Decision Coming on Reston Center Bonds

Court approval of a \$2.6 million bond sale proposed to fund construction of a community-recreation center for the Reston area is expected to come within the next month, following a hearing Tuesday in Fairfax County Circuit Court.

In an attempt to prevent their property from being taxed to support the bonds, a group of citizens led by Vienna resident Richard Milburn, had filed suit to invalidate the June, 1975 referendum election authorizing the bond sale. The citizens, who live east of Reston, contend they have no community of interest with the Reston area and they were therefore wrongfully included in the special taxing district.

Circuit Court Judge Elliott Marshall dismissed most of the group's legal challenges to the election and ordered attorneys for the citizens and the county to file legal briefs within 10 days on the one remaining legal issue — whether or not the county should have kept separate lists at the polling places of landowners and non-landowners within the taxing district.

The Milburn group contends that passage of the bond referendum required approval by a majority of the property holders voting in the election, as well as by a majority of the total vote, under a 1962 Virginia statute, according to Milburn's attorney, James J. Conroy.

Deputy county attorney A. Robert Cherin argued that the statute, even if it has not yet been overturned by the courts, would not apply to a bond election in a special

taxing district.

Fairfax County has made no attempt to comply with the provision for at least the last seven years, according to electoral board secretary Millard C. Rappleyea Sr. "It's been our understanding that (the law) has been superceded at the federal level," he said.

Rappleyea said the court order which scheduled the community center election was based on entirely different section of election law.

Conroy's allegations, denied by Marshall, that the bond sale is illegal are:

- The election was held more than 60 days after the court order authorizing it.
- The county had failed to seek court approval of the bond sale within a

reasonable time after the referendum was held.

- The Fairfax County Board of Supervisors had failed to take steps to implement the bond sale after the results of the referendum were certified.

- The votes were tallied on voting machines, when separate paper ballots were required.

A second group of citizens, residing in the Crowell's Corner community east of Reston, is hoping that the court will authorize their withdrawal from the taxing district. The board of supervisors has supported the Crowell's Corner citizens' request to be removed from the district, but only if the move does not endanger judicial validation of the bond sale.

See page 27

FAIRFAX

COMMUNITY NEWS

by Mary Jean Moroney

A free performance of the Bob and Judy Brown Bicentennial Puppet Show will be given on the west lawn of Fairfax City Hall Aug. 12 at 8 p.m.

Chess Tournament

The U.S. Open Chess Tournament, the oldest and largest chess tournament in the country, will be held Aug. 15 to 27 in the student union of George Mason University.

Over \$10,000 in prizes will be awarded and some of the world's strongest players are expected to compete. Rounds will begin each evening at 7 p.m.

Spectators may watch the action free of charge. Players who wish to compete in the tournament may do so by registering until 6 p.m. Aug. 15 at the tournament site.

Call 323-2000 for more information.

Toastmasters Club

Fairfax Toastmasters Club will meet Aug. 19 at 8 p.m. in Room A-22 of Fairfax High School.

Meetings are held on the first and third Thursdays of each month.

Call Chuck Waterman, 273-1924, or J.D. Bates, 273-2934, for further information.

See page 2

THIS IS WHAT REMAINS of Matildaville, once a Potowmack Canal community.

Don Winter — The GLOBE

600 Virginians Call Cancer Line

More than 600 Virginians called the state's cancer information service during its first week of operations, according to statistics gathered by the Medical College of Virginia MCV and the Virginia division of the American Cancer Society opened a telephone library of tape recorded messages on cancer July 19.

Health line operators say they get more inquiries about skin cancer than any other cancer topic. During the first week of operations, 82 callers heard the three-minute recording about skin cancer.

Callers asked to hear the tape on lung cancer 56 times, making it second in popularity. A tape on breast self examination was requested 35 times.

Of the current 28 tapes available through the service, the ten most requested have been on skin cancer, lung cancer, breast self-examination, early detection of cancer, cancer of the mouth and causes of cancer. Also among the most requested are recordings on colon and rectal cancer, cervical cancer, living with cancer, and leukemia, a spokesman reported.

To use the new health information service, the caller may pick a tape subject and dial the health number, (804) 770-8181. An operator will answer and ask for the tape request or help the caller select a tape. When the tape has finished playing the phone will disconnect automatically.

Hours for the health line

are 8 a.m. to 11 p.m., Monday through Friday; 1 to 5 p.m. on Saturday; and 2 to 10 p.m. Sunday. The service will be closed from 4:45 to 6 p.m. weekdays.

Additional tapes are now being recorded, with the number of topics soon to reach 50 or more. Throughout the state, local units of the American Cancer Society will have updated lists of tapes available on request. The topics now available are: "How to Discover Cancer Early," "About Skin Cancer," "What to Do If You Find a Lump in your Breast," "Breast Cancer: Self Exam," "Cancer of the Lung,"

Others are: "Deaths from Cancer," "Cancer of the Mouth," "Cancer of the Larynx," "Pain," "Cancer of the Cervix," "Where People Live and Cancer," "Nursing Care for Cancer Patients."

Also, "Mamography," "Treating Breast Cancer with Hormones and Chemotherapy," "Microscopy in the Diagnosis of Cancer," "Living with Cancer," "Industrial Causes of Cancer," "Occupational Therapy," "Chemical Causes of Cancer."

Among other titles are: "General Causes of Cancer," "Physical Examinations," "Extended Care in Nursing," "Homes or Convalescent Centers," "Cancer of the Ovaries," "Discovery and Treatment of Cancer of the Mouth," "Physical Therapy," "The Pap Smear," "Biopsies" and "Moles that become Cancer."



COUNCIL RECEIVES MURAL. Students from Fairfax High School recently presented a Bicentennial mural to the Fairfax City Council. Matt Pepin, Laura Barnett, Linda Shelton and Donna Yeager worked under the guidance of art teacher Mary Barnett.

FAIRFAX COMMUNITY NEWS

Fair City Mall Exhibit

Through Aug. 14, precious stones, Indian artifacts, sea shells, minerals such as green quartz, and fossils such as an ancient specimen of a spider trapped in amber 90,000 years ago, are being presented by Nature's Creations at Fair City Mall.

Screening for Pre-schoolers

Developmental screening assessments for children up to age five years are available through Fairfax County Public Schools' special education pre-school program.

If you have any of the following concerns about your child you can call 691-2268 for screening: Does he or she seem to be slower than other children of the same age in developing speech and language, motor, cognitive or social skills; is your child a behavior problem or does he or she show signs of a more serious handicap?

Circle Squares

The Circle Squares will be taking a dinner cruise Aug. 28, on the Dandy from Alexandria and Sept. 17 and 18, the club will be touring Williamsburg with dinner at the Kings Arms and a tour of Busch Gardens on the following day.

The Circle Squares is a square and round dancing club of Fairfax which meets every Wednesday from 8 to 10 p.m. at Oakton High School.

Interested persons may

call 256-0274 for more information.

Fairfax City Notecards

Pictures of ten historic Fairfax City landmarks are now available as postcards from the Fairfax City Chamber of Commerce, 10856 Main St.

A brief account of the property's historic merit is printed on the back of the cards and they sell for 15 cents a piece, two for 25 cents and 10 for \$1. Mail orders should include a check and stamped, self-addressed envelope.

Library Activities

Pre-schoolers and children up to age seven may make a drum

wastepaper basket Aug 23 at 10:30 a.m., at Central Library. Advance sign-up is required.

For elementary age children who enjoy a mystery activity labeled Hydrogami, attend a workshop Aug. 13 at 3 p.m. in Central Library.

Community Theatre

This is the last weekend to see "Waiting for Lefty," Aug. 12, 13 and 14, in lecture hall one of George Mason University at 8 p.m. This play, by Clifford Odets, is being presented by the Fairfax Community Theatre and the drama department of George Mason.

Call 323-2462 for ticket information.

Legal Notices

NOTICE OF TRUSTEES' SALE

Under and by virtue of a certain Deed of Trust from ALONZO LOUIS DYER, JR., and NELL JANE DYER, his wife, to LEWIS W. RUSSELL and LELA CONSTANCE RUSSELL, Trustees, dated May 5, 1973, and recorded in Deed Book 3825 at Page 256, among the land records of Fairfax County, Virginia, upon which Deed of Trust, MARC E. BETTIUS was appointed as Substitute Trustee by virtue of a Deed of Substitution of Trustees recorded in Deed Book 4436 at page 839, among the aforesaid land records, there having been a default under said Trust, and the noteholder of said Trust having directed execution thereof, the undersigned Substitute Trustee will on:

Tuesday, August 17, 1976
at the hour of 11:00 A.M.

in front of the County Courthouse of Fairfax County, Virginia, sell by way of public auction for cash to the highest bidder, the property located in the County of Fairfax, Virginia, more particularly described and covered by the Deed of Trust as follows:

Lot 11, Block C, Section 2, SUNNY RIDGE ESTATES, as the same is duly dedicated, platted and recorded in Deed Book 1863 at page 70, among the land records of Fairfax County, Virginia.

TERMS OF SALE: Cash, with a successful bidder's deposit of Ten Percent (10%) of the amount bid in cash or a certified check at time of sale and balance upon tender of special warranty deed, settlement to be held within ten (10) days from the date of sale in the offices of the attorneys for the noteholder. In the event of resale, the deposit shall be forfeited by the defaulting purchaser. Examination of title, conveyancing, and recording fees shall be at the expense of the purchaser. Purchaser shall assume any unpaid taxes for the current year subsequent to the date of sale.

MARC E. BETTIUS, Substitute Trustee

BETTIUS & ROSENBERGER

By: RUSSELL S. ROSENBERGER, JR.
9401 Lee Highway, Suite 403
Fairfax, Virginia 22030

Attorneys for Noteholder

7-22;7-29;8-5; 8-12(4)FE

IN THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT OF FAIRFAX COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA DATE: 7-30-76
In Re: Docket No.: 53-160-P
GARNET BROWN, Petitioner
and
PHILIP SCOTT BROWN, a Minor
V.
WILLIAM F. BROWN
Respondent

ORDER OF PUBLICATION

The object of the above styled action is to obtain permanent custody of Philip Scott Brown, a minor, by his natural mother, Garnet Brown, who has been awarded temporary custody of said minor by an order of this Court on the 8th day of July, 1976.

An affidavit having been made and filed showing that the natural father of the aforesaid minor, William F. Brown, is a non-resident of the State of Virginia, and that his last known post office address is as follows: to wit:

William F. Brown
c-o William C. Brown
1727 Lake Avenue
Shady Side, Maryland

Upon consideration whereof this order of Publication is granted, and it is ordered that the above named non-resident do appear within 10 days after the due publication of this order and do what is necessary to protect his interest in this cause.

It is further ordered that this order by published once a week for four successive weeks in the Fairfax Globe, a newspaper having general circulation in Fairfax County, Virginia, and published therein.

Teste:

Barbara J. Daymude
Clerk

By Karen Lawrence
Deputy

Molloy, Simpson & Johnson, P.C.
307 Maple Avenue West (Suite E)
Vienna, Va. 22180
by Charles J. King
Attorney for Petitioner

IN THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT OF FAIRFAX COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA
In Re: GARNET BROWN, Petitioner and
PHILIP SCOTT BROWN, a Minor

AFFIDAVIT

STATE OF VIRGINIA
ss
COUNTY OF FAIRFAX

Before me, a Notary Public in and for the State and County aforesaid, personally appeared GARNET BROWN, who being first duly sworn, deposes and says as follows:

1. That she is the Petitioner in the above cause.
2. That she is the mother of the minor child, PHILIP SCOTT BROWN.
3. That WILLIAM F. BROWN is the father of the aforesaid PHILIP SCOTT BROWN, a minor.
4. That the Respondent WILLIAM F. BROWN is a non-resident of the State of Virginia, whose last known address is c-o William C. Brown, 1727 Lake Avenue, Shady Side, Maryland.
5. That upon information and belief, she believes that the Respondent is not a resident of the State of Virginia and to her knowledge has not been such a resident at any time.

GIVEN UNDER MY HAND this 19th day of July, 1976.

GARNET BROWN

Sworn to and subscribed before me this 19th day of July, 1976.

SANDRA B. VARNEY, Notary Public

My Commission Expires: February 26, 1980.

8-5;8-12;8-19;8-26(4)FB

Come to the Grand New Opening of a Brand New Big Boy. August 14th & 15th

Bob's Big Boy Family Restaurant is celebrating a Grand Opening. *It's fun. It's frolics. It's good 'n fillin' food.*

Big Boy will be there with Free rings — Free balloons — Free lollipops. And it's all at our new location at 7137 Little River Turnpike, Annandale, Virginia.

Now you won't have far to go to get our good 'n wholesome food in the friendliest of places. The people you already know are the people you'll get to know better at Bob's — kids from right around the corner making a good meal into a good time for all. We do everything to make you comfy and make your meals tasty. In fact, service is a main ingredient of everything we serve.

Breakfast, lunch, dinner or late snacks. We've got something good for everyone.

Double-Decker Grand Opening Surprise, one Free Big Boy Hamburger

Cut out this coupon and present it for one free Big Boy — two freshly ground beef patties on a toasted sesame seed bun, with lettuce, American cheese and Bob's special dressing. Offer not good on Carry-out. Offer Expires August 29th, 1976. Redeemable only at 7137 Little River Turnpike, Annandale, Virginia.

Bob's Big Boy Family Restaurants

7137 Little
River Turnpike
Annandale, Virginia



Legal Notices

NOTICE OF NONDISCRIMINATORY POLICY AS TO STUDENTS

The Pleasant Valley Preschool, Inc. admits students of any race, color, national and ethnic origin to all the rights, privileges, programs and activities generally accorded or made available to students at the school. It does not discriminate on the basis of race, color, national and ethnic origin in administration of its educational policies, admission policies, scholarship and loan programs, and athletic and other school-administered programs.

8-12(1)FD

BID INVITATION

Sealed bids for replacement of carpets with resilient tile in eight buildings at the Northern Virginia Training Center, 9901 Braddock Road, Fairfax, Virginia 22030, will be received at the office of Mr. Leon Rose at the above address until 2 p.m., August 26, 1976, and then publicly opened. Specifications for project may be obtained from Mr. Leon Rose, Northern Virginia Training Center, (703) 323-5000, ext. 206.

8-12(1)FA

PUBLIC HEARING

The Town of Clifton is holding a Public Hearing, in compliance with Section 15.1-18 of the 1950 Code of Virginia, on Tuesday, September 7, at 8 p.m. in the Clifton Fire Hall. Subject of Hearing: Purchasing a piece of land commonly known as the "Hennessy Playground", Lots 2, 3, 4 and 5 of Old Orchard Court, Town of Clifton, Fairfax County, Virginia, containing 48,554 square feet, more or less, and also being part of the property of Gerald C. and Elizabeth L. Hennessy, referred to in the Fairfax County Tax records as Parcel 53 of Section 75-4-02.

Terms: Purchase price of \$21,000, with \$5,000 down, 8% interest for 10 years, with the Town to assume the outstanding Deed of Trust and balance of purchase price to be secured by an additional Deed of Trust to be held by Gerald C. and Elizabeth L. Hennessy.

By Authority of Louise F. Achor, Clerk
Town of Clifton, Virginia 22024
8-12;8-19;8-26;9-2(4)FC

Full Council, 19 residents, Achor, Boyle, Kincheloe

Town Council Minutes - Tuesday, September 7, 1976
and Public Hearing re: Purchase of Hennesy Playground

The Public Hearing re: the purchase of the Hennesy Playground was opened at 8 p.m. Jim Kincheloe explained the financial details on the proposed purchase of the area. A question was raised as to the proposed costs of finishing up the present Town Hall. The suggestion was also made that perhaps we can pay both principal and interest on the \$9,000, rather than interest only. Citizens who wished to be heard had a chance to speak before the Public Hearing was closed.

