

COUNTY OF YORK

MEMORANDUM

DATE: November 17, 2023

TO: York County Board of Supervisors

FROM: Neil A. Morgan, County Administrator 

SUBJECT: Board Policies - Proposed Revisions/Additions

Through the adoption of Resolution R94-200 on October 20, 1994, the Board of Supervisors approved the York County Board Policies Manual. Board Policy BP94-01. As set forth in the Manual, establishes an annual review cycle for the Board Policies and any proposed revisions.

In accordance with the referenced policy, the staff and I have completed another review of the Board Policies (Table of Contents attached) and have identified the recommended amendments or additions summarized in this memorandum and shown in the attachments.

Existed Policy Revisions

Changes are proposed in the following policies. Substantive changes (i.e., other than minor wordsmithing or to reflect name changes) are highlighted below:

BP94-03 Chisman Creek and Wolf Trap Parks Usage Policy

- Modifications to this policy involved some rephrasing for clarity. This policy also authorizes the Parks and Recreation Manager to institute additional rules and regulations, such as the use of inflatable equipment.

BP94-08 Recreational Fees and Charges

- The recent revisions to this policy primarily addressed grammatical corrections and fee adjustments, notably increasing charges for field and court rentals, instructional classes, summer programs, youth team sports, skating, and facility rentals. A significant change involves the removal of fees for Riverwalk Landing and the Yorktown Waterfront, as the Department of Tourism and Economic Development now oversees these areas.

BP94-11 Vehicle Usage

- The suggested modifications to this policy encompass the classification of all motorized ride-on equipment as official County vehicles. Additionally, the proposal mandates that in the event of an accident involving a CDL driver, immediate notification to the Human Resources department is required for the

prompt initiation of post-accident testing, as specified by the Federal Motor Carrier Safety Administration's Code of Federal Regulations 382.303. The policy further establishes driving record criteria and driving standards applicable to both York County employees and volunteers, emphasizing a comprehensive approach to ensuring safe and responsible operation of County-affiliated vehicles.

BP94-14 Use of County Buildings

- Revisions to this policy included grammatical corrections and the prohibition of glitter, balloons, bubble machines, and smoke machines within county buildings. Additionally, the policy outlines an increase in building fee rental and introduces a late fee provision.

BP00-17 Group Use of New Quarter Park

- Changes to this policy included some changes in wording, e.g., sunset rather than dusk. Notably, there was an adjustment in rental fees for shelters, and insurance requirements were introduced. Additionally, new restrictions include prohibiting the use of glitter, balloons, ATVs, and dirt bikes.

BP01-19 Street Name Identification Signs

- A slight price adjustment is proposed for street name identification signs for developers involved in standard subdivisions.

BP07-22 Request for County Support

- Removed job title in the document that does impact existing policy.

BP12-25 Freight Shed Use Policy

- Removed verbiage regarding the outdoor tent being available for a separate fee and under the Non-profit category. Minor formatting throughout the document that does not impact existing policies.

BP23-29 Yorktown Waterfront Public Areas Use Policy

- The proposed Board Policy delineates the guidelines, procedures, and associated fees governing the public utilization of the Yorktown Waterfront public areas previously addressed in the "Recreational Fees and Charges" Board Policy (BP94-08). An amendment has been introduced, extending the time limit for all wedding ceremonies and events from two hours to a more accommodating four-hour duration. This expanded timeframe encompasses the set-up, the actual event, and the subsequent breakdown, aiming to provide greater flexibility for individuals and groups utilizing these public spaces for celebratory occasions.

Recommendation

I recommend the adoption of the proposed revisions as presented. Currently, this matter is scheduled to be considered by Board Resolution at your Work Session on December 5, 2023.

Should you have any questions or need additional information, please let me know.

