

ORDINANCE NUMBER 2023-

**AN ORDINANCE AMENDING CHAPTER 98, SECTION 7.2.5 AND CHAPTER 74, SECTION 38 OF THE CITY CODE OF THE CITY OF WAYNESBORO, VIRGINIA**

Whereas, the City Code for the City of Waynesboro, Virginia (the “City”) contains certain notice requirements for proposed actions related to land use; and

Whereas, in 2023 the Virginia General Assembly amended Virginia Code § 15.2-2204, which amendment altered the timing of notice requirements; and

Whereas, the City Council desires to update relevant sections of the City Code to conform to the current requirements of Virginia Code § 15.2-2204.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAYNESBORO, VIRGINIA THAT:

1. Subsection (B) of Section 7.2.5 of Chapter 98 of the City Code is amended and reenacted to state in its entirety:

B. Public Notice Requirements.

1. *Published and Mailed Notice.* Where public notice is required to be published, mailed, or both, such notice shall comply with the requirements of Virginia Code Section 15.2-2204, as the same may be amended from time to time.

2. *Posted Notice.*

(a) When posted notice is required, the Zoning Administrator or Planning Director, as appropriate, shall make every effort to have signage advertising the date, time, and place of the public hearing posted on the property in question at least seven days prior to the hearing, but failure to have the sign posted shall not affect the legitimacy of any action taken on the subject application by City Council if other advertising requirements of this Chapter and State law have been met.

(b) The sign shall be posted on the property or at a point visible from the nearest public road. Failure to have the sign posted shall not affect the legitimacy of any action taken if other advertising requirements of this Chapter and State law have been met.

2. Subsections (C) and (D) of Section 7.2.5 of Chapter 98 of the City Code are repealed.

3. Section 74-38 of Chapter 74 of the City Code is amended and reenacted to state in its entirety:

Sec. 74-38 – Public notice prior to preliminary plat review

The City Council and Planning Commission shall take no official action on a preliminary subdivision plat until after public notice have been given and a public hearing held thereon in accordance with Virginia Code Section 15.-2204. Additionally, the Subdivision Agent shall post signage on the property in question advertising the public hearing for such preliminary subdivision at least one week prior to the hearing.

4. Except as expressly provided herein, all other sections and subsections of the City Code shall continue unaltered and in full force and effect.
5. The City Manager is hereby authorized to take all actions reasonably necessary, including executing such documents as are reasonably necessary, to effectuate and carry out the purpose of this ordinance.
6. This Ordinance shall take effect immediately upon adoption by the City Council.

CERTIFICATE

The undersigned Mayor and Clerk of the City Council of the City of Waynesboro, Virginia hereby certify that the foregoing constitutes a true and correct copy of an ordinance entitled An Ordinance Amending Chapter 98, Section 7.2.5 and Chapter 74, Section 38 of the City Code of the City of Waynesboro, Virginia, adopted by the City Council at a meeting held on _____, 2023.

Introduced: ON AUGUST 28, 2023 BY COUNCIL MEMBER TERRY SHORT, JR.

Adopted: _____, 2023

Effective: _____, 2023

[SEAL]

ATTEST: _____

Clerk, City Council
City of Waynesboro, Virginia

Mayor, City Council
City of Waynesboro, Virginia