The September Town Council meeting was called to order, and the minutes of the August meeting were approved as read. The Treasurer's report was also approved as presented. The bills to be paid were the Globe bill, for advertising the Public Hearing, \$2.08 to Boyle for copies of the proposed budget, and the mortgage payment on the Town Hall. Motion to pay these bills was approved.

Will Bernardin moved that the Town buy the Hennesy Playground for \$21,000. The motion was approved. Mac read the Resolution and Contract of Sale, and there was a motion to approve them. They are attached.

Mac then announced that Fran Boyle and Louise Achor had agreed to continue serving as Treasurer and Clerk, respectively. John Mahoney moved these appointments be made. Motion approved, (Hugh Boyle abstained).

The proposed budget was then discussed. There was a motion that the budget be published as proposed. Motion approved, and the Budget will be included in the October agenda. The only addition to be made is the dated headings for the two columns for the expenditures.

Travis Worsham reported on his investigation into the cost to move the Oddfellows Hall to the Playground. Total cost to move the building and including the fees for cutting telephone-and power lines, trees, etc., is \$8,000, and includes pouring a new foundation. The telephone company won't charge any fee. It was suggested that Travis call Jim Johnson to see if he could get Prince William Electric to waive its fee. Will feels that this particular project is not appropriate for the Town - that this is not the time to undertake it. Suzie mentioned that a historical group from Fairfax has looked at the building and shown an interest in it. Further discussion on the Oddfellows Hall is to be included in the October agenda.

The reaffirmation of the Clifton Day Noise Ordinance will be on the October agenda.

A question was raised from the townspeople as to whether the Buckleys' Inn is providing ample or adequate parking space for its patrons. Council indicated that it would review all permits pertinent to the Buckleys' Inn. Another question was raised re: mowing of unsightly lots in town. There is a Town Ordinance which covers the mowing of such lots.

Upon proper motion, the meeting was adjourned.

Respectfully submitted,

Louise F. Achor, Clerk

Date _____

Signed _____

Attached: Resolution and Contract of Sale

RESOLUTION

This Resolution made this 7th day of September, 1976, by the Clifton Town Council for the Town of Clifton in Fairfax County, Virginia.

WHEREAS, the Town of Clifton, hereinafter referred to as the "Purchaser", and Gerald C. Hennesy and Elizabeth L. Hennesy, his wife, of 6811 White Rock Road, Clifton, Virginia, hereinafter referred to as the "Sellers", are the respective parties involved in the hereinafter described Transaction, and

WHEREAS, the sellers are the owners of certain land located in the Town of Clifton, Commonwealth of Virginia, the same being more particularly hereinafter described, and the purchaser desires to purchase said land upon the terms, covenants and conditions hereinafter provided; and

WHEREAS, the Clifton Town Council on Tuesday, September 7, 1976 held a public hearing on the purchase of the hereinafter described property and subsequently upon a motion that was made, seconded and approved by the Clifton Town Council, decided to offer to purchase from Gerald C. Hennesy and Elizabeth L. Hennesy, his wife, the said property for the hereinafter described purchase price and terms of sale; and

WHEREAS, the purchaser resolves to buy from the seller for the sum of Twenty-One Thousand Dollars and NO/100 (\$21,000.00) all of that certain lot or parcel of land, together with any improvements thereon. More particularly described as Lot 2, Lot 3, Lot 4 and Lot 5 of Old Orchard Court, Town of Clifton, Fairfax County, Virginia, containing a total of 48,554 square feet more or less and also being part of the property of Gerald C. Hennesy and Elizabeth L. Hennesy, his wife, referred to in the Fairfax County tax records as Parcel 53 of Section 75-4-02. The purchaser resolves to pay the seller \$21,000.00 for said property by paying \$5,000.00 to the seller at settlement as a down payment with the balance to be paid off by assuming the existing deed of trust located at Deed Book 3069, page 18 of the land records of Fairfax County, Virginia, and by paying off the remaining balance to the sellers in compliance with a purchase

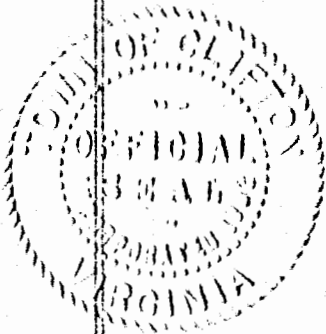
money deed of trust note bearing 8% interest and payable to the Sellers in equal payments over 10 years with prepayment privileges without penalty and assumeable only with the noteholder's approval. The purchaser resolves to assume the existing deed of trust on the property which is located at Deed Book 3069, page 18 of the land records of Fairfax County, Virginia; however, this assumption is contingent upon the express approval of the trustees and noteholders of said deed trust; and

WHEREAS, the proposed Land Sale Contract which is attached hereto is hereby made a part of this resolution and incorporated thereto; and

THEREFORE, Be It Resolved that the following subscribing members of the Clifton Town Council for the Town of Clifton in Fairfax County, Virginia, hereby authorize the Mayor of the Town of Clifton to sign the attached Land Sale Contract and any other documents necessary to consummate the above mentioned transaction.

Mayor & Mr. [Signature] - Mayor (seal)
Patrick [Signature] (seal)
Stephen J. Day Jr. (seal)
William Bernhardt (seal)
John E. Mahoney (seal)
Suzanne W. [Signature] (seal)

Louise F. Acker
Clifton Town Clerk (seal)



CONTRACT OF SALE

THIS AGREEMENT OF SALE made this 8th day of September, 1976, by and between the TOWN OF CLIFTON, hereinafter referred to as the "Purchaser"; and GERALD C. HENNESY and ELIZABETH L. HENNESY, his wife, of 6811 White Rock Road, Clifton, Virginia, 22024, hereinafter referred to as the "Sellers";

WHEREAS, the sellers are the owners of certain land located in the Town of Clifton, Commonwealth of Virginia, the same being more particularly hereinafter described, and the purchaser desires to purchase said land upon the terms, covenants and conditions hereinafter provided; and

WHEREAS, the Clifton Town Council on Tuesday, September 7, 1976, held a public hearing on the purchase of the hereinafter described property and subsequently upon a motion that was made, seconded and approved by the Clifton Town Council, decided to offer to purchase from Gerald C. Hennesy and Elizabeth L. Hennesy, his wife, the said property for the hereinafter described purchase price and terms of sale; now therefore, that for in consideration of the mutual covenants and promises hereinafter contained, the parties covenant and agree as follows;

The purchaser agrees to buy and the sellers agree to sell for the sum of Twenty-One Thousand Dollars and NO/100 (\$21,000.00) all of that certain lot or parcel of land, together with any improvements thereon, more particularly described as Lot 2, Lot 3, Lot 4, and Lot 5 of Old Orchard Court, Town of Clifton, Fairfax County, Virginia containing a total of 48,554 square feet more or less and also being part of the property of Gerald C. Hennesy and Elizabeth L. Hennesy, his wife, referred to in the Fairfax County tax records as Parcel 53 of Section 75-4-02. The purchaser agrees to pay the sellers \$21,000.00 for said property by paying \$5,000.00 to the seller at settlement as a down payment with the balance to be paid off by assuming the existing deed of trust located at Deed Book 3069, page 18 of the land records of Fairfax County, Virginia, and by paying off the remaining balance to the sellers in compliance with a purchase money deed of trust note bearing 8% interest and payable to the Sellers in equal ^{monthly} payments over 10 years with prepayment privileges without penalty and assumable only with the noteholder's approval. The purchaser agrees to assume the existing deed of trust on the property which is located at Deed Book 3069, page 18 of the land records of Fairfax County, Virginia; however, this assumption is contingent upon the express approval of the trustees and noteholders of said deed of trust. This contract is contingent upon the express approval, by the trustees and noteholders of said trust, of the purchaser's assumption of the above mentioned deed of trust.

GMA
EPH
MAY 7/8

The sellers agree to furnish and convey the above property with a General Warranty Deed, complete with Revenue Stamps. Examination of title, conveyancing, notary fees, and all recording charges, including those for purchase money trust, if any, are to be at the cost of the purchaser.

Where trustees are to be named in a deed of trust or trusts the said trustees are to be named by the party respectively secured thereby.

All taxes, insurance, rents, and interest are to be adjusted to settlement.

The purchaser agrees to comply with the terms of the sale herein within 45 days from the date of acceptance by the owners.

Settlement shall be made at the offices of Kincheloe, Kincheloe and Holler at 10410 Main Street, Fairfax, Virginia 22030.

It is understood that the title is to be good of record or sale will be declared off. However, a reasonable time shall be allowed the sellers to correct any defects reported by the title examiner.

It is understood that the property is to be conveyed subject to any restrictions now thereon.

Possession is to be given upon settlement.

Accepted for the Town of Clifton
this 8 day of September, 1976
by Mayor F. F. F. F.
Mayor of the Town of Clifton

Accepted by the Owners this 8th
day of SEPTEMBER, 1976 by
Gerald C. Hennesy
Gerald C. Hennesy
Elizabeth L. Hennesy
Elizabeth L. Hennesy

Full Council, 19 residents, Achor, Boyle, Kincheloe

Town Council Minutes - Tuesday, September 7, 1976
and Public Hearing re: Purchase of Hennesy Playground

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Upon proper motion, the meeting was adjourned.

Respectfully submitted,

Louise F. Achor, Clerk

Date _____

Signed _____

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PUBLIC HEARING

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By Authority of Louise F. Achor, Clerk
Town of Clifton, Virginia 22024

(This notice is to run for four (4) successive weeks in the Fairfax edition of the Globe, commencing Thursday, August 12.)

NOTICE OF PUBLIC HEARING

and

September Town Council Meeting
Tuesday, September 7, 1976 - 8 p.m., Clifton Firehouse

McIntyre
Bernardin
Boyle
Layden
Mahoney
Worsham

NOTICE: Immediately preceding the regular September Town Council meeting, there will be a Public Hearing to discuss the feasibility of the Town's purchasing the lot of land commonly known as the "Hennesy Playground". Area citizens are urged to attend.

Achor
Boyle
Kincheloe
Post Office
Store

AGENDA

1. Discussion and action on Public Hearing (see above)
2. Appointments of Town Treasurer and Clerk
3. Presentation of Budget
4. Report from Worsham and Barrett on Oddfellows Hall
5. Reaffirmation of Clifton Day Noise Ordinance

Posted, Post Office and Store, 8/28/76

PUBLIC HEARING

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By Authority of Louise F. Achor, Clerk
Town of Clifton, Virginia 22024

(This notice is to run for four (4) successive weeks in the Fairfax edition of the Globe, commencing Thursday, August 12.)

TOWN COUNCIL AGENDA

Tuesday, October 5, 1976 - Firehouse

1. Budget
2. Discussion continued - Oddfellows Hall
3. Reaffirmation of Clifton Day Noise Ordinance
4. Reply from Highway Department re: drainage for Brill property
5. Parking for Clifton Day

McIntyre
Bernardin
Boyle
Layden
Mahoney
Worsham

Achor
Boyle
Kinchelee
Post Office
Store

Full Council, except Mahoney, plus Achor, Boyle, Kincheloe, and 16 residents, 1 guest

Minutes, Clifton Town Council Meeting, Tuesday, October 5, 1976

The October Town Council Meeting was called to order, and the minutes of the September meeting were read and accepted as read. The Treasurer's report was not given. Mac apologized for overlooking a public thank you due Travis Worsham for the research and work he did on the presentation of information re: moving the Oddfellows Hall at the September meeting.

Bob Achor gave a rundown of the parking and no-parking plans for Clifton Day, which have been developed with the help of Captain Wingo of the Springfield Substation, and Firehouse Captain Jones. Mac added that parking on the blacktop any place in town is illegal and that the police are going to strictly enforce this. (This is in effect at all times, and is a separate matter from Clifton Day.)

The budget was presented for Council's approval, having been properly advertised in the Globe. Will moved that the Budget as advertised be approved. Motion approved.

Mac announced that Reverend Gray informed him that the County Board of Education has indicated an interest in acquiring the Oddfellows Hall, with a possibility of putting it up near the Legato School on 123 in Fairfax City. He said, however, that Reverend Gray has indicated that the Town of Clifton will have the first right of refusal. He also announced Reverend Gray's intention to have a service Saturday night instead of on Sunday, due to Clifton Day. Further discussion on the Oddfellows Hall is tabled until the November meeting.

The Clifton Day Noise Ordinance was approved, with the change of wording - "Offense" is changed to "conviction". The motion to reaffirm this ordinance was approved.

Mac read the reply from the Highway Department re: the drainage problem on the Brill property on Dell Avenue. People will be given a chance to speak on this at the November meeting, and copies of the letter will be made available to interested parties for study of the affected area.

Mac attended the Cigarette Tax Board meeting, and indicated that there is a substantial increase in the business of the Buckleys' Inn, hence our larger checks.

Mac read a letter from Suzi Worsham, requesting permission to move her Two Little Moppets to the front room of her house at 7153 Main Street from the Old Post Office (adjacent to Buckleys' Inn). The following points were made: 1) the 1956 Map, Exhibit A, shows the area is not zoned commercial; 2) The Fairfax County Tax office still considers the house as a business and the Worshams are taxed as such; 3) 1964 plans given them by ~~Town-by-the-County~~ the Town of Clifton shows the house as commercial. Will moved to grant a 90-day temporary use permit until records can be found to substantiate this. If no records can be found, Council will consider what to do about it. Will and Mac will work on this. The Motion was approved (Suzi abstained).

Mac reported that the Nursery School at the Presbyterian Church has need of another copy of the letter she received from the Town, giving her permission to establish the school. He also indicated that she had never taken out a business license. It was indicated that she would need a business license. We are to check our records to see if we can locate our copy of the letter sent to her.

Suzi asked what procedure a woman should go through who is planning to teach ballet. After some discussion, it was indicated that she will need a business license, a use permit, and should put a request to the Council for the establishment of her business. She is to be sponsored by the Woman's Club.

October 5, 1976

The subject of the Buckleys' Inn Parking was briefly discussed. Will announced that as he had just received the records to peruse, he hadn't yet been able to review the permits granted to the Buckleys' Inn. This subject will be on the November agenda. Section 4 of the Town Charter indicates that the Town is authorized to act on illegal parking.

Mac asked Jim Hricko to please have a Planning Commission report for the November meeting.

Motion to adjourn was approved.