Schott/3326

Attachments:

- BP94-03 Chisman Creek and Wolf Trap Parks Usage Policy
- BP94-11 Vehicle Usage
- BP94-14 Use of County Buildings
- BP00-17 Group Use of New Quarter Park
- BP01-19 Street Name Identification Signs
- BP07-22 Requesting County Support for Events
- BP12-25 Freight Shed Use Policy
- BP23-29 Yorktown Waterfront Public Areas Use Policy (New)

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BOARD POLICY	
SUBJECT	Chisman Creek and Wolf Trap Parks Usage Policy
POLICY NUMBER	BP94-03
ORIGINAL EFFECTIVE DATE	October 20, 1994 (R94-200)
REVISION DATE	October 4, 2022 (R22-144)
HISTORICAL REFERENCE	R94-200 (October 20, 1994); R95-214(R) (October 18, 1995); R96-186 (August 7, 1996); R97-165 (July 16, 1997); September 5, 2000 (R00-137); August 18, 2005 (R05-145); October 17, 2006 (R06-133); October 21, 2008 (R08-125); October 12, 2010 (R10-148), September 18, 2012 (R12-118); March 3, 2015; October 5, 2015; December 6, 2016; November 20, 2018 (R18-108); October 15, 2019 (R19-111); November 18, 2021 (R21-116); October 4, 2022 (R22-144)

Purpose: To establish policies, procedures, and fees for the use of Chisman Creek and Wolf Trap Parks.

Background: Chisman Creek and Wolf Trap Parks, which are located on properties owned by Dominion Virginia Power, are reclaimed and remediated EPA Superfund sites previously used as fly ash disposal sites. The properties are leased to York County for use as recreational facilities. Due to the environmental issues associated with the properties and in consideration of the terms and conditions of the land lease with Dominion Virginia Power, a usage policy is necessary to ensure proper control of activities conducted at these parks.

Procedures:

1. Chisman Creek and Wolf Trap Parks are to primarily be used for County and School sponsored activities. However, other groups may be allowed to use these parks if the planned activities are deemed by the County not to be detrimental to the facilities.

Requests for facility use will be prioritized as follows:

- a. County-sponsored activities
- b. School-sponsored activities
- c. Community group/association activities
- d. Other activities

In addition, at times when the parks are not reserved for County, schools or group use, the fields and facilities may be used on a first-come, first-served basis during normal park hours. In order to manage the use of these parks and monitor the condition of the turf, any use of the park by a group of more than 10 individuals will require a permit.

2. Park hours shall be as follows:

April 1 to August 31 – Daily, 8:00 a.m. to 8:00 p.m.

September 1 to March 31 – Daily, 8:00 a.m. to 5:00 p.m.

Both parks are subject to closure due to inclement weather for safety reasons and to protect the turf. During inclement weather, the park gates will remain locked.

3. Authorizations for use by non-County/School groups are dependent upon such groups satisfying the provisions of the Public Areas Ordinance (Chapter 17, York County Code) and upon the use being one that is consistent with the nature of and not otherwise detrimental to the facilities.

Applications for use by non-County/School groups are to be made in writing by completing a County of York Facility Use Permit Request form.

4. A certificate of insurance is required for all user organizations and must be submitted to the Division prior to approval. A list of additional insurance terms and coverage will be provided.
- 4.5. Requests for use ~~should~~**must** be submitted at least **fourteen (14) working**-days in advance of the date that the facilities are to be used. Request for grilling must be on the permit request form and subject to Parks and Recreation approval.
- 5.6. Requests for use during times other than the normal park hours listed above may be approved; however, a fee of \$25 per hour will be charged with a two-hour minimum. Requests for use of the facilities during normal hours but for a tournament, event, or activity that will require extraordinary cleaning or increased site supervision may be approved; however, a fee of \$140 residents; \$200 non-residents per day per field will be charged. If field preparation (e.g., field dragging and lining) is requested, there will be an additional charge of \$50 per field per occurrence.
- 6.7. Groups that receive approval to use the ball field lights at Chisman Creek Park shall pay the County \$35 residents; \$60 non-residents per hour or any part thereof per field to help defray the operating costs of the lights:
- 7.8. For the purposes of this Policy, resident and non-resident distinctions shall be as follows:
- for individual program registration or for individual facility reservations, a County resident is defined as anyone permanently living within the geographical boundaries of York County, Virginia. York County Parks and Recreation reserves the right to request proof of residency. All others will be considered non-residents;
 - for group or organization facility reservations, eligibility for County resident fees requires that the group or organization be based in the County (e.g., charter, mailing address, etc.) and that at least 80% of the organization's members or players are permanently living within the geographical boundaries of York County, Virginia. York County Parks and Recreation reserves the right to request proof of residency. All others will be considered non-resident groups/organizations;
- 8.9. In general, all rules and regulations established in the Public Areas Ordinance (Chapter 17, York County Code) shall apply to these facilities. In addition, the following activities shall be prohibited:
- a. Alcoholic beverages
 - b. All-terrain vehicles, mini-bikes, go-carts
 - c. Bicycles on grass areas
 - d. Digging
 - e. Fires
 - f. Grilling without an approved permit for grilling
 - g. Glass containers
 - h. Golfing
 - i. Skateboards