Respectfully submitted,

Louise F. Achor, Clerk

Date November 9, 1976

Signed Myron F. McIntyre, Mayor

Attached: Copy of Budget

T O W N O F C L I F T O N

Clifton, Virginia

Fiscal year Sept. - August

ACTUAL 1975-76RECEIPTS

Motor Vehicle tags	1496.00
Share of ABC Profits	740.00
Share Of Sales Tax	7249.08
Share of Cigarette Tax	981.78
Revenue Sharing	707.00
Business License	870.33
Building Permits	175.00

TOTAL RECEIPTS	12,219.16
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EXPENDITURES

Insurance	405.00
Motor Vehicle Tags	170.00
Supplies and Equipment	25.59
Professional and Legal	209.00
Playground maintenance	135.00
Advertising	114.90
Trash Collection	150.00
Town Clerk	180.00
Town Treasurer	180.00
Va. Municipal League	100.00
Elections	125.00
Town Hall	2,562.18
Ordinances	85.13
Miscellaneous	51.84
Building Inspector	1,100.00
Mortgage	809.04
Refunds	77.04
Printing	193.20

TOTAL EXPENSES	6,638.62
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PROPOSED BUDGET 1976-77RECEIPTS

Motor Vehicle Tags	1550.00
Share of ABC Profits	800.00
Share of Sales Tax	7,400.00
Share of Cigarette Tax	1,000.00
Revenue Sharing	710.00
Business License	1,000.00
Building Permits	200.00

TOTAL RECEIPTS	12,660.00
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EXPENDITURES

Insurance	450.00
Motor Vehicle Tags	200.00
Supplies and equipment	50.00
Professional and Legal	300.00
Playground maintenance	175.00
Advertising	150.00
Trash Collection	250.00
Town Clerk	240.00
Town Treasurer	240.00
Va. Municipal League	100.00
Elections	----
Town Hall	2,500.00
Town Land (Playground)	7,000.00
Ordinances	240.00
Miscellaneous	75.00
Building Inspector	1,200.00
Mortgage Town Hall	810.00
Printing	250.00

TOTAL EXPENSES	14,130.00
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- Full Council exc. Mahoney (death in family), plus Norris, Kincheloe, Ashor, 15 residents, and 2 guests

Minutes, Clifton Town Council Meeting and Public Hearing, Tuesday, November 1, 1977

PUBLIC HEARING:

The Public Hearing was convened to regard a new Flood Plain Control Ordinance which would encompass various FEDGOV regulations. Barry Schneiderman explained that it had been written to coincide with a model provided by Mr. Robert Link of HUD. However, Barry indicated that he had just received a letter from Mr. Cooper indicating that the model ordinance which we were about to discuss disagreed in various places with the Fairfax County Flood Plain Ordinance.

The suggestion was made to incorporate Mr. Cooper's suggestions for changes and send the revised new ordinance back to HUD to see if they will approve it. Another suggestion was not to have an ordinance of our own at all - that we should just adopt the County's ordinance. The plan will be to modify our new one to see if it will be acceptable to both Fairfax County and to HUD. We are also to secure a copy of HUD's approval of the Fairfax County ordinance. Ted Namey made a suggestion re: change of the newly presented ordinance. The Hearing was then closed.

COUNCIL MEETING:

The minutes of the October, 1977, meeting were approved as read. The Treasurer's report was also approved as read. A suggestion was made to transfer money from our checking account to our savings account, leaving just enough in our checking account to cover the next month's obligations. Later in the meeting there was a motion to authorize the Treasurer and Mayor to make appropriate transfers of funds from the checking to the savings account. Motion approved.

1. Mac reported on the removal of debris and mowing of Dave Bean's properties. We are to send Dave a letter, enclosing the billing for the work done, asking for payment within 10 days. The letter is to be sent Certified, Return Receipt Requested, and is to state that if the billing is not paid within that time, the Town will proceed to place liens against his property to cover these costs; \$250 for the removal of the debris on the hotel property, and \$25 for the mowing of the Chapel Street lot next to the Schneiders.
2. Kneessi request for an updated Use Permit - at present she just needs to have a current use permit for the nursery school as it has been operating for the past several years, to show the County Health Department. Her request has been turned over to the Planning Commission. Her application will be #1. # 3.
3. Mac announced the appointment of Jim Hricko to the County Land Grant committee, in cooperation with their request for a Cliftonian to be on the committee.
4. Mac also said that he had received a letter from Marie Travesky, asking for a nominee to replace Carl Mullins on the Fairfax County Youth Commission. He, Mac, had no objection to the name of a Clifton area resident _____.
5. Flood Plain Ordinance - action was tabled until the December meeting, with the two options as previously discussed left to us. Letter from Mr. Cooper informing us that our ordinance didn't agree with the County ordinance was postdated November 1, 1977.
6. Plans, 3 sets of them, were received on 10/29/77 by the Clerk from Mr. Minnis, who plans to build on Randolph Buckley's property, adjacent to Calvin Cox, along with an envelope containing the specs. All was turned over to the Planning Commission for recommendations.

7. Application #4 for a Use Permit was received from Wayne Crowder, along with two copies of an Application for a Certificate of Appropriateness. The use permit application and the other specs were turned over to the Planning Commission for review, and the Clerk retained the applications for the Certificate of Appropriateness. Wayne Crowder indicated that he didn't mind if his whole proposal was to be tabled until the December meeting, awaiting recommendations from the Planning Commission, and enabling all of the items to be covered at one time by the Council.
8. Jim Chesley presented two copies of an application for a Certificate of Appropriateness for his house at 7207 Main Street, to allow him to replace the present tin roof with either tin or white asbestos shingle. He indicated that at present he leans towards the tin, although the asbestos is considerably less expensive. There was a motion to approve his Certificate of Appropriateness. Motion approved, (Nickum opposed).
9. Barry Schneiderman pointed out an error in the new Use Permit, copy attached, see corrections.
10. Request for a Use Permit for the Blue Onion of Clifton (proposed delicatessen to be run by Mr. and Mrs. Huggins) - Jim Bricko stated that the Planning Commission had received the application for a Use Permit and other pertinent information on the 8th of October, and said that the Planning Commission was requested to have a special meeting so that they could present a report at the November 1 Council meeting. He said due to scheduling difficulties, they had finally scheduled their meeting for Monday night, October 31st, and in preparation for this meeting, he called Mrs. Huggins on Wednesday night, Oct. 26th, and left a message for her to call him when she returned. As she didn't return his call, he then called her back on Saturday, the 29th, at which time she said she would like to ask the Planning Commission to withdraw her application. On that basis, the Planning Commission's meeting for Monday night, Oct. 31, was cancelled. In retrospect, Jim realizes it would have been a good thing to have requested her withdrawal in writing. Dave Smith then gave a little background on Mrs. Huggins. Sometime during the discussion of this subject it was determined that Council would not have to have information from the Planning Commission in order to make a determination on any matter of this type. Mac will call Mr. and Mrs. Huggins and ask them what their intentions are as far as their application for a Use Permit is concerned, and if they wish to withdraw it, he will request this to be put in writing for our records. There was lengthy discussion as to whether or not the Huggins were to be covered under our new Use Permit ordinance, but Council was reminded that when the application was first presented at the October meeting, it was determined that they would indeed be dealt with under the new ordinance, especially as they indicated their willingness to do so by their prompt presentation of information to comply with this new ordinance. The discussion was lengthy and at times heated.
11. There was a motion to adjourn. Motion joyfully approved!

Respectfully submitted,

Louise F. Achor, Clerk
Town of Clifton

Date: _____

Approved: _____

Full Council, except Mahoney (ill), plus Achor, Boyle, Kincheloe, 25 residents, and a court reporter, at the request of Dave Bean

Minutes, Clifton Town Council Meeting, Tuesday, November 9, 1976

The November Town Council Meeting was called to order, and the minutes of the October meeting were read and approved as read. The Treasurer's report was given and approved as read. There was a motion to pay \$86.52 to A. O. K. printers for running off 25 copies of Chapters 9 and 10 (Zoning and Flood Plain) of the town ordinances. Motion approved.

1. Council briefly reviewed the plans for the proposed addition to the Mullins' house, which had been previously approved by Council last February. They now have obtained sewer hook-up approval from the County. However, because the 6 months have lapsed, their plans need to be approved again. There was a motion to do so. Approved.

2. Buckleys' Inn Parking: Will reported that he has reviewed the Council minutes from approximately November, 1972, until now, to see all of the actions taken by Council regarding Buckley's Store, the Old Post Office as a building, and the Buckleys' Inn as a restaurant. The question has arisen as to whether the Buckleys' Inn is in keeping with the permission given by Council. In Will's opinion, the permits that were the Certificate of Appropriateness and the Occupancy permit, both issued under the Town's Zoning ordinance, were the two issued permits. The minutes record a discussion of parking and an informal agreement that parking would be adequate and the permit was issued without any specific instructions. The Certificate of Appropriateness was also issued without instructions regarding parking. Will replied, to Wayne's question as to whether this information was official or Will's opinion, that it was his opinion that both Permit and Certificate were issued without specific parking instructions. The Town has no requirements as to parking specifications based on occupancy. The question of parking on highways is controlled by State Police; the question of parking on private property is up to the property owners to have the offending cars towed away. The question was raised as to whether the County has jurisdiction to cover those areas not covered by Town ordinances. Mac mentioned that this question came from residents who have had problems with parking blocking private property or limiting access to their property. Mac recalled that when the subject of parking was discussed, it was indicated that the property adjacent to the Southern Railroad tracks would be used, and that Dave had requested that the lot on Chapel Road be used for parking. That request was not granted. Pat Layden asked if any plans showed such parking being provided for the Inn. Jim Hricko had prepared a plan to show that parking could be provided. Will thought that the Chapel Road lot referred to above was discussed in reference to parking for the Hotel, not the Inn. Wayne Nickum recalled that in the Council's deliberations (prior to granting the permits for the Inn) 22 spaces were indicated around the Inn. He said that he did a check on cars on Wednesday, November 3, around 9:15 p.m., along Main Street, Chapel Road, Chapel Street, Ford Lane, and it showed 67 cars, of which 9 were residents. Will said that in reviewing the materials submitted, he was unable to find a copy of any parking procedures. The question was then raised that perhaps the County might have this in their records. It was then stated that Parking is a Zoning requirement, and doesn't fall under the jurisdiction of a building permit. The question was asked if the town wasn't covered by its own ordinances, wouldn't the County ordinances then be in effect? If the parking requirement for the County are outside the ordinances, probably the County ordinances would prevail. The Occupancy permit the Town issued was specifically under the Town's Zoning Ordinance (1956 ordinances), therefore the question was asked if we can then enforce retroactively a new ordinance to demand more parking at the Buckley Inn. The thought was voiced that the parking problem is a result of activities other than dining at the Buckley Inn.

A proposal was raised as to the feasibility of checking with the Fire Marshall on the seating capacity, the ABC Board on the 50-50 liquor/food regulation, and the zoning, regarding required parking.

Another question was asked: Is a use permit subject to review? Will said that we have no provision for reviewing the use permit unless the use has changed. Can a use permit limit the hours? The ABC Board does establish hours for serving on the premises. It was noted that only our Noise ordinance has a time factor mentioned. Someone else mentioned that the Law of Nuisance would seem to be applicable to the situation. The Town surely has the authority to declare a nuisance to be present. Dave Bean suggested that residents call the police for illegally parked cars. Another opinion voiced was that the character of the place had changed from primarily a restaurant to primarily a bar. Mr. Vendig, manager of the Inn, said that his motives were to have the Inn prosper.

A committee of 5 was appointed to try to work out a parking solution for the Inn: Dave Bean or Mr. Vendig, Bob Achor, Calvin Cox, Pat Layden, and Travis Worsham. They are to report at the December meeting.

3. Oddfellows Hall. Wayne Nickum has requested some further information from Travis and Hugh Boyle which he hopes to have by the December council meeting. Mac read a letter from the School Board stating that it is not interested in acquiring the Oddfellows Hall. (Letter attached)

4. Drainage on Dell Avenue: Postponed until the December meeting, at which time the committee hopes to have had a chance to meet and come up with something.

5. Planning Commission Report and presentation of Chapters 9 (Zoning) and 10 (Flood Plain Controls) were passed out for discussion at the Public Hearing to be held in January. An announcement of the hearing will be advertised in the Globe for two weeks prior to the hearing.

6. Connie Conway has requested a special use permit for dance classes to be held in the Fire Hall, and possibly overflow classes to be held in one of the upstairs rooms at Buckleys' Inn. She has indicated that she has received permission from the County to use the Firehall for this purpose, and has applied for a Business License from the Town. Suzi moved that we grant the use permit as requested. There was no second to the motion. Suzi then moved that we grant a temporary use permit for 60 days, and that in this time she must furnish Council with a copy of her permission granted from the County. Motion approved.

7. There will be a Blood Drive on November , 1976, at Clifton School for Mike McCormack, who has leukemia. Residents may donate blood to help this boy.

8. There was a request that Council address itself to a clean-up around town of areas such as next to the green barn behind the pink house, the partial automobiles in the Parker-Smith yard, and debris accumulating at the barn next to the Rothmans. This should be on the December agenda.

9. Mary Lee reported that there is a clogged drain in front of the store. Mac said he would contact the Highway Department about it.

10. There was a motion to adjourn. Motion approved.

Respectfully submitted,

Louise F. Achor, Clerk

Attachments 2

Date: _____

Approved: _____

Full Council, except Mahoney, plus Achor, Boyle, Kincheloe, and 16 residents, 1 guest

Minutes, Clifton Town Council Meeting, Tuesday, October 5, 1976 *9/11/76*

The October Town Council Meeting was called to order, and the minutes of the September meeting were read and accepted as read. The Treasurer's report was not given. Mac apologized for overlooking a public thank you due Travis Worsham for the research and work he did on the presentation of information re: moving the Oddfellows Hall at the September meeting.

Bob Achor gave a rundown of the parking and no-parking plans for Clifton Day, which have been developed with the help of Captain Wingo of the Springfield Substation, and Firehouse Captain Jones. Mac added that parking on the blacktop any place in town is illegal and that the police are going to strictly enforce this. (This is in effect at all times, and is a separate matter from Clifton Day.)

The budget was presented for Council's approval, having been properly advertised in the Globe. Will moved that the Budget as advertised be approved. Motion approved.

Mac announced that Reverend Gray informed him that the County Board of Education has indicated an interest in acquiring the Oddfellows Hall, with a possibility of putting it up near the Legato School on 123 in Fairfax City. He said, however, that Reverend Gray has indicated that the Town of Clifton will have the first right of refusal. He also announced Reverend Gray's intention to have a service Saturday night instead of on Sunday, due to Clifton Day. Further discussion on the Oddfellows Hall is tabled until the November meeting.

The Clifton Day Noise Ordinance was approved, with the change of wording - "Offense" is changed to "conviction". The motion to reaffirm this ordinance was approved.

Mac read the reply from the Highway Department re: the drainage problem on the Brill property on Dell Avenue. People will be given a chance to speak on this at the November meeting, and copies of the letter will be made available to interested parties for study of the affected area.

Mac attended the Cigarette Tax Board meeting, and indicated that there is a substantial increase in the business of the Buckleys' Inn, hence our larger checks.

Mac read a letter from Suzi Worsham, requesting permission to move her Two Little Moppets to the front room of her house at 7153 Main Street from the Old Post Office (adjacent to Buckleys' Inn). The following points were made: 1) the 1956 Map, Exhibit A, shows the area is not zoned commercial; 2) The Fairfax County Tax office still considers the house as a business and the Worshams are taxed as such; 3) 1964 plans given them by ~~Town-by-the-County~~ the Town of Clifton shows the house as commercial. Will moved to grant a 90-day temporary use permit until records can be found to substantiate this. If no records can be found, Council will consider what to do about it. Will and Mac will work on this. The Motion was approved (Suzi abstained).

Mac reported that the Nursery School at the Presbyterian Church has need of another copy of the letter she received from the Town, giving her permission to establish the school. He also indicated that she had never taken out a business license. It was indicated that she would need a business license. We are to check our records to see if we can locate our copy of the letter sent to her.

Suzi asked what procedure a woman should go through who is planning to teach ballet. After some discussion, it was indicated that she will need a business license, a use permit, and should put a request to the Council for the establishment of her business. She is to be sponsored by the Woman's Club.

October 5, 1976

The subject of the Buckleys' Inn Parking was briefly discussed. Will announced that as he had just received the records to peruse, he hadn't yet been able to review the permits granted to the Buckleys' Inn. This subject will be on the November agenda. Section 4 of the Town Charter indicates that the Town is authorized to act on illegal parking.

Mac asked Jim Hrieko to please have a Planning Commission report for the November meeting.

Motion to adjourn was approved.