In accordance with Section 17-20 of the County Code, the flying or control of airborne equipment such as radio- or wire-controlled model airplanes on or from Chisman Creek or Wolf Trap Parks shall require the issuance of a permit by the Parks and Recreation Manager. No such operations shall be allowed when that park is in use by others, nor shall any County-issued permit be deemed to authorize over-flight of areas beyond the park boundaries.

Additional rules and regulations may be issued by the Parks and Recreation Manager as deemed necessary. Failure of any group to abide by the conditions of use for the park may result in denial of approval for future requests.

BOARD POLICY	
SUBJECT	Recreational Fees and Charges
POLICY NUMBER	BP94-08
ORIGINAL EFFECTIVE DATE	October 20, 1994 (R94-200)
REVISION DATE	October 4, 2022 (R22-144)
HISTORICAL REFERENCE	R92-152 (October 1, 1992); R94-177 (August 4, 1994); R94-200 (October 20, 1994); R96-186 (August 7, 1996); R97-165 (July 16, 1997); R98-183 (October 7, 1998); R00-137 (September 5, 2000); R02-170 (September 17, 2002); R03-156 (October 7, 2003); R05-25 (February 15, 2005); October 17, 2006 (R06-133); October 16, 2007 (R07-131); October 21, 2008 (R08-125); October 12, 2010 (R10-148); September 20, 2011 (R11-12); March 3, 2015; December 6, 2016; November 20, 2018 (R18-108); October 15, 2019 (R19-111); November 16, 2021 (R21-116); October 4, 2022 (R22-144)

Purpose: To establish and administer fees and charges for Parks and Recreation programs, ~~facility~~ facility usage, and services.

Procedure:

1. The fees and charges established herein are based on the proposals and revenue projections approved by the Board as part of the annual budget process.
2. Fees for the fall/spring youth soccer leagues, the youth basketball league, and the "Summer Fun ~~Playground Program~~ Program" and "Special Recreation Camp" programs will be waived for any child who resides in York County and whose family income falls within the Supplemental Nutrition ~~Assistance~~ Assistance Program (SNAP-Federal Food Stamp) eligibility limits applicable to the County. Proof of such eligibility is required at the time of registration. Fees shall not be waived for any ~~self-supporting~~ self-supporting/contractual programs such as sports camps, instructional/leisure classes, senior ~~citizen~~ citizen-zen trips, or the like.
3. In addition, recreation program and facility fees will be waived under the following circumstances:
 - a. when services are provided pursuant to agreements between public agencies that stipulate that fees are to be waived for said services;
 - b. when fee waivers for employees have been designated a benefit of County employment; or
 - c. other circumstances approved by the County Administrator.
4. For facilities that require a key to be issued, a \$75 refundable deposit is required to obtain an access key. This deposit is assessed to encourage responsibility for the key and the facility while in the patron's possession and return of the key when use of the facility is completed. If a key is not returned within 7 days or is lost, the user will forfeit the deposit and also be assessed a \$250 rekeying charge.
5. The user of any facility will be charged to cover the cost of excessive cleanup and/or damage repair necessitated by their use.
6. The following guidelines apply when fees are established for the programs listed below.
 - a. Senior citizen trips and activities, concession items, roller skating parties, and special events/programs: Fees shall be set at the amount necessary to cover at least all direct costs.
 - b. Instructional programs, ~~tennis~~-lessons, and youth trips: Fees shall be set at the amount necessary to cover all direct costs for these programs, and non-County residents shall

be charged an additional \$10 for programs less than \$50 and \$25 for programs greater than \$50.

- c. Contractual classes: Fees shall be set at the amount necessary to cover all direct costs, plus either an additional percentage of class revenue, not to exceed 20%, or an additional amount per participant, not to exceed \$20, for general program administration costs. Non-County residents shall be charged an additional \$25.
- d. Sports camps: Fees shall be set at an amount necessary to cover all direct costs, plus \$20 per participant for general program administration costs. Non-County residents shall be charged an additional \$25.
- e. Adult Sports Leagues: Fees shall be set at the amount necessary to cover all direct costs to include but not limited to all equipment and supplies, awards, officials, and staffing.
- f. Field Trip Fever: Fees shall be set to cover all direct costs associated with the program to include but not limited to admissions, transportation, and other associated costs.
- g. Back Creek Park Courts: Fees shall be established for outside organizations wishing to book the tennis or pickleball courts for the corresponding activity for purposes outside of open and family play, such as leagues, tournaments, events, or clubs, as examples. A booking form requesting the courts will be reviewed by the outside organization. Fees will be set as follows: for each court booking: \$6 per hour per court from 8 am to 5 pm and \$9 per hour per court from 5 pm to 9 pm. A certificate of insurance is required for all user organizations and must be submitted to the Division prior to approval. A list of additional insurance terms and coverage will be provided.

7. Consistent with the annual budget adopted by the Board of Supervisors, the following fees and charges are hereby established. For the purposes of this Policy, resident, non-resident, and employee distinctions shall be as follows:

- o for individual program registration or for individual facility reservations, a County resident is defined as anyone permanently living within the geographical boundaries of York County, Virginia. York County Parks and Recreation reserves the right to request proof of residency. All others will be considered non-residents;
- o for group or organization facility reservations, eligibility for County resident fees requires that the group or organization be based in the County (e.g., charter, mailing address, etc.) and that at least 80% of the organization's members or players are permanently living within the geographical boundaries of York County, Virginia. York County Parks and Recreation reserves the right to request proof of residency. All others will be considered non-resident groups/organizations.
- o for individual program registration or facility reservations, a County employee is defined as a full-time employee. The employee may register for a program or rent a facility for themselves or their immediate family (spouse, parent, guardian, brother, sister, son, daughter, parents-in-law, grandparent, grandchild, step-parent, step-brother, step-sister, step-child) and receive the resident rate. Retirees, School Division, or work-as-required employees are not eligible for the resident fee if they reside outside of the County.

a. Adult Softball	\$500 per team
A b. Youth Team Sports	\$60 for the first child; \$55 for each additional child for residents; \$100 for non-residents
B e. Special Recreation Camp Summer Fun Program Program	\$3 275 County residents; \$575 425 non-residents \$3 275 County residents; \$575 425 non-residents
C. Before/After Program Care Summer Fun Program Field Trip Fever Program	\$ 160 County residents; \$ 230 non-residents \$ 40 County residents; \$ 50 non-residents

d. Tennis Leagues	\$6 per match for daytime league \$9 per match for evening league
Df. Tennis or Pickleball Tournaments	\$30 per Adult Singles Entry \$50 per Adult Doubles Team Entry \$20 per Junior Singles Entry \$30 per Junior Doubles Team Entry
Eg. Roller Skating	\$8.5 per participant per regular session; extended or special sessions charged at rate of \$3 per hour per participant; \$3 additional fee to rent roller blades
Fh. Elementary / Middle School Gymnasium Rental	\$40 County for residents per hour; Two (2) hour minimum; \$60 non-residents per hour; Two (2) hour minimum
Gi. Safety Town Athletic Field Lights Use – School sites and parks	\$40 resident; \$55 non-residents \$35 for residents per hour per field; \$60 non-residents per hour per field – York County Little League and the Peninsula Youth Football and Cheerleading Organization are exempt from this fee.
j. Safety Town	\$40 resident; \$55 non-residents
H. Athletic Field Lights Use – Parks and School Sites	\$35 County residents per hour or any part thereof; \$60 non-residents per hour or any part thereof for athletic field lights per field – York County Little League and the Peninsula Youth Football and Cheerleading Organization are exempt from this fee
I. Park Athletic Fields	\$140 for residents per day per field; \$200 for non-residents per day per field for Tournaments, Camps and/or Games; \$50 per occurrence for field preparation \$35 for residents per hour for athletic field lights; \$60 for non-residents per hour

k. Park Athletic Fields	\$140 for residents per day per field; \$200 for non-residents per day per field for Tournaments, Camps and/or Games; \$50 per occurrence for field preparation \$35 for residents per hour for athletic field lights; \$60 for non-residents per hour
l. Riverwalk Landing and Yorktown Waterfront	\$50 for residents; \$100 for non-residents fee for Wedding and Special Event permits \$100 for residents; \$200 for non-residents per day to reserve the performance stage