Respectfully submitted,

Louise F. Ashor, Clerk

Date _____

Signed _____

Attached: Copy of Budget

RECEIVED
TOWN COUNCIL
OCT 10 1976
BUDGET
CLERK'S OFFICE

November Town Council Agenda - Tuesday, Nov. 2 - 8 p.m.

1. Discussion re: Oddfellows Hall
2. Discussion re: Drainage on Bell Avenue
3. Discussion re: Parking at Buckleys' Inn
4. Planning Commission Report - Hrieko
5. Review Mullins' plans for addition to house
6. Request from Connie Conway for special use permit
for Dance Class permits in Firehall

McIntyre
Bernardin
Boyle
Layden
Mahoney
Worsham

Achor
Boyle
Kincheloe
Post Office
Store

all Council, except Mahoney (ill), plus Asher, Boyle, Kinsholee, 25 residents, and a court reporter, at the request of Dave Bean

Minutes, Clifton Town Council Meeting, Tuesday, November 9, 1976

The November Town Council Meeting was called to order, and the minutes of the October meeting were read and approved as read. The Treasurer's report was given and approved as read. There was a motion to pay \$86.52 to A. O. K. printers for running off 25 copies of Chapters 9 and 10 (Zoning and Flood Plain) of the town ordinances. Motion approved.

1. Council briefly reviewed the plans for the proposed addition to the Mallins' house, which had been previously approved by Council last February. They now have obtained sewer hook-up approval from the County. However, because the 6 months have lapsed, their plans need to be approved again. There was a motion to do so. Approved.

2. Buckley's Inn Parking: Will reported that he has reviewed the Council minutes from approximately November, 1972, until now, to see all of the actions taken by Council regarding Buckley's Store, the Old Post Office as a building, and the Buckley's Inn as a restaurant. The question has arisen as to whether the Buckley's Inn is in keeping with the permission given by Council. In Will's opinion, the permits that were the Certificate of Appropriateness and the Occupancy permit, both issued under the Town's Zoning ordinance, were the two issued permits. The minutes record a discussion of parking and an informal agreement that parking would be adequate and the permit was issued without any specific instructions. The Certificate of Appropriateness was also issued without instructions regarding parking. Will replied, to Wayne's question as to whether this information was official or Will's opinion, that it was his opinion that both Permit and Certificate were issued without specific parking instructions. The Town has no requirements as to parking specifications based on occupancy. The question of parking on highways is controlled by State Police; the question of parking on private property is up to the property owners to have the offending cars towed away. The question was raised as to whether the County has jurisdiction to cover those areas not covered by Town ordinances. Mac mentioned that this question came from residents who have had problems with parking blocking private property or limiting access to their property. Mac recalled that when the subject of parking was discussed, it was indicated that the property adjacent to the Southern Railroad tracks would be used, and that Dave had requested that the lot on Chapel Road be used for parking. That request was not granted. Pat Layden asked if any plans showed such parking being provided for the Inn. Jim Hrisko had prepared a plan to show that parking could be provided. Will thought that the Chapel Road lot referred to above was discussed in reference to parking for the Hotel, not the Inn. Wayne Nickum recalled that in the Council's deliberations (prior to granting the permits for the Inn) 22 spaces were indicated around the Inn. He said that he did a check on cars on Wednesday, November 3, around 9:15 p.m., along Main Street, Chapel Road, Chapel Street, Ford Lane, and it showed 64 cars, of which 9 were residents. Will said that in reviewing the materials submitted, he was unable to find a copy of any parking procedures. The question was then raised that perhaps the County might have this in their records. It was then stated that Parking is a Zoning requirement, and doesn't fall under the jurisdiction of a building permit. The question was asked if the town wasn't covered by its own ordinances, wouldn't the County ordinances then be in effect? If the parking requirement for the County are outside the ordinances, probably the County ordinances would prevail. The Occupancy permit the Town issued was specifically under the Town's Zoning Ordinance (1958 ordinances), therefore the question was asked if we can then enforce retroactively a new ordinance to demand more parking at the Buckley Inn. The thought was voiced that the parking problem is a result of activities other than dining at the Buckley Inn.

A proposal was raised as to the feasibility of checking with the Fire Marshall on the seating capacity, the ABC Board on the 50-50 liquor/food regulation, and the zoning, regarding required parking.

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A committee of 5 was appointed to try to work out a parking solution for the Inn: Dave Bean or Mr. Vendig, Bob Acher, Calvin Cox, Pat Layden, and Travis Wersham. They are to report at the December meeting.

3. Oddfellows Hall. Wayne Nickum has requested some further information from Travis and Hugh Boyle which he hopes to have by the December council meeting. Mac read a letter from the School Board stating that it is not interested in acquiring the Oddfellows Hall. (Letter attached)

4. Drainage on Dell Avenue: Postponed until the December meeting, at which time the committee hopes to have had a chance to meet and come up with something.

5. Planning Commission Report and presentation of Chapters 9 (Zoning) and 10 (Flood Plain Controls) were passed out for discussion at the Public Hearing to be held in January. An announcement of the hearing will be advertised in the Globe for two weeks prior to the hearing.

6. Connie Conway has requested a special use permit for dance classes to be held in the Fire Hall, and possibly overflow classes to be held in one of the upstairs rooms at Muskleys' Inn. She has indicated that she has received permission from the County to use the Firehall for this purpose, and has applied for a Business License from the Town. Suzi moved that we grant the use permit as requested. There was no second to the motion. Suzi then moved that we grant a temporary use permit for 60 days, and that in this time she must furnish Council with a copy of her permission granted from the County. Motion approved.

7. There will be a Blood Drive on November 10, 1976, at Clifton School for Mike McCormack, who has leukemia. Residents may donate blood to help this boy.

8. There was a request that Council address itself to a clean-up around town of areas such as next to the green barn behind the pink house, the partial automobiles in the Parker-Smith yard, and debris accumulating at the barn next to the Rothmans. This should be on the December agenda.

9. Mary Lee reported that there is a clogged drain in front of the store. Mac said he would contact the Highway Department about it.

10. There was a motion to adjourn. Motion approved.

Respectfully submitted,

Louise F. Acher, Clerk

Attachments 2

Date: _____

Approved: _____

Fairfax County Public Schools

10700 Page Avenue, Fairfax, Virginia 22030

November 5, 1976

Mayor M. F. McIntyre
12801 Chestnut Street
Clifton, Virginia 22024

Dear Mayor McIntyre:

Pursuant to our meeting yesterday in Mr. Herrity's office, I am writing this letter to verify that the Fairfax County School Division does not have any interest in obtaining the property known as the "Clifton Odd Fellows Hall."

It was a pleasure to meet you yesterday, and if I can be of further service to you, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, reading "Victor M. Lindquist". The signature is written in a cursive style with a long horizontal line extending to the right.

Victor M. Lindquist
Associate Superintendent

VML/ep

10-20-76

Subject: OddFellows Hall

Acquisition, Move and Restoration by the Town of Clifton

Your response to the noted items below your name is requested by 11-12-76 for our discussion and written presentation to the Town Council.

H. Boyle

Est. FMV of the current Town Office building (completed)

Est. rental value of current Town Office building (commercial)

Est. terms of refinancing property amount, length, PI, etc. (Town Office)

Current terms of financing Town Office Building and Playground PI, payoffs, etc.

W. Nickum

Budgets or actual financial data for the fye 73-8 thru 77-8

CBA financial resources and commitment to the Town

Interest free loan w/conditions such as due and payable at 6% per annum if playground property is sold or used as other than a playground in combination with the OddFellows Hall used as a community building, town office, museum in part or total.

B. Worscham

Est. cost to complete the Town Office building for sale and rent (commercial)

Est. move costs of OddFellow Hall onto Playground with or without basement.

Est. restoration costs of Oddfellows Hall after move to complete.

Petition Town's citizenry

October 7, 1976
Connie Conway
6600 Ox Road
Fairfax Station, Va.

The Town Council of Clifton
Clifton, Virginia

Dear Council Members,

I am writing the town of Clifton in regards to obtaining a special use permit for the teaching of dance classes.

My original plan was to use the second floor room of the firehouse to hold classes in. In order to do so I asked The Clifton Community Women's Club for their sponsorship which I received. At this point, Capt Jones told me according to what was available, I could only use the firehouse one morning and one afternoon a week. The morning hour I can use for a ladies class. However in the afternoon, I can only fit one, one hour class in for any students of school age. Since the majority of my students would be school children of age 4-10, I would possibly need at least one additional class for separating age groups.

For this purpose I requested permission of the manager of Buckley's Inn to use the back second floor room one day a week for any overflow of students I might have. If I can fit all of my students in the time allowed me at the firehouse I will do so. If not I will need a special use permit for the room above Buckley's Inn as an additional class location. If there is any problem with using the second floor room of Buckley's, I still wish to use the firehouse for whatever classes I can fit in there.

Thank you. I appreciate your attention and any consideration you may give me on this matter.

Sincerely,
Connie Conway

Full Council exco. Bernardin; Ashor, Boyle, Kinoheloe, 25 residents, 4 visitors,
1 court clerk, at Dave Bean's request

Minutes, Clifton Town Council Meeting, Tuesday, December 7, 1976

The December Town Council meeting was called to order and the minutes of the November meeting were read and approved as read. The Treasurer's report was given and approved.

1. Mac introduced a Miss Holbein from the County to explain the Community Development Act (HUD program) of 1974. She explained that for Clifton to participate in the program, two notices would have to be published for a Public Hearing, at which time we would discuss possible needs and ways to qualify for possible funds. There is a remote possibility that restoration funds could be acquired, but not for a municipality-type building. She said the monies were usually tied to people of moderate to low income. This Public Hearing will be held on January 11th, notices to appear in the Dec. 30 and Jan. 6th issues of the Globe, and posted in the Store and Post Office.

2. Buckleys' Inn Parking Committee (consisting of Pat Layden, Bob Ashor, Calvin Cox, Travis Worsham, and Dave Bean or Rich Vendig) met twice, and came up with 3 recommendations: 1) Dave secure additional parking in town. He was to call John Martin and Ralph Gibson to secure permission to use their lot across from the fire department and behind the Livery. (Permission was secured.); 2) The Highway Department should post signs. Pat Layden and Mac met with Chief Wingo and Mr. Cruise of the Highway Dept. and determined that Captain Wingo and the State police have most of the areas under their jurisdiction. The signs will be posted by Cruise after receipt of a request in writing from the Town Council to him. Citizens were urged to add their input for locations of desired signs; 3) Streets not state controlled, i.e., Ford Lane, puts the responsibility of removal of cars on the individual property owner, who must assume that responsibility of having the offending vehicles removed. There is specific power in our ordinances to have vehicles removed from public streets. Mr. Cruise said he would be glad to do a survey regarding where signs should be posted. The question was then raised as to whether the Town would appoint a Town Sergeant. That subject was deferred. A lengthy discussion then took place regarding towing responsibility.

A citizen request was for Council to meet with Captain Wingo and Mr. Cruise to determine what signs they want to get posted. There were 133 cars parked in town at 7:30 p.m. tonight.

Barry Schneiderman then presented a Nuisance Complaint (attached) with supportive material, asking the Council to act, as provided for in our ordinances. The Mayor and Clerk will take the first steps, as the ordinances so state.

Lloyd Glover, speaking for a concerned area citizen's group, stated that as the Buckleys' Inn continues its present operation, drunk drivers are going to be a result; that drug arrests have been made, that I. D.'s are being carefully checked, and that drunkenness exists. He suggested that Council pass a resolution to send to the ABC Board telling them about these things. He indicated that the ABC Board will investigate the request that the ABC license be withdrawn. He indicated that citizens outside the town are with the Council in this matter of concern. Mac indicated that we have had no communication from the ABC Board or the citizen's committee up to this time, regarding the possible public nuisance, and that the Town would appreciate correspondence in the future on this. Dr. Glover indicated that they will try to have a representative at future Council meetings. Calvin Cox urged action to be taken tonight.

Dave Bean said that he had complied with the suggestions made by the parking committee. He has posted as an experimental trial the Tow Zone signs. He also corrected Dr. Glover, saying that we were no longer in the Chantilly substation police area, but are in the West Springfield jurisdiction.

The nuisance factor will be checked into by the Council and Town Attorney and the Schneiderman petition will be acted upon at the January meeting.

2. Buckleys' Inn - continued

Hugh Boyle moved for a special meeting dealing with the nuisance factor of the Buckleys' Inn. Jim Kincheloe warned us that problems exist in naming something a public nuisance, and that to consider doing so, a full and fair public hearing must be held. Pat Layden moved that the Council meet with the Town Attorney before December 17th (changed to 16th) for the purpose of discussing the complaint of alleged public nuisance, at which point a lengthy discussion ensued as to the necessity of a public hearing. Such a public hearing would be a presentation of facts to show the existence of a public nuisance and also a consideration of the possible solutions to such a nuisance. (Jim then replied to a question that all items requested must be considered on a public agenda; also that a special meeting could be held to discuss certain subjects as long as adequate notice has been posted in the usual places (store and post office).) Neither of these motions was seconded or voted upon.

Mac replied to a question from a resident that the Occupance permit issued to the Buckleys' Inn is very broad and non-restrictive. The question was raised as to the issuance of a permit for live entertainment. The Town has no provision to issue such a permit. Tor asked if Mr. Bean has a license to operate a night club or to provide live entertainment. Mac said he didn't think so.

Mac moved that an advertised Public Hearing be held on January 18th at 8 p.m. to deal with the complaint alleging the nuisance factor of the Buckleys' Inn. It was suggested that licensing requirements be reviewed at the same time. Property owners of buildings adjacent to the Inn will have to receive notices of the public hearing. Motion seconded and approved.

3. Nickum request for Certificate of Appropriateness Application be approved. No objections were raised. (for garage to be erected at 7156 Main Street)

4. Nickum request for a zoning variance be made, for such garage to be erected 10' rather than the required 25' from the rear of his property. (It was indicated that Council had acted on these requests in the past. It was also indicated that Council would also have to approve a variance of building on a lot under 10,000 square feet.) (Mac said that the new ordinances will require that the planning commission make recommendations as to the variance requests.) Pat Layden moved that the variance be given and the zoning approval be given as requested. Motion approved.

5. Nickum request for rezoning 7156 Main Street to be used partially as an antique shop. It was suggested that the discussion be held over until the January 11th Public Hearing dealing with zoning; or put the request to the planning commission. Hugh Boyle moved that the request be sent to the planning commission. Motion approved.

6. Nickum request for a use permit to use the garage to be constructed as an antique shop. It was decided to wait until the planning commission has reported on the rezoning of 7156 Main Street.

7. Verzolini request for signs for The Attic - motion to approve the sign as presented. Motion approved. See attachment. (The Attic will be above Antiques of Clifton)

8. Connie Conway will contact Mac and have her report at the January meeting, regarding permission to use the Firehouse for dancing lessons.

9. It was mentioned that Mr. Calderone will contact Mr. Bean about the pile of debris next to the Hotel. Mac will talk to Calderone Thursday. It was also decided that a letter be sent to the owners and occupants of the house on 12714 Chestnut Street requesting removal of inoperative cars from the property.

10. Oddfellows Hall Report - Nickum. A most thorough presentation was given, along with a petition from citizens of the town who would like to acquire the building. Definitive action will be taken at the January meeting.

11. We are trying to get a definitive answer from the County on where their responsibility ended and ours began when we hired Mr. Calderone last January. The Town felt and feels that all building permits issued by the County prior to our hiring Mr. Calderone should be completed by the County. However, the County had informed us upon our hiring Mr. Calderone that they would not do this. A letter has been sent to Mr. Harrity requesting a formal response from the Board of Supervisors in this matter. As Mr. Calderone's contract does expire in January, the question was fielded to the County as to whether it would be willing to re-enter Clinton to take over the job of Building Inspector. It has been indicated to us that we would have to put this request into a formal Council request.