8. All requests for refunds must be submitted in writing. A ~~\$5.00~~ processing fee charge will apply to all refunds as follows:

- o Refund under \$50 - \$5 fee per activity
- o Refund over \$50 - \$10 fee per activity

8. ~~Refunds will not be given for adult team sports programs or youth sports programs after the second game has been played.~~ For programs that have registration limits, requests should be submitted two weeks prior to the start of the program. Should special circumstances exist, the Parks and Recreation Manager may grant exceptions to the refund policy.

9. A ~~\$2.00 convenience~~ Convenience Fee: ~~fee~~ shall apply per transaction for online registrations as follows ~~completed on-line~~:

- o Transactions under \$50 - \$2 per transaction
- o Transactions over \$50 - \$4 per transaction

10. For the Summer Fun Program and Special Recreation Camp~~Program~~, a late pick-up fee of \$3 per minute will be assessed when a child's responsible party has not arrived for pick-up by the designated completion time for the program. Parents, guardians, or other parties responsible for the subject child will be afforded one (1) warning concerning late arrival before assessment of the additional fee.

BOARD POLICY	
SUBJECT	Vehicle Usage
POLICY NUMBER	BP94-11
ORIGINAL EFFECTIVE DATE	October 20, 1994
REVISION DATE	October 4, 2022 (R22-144)
HISTORICAL REFERENCE	R89-301; R94-200; R97-165; R99-171; R02-170; October 1, 2005: October 17, 2006 (R06-133); October 16, 2007 (R07-131); October 21, 2008 (R08-125); September 25, 2013; December 19, 2017; November 20, 2018 (R18-108); October 15, 2019 (R19-111); November 16, 2021 (R21-116), October 4, 2022 (R22-144)

Purpose: To provide general guidelines for the operation of County vehicles. This policy shall apply to all users of County vehicles unless otherwise provided by the Board of Supervisors.

Exceptions may occur, and these will be handled on a case-by-case basis by the Department Director, Constitutional Officer, or Agency Head directly through the County Administrator's office.

Procedure:

1. Authorized and Unauthorized Use. The following examples are for general guidance only and should not be considered as an attempt to cover all circumstances or conditions of use:

- a. Authorized Use:

- (1) County vehicles are authorized "For Official Use Only." Such vehicles are to be utilized to perform the functions and conduct the operations and programs of the Department or Agency which is using the vehicle. When such official use includes the transport of non-employees, such transport is permissible with the approval of their department head. County vehicles may be utilized both within and outside of the County for official use. Anyone may be reimbursed for the use of their private vehicle when such vehicle is used in the conduct of County business; such reimbursement shall be made in compliance with the general policies of the County.
 - (2) County vehicles may be taken home overnight by personnel on call to provide emergency services or official business. All authorizations in excess of one-week shall be in writing and approved by the County Administrator.

Authorization to use a County vehicle for transportation to and from an employee's residence for a period in excess of one week will be considered upon receipt of a written request signed by the employee's Department Director/Agency Head. A written request must include the name and title of each employee for whom authorization is requested; the frequency that the vehicle will be used for transportation to and from work; location of employee's home; and a narrative providing justification for the request. Requests for employees residing outside of the County of York will be considered. However, authorization will generally not be granted to an employee residing beyond a 25-mile radius of their primary Department office or work location. Longer distances may be granted by the County Administrator, on a case by case basis, for persons assigned a vehicle for immediate emergency response or other County Department on-call responsibilities. This distance limitation shall also apply to authorizations granted for periods of less than one week.

Additionally, personnel authorized a Take Home County vehicle may use such vehicle for transportation to meals or for personal purposes, including the transporting of non-employees, only when traveling in a direct route to or from work or place of meeting. Transportation of an immediate family member(s) to include spouse or child is permitted with written authorization from the County Administrator and shall be granted on a case by case basis.

- (3) County vehicles shall be operated only by properly licensed County employees.

Such authorization shall be requested by the appropriate Department Director, Agency Head, or Constitutional Officer through the ~~Human Resources Manager~~Director of Human Resources with by-name approval on file prior to allowing a volunteer driver to operate a County vehicle. Volunteer members of the Department of Fire and Life Safety are exempt from this reporting and authorization requirement provided they meet the driving standards prescribed for County employees and also have received the requisite training as prescribed by the Department of Fire and Life Safety and/or State law. The Fire Chief is authorized to allow the occasional use of County emergency services vehicles by fully qualified emergency services personnel employed by other governmental agencies during training, when conducting work in cooperation with another jurisdiction/agency, or for other operational necessities. County vehicles may be operated on a temporary basis by properly licensed employees of other jurisdictions or agencies during servicing or repair of the jurisdiction/agency vehicles when such servicing arrangements are covered by a formal contract or memorandum of agreement between such jurisdiction/agency and the County.

(4) County vehicles are defined as any piece of motorized, ride-on equipment. This includes but is not limited to cars, trucks, riding lawn mowers, and tractors.

b. Unauthorized Use:

- (1) County employees may not operate a County-owned or County-insured vehicle without having a valid, properly classified operator's or commercial driver's license as set out in paragraph 8.
- (2) County vehicles may not be utilized for personal purposes or for transportation to meals, except when employees in the conduct of County business are away from their normal place of work at meal time, they may use a County vehicle to go to a restaurant in their immediate vicinity.
- (3) County vehicles may not be utilized to transport "hitchhikers." However, it is permissible to render assistance in case of accidents or other emergencies and to transport non-employees in such cases.
- (4) County vehicles shall not be used without the use of seat belts (if the vehicle is provided with seat belts).
- (5) It is absolutely prohibited for County-owned or County-insured vehicles to be utilized if the operator is impaired by, or under the influence of, alcohol, intoxicants, or drugs. The possession or consumption of alcohol, intoxicants, or illegal drugs while using County vehicles for transportation is also prohibited.
- (6) County vehicles may not be used to pull or push any other vehicle (public or private) without prior consent of the Department of Public Works.
- (7) County vehicles are not to be driven in violation of the motor vehicle laws of Virginia. All citations are to be reported immediately to a supervisor.
- (8) County vehicles shall be operated in a fuel-efficient and energy conscious manner. Vehicles shall not be parked with the engine idling except when necessary for emergency services or the operation of auxiliary equipment.

2. Law Enforcement Personnel: The provisions of Section 1 of this Policy as it pertains to County-owned vehicles provided to the Sheriff's Office are modified as follows:

- a. The Sheriff may authorize a County-provided car to be kept at an officer's residence when off-duty provided the residence is located in York County. A list of vehicles so authorized shall be provided the County Administrator at the beginning of the fiscal year and as changes occur. Sheriff's Office vehicles which are authorized to be kept at a residence may be used for off-duty personal errands only if necessary and if no personal vehicle is available for use. Cars may be used to transport stranded motorists, other law enforcement personnel, and prisoners. While off duty no other passengers, including family members, shall be transported except in (1) an emergency, (2) when on official County business, or (3) when in direct route to or from work.
- b. Sheriff's Office vehicles which are authorized by the Sheriff to be kept at a residence may only be operated off-duty if the officer is (1) armed with a properly assigned, qualified firearm, (2) carrying Sheriff's Office identification credentials, and (3) operating the vehicle

only within the jurisdictional boundaries of York County or in transit between the lower end of the County and the Bruton District.

- c. The Sheriff has established a written "hot pursuit" policy, which has been reviewed and approved by the County Attorney, addressing safety considerations and special conditions under which County vehicles may be operated in emergency situations. Any amendments to this policy shall also be reviewed and approved by the County Attorney.