12. Earl Lee read a letter of public apology to Mr. Hofferma for an incident which took place following the preceding Council meeting.

There being no further business, a motion to adjourn was approved.

Respectfully submitted,

Louise F. Achor, Clerk

Attachments

Date: _____

Approved: _____

AGENDA - December Town Council Meeting

Tuesday, September 7 - 8 p.m.

McIntyre
Bernardin
Boyle
Layden
Mahoney
Worsham

Ashor
Boyle
Finchelee
Post Office
Store

1. Report, Parking for Duckleys' Inn
2. Oddfellows Hall Report - Worsham/Boyle
3. ~~delete~~ ~~Letter~~ Bell Avenue Drainage - Roth
4. ~~delete~~ Cleaning up rubbish around town - citizen request
5. ~~delete~~ Discussion of Current Jurisdiction of Building Permits issued prior to appointment of Town Building Official - Eriks
6. ~~delete~~ Request from Nickum for renaming 7156 Main Street to be used partially as an antique shop
7. ~~delete~~ Request from Nickum for zoning approval for construction of a garage on 7156 Main Street
8. ~~delete~~ Request from Nickum for use permit to use garage as an antique shop
9. ~~delete~~ Request from Nickum for Certificate of Appropriateness for garage to be created at 7156 Main Street
10. Request for posting of a sign from The Attic - Versolini
11. Report from Connie Conway with letter from County
12. Participation in Community Development Act of 1974 (Fedgov)
13. Reminder: Public Hearing on January 11 to discuss:
 - a. Charter change for town election date (to comply with state law)
 - b. Charter change for installation of newly elected council in July rather than September
 - c. Flood Plain Control Ordinance
 - d. Zoning Ordinance

Posted, Store, Post Office, 12/1/76

Full Council exco. Bernardin; Achor, Boyle, Kincheloe, 25 residents, 4 visitors,
1 court clerk, at Dave Bean's request

Minutes, Clifton Town Council Meeting, Tuesday, December 7, 1976

The December Town Council meeting was called to order and the minutes of the November meeting were read and approved as read. The Treasurer's report was given and approved.

1. Mac introduced a Miss Holbein from the County to explain the Community Development Act (HUD program) of 1974. She explained that for Clifton to participate in the program, two notices would have to be published for a Public Hearing, at which time we would discuss possible needs and ways to qualify for possible funds. There is a remote possibility that restoration funds could be acquired, but not for a muniiple-type building. She said the monies were usually tied to people of moderate to low income. This Public Hearing will be held on January 11th, notices to appear in the Dec. 30 and Jan. 6th issues of the Globe, and posted in the Store and Post Office.

2. Buckleys' Inn Parking Committee (consisting of Pat Layden, Bob Achor, Calvin Cox, Travis Worsham, and Dave Bean or Rich Vendig) met twice, and came up with 3 recommendations: 1) Dave secure additional parking in town. He was to call John Martin and Ralph Gibson to secure permission to use their lot across from the fire department and behind the Livery. (Permission was secured.); 2) The Highway Department should post signs. Pat Layden and Mac met with Chief Wingo and Mr. Cruise of the Highway Dept. and determined that Captain Wingo and the State police have most of the areas under their jurisdiction. The signs will be posted by Cruise after receipt of a request in writing from the Town Council to him. Citizens were urged to add their input for locations of desired signs; 3) Streets not state controlled, i.e., Ford Lane, puts the responsibility of removal of cars on the individual property owner, who must assume that responsibility of having the offending vehicles removed. There is specific power in our ordinances to have vehicles removed from public streets. Mr. Cruise said he would be glad to do a survey regarding where signs should be posted. The question was then raised as to whether the Town would appoint a Town Sergeant. That subject was deferred. A lengthy discussion then took place regarding towing responsibility.

A citizen request was for Council to meet with Captain Wingo and Mr. Cruise to determine what signs they want to get posted. There were 133 cars parked in town at 7:30 p.m. tonight.

Barry Schneiderman then presented a Nuisance Complaint (attached) with supportive material, asking the Council to act, as provided for in our ordinances. The Mayor and Clerk will take the first steps, as the ordinances so state.

Lloyd Glover, speaking for a concerned area citizen's group, stated that as the Buckleys' Inn continues its present operation, drunk drivers are going to be a result; that drug arrests have been made, that I. D.'s aren't being carefully checked, and that drunkenness exists. He suggested that Council pass a resolution to send to the ABC Board telling them about these things. He indicated that the ABC Board will investigate the request that the ABC license be withdrawn. He indicated that citizens outside the town are with the Council in this matter of concern. Mac indicated that we have had no communication from the ABC Board or the citizen's committee up to this time, regarding the possible public nuisance, and that the Town would appreciate correspondence in the future on this. Dr. Glover indicated that that they will try to have a representative at future Council meetings. Calvin Cox urged action to be taken tonight.

Dave Bean said that he had complied with the suggestions made by the parking committee. He has posted as an experimental trial the Tow Zone signs. He also corrected Dr. Glover, saying that we were no longer in the Chantilly substation police area, but are in the West Springfield jurisdiction.

The Nuisance factor will be checked into by the Council and Town Attorney and the Schneiderman petition will be acted upon at the January meeting.

Dave Bean countered each of these charges: i.e., drug arrests have not been made; I.D.'s are being carefully checked; & drunkenness does not exist. (This addition approved at the Jan. 4, 1977, Council meeting.)

2. Buckleys' Inn - continued

Hugh Boyle moved for a special meeting dealing with the nuisance factor of the Buckleys' Inn. Jim Kincheloe warned us that problems exist in naming something a public nuisance, and that to consider doing so, a full and fair public hearing must be held. Pat Layden moved that the Council meet with the Town Attorney before December 17th (changed to 16th) for the purpose of discussing the complaint of alleged public nuisance, at which point a lengthy discussion ensued as to the necessity of a public hearing. Such a public hearing would be a presentation of facts to show the existence of a public nuisance and also a consideration of the possible solutions to such a nuisance. (Jim then replied to a question that all items requested must be considered on a public agenda; also that a special meeting could be held to discuss certain subjects as long as adequate notice has been posted in the usual places (store and post office).) Neither of these motions was seconded or voted upon.

Mac replied to a question from a resident that the Occupancy permit issued to the Buckleys' Inn is very broad and non-restrictive. The question was raised as to the issuance of a permit for live entertainment. The Town has no provision to issue such a permit. Tor asked if Mr. Bean has a license to operate a night club or to provide live entertainment. Mac said he didn't think so.

Mac moved that an advertised Public Hearing be held on January 18th at 8 p.m. to deal with the complaint alleging the nuisance factor of the Buckleys' Inn. It was suggested that licensing requirements be reviewed at the same time. Property owners of buildings adjacent to the Inn will have to receive notices of the public hearing. Motion seconded and approved.

3. Nickum request for Certificate of Appropriateness Application be approved. No objections were raised. (for garage to be erected at 7156 Main Street)

4. Nickum request for a zoning variance be made, for such garage to be erected 10' rather than the required 25' from the rear of his property. (It was indicated that Council had acted on these requests in the past. It was also indicated that Council would also have to approve a variance of building on a lot under 10,000 square feet.) (Mac said that the new ordinances will require that the planning commission make recommendations as to the variance requests.) Pat Layden moved that the variance be given and the zoning approval be given as requested. Motion approved.

5. Nickum request for rezoning 7156 Main Street to be used partially as an antique shop. It was suggested that the discussion be held over until the January 11th Public Hearing dealing with zoning; or put the request to the planning commission. Hugh Boyle moved that the request be sent to the planning commission. Motion approved.

6. Nickum request for a use permit to use the garage to be constructed as an antique shop. It was decided to wait until the planning commission has reported on the rezoning of 7156 Main Street.

7. Verzolini request for signs for The Attic - motion to approve the sign as presented. Motion approved. See attachment. (The Attic will be above Antiques of Clifton)

8. Connie Conway will contact Mac and have her report at the January meeting, regarding permission to use the Firehouse for dancing lessons.

9. It was mentioned that Mr. Calderone will contact Mr. Bean about the pile of debris next to the Hotel. Mac will talk to Calderone Thursday. It was also decided that a letter be sent to the owners and occupants of the house on 12714 Chestnut Street requesting removal of inoperative cars from the property.

10. Oddfellows Hall Report - Nickum. A most thorough presentation was given, along with a petition from citizens of the town who would like to acquire the building. Definitive action will be taken at the January meeting.

11. We are trying to get a definitive answer from the County on where their responsibility ended and ours began when we hired Mr. Calderone last January. The Town felt and feels that all building permits issued by the County prior to our hiring Mr. Calderone should be completed by the County. However, the County had informed us upon our hiring Mr. Calderone that they would not do this. A letter has been sent to Mr. Harrity requesting a formal response from the Board of Supervisors in this matter. ~~As Mr. Calderone's contract does expire in January, the question was decided to the County as to whether it would be willing to re-enter Clifton to take over the job of Building Inspector. It has been indicated to us that we would have to put this request into a formal Council request.~~

12. Earl Lee read a letter of public apology to Mr. Hofferma for an incident which took place following the preceding Council meeting.

There being no further business, a motion to adjourn was approved.

Respectfully submitted,

Louise F. Achor, Clerk

Attachments

Date: _____

1/4/77

Approved: _____

M F Mc J. J. J.

December 15, 1976

Mr. John W. Clayton, Director
Division of Environmental Health
Department of Public Health
Fairfax County
Fairfax, Virginia 22030

Dear Mr. Clayton:

In accordance with your telephone conversation with our Mayor, Mynor McIntyre, I am enclosing a copy of Chapter 5 - Nuisances, of our Clifton ordinances.

Sincerely yours,

Louise F. Ashor, Clerk
Town of Clifton
(Mrs. Robert F.)

MM:la

Enclosure

December 9, 1976

Mrs. Vincent Verzolini
Beaver Creek Drive
Clifton, Virginia 22024

Dear Pat:

The Clifton Town Council, at its December 7, 1976, meeting, approved the request you submitted with regard to the signs you intend to display for The Attie.

We wish you well in this new venture.

Sincerely yours,

Louise P. Asher, Clerk
Clifton Town Council

LFA

Request approved, 12/7/76

Council meeting

(W. A. Acker, Clerk)

12698 Chapel Road
Clifton, Virginia

December 3, 1976

Town of Clifton
Clifton, Virginia

Ladies and Gentlemen;

The enclosed sheet portrays my proposal for the sign I intend to use outside of my shop. The attch, in January 1977.

I am planning to purchase three 12" by 16" Tavern signs made of pine. These will be stained and printed on both sides. The printing will be on parchment and similar in design to the enclosed sheet. I plan to decapage the signs onto the tavern signs and hang from wrought iron sign hangers.

One sign I plan to hang from the back portion of the side porch attached to the building facing Chapel Road.

The second from the left side of the front porch facing Main Street and the Post Office.

The third hanging from the front second floor window facing Chapel Road.

Thank you for your consideration.

Sincerely yours,
Patricia Gyzoline
The Attic

830-8377

Enc.

December 9, 1976

Mrs. Vincent Verzolini
Beaver Creek Drive
Clifton, Virginia 22024

Dear Pat:

The Clifton Town Council, at its December 7, 1976, meeting, approved the request you submitted with regard to the signs you intend to display for The Attic.

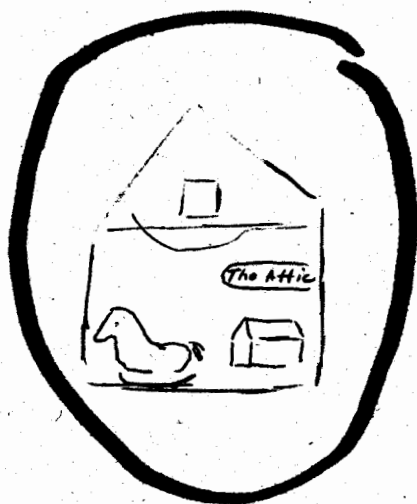
We wish you well in this new venture.

Sincerely yours,

Louise F. Achor, Clerk
Clifton Town Council

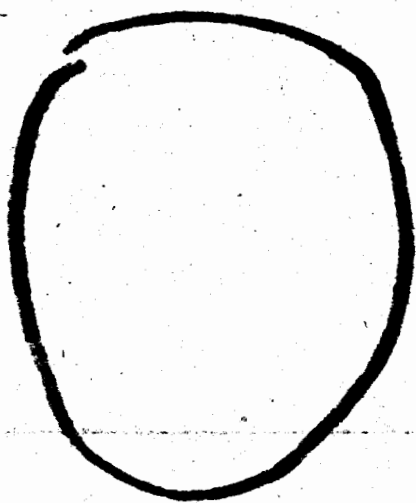
LFA

The Attic
12698 Chapel Rd
Toys Gifts Cards
Party Shop



Patricia Verzelen, Prop.

The Attic
Is a Chapel Rd
Toys & Gifts Cards
Party Shop



Patricia M. Vercellotti

December 9, 1978

Occupant
12714 Chestnut Street
Clifton, Virginia 22024

Dear Sir:

This is to notify you that it is a violation of County law and also Town Ordinance to have an unlicensed and inoperative vehicle parked more or less permanently in your yard.

We refer specifically to a black 2 dr. car in your side yard which lacks state tags, town tag, and county inspection sticker, and which has two damaged front fenders.

We hereby request that you move the car from the lot within fifteen (15) days.

We would appreciate your taking prompt action so that no formal action will need to be taken. If appropriate action is not taken within the specified time, this matter will be turned over to County Police. Please don't make this necessary.

Sincerely yours,

Kyner F. McIntyre, Mayor
Town of Clifton

KFM:la

cc to Captain Wingo

NOTICE OF PUBLIC HEARING

TOWN OF CLIFTON

A Public Hearing will be held in the Town of Clifton on Tuesday, January 11, 1977, at 8 p.m. at the Clifton Fire Hall, for the following purposes:

1. To consider the proposed Zoning and Flood Plain Control Ordinances, Chapters 9 & 10 of the Clifton Ordinances.
2. To discuss a proposed Charter change re: date of Town Elections (to comply with State law).
3. To discuss a proposed Charter change re: date of installation of newly elected Mayor and Council members.
4. To consider possible participation in Community Development Act of 1974 (Fedgov).

By authority of Louise F. Acher
Clerk
Town of Clifton

Posted, Street Post Office
12/8/76

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By authority of Louise F. Achor
Clerk
Town of Clifton

December 9, 1976

Virginia Town & City
Circulation Department
311 Ironfronts
1011 East Main Street
Richmond, Virginia 23219

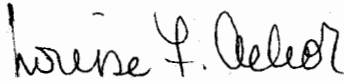
Gentlemen:

Please add the name of our Town Attorney to your mailing
list:

Mr. James Kincheloe
P. O. Box 47
Clifton, Virginia 22024

Thank you for your attention to this request.

Sincerely yours,



Louise F. Achor, Clerk
Town of Clifton

LFA

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By authority of Louise F. Ashor
Clerk
Town of Clifton

Posted, Store and Post Office
12/8/76

December 8, 1976

The Globe Advertiser
Legal Department
3847 Pickett Road
Fairfax, Virginia 22030

Attention: Mrs. Crowley

Dear Mrs. Crowley:

Enclosed is the copy for a Public Hearing notice
for the Town of Clifton.

We should like this to appear two consecutive
weeks, Thursday, December 30th and Thursday, January 6th,
1977.

Please give me a call to confirm that you have
received this notice. My telephone number is 631-1081, and
I'm usually available before 11:30 a.m. or after 3:30 p.m.

Thank you for your attention to this request.

Sincerely yours,

Louise F. Ashor, Clerk
(Mrs. Robert F.)
Town of Clifton

LFA

Enclosure

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By authority of Louise F. Achor
Clerk
Town of Clifton

Postal Store and Post Office
12/8/76

CHAPTER 9.

Zoning

CHAPTER 9.

ZONING.

ARTICLE 1. ZONING DISTRICTS.

- 9-1 Zoning Districts established; boundaries.
- 9-2 Agricultural District.
- 9-3 Commercial District.
- 9-4 Residential District.
- 9-5 Light Industrial District.
- 9-6 Historic District.

ARTICLE 2. GENERAL REGULATIONS ALL DISTRICTS

- 9-7 Off-street parking
- 9-8 Signs
- 9-9 Uses prohibited

ARTICLE 3. NON-CONFORMING USES AND SETBACK LINES.

- 9-10 Non-conforming uses and structures.
- 9-11 Setback lines.

ARTICLE 4. ZONING AMENDMENTS.

- 9-12 Zoning Amendments.

ARTICLE 5. BOARD OF ZONING APPEALS.

- 9-13 Board of Zoning Appeals acknowledged.

ARTICLE 6. VIOLATIONS AND PENALTIES.

- 9-14 Violations and Penalties.

ARTICLE 1.

ZONING DISTRICTS.

Sec. 9-1. Zoning districts established; boundaries.

(a) The Town shall be divided into five (5) zoning districts:

- (1) Agricultural District
- (2) Commercial District
- (3) Residential District
- (4) Light Industrial District
- (5) Historic District

(b) The boundary lines of the districts shall be as established and shown on the Zoning Map of 1976. The district boundary lines shall be, unless otherwise shown on the Zoning Map or herein described, either the center lines of streets or roads or railroads, or lines parallel or perpendicular thereto as noted on the Zoning Map. The Zoning Map and all notations, dimensions, and designations shown thereon shall be as much a part of this Chapter as if fully described herein.

(c) At least three (3) copies of the Zoning Map shall be on file in the Clerk's Office and in the Office of the Town Building Inspector for public use and inspection.

Sec. 9-2. Agricultural District.

(a) In any Agricultural District no building or structure shall be erected, enlarged, or used, and no land shall be used, except for one or more of the following purposes:

(1) Farming, dairy farming, livestock and poultry raising, and other uses commonly classed as agricultural.

(2) Wayside stands for the sale of products raised on the immediate premises.

(3) Boarding Horses.

(b) The area height and set-back restrictions shall be the same as in a Residential District.

Sec. 9-3. Commercial District.

(a) In a Commercial District no building or structure shall hereafter be erected, enlarged or used, and no land shall be used, except for one or more of the following purposes:

- (1) Hotels;
- (2) Offices;
- (3) Restaurants; and,
- (4) Retail or wholesale trades and services, exclusive of any unscreened refuse or junk accumulations.

(b) Building in a Commercial District shall be regulated by the restrictions placed on Residential Districts. In addition, specific restrictions as specified on the use permit issued by the Town Council shall be complied with.

(c) Any commercial usage shall provide off-street parking for the use proposed as specified by the use permit issued by the Council and by Article 2 of this chapter.

Sec. 9-4. Residential District.

(a) In a Residential District no building shall be erected, enlarged, or used, and no land shall be used, except for one or more of the following purposes:

- (1) Single family Dwelling.
- (2) Churches, parsonages, community buildings and parks.
- (3) Home professional offices and home occupations in owner-occupied residential premises.

(4) Private garages and accessory buildings.

(5) Boarding of horses on a lot no less than (2) acres.

(b) Buildings and structures in Residential Districts shall be regulated as follows:

(1) Minimum lot size: (10,000) square feet.

(2) Maximum height of building: (35) feet.

(3) Building set-back requirements:

Front: (45) feet from centerline of abutting street.

Side: (10) feet from adjoining property lines on either side of a building.

Rear: (25) feet from adjoining property line in the rear of the lot, except corner lots which set-back shall be the same as the sideyard requirement. In no case shall any building or structure be erected, constructed, or enlarged within (10) feet of any adjoining property line. The setback line shall be measured from the closest part of the structure to the property line, including any roof overhang, porch, etc., but excluding any stairway or steps, provided that such stairway or steps do not extend more than (4) feet beyond any wall of the structure. Exception: Any building shall be required to set back from a street the same distance as the set-back line observed by that one, of the two existing buildings on the immediate adjoining lots on either side, which is nearer the street centerline. A building may be permitted to set back from the street less than the required set-back to conform to the setback established by adjacent existing buildings located on that side of the street within the same block.

(4) Retaining walls not greater than two (2) feet in height may be erected within not less than five (5) feet from any adjoining property line if a special use permit is issued by the Council. No person may erect a retaining wall greater than two (2) feet in height at any point without first obtaining a permit from the Council. The Council may refuse to issue such permit if the adjoining property owner along whose property the wall is to be erected, objects to such a wall.

(5) Solid fences not greater than six (6) feet in height may be erected in any location regardless of the set-back requirements. The erection of solid fences greater than six (6) feet in height shall require the consent of the adjoining property owner if such adjoining property is zoned or used as residential. In no event shall any fence exceed eight (8) feet in height.

(6) Garages, tool sheds, and other similar detached accessory structures may be erected on any property, provided that such detached accessory structures, except garages, not exceed one-hundred (100) square feet in floor area and provided that such structure shall conform to the set-back requirements as specified for a Residential District or a District being used as residential, unless the owner of the affected adjoining property waives the set-back requirement. Accessory buildings, as described above, may be located up to ten (10) feet of the railroad right-of-way.

(7) No townhouses, apartments, or other multiple or attached dwellings shall be constructed in a Residential District.

(b) Definitions:

(1) Home professional office: The office, studio, or occupational room of a doctor, architect, artist, musician, instructor in arts and crafts, professional engineer or land surveyor, lawyer or similar professional person or of a person engaged in the real estate or insurance business, when such use is conducted entirely within a dwelling which is the bona fide residence of the principal practitioner, and not more than two (2) employees of the principal practitioner are engaged in the occupation on the premises and there is no display of goods or of advertising other than the permitted identification sign.

are engaged in the occupation on the premises and there is no display of goods or of advertising other than the permitted identification sign.

(2) Home occupation: Any use customarily conducted entirely within a dwelling and carried on solely by the inhabitants thereof, in connection with which there is no display visible from outside the dwelling other than the permitted identification sign and which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof.

Exception: Merchandise display may be permitted on an individual basis for special occasions such as a sale or fair as specified on the use permit issued by the Council.

(3) Lot frontage: That dimension of a lot measured along the front street line thereof. The shorter street line of a lot abutting on more than one street shall be deemed to be the front street line thereof, regardless of the location of the principal entrance of a building on the lot.

Sec. 9-5. Light Industrial District.

(a) In a Light Industrial District no building or structure shall hereafter be erected, enlarged, or used, and no land shall be used, except for the following purpose:

(1) Light Manufacturing, where all work is conducted within a completely enclosed building, and shall not be visible from out of doors.

(b) Buildings and structures in a Light Industrial District shall be regulated by the restrictions placed on Residential Districts. In addition, specific restrictions if specified on the use permit issued by the Council shall be complied with.

(c) Any Light Industrial Usage shall provide off-street parking for the use proposed as specified by the use permit issued by the Council and Article 2 of this chapter.

(d) The structure housing such use shall be so constructed so as to prevent the emission of odors to the out-of-doors.

Sec. 9-6. Historic District.

(a) Intent. For the purposes of promoting the general welfare, education, and recreational pleasure of the public, through the perpetuation of those general areas or individual structures and premises which are officially declared by the Town Council to be of historic or architectural significance, the designation of a historic district is hereby authorized. Regulations within this district are intended to protect against destruction of or encroachment upon such areas, structures and premises; to encourage uses which will lead to their continuance, conservation, and improvement in a manner appropriate to the preservation of the cultural, social, economic, architectural, heritage of the town; to prevent creation of environmental influences adverse to such purposes; and to assume that new structures and uses within the district will be in keeping with the character to be preserved and enhanced.

(b) Historic District Boundary. The Historic District Boundary shall be as shown on the Zoning Map and shall in general be drawn so as to include all lands closely related to and bearing upon the character of the historic site or sites. No such historic district boundary shall lie beyond or extend further than one-quarter mile from the property line of the officially designated historic site or sites.

(c) Amendments to the Historic District Boundary and regulations. Amendments to the Historic District Boundary shall be in accordance with Article 4 of this chapter except as modified hereafter. The planning commission and/or the Town Council may propose such amendments as deemed appropriate, including boundary revisions to the existing historic district. (Upon institution of said proposal, the planning commission shall prepare and submit a report on the merits of the proposed amendment.) Such report shall concern the establishment and definition of the proposed historic district boundary as well as the historic and/or architectural significance of the buildings, structures, or sites to be protected, and

describe present trends, conditions, and describe public objectives for preservation.

(d) Uses permitted. Within the historic district boundary, all uses may be permitted as shown on the adopted "Zoning Map Town of Clifton". Restrictions shall be the same as provided in this chapter as well as chapter 3 of the Town Ordinances.

(e) Action by the Town Council. If the Town Council establishes or revises a historic district pursuant to this authorization, its action shall include a declaration that the landmarks, buildings, structures, or sites to be preserved are in fact of historical and/or architectural significance requiring protection against destruction and encroachment.

ARTICLE 2.

GENERAL REGULATIONS; ALL DISTRICTS

Sec. 9-7 Off-street Parking.

(a) Residential District: One (1) space for each new residential dwelling unit used solely as residential.

(b) All other uses: A total number of spaces sufficient to accommodate the vehicles of all employees of the establishment, plus those of all persons who may be expected to visit the same at any one time, as specified by the use permit issued by the Council.

(c) Each automobile parking space shall not be less than (180) square feet in area. The width shall not be less than 8 feet 6 inches.

(d) Setbacks for all off-street parking areas shall conform to those established herein for buildings, except as may be modified by the use permit.

(e) In districts other than residential, lighting of off-street parking areas shall be arranged so as not to cause glare onto the abutting or facing land zoned or being used as residential.

(f) In districts other than residential, off-street parking areas shall be constructed and maintained with a dustless surface.

(g) Provisions for adequate storm-water drainage shall be made for all off-street parking areas.

(h) In districts other than residential, signs indicating the location of off-street parking shall be prominently located for the convenience of the public.

Sec. 9-8. Signs.

(a) Any sign to be installed in the historic district shall be subject to the provisions of chapter 3 of the Clifton Code insofar as appropriateness.

(b) Size.

(1) In residential districts or districts being used as residential, no sign shall exceed two (2) square feet in area for each dwelling.

(2) All other districts are permitted signs not exceeding a total of twelve (12) square feet in total area for each tenant.

(c) Location. Permitted signs in all districts may be located anywhere on the premises except that they may not project beyond the property line; and except, if free-standing, the top of the sign or any part of the supporting members shall not exceed ten (10) feet above the ground and shall not be located less than ten (10) feet from any property line.

Sec. 9-9. Uses prohibited.

(a) No mobile home or van shall be occupied on any lot on a permanent basis in any district.

(b) Non-licensed or wrecked vehicles shall not be parked in public view on any lot in any district on a permanent basis.

(c) Adult bookstores, massage parlors or similar uses shall not be allowed in any district.

ARTICLE 3.

NON-CONFORMING USES AND SET-BACK LINES.

Sec. 9-10. Non-conforming uses and structures.

(a) Any non-conforming use or structure which lawfully existed at the time of the passage of this Chapter may be continued and any such existing non-conforming building or structure may be restored or structurally altered provided it shall meet the requirements of this Section.

(b) Alteration, extension or enlargement of non-conforming uses or structures. Changes in non-conforming uses or structures in all Districts shall conform to the following requirements:

(1) Any structure or use of land which is non-conforming because of use shall not be enlarged or extended in any manner whatsoever.

(2) There shall be no structural alterations made to any non-conforming building or structure that is non-conforming because of use. Structural alterations may be made to a building which is non-conforming because it fails to comply with height, area, yard, off-street parking or other like requirements of this Chapter, so long as such alterations do not extend or enlarge the non-conformance, except that existing residences which are non-conforming because of rear and/or side yard requirements may be enlarged if the adjoining property owner(s) waive the setback requirements. In no case shall any portion of the new construction project any closer to the adjoining property line than the distance as established by the existing building. In all cases, state fire regulations must be complied with as to access and fire-resistance of the structure. Nothing herein shall prevent the strengthening or restoring to a safe and lawful condition of any part of any building declared unsafe by the Town Building Inspector or other authorized person.

(3) A non-conforming use changed or altered to a conforming use may not thereafter be changed back to a non-conforming use.

(4) In the event that there shall be a cessation of operation of any non-conforming use for a period of twelve (12) consecutive calendar months, the cessation shall be presumed an abandonment of such non-conforming use. Any subsequent attempt to rely upon, exercise, or reinstate such abandoned non-conforming use shall be deemed a violation of the terms of this Chapter.

(5) Nothing in this Chapter shall require any change in plans, construction, or designated use of a structure or building for which a building permit has been heretofore validly issued if construction has been started and diligently prosecuted at the time of the adoption of this Chapter.

(6) Nothing in this Chapter shall be construed as authorization for or approval of the continuance of the use of a building, structure or premises in violation of any Zoning Ordinances, rules or regulations in effect immediately preceding the time of the effective date of this Chapter, unless such use ceases to be in violation under the provisions of this Chapter.

(c) Restoration of existing buildings which are non-conforming because of use. Nothing in this Chapter shall prevent the restoration or continuance of a non-conforming building or structure which is non-conforming because of its use and which is partially destroyed by fire, explosion, act of God, or of any public enemy, or the like, if the extent of the destruction be not more than fifty percent (50%) of the tax appraisal of record of the whole building or structure at the time of the partial destruction. If, however, any such building or structure shall be destroyed in the manner aforesaid to an extent exceeding fifty percent (50%) of the tax appraisal of record of the whole building or structure at the time of such destruction, then the same may only be reconstructed and thereafter used in such a manner as to conform to all requirements, terms and conditions of this Chapter. Exception: This paragraph shall not apply to a residential use in a commercial district.

(d) Restoration of existing buildings which are non-conforming because of reasons other than use. Nothing in this Chapter shall prevent the restoration or continuance of a non-conforming building or structure which is non-conforming because it fails to comply with any height, area, yard, off-street parking or other like requirements of this Chapter, and which is partially destroyed by fire, explosion, act of God, or of any public enemy, or the like, provided that any restoration of any such building or structure shall comply with Paragraph (b) (2) of this section.

Sec. 9-11. Set-back lines.

(a) Set-back requirements for non-conforming uses shall be regulated by the restrictions placed on uses in residential districts.

ARTICLE 4.

ZONING AMENIMENTS

Sec. 9-12. Zoning Amendments.

(a) Initiation of Amendments. The Town Council may amend this chapter by amending the text thereof, or by changing any district boundary shown on the Zoning Map as adopted, provided, that proceedings for any amendment shall be initiated only in the following manner:

(1) By the filing with the Council of a petition of the owners or their agents of the land to be rezoned, which petition shall be sworn to under oath and acknowledged before a notary public.

(2) Said petition shall be on a standard form entitled "Application for Zoning Map Amendment" and shall be accompanied by a fee to be determined by the following schedule:

Rezoning Application Fee Schedule

A fee of one hundred fifty dollars (\$150.00) shall be required for all districts.

(b) Public Hearing. A public hearing shall be held by the Planning Commission on any such petition as provided by state law.

(c) After conclusion of the above hearing, the planning commission shall report to the Council its recommendations with respect to the proposed amendment stating its reasons either for or against said amendment.