3. Care and Maintenance of Vehicles.

- a. Operator Responsibilities. Operators of County-supplied vehicles shall be responsible for checking and maintaining correct engine oil level; proper level of coolant in the radiator; ensuring proper operation of headlights, taillights and turn signals; tire pressure (including spare) and tire condition; proper braking action; and general appearance of the vehicle (interior and exterior). If a noted deficiency is not within an operator's ability to correct, the vehicle will be taken in for service promptly. Vehicles submitted to the County Garage for routine maintenance shall have excessive caked dirt removed in order to facilitate such service. Vehicles which are being turned in for disposal, exchanged or transferred through the County Garage shall be cleaned beforehand. Litter and personal effects shall be removed. Operators of vehicles which routinely travel off maintained highways shall clean the exterior of the vehicle of mud or caked-on dirt at least weekly. The Department of Public Works shall make cleaning facilities at the County Garage available for all vehicle operators to use during normal working hours.
- b. Routine Maintenance. Each County vehicle shall be taken to the County Garage for preventive maintenance on a schedule promulgated by the Department of Public Works. It shall be the responsibility of the appropriate Department Director/Agency Head to ensure that all assigned vehicles are taken to the County Garage for the preventive maintenance scheduled by the Department of Public Works. Routine maintenance priorities will be established by the Department of Public Works.
- c. Vehicle Alterations. Employees shall not alter or add any equipment to a County vehicle (including AM/FM/CD radios, GPS devices, air conditioners, bumper stickers, racks, tool boxes, etc.) without written prior approval of the Department of Public Works. Damages resulting from unauthorized modifications may be assessed against the person(s) making such modification. Required modifications and alterations including, but not limited to, DOT lighting, directional lighting, auxiliary lighting, yellow strobes and beacons, in car cameras, radar units, GPS, vehicle graphics and public safety accessories may be completed by the County Garage or contracted to appropriate vendors as Approved and authorized by the Fleet Manager. Generally accepted modifications/alterations for designated law enforcement and public safety vehicles include emergency packages (lights, sirens) and two-way radios. Such modifications/alterations shall be coordinated with and approved by the Fleet Manager prior to installation to ensure that modifications will not adversely affect electrical or charging systems nor the overall safe operation of the vehicle.
- d. Travel Beyond 100 Miles. If a County vehicle is to be used for travel beyond a distance of 100 miles from Yorktown, the employee is to notify the County Garage of intended travel and destination two (2) weeks prior to the trip. An appointment shall be made for the intended vehicle to be inspected by the County Garage to ensure the vehicle is in good operable condition and/or any preventative maintenance is completed prior to the trip

4. Emergency Repairs.

- a. Regular Workday. When a vehicle becomes inoperable in the local area, the driver, after seeing that the vehicle is removed from the roadway, is to contact the County Garage for assistance. Normally, a maintenance mechanic will be dispatched to assess the problem, make repairs, or coordinate towing to the County Garage. When a vehicle becomes inoperable out of the local area, the driver may arrange, as necessary, for local towing service to the nearest competent repair facility. Prior to making any commitment for repairs, the driver shall obtain an estimate for such repairs and contact the County Garage for guidance.
- b. Nonwork-Hours/Work-Day. In the event that a breakdown occurs within a 25-mile radius of Yorktown and outside of normal working hours, the driver shall contact the York County 911 dispatcher (890-3621). The dispatcher shall obtain the phone number where the driver can be reached and then contact the on-call mechanic to coordinate repairs. If a breakdown occurs beyond the 25-mile radius, the driver is authorized to contact the nearest service facility, which has towing capability, and have the vehicle towed to the County

Garage or to a service facility, whichever is more practical. The driver shall then determine the nature of the problem or cost for repairs. If the vehicle can be repaired for \$250 or less, and it is not feasible to delay repairs until the County Garage can be contacted during normal working hours for guidance, the driver is authorized to have repairs accomplished. If repair estimates are in excess of \$250, the vehicle should be secured at the service facility until repairs can be coordinated with the County Garage. Alternative transportation (i.e., rental cars, taxi) should be utilized until repairs are made or another County vehicle is provided.