(d) Upon denial by the Council of any petition for rezoning of property filed pursuant to the above procedure, no further petition concerning any or all of the same property for amendment to the same zoning category as applied for in the petition denied shall be filed within fifteen months of such denial.

ARTICLE 5.

BOARD OF ZONING APPEALS

Sec. 9-13. Board of Zoning Appeals acknowledged.

(a) A Board of Zoning Appeals is hereby acknowledged as having jurisdiction of the Zoning Appeals in the Town of Clifton.

(b) The Code of Virginia Sections 15.1-494 through 497, among others, are hereby acknowledged as being applicable within the Town of Clifton.

ARTICLE 6.

VIOLATIONS AND PENALTIES

Sec. 9-14. Violations and Penalties.

(a) Generally. Any person whether as owner, lessee, principal, agent, employee or otherwise, who violates any of the provisions of this chapter or permits any such violation or fails to comply with any of the requirements hereof or who erects any building or uses any building or any land in violation of any detailed statement or plan submitted by such person and approved under the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to punishment by law. Jurisdiction over such violations shall be in the Fairfax County General District Court.

The Town Council may initiate injunction, mandamus, abatement, or any other appropriate action to prevent, enjoin, abate or remove such structure or use in violation of any provision of this chapter. Such action may also be instituted by any property owner who may be particularly damaged by any violation of any provision of this chapter.

Upon becoming aware of any violation of any provision of this chapter, the Council shall serve notice of such violation on the person committing or permitting the same, and if such violation has not ceased within such reasonable time as the Council has specified in such notice, such action shall be instituted as may be necessary to terminate the violation.

CHAPTER 10.

FLOOD PLAIN CONTROLS

CHAPTER 10.

ORDINANCE FOR FLOOD PLAIN CONTROLS

The Town Council of the Town of Clifton, Virginia, does ordain as follows:

SECTION I. That Chapter 10 of the Clifton Code be, and the same is hereby added and reads as follows:

1. Floodway Zoning - Intent, Purpose and Definitions.

(a) Purpose and Intent. It is the purpose of the Town Council in establishing the F-1 and F-2 area restrictions, for use in areas subject to floods and inundation, to provide land use based upon documented and factual data from flood experience and engineering studies of possible and probable future flooding conditions, so as to prevent property damage and safeguard the health, safety and general welfare of the people. This ordinance is intended to be applied to those areas which, by virtue of existing or potential construction of buildings and structures therein, or in surrounding areas, have or will have in the future the effect of creating aggravated flooding situations which theretofore, in their undeveloped or sparsely developed state, did not constitute dangers to the public health, safety or general welfare.

(b) Definitions. As used in this ordinance, unless otherwise prescribed by the context, the following meanings shall apply:

1. Designated Floodway means an area consisting of the channel of a stream and/or that portion of the adjoining flood plain which would serve both to adequately accommodate flood waters to be expected at frequent intervals in periods of heavy rainfall and which is so determined by the Flood Study of the Town of Clifton, prepared by the United States Department of Housing and Urban Development Federal Insurance Administration.

alteration, or affect the carrying capacity of a floodway or otherwise constitute a threat to life and property. The following uses are permitted subject to the approval of a conditional use permit as herein provided, containing such conditions as the Planning Commission may specify to protect the public interest:

(A) Parks.

(B) Agricultural uses, including farming, grazing and livestock raising.

(C) Any other use customarily accessory or incidental to the above uses, or uses of a similar nature which do not require the construction of permanent structures and which, in the opinion of the Council, conform to the intent and purpose of this Flood Area.

2. Conditional Use Permit. Prior to the issuance of a conditional use permit for any of the uses authorized by this section, the plans for such use shall be submitted to the Planning Commission for review and approval or disapproval. In its review of plans submitted, the Planning Commission shall be guided by the following standards, keeping in mind that the purpose of this section is to prevent encroachment of flood waters on adjacent properties as well as preventing undue increase in flood heights and danger to life and property within this Flood Area:

(A) Any use permitted shall be of a type not appreciably damaged by flood waters provided that no structures for human occupation shall be permitted.

(B) No fill shall be permitted.

(C) Any structure permitted shall be flood proof, as defined in (b) 4. above, and constructed and placed on the lot so as to offer the minimum obstruction to the flow of water, such as placing the structure with open ends parallel to the flow of water, rather than at right angles to such flow.

(D) Any structure permitted shall be firmly anchored to prevent the structure from floating away.

2. Restrictive Area means the portion of the floodway in its natural state or as modified by grading and fill, delineated by the flood level to be expected in a storm of 100-year intensity, constituting the overflow area from the designated floodway or the outlying or fringe area located between the limits of the designated floodway and the limits of the flood plain, where inundation which could endanger life, property and general welfare may occur, but where frequency of flooding, and depths and velocities are generally low. This area shall also be determined by the study referred to in Definition 1.

3. Structure as herein used does not include public utility facilities or electric, gas or communication lines lawfully present.

4. Flood Proof Structure is any structure which, in the opinion of the Town Building Inspector, is designed and constructed so to resist flotation, destruction or major damage by the maximum flood predicted for the structure site by the Flood Study referred to in Definition 1.

(c) F-1 - Designated Floodway Area.

A designated floodway area is hereby established to preserve a natural channel or open area to meet the need to carry abnormal flows of water in times of flood; to confine periodic floods to reasonable limits; to limit and minimize the structural developments tending to obstruct and divert the natural or directed flow and curb encroachment of floodwaters into the restrictive zone, thus limiting flood heights and flood destruction, and to prevent loss of life and excessive damage to property in the area of greatest flood hazard. The F-1 area shall be applied to those areas within the Town of Clifton conforming to the definition of the designated floodway as determined by the Flood Study referred to above. In the Designated Floodway area, the following regulations shall apply:

1. Uses Permitted. No building or structure shall be constructed, erected, moved, converted, altered or enlarged in the Designated Floodway area, nor shall any other condition be allowed which would tend to cause stream channel

(E) Where, in the opinion of the Planning Commission, topographic data, engineering studies or other studies are needed to determine the effects of flooding on a proposed structure and/or the effect of the structure on the floodway, the Planning Commission may require the applicant to submit such data and/or studies prepared by competent engineers or other technical people.

(F) The granting of such approval shall not constitute a representation, guarantee, or warranty of any kind or nature of the Town of Clifton or the Planning Commission, or by an officer or employee of either thereof of the practicability or safety of any structure or other plan proposed and shall create no liability upon, or a cause of action against such public body, officer or employee for any damage that may result pursuant thereto.

(d) F-2 - Flood Plain Restrictive Area

There is hereby established as a supplemental area, to be attached to existing areas, applicable to the restrictive area as hereinabove defined, a Flood Plain Restrictive Area. The F-2 Area shall be applied to areas within the Town of Clifton conforming to the definition of restrictive area. Such supplemental limitation is designed to prevent the loss of life and excessive damage to property in this area subject to flooding.

1. Uses Permitted. The following uses are permitted subject to the approval of a conditional use permit as herein provided, containing such conditions as the Planning Commission may specify to protect the public interests:

(A) All uses authorized in the F-1 area.

(B) Structures and uses presently in existence shall be allowed to continue, provided that any expansion, remodeling or conversion thereof shall require a conditional use permit as herein provided.

(C) These uses permitted pursuant to the basic zoning as it exists or as it may be amended from time to time.

2. Conditional Use Permit. In approving conditional use permits in the F-2 area, the Planning Commission shall be guided by the standards established in the F-1 area except that subsections 2(a), 2(b) and 2(c) need not be applicable unless unusual circumstances are found to exist after a hearing by the Planning Commission.

CHAPTER

An Act to amend the Code of Virginia by adding in Title 54 a Chapter numbered 17.3, containing sections numbered 54-729.27 through 54-729.34, and in Chapter 16 of Title 9, a section numbered 9-111.2, so as to provide for the licensing of private security services businesses and the registration of certain guards, guard dog handlers, armored car personnel, couriers, and private investigators; and to repeal § 15.1-36.1 of the Code of Virginia and Chapter 591, as amended, of the Acts of Assembly of 1964, relating to the same matters.

[H 1132]

Approved

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 54, a Chapter numbered 17.3, containing sections numbered 54-729.27 through 54-729.34, and in Chapter 16 of Title 9, a section numbered 9-111.2, as follows:

§ 9-111.2. Establishment of compulsory minimum training standards for private security services business personnel.—A. The Commission shall have power to issue regulations, pursuant to Chapter 1.1:1, of Title 9, of the Code of Virginia, establishing compulsory minimum training standards for persons employed by private security services businesses as armored car personnel, or as couriers, guards, guard dog handlers, private investigators or private detectives as the foregoing classifications are defined in § 54-729.27. In establishing by regulation compulsory minimum training standards for each of the foregoing classifications, the Commission shall be guided by the policy of this section which is to secure the public safety and welfare against incompetent or unqualified persons engaging in the activities regulated by this section and Chapter 17.3, of Title 54, of the Code of Virginia.

B. In promulgating its regulations establishing compulsory minimum training standards for persons employed by private security services businesses, the Commission shall seek the advice of the Private Security Services Advisory Committee established pursuant to § 54-729.30.

Chapter 17.3.

Regulation of Private Security Services Businesses and Certain Employees of Private Security Services Businesses.

§ 54-729.27. Definitions.—For the purposes of this chapter and § 9-111.2 of the Code of Virginia, the following definitions shall apply, unless the context requires a different meaning.

A. "Armored car personnel" means persons who transport or offer to transport under armed security from one place to another, money, negotiable instruments, jewelry, art objects, or other valuables in a specially equipped motor vehicle with a high degree of security and certainty of delivery.

B. "Commission" means the Criminal Justice Officers Training and Standards Commission or any successor Commission or agency designated by law to replace the Commission.

C. "Courier" means any armed person who transports or offers to transport from one place to another documents or other papers, negotiable or non-negotiable instruments, or other small items of value that require expeditious service.

D. "Department" means the Department of Professional and Occupational Regulation.

E. "Guard" means any person who is employed by a private security services business who undertakes to safeguard and protect persons and property or undertakes to

prevent theft, loss, or concealment of any tangible or intangible personal property.

F. "Guard dog handler" means any person, who for compensation, handles and trains canine security and guard animals.

G. "License" or "licensing" means a method of regulation whereby engaging in a private security services business is unlawful without the issuance of a license by the Department of Professional and Occupational Regulation pursuant to this title.

H. "Person" means any individual, group of individuals, firm, company, corporation, partnership, business, trust, association, or other legal entity.

I. "Private investigator" or "private detective" means any person who engages in the business of, or accepts employment to make, investigations for the purpose of obtaining information with reference to (i) crimes or wrongs done to any person, (ii) the identity, conduct, business, occupation, honesty, integrity, efficiency, loyalty, whereabouts, affiliations, associations, reputation, or character of any person; (iii) the location, disposition, or recovery of lost or stolen property; (iv) the cause of responsibility for accidents, fires, damages, or injuries to persons or to property; or (v) securing evidence to be used before any court, board, officer, or investigative committee.

J. "Private security services business" means any person engaging in the business of providing, or who undertakes to provide, armored car personnel, guards, private investigators, private detectives, couriers, guard dog handlers, or central alarm respondent services, to another person under contract, express or implied.

K. "Registration" means a method of regulation whereby certain personnel employed by a private security services business are required to obtain a registration from the Department pursuant to this title.

§ 54-729.28. Exemptions.—The provisions of this chapter shall not apply to the following:

A. An officer or employee of the United States of America, or of this State or a political subdivision of either, while the employee or officer is engaged in the performance of his official duties.

B. A person engaged exclusively in the business of obtaining and furnishing information as to the financial rating of persons or a person engaged in the business of a consumer reporting agency as defined by the Federal Fair Credit Reporting Act.

C. An attorney-at-law licensed to practice in Virginia or his employees.

D. The legal owner of personal property which has been sold under any security agreement while performing acts relating to the repossession of such property.

E. A person receiving compensation for private employment as a guard who also has full-time employment as a law-enforcement officer employed by the State or any political subdivision thereof, as defined in § 9-108 of the Code of Virginia.

F. Any person appointed under § 56-277.1 or § 56-353 while engaged in the employment contemplated thereunder.

G. Regular employees of any person who are employed to investigate accidents or to adjust claims and who do not carry weapons in the performance of their duties.

H. Regular employees of persons engaged in other than the private security services business, the regular duties of which employees primarily consist of protecting the property of their employers.

§ 54-729.29. Licensing and registration.—A. No person shall engage in the private security services business in this State without having first obtained a license therefor from the Department.

B. No person shall be employed by a licensed private security services business in this State as armored car personnel, or as a courier, guard, guard dog handler, private investigator or private detective without possessing a valid registration issued by the Department or having made application for registration with the Department. No person shall be issued a registration until such person has complied with the compulsory minimum training standards established by the Commission, pursuant to § 9-111.2, for armored car personnel, couriers, guards, guard dog handlers, private investigators or private detectives. An applicant for registration with the Department may be authorized by the Department, on the basis of his application, to be employed by a private security services businesses as armored car personnel, courier, guard, guard dog handler, private

investigator, or private detective for one hundred twenty days from the date of application for registration without such registration; provided, however, such applicant shall in no case be employed by a private security services business as armored car personnel, courier, guard, guard dog handler, private investigator, or private detective without a valid registration after the expiration of the initial one hundred twenty day period.

C. The Department shall, in its discretion, be authorized to grant a temporary exemption from the requirement of a license or application for a registration for a period of not more than fifteen days in a situation deemed an emergency by the Department.

D. For a period of one year from the effective date of this chapter, any person subject to the provisions of subsections A. and B. of this section who has actually engaged in the operation of a private security services business or has been employed as armored car personnel, private investigator, private detective, courier, guard or guard dog handler for the six months immediately preceding such date, shall be issued a license, or shall be registered, respectively, provided that the Department may require such person to submit satisfactory proof that he has so engaged in such employment for such period and that the applicant complies with all applicable fees, bonds, and insurance requirements as set forth in this chapter and provided further, that the renewal of any license or registration shall be contingent upon the fulfillment of all rules and regulations promulgated by the Department.

§ 54-729.30. Functions, duties, and powers of Department.—In addition to the powers otherwise conferred upon the Department by law, the Department shall have the power to:

A. Charge of each applicant for licensure or registration a fee, which shall be nonrefundable, in an amount determined by the Department to be reasonable to cover the costs of processing such application for a registration or license.

B. The Department shall promulgate rules and regulations, pursuant to Chapter 1.1:1. of Title 9, of the Code of Virginia, enumerating grounds for denial, suspension or revocation of any registration or license. In issuing all rules and regulations under this article, the Department shall be guided by the policy of this chapter which is to secure the public safety and welfare against incompetent, unqualified, unscrupulous, or unfit persons engaging in the activities regulated by this chapter.

C. The Department shall conduct an investigation to determine the suitability of each applicant for registration or licensure. For purposes of this investigation, the Department shall have access to criminal history record information maintained by Central Criminal Records Exchange of the Department of State Police.

D. There is hereby created a Private Security Services Advisory Committee which shall be composed of six members of whom two shall be private investigators and four shall be persons engaged in the private security services business. The Director of the Department shall appoint one private investigator and two persons engaged in the private security services business who shall serve at the pleasure of the Director. The Commission shall appoint one private investigator and two persons engaged in the private security services business who shall serve at the pleasure of the Commission. The Advisory Committee shall advise the Director on any and all problems relating to regulation of private security services businesses.

§ 54-729.31. Bond and insurance requirements.—A. Every person licensed under § 54-729.29 A. shall, at the time of receiving such license and before the same shall be operative, file with the Department (i) a cash bond or evidence that such person is covered by a surety bond, executed by a surety company authorized to do business in this State, in a reasonable amount to be fixed by the Department, conditioned upon the faithful and honest conduct of his business or employment; or (ii) evidence of a policy of liability insurance in an amount and with coverage as fixed by the Department.

B. If any person shall be aggrieved by the misconduct of any such person licensed under this article and shall recover judgment against him, such person may, after the return unsatisfied, either in whole or in part, of any execution issued upon such judgment, maintain an action in his own name upon the bond of the person licensed under this article.

§ 54-729.32. Each applicant for registration under the provisions of this chapter shall submit his fingerprints to the Department in a form provided by the Department.

§ 54-729.33. The compliance with the provisions of this chapter shall not of itself

authorize any person to carry a concealed weapon or exercise any powers of a conservator of the peace; provided, however, that a registered employee of a private security services business while on a location which such business is contracted to protect shall have the power to effect an arrest for an offense occurring on such premises.

§ 54-729.34. Unlawful acts.—A. It shall be a Class 1 misdemeanor for any person required by § 54-729.29 A. to be licensed to engage in the private security services business in this State without having first obtained a license.

B. It shall be a Class 1 misdemeanor for any person required to possess a registration or to have made application for registration under § 54-729.29 B. to be employed by a private security services business as armored car personnel, or as courier, guard, guard dog handler, private investigator, or private detective without possessing a valid registration or having a valid application for registration pending with the Department.

2. That § 15.1-36.1 of the Code of Virginia and Chapter 591, as amended, of the Acts of Assembly of 1964, and incorporated by reference as § 54-729.1 of the Code of Virginia are repealed.

3. That the provisions of this act shall become effective November one, nineteen hundred seventy-six.

.....
President of the Senate

.....
Speaker of the House of Delegates

Approved:

.....
Governor



COMMONWEALTH of VIRGINIA

RUTH J. HERRINK
Director

Department of Professional and Occupational Regulation
2 SOUTH NINTH STREET, P. O. BOX 1-X, RICHMOND, VIRGINIA 23202

October 21, 1976

MEMORANDUM TO: All parties interested in the Regulation of the Private Security Services Business

FROM: Ruth J. Herrink, Director

The following Notice of Public Hearing will appear in the RICHMOND TIMES-DISPATCH, November 1, 1976:

Pursuant to Chapter 1.1:1 of Title 9 and Chapters 1.1 and 17.3 of Title 54, Code of Virginia, 1950, as amended, the Department of Professional and Occupational Regulation will hold a Public Hearing beginning at 10:00 A.M., on Monday, November 15, 1976, at 1221 East Broad Street, Richmond, Virginia, in the State Highway Department Auditorium.

These regulations will include but not be limited to qualification for registration and licensing of all persons required to be regulated and licensed in the Private Security Services Business, the renewal of licenses and grounds for denial, suspension and revocation of such registration or license.

Interested parties may submit data, views and arguments, orally or in writing at the hearing. Written data, views and arguments may be submitted prior to the Public Hearing to the Director, Department of Professional and Occupational Regulation, P. O. Box 1-X, Richmond, Virginia 23202, and it will be introduced into the record at the hearing.

We are attempting to reach all persons affected by this Act. If you know of persons who would like a copy of these proposed regulations, please send us their names and addresses and we will mail copies to each person.

If you will need application for registration or license, please let this office know immediately the number of applications and fingerprint cards you will wish. Anyone in an exempt category desiring registration should also contact this office for an application form.

--R. J. H.

RJH:gj
Enc.

REGULATIONS1 POR 23.1. INTRODUCTION

2 As provided in Title 54, Chapter 1.1 and Chapter 17.3, §§ 54-729.27
3 through 54-729.34, the Department of Professional and Occupational Regulation
4 is empowered to promulgate regulations covering the licensure of private security
5 services businesses and registration of certain employees thereof.

6 Anyone employed in a field for which registration is sought for six
7 consecutive months immediately preceding November 1, 1976 may be issued a
8 permanent registration card by giving evidence of such employment and submitting
9 with the required forms and fee. Anyone so employed after May 1, 1976, will be
10 required to meet the training standards regulations as promulgated by the
11 Criminal Justice Standards Commission.

12 Any person actually engaged in the operation of a private securities
13 business for six months prior to November 1, 1976 shall be issued a license
14 upon giving evidence of such operation and providing the proper forms to comply
15 with POR 23.7 and 24.1 of the regulations.

16 POR 23.2. QUALIFICATIONS FOR TEMPORARY PERMIT

17 A. Each application for a temporary registration permit shall be made to
18 the Department of Professional and Occupational Regulation in writing
19 on forms provided by the Department and shall contain such information
20 as is required by the Department to determine the eligibility of the
21 applicant. Each application for a temporary permit shall be accompanied
22 by a fee of \$13.00, which is nonrefundable.

23 B. Each applicant shall submit two (2) fingerprint cards.

24 C. Each applicant shall submit two recent 1"x1" color photographs of
25 head and shoulders.

26 D. No permit shall be issued to an applicant who has not--

27 (1) Attained the age of eighteen years;

28 (2) Whose license or registration to operate in the private security
29 business has been revoked in Virginia or in any other state or in the
30 District of Columbia;

31 (3) Who has been convicted of a felony or misdemeanor involving
32 moral turpitude or a class 1 or class 2 misdemeanor and such criminal
33 conviction would adversely affect the performance of the duties
34 involved in the private security services business, which would
35 serve as a detriment to the safety or welfare of the public.

36 Completion of probation or parole supervision or a period of five

37 (5) years after final discharge or release from any term of

1 imprisonment without subsequent criminal conviction may be
2 deemed evidence that the person has been rehabilitated.

3 POR 23.3. APPLICATION FOR TEMPORARY REGISTRATION

4 Each applicant for temporary registration will execute a form with
5 original and two copies. One copy will be sent to the Department and one will
6 be retained in the office of the private security business. The third copy will
7 be carried on the person of the trainee at all times while on duty.

8 No temporary permit will be renewed. If an applicant has not com-
9 pleted the required training within 120 days, that person must cease work until
10 the required training is completed and so certified to the Department. If the
11 Department receives no certification of completion within one year of the
12 original application, the application shall be considered null and void.

13 In no event shall an applicant work more than 120 days without meeting
14 the minimum training requirements.

15 POR 23.4. APPLICATION FOR PERMANENT REGISTRATION

16 Each applicant for registration shall submit to the Department, on
17 forms provided by the Department, certified documentary evidence of having
18 successfully met the minimum training qualifications and standards in one or more
19 of the following categories:

- 20 1. Unarmed guards
- 21 2. Armed guards
- 22 3. Private investigators
- 23 4. Armored car personnel
- 24 5. Armed couriers
- 25 6. Guard dog handlers.

26 POR 23.5. EXAMINATION FOR PRIVATE INVESTIGATORS

27 After July 1, 1977, any person seeking registration as a private
28 investigator must pass an examination given by the Department, in addition to
29 meeting minimum training standards.

30 POR 23.6. PERMANENT IDENTIFICATION CARD

31 After receiving the certification of training and passing any required
32 examination, and upon satisfactory proof of eligibility of the applicant for regis-
33 tration after investigation by the Department, the Department will issue an
34 identification card for the person registered to the private security services
35 company where the registrant is employed.

Any registrant who works for more than one security firm may have issued an additional card for a \$5.00 fee, upon certification by the employing firm.

Such Permanent ID Card shall include:

1. Name of person registered
2. Category in which registered
3. Name of employing company
4. Picture of registrant
5. Seal of the Commonwealth

With the exception of private investigators and plainclothes personnel, who must carry the card when on duty, this ID card must be worn above the waist and be visible from the front.

Upon termination of employment, the registrant shall immediately return his identification card to his employing private security company. The company shall notify the Department of such termination within fifteen (15) business days by Certified Mail and return therewith the identification card of the registrant. If the company is unable to retrieve the card, it shall so notify the Department by Certified Mail.

POR 23.7. QUALIFICATIONS FOR LICENSE FOR INDIVIDUALS TO ACT AS QUALIFYING AGENT FOR A PRIVATE SECURITY SERVICES BUSINESS

Any person desiring to operate a private security services business shall have at least one qualifying agent who meets the following requirements:

- A. Makes application on forms provided by the Department of Professional and Occupational Regulation;
- B. Has been employed in an investigative or supervisory capacity in the private security services business for a period of at least three years; or
- C. Has been in an investigative or security position in a supervisory capacity for at least three years with any Federal, State, County or municipal law enforcement agency;
- D. Is registered in the category in which the business is to be licensed.

An Associate Degree may be substituted for one year of experience and a Bachelor Degree may be substituted for two years of experience. Either degree must be in Industrial Security or a related subject.

The private security services business must have a qualifying agent registered in any category in which the business proposes to operate.

1 POR 23.8. TERMINATION OF EMPLOYMENT OF QUALIFYING AGENT

2 Upon termination of the employment of a qualifying agent, the licensee
3 business shall notify the Department by Certified Mail within five (5) days. The
4 business shall have thirty (30) days in which to employ the services of another
5 qualifying agent.

6 POR 23.9. REISSUE OF IDENTIFICATION CARD

7 Any registered person whose identification card has been returned to the
8 Department for other than disciplinary purposes, may have such card issued to
9 another firm upon request from such firm and payment of a \$5.00 fee.

10 A lost license or identification card may be replaced by submitting a
11 lost license affidavit to the Department with a fee of \$5.00.

12 POR 24. DEATH OR DISABLEMENT

13 Upon the death or disablement of a qualifying agent of a private security
14 service business, the licensee shall have the right, subject to the approval of
15 the Department, to carry on the business for not more than 180 days following the
16 death or disablement of the qualifying agent.

17 POR 24.1. LICENSE FOR PRIVATE SECURITY SERVICES BUSINESS

18 A. Shall make application on forms provided by the Department and submit a
19 fee of \$200.00, which amount shall include licensing in one category only.
20 An additional charge of \$25.00 shall be made for each additional category
21 in which the business engages.

22 Application for Qualifying Agent must accompany application for business
23 license, if business is being initiated.

24 B. Application for license shall be signed by each individual who shall be
25 the Qualifying Agent(s) for the firm.

26 C. Submitted with each application shall be a surety bond in the amount of
27 \$5,000 executed by a surety company authorized to do business in Virginia
28 or evidence of a policy of liability insurance with a minimum coverage
29 of \$100,000 and \$300,000.

30 D. Each application shall include the name of the owner of a sole proprietor-
31 ship, the names of the partners in the partnership or association and the
32 officers and board of directors in a corporation.

33 E. Each application shall designate the categories in which the business is
34 to operate and this information shall be shown on the license when issued.

1 POR 24.2. CHANGE OF OWNER, PARTNERS OR OFFICERS

2 The Qualifying Agent shall notify the Department by Certified Mail
3 within fifteen (15) days of any change of ownership in a sole proprietorship,
4 change of partners or associates in a partnership or association, or change of
5 officers or directors in a corporation. Change of ownership will not constitute
6 any change of requirements for licensure nor any relief of responsibility for
7 compliance with the private security licensing law or the regulations of the
8 Department promulgated therefrom.

9 POR 24.3. RENEWAL OF LICENSE

10 Each license in the private security service business shall be renewed
11 annually on or before November 1. Each renewal shall contain a notarized state-
12 ment that the required bond or liability insurance policy is in force and that
13 none of the licensed or registered personnel have been convicted of a felony during
14 the last licensing period. The annual fee for renewal for the firm license shall
15 be \$200.00. A \$50 late charge will be assessed in addition to the license fee for
16 any firm which does not renew before December 31. After December 31, the firm
17 will be deemed to be operating without a license.

18 POR 24.4. GROUND FOR DENIAL, SUSPENSION OR REVOCATION

19 The Department may deny, suspend or revoke any license or registration
20 on any one or more of the following grounds:

- 21 A. Material misstatement in the original application or in the application
22 for a renewal license.
- 23 B. Wilful disregard or violation of Chapter 1.1 and Sections 729.37 through
24 54-729.34, Title 54, Code of Virginia, 1950, as amended, or of any
25 regulation or rule issued pursuant thereto.
- 26 C. Having been convicted of a felony or misdemeanor involving moral turpi-
27 tude or a class 1 or class 2 misdemeanor and such criminal conviction
28 would adversely affect the performance of the duties involved in the
29 private security services business, which would serve as a detriment
30 to the safety or welfare of the public. Completion of probation or
31 parole supervision or a period of five (5) years after final discharge
32 or release from any term of imprisonment without subsequent criminal
33 conviction may be deemed evidence that the person has been rehabilitated.
- 34 D. Allowing one's registration under this chapter to be used by an unregis-
35 tered person in violation of the provisions hereof.
- 36 E. Wilfully aiding or abetting another in the violation of this chapter or
37 of any regulation or rule issued pursuant thereto.

- 1 F. Failing, within a reasonable time, to provide information requested by
2 the Department as the result of a complaint to the Department or during
3 an audit of records to determine the number and identity of employees.
- 4 G. Failure to return the identification card or to notify the Department
5 as required under POR 23.6 upon termination of employment of a registrant.
- 6 H. Employing personnel for more than 120 days when they have failed to
7 complete required training.
- 8 I. Failure to maintain a current bond or liability insurance policy
9 required under Virginia Code Section 54-729.31 and these regulations.
- 10 J. Failure to renew.
- 11 K. Failure to comply with minimum training requirements as required in the
12 regulations promulgated by the Criminal Justice Commission under Chapter
13 16 of Title 9, Section 9-111.2, Code of Virginia.
- 14 L. Revocation of license or registration to operate in the private securities
15 business in Virginia or any other state or the District of Columbia.
- 16 M. Failure to maintain a Qualifying Agent within the limits of these regu-
17 lations.
- 18 N. Failure to advise the Department of changes of ownership required under
19 POR 24.2.

20 The license of a private security services business shall not be sus-
21 pended or revoked because of the conviction of any registered employee unless it
22 is determined that the business was in some manner culpable.

23 POR 24.5. CONDUCT OF PROCEEDING TO DENY, SUSPEND OR REVOKE LICENSE

24 Procedures utilized by the Department shall be in accordance with the
25 Administrative Process Act 9.6-14:1 et seq. and Sections 54-872.1 and 54-872.2.

26 POR 24.6. GROUND FOR REFUSAL TO GRANT LICENSE

27 The Department may refuse to grant a license to any private security
28 service business whose license to operate has been suspended, revoked or refused
29 renewal in any jurisdiction. The Department may refuse to grant a license to any
30 private security service business in which the owner, partner, associate, officer
31 or qualifying agent has had his/her license or registration suspended, revoked
32 or refused renewal, in any jurisdiction.

1 POR 24.7. RECORDS

2 Each private security services business must maintain employment and
3 payroll records of each person employed in the business for inspection and audit
4 by the Department. Such records shall reveal the full name, residence address
5 and category of registration of each employee subject to regulation by Virginia
6 Code Section 54-729.29.

7 POR 24.8. REGISTRATION IN OTHER CATEGORIES FOR EXEMPT INDIVIDUALS

8 Anyone in the security services business who is in the exempt category
9 (Section 54-729.29 D) may be registered in any of the various categories of regis-
10 tration under the grandfather clause providing that person meets all the qualifi-
11 cations for registration and pays the required fee. A file will be maintained in
12 the Department of Professional and Occupational Regulation until such time as
13 active registration is desired. Upon notification, the Department will issue a
14 permanent registration card without requiring the completion of any minimum train-
15 ing standards.

16 POR 24.9. LICENSURE IN OTHER JURISDICTIONS

17 The Department may, at its discretion, issue a license to individuals
18 who are licensed or registered in other jurisdictions whose requirements are
19 substantially equivalent to those of Virginia.