5. Vehicle Security. Security of a County vehicle is the operator's responsibility. Unattended County vehicles will be locked at all times. Operators may be responsible for loss of County property from an unsecured County vehicle.
6. Smoking. Smoking, including the use of electronic smoking devices, is not permitted in County vehicles.
7. Driving Practices. Operators should practice "defensive driving" and anticipate and observe the actions of other drivers and control their own vehicle in such a manner so as to avoid an accident involvement. An operator of a County vehicle and all passengers therein shall properly use seat belts. Employees are advised that failure to wear seat belts may jeopardize an employee's eligibility for relief normally provided under Worker's Compensation and disability claims for injuries resulting from an accident.
8. Accidents:
 - a. Accident Involving County Vehicle. In the event an accident should occur involving a County-owned or County-insured vehicle, the following procedures should be followed:
 - (1) Call for an ambulance for anyone seriously injured. (Dial 911 in most areas.) When calling from a cellular/pcs phone the caller should remain on the line and provide their exact location.
 - (2) Notify the police/fire department of the accident as circumstances dictate. The driver is required to immediately give notice of the accident by the quickest means of communication to a State trooper, sheriff, or other police official if the accident resulted in injury to or death of any person.
 - (3) Get the names, phone numbers, and addresses of all persons in the other vehicle(s), the driver's license data of other operators, the license number of other vehicle(s), and the name of the insurance carrier for other vehicle(s) involved.
 - (4) Complete the data on the accident report form located in the glove compartment of the vehicle (also available on the intranet) and submit this form to the Department of Finance within 24 hours. A copy of this form shall also be sent to the Department of Public Works and Human Resources. Failure to report accidents may result in disciplinary action.
 - (5) DO NOT ADMIT RESPONSIBILITY and make no statement regarding the accident except to authorized insurance claims representatives of the County's insurance carrier and the police.
 - (6) DO NOT DISCLOSE INSURANCE policy details to anyone. However, you may inform the other driver of the name of the County's insurance carrier and policy number.
 - (7) If there are no injuries involved in the accident, the driver may still be required to file a report with the Division-Department of Motor Vehicles as to the extent of the property damage involved. The driver is responsible for contacting the Division-Department of Motor Vehicles within 5 days of the accident to determine if a report will be required.
 - (8) If the accident involves a CDL driver, or CDL required vehicle, Human Resources should be notified immediately. CDL Drivers will be sent for post-accident testing in accordance with the FMCSA CFR 382.303
 - b. Rendering Assistance. Upon reaching the scene of an accident, the operator of a County vehicle is authorized to render such assistance as he/she can by caring for the injured first, calling or sending for the fire, rescue, or police and taking measures to prevent other vehicles from becoming involved in the accident. When stopping at the scene of an

accident, the driver should ensure that the vehicle is parked in a safe location so as not to interfere with traffic.

- c. Accident Reporting. A County Vehicle Accident Report form is required and shall be completed by the operator or assigned driver of a County-insured vehicle involved in an accident when:

- an injury occurs, regardless of property damage;
- an accident or collision involves a vehicle or property not owned by the County regardless of fault or damage sustained by either party;
- another County-owned vehicle or item of property is involved and the probable cost of total repairs (vehicle and or property) will exceed \$100 as determined by the County's Fleet Manager;
- mysterious or unexplained damage to a County vehicle is clearly visible and the probable cost of total repairs will exceed \$5400 as determined by the County's Fleet Manager.

The accident report shall be reviewed by the Division Chief or other supervisor who shall forward copies of the report to the Department of Finance ~~and the~~ the Fleet Manager, and the Department of Human Resources prior to the close of the next County work day after the accident. The vehicle accident reporting process is further described in Attachment D.

- d. Case Review. A copy of the Vehicle Accident Report shall be provided to the County Administrator and the Chair of the Safety Committee by the Department of Finance within three working days. The Fleet Manager shall conduct an investigation of the facts and circumstances of accidents involving County-owned vehicles which have resulted in a reported injury or when property damage in excess of \$3,000 is involved. The Fleet Manager is authorized to gather evidence, relevant documents and solicit written statements from County employees. Within ten (10) working days from receipt of the accident report, the Fleet Manager shall forward to the Chair of the Safety Committee the results of his inquiry (Part I Accident Inquiry form, Attachment C). If additional reports concerning the accident are expected from outside agencies, i.e., State Police, non-County employees involved in the accident, etc., then the report shall be provided within ten (10) working days from receipt of all such anticipated information. If delays are anticipated, the Fleet Manager shall notify the Chair of the Safety Committee as soon as possible. The Safety Committee shall review Part I of the Accident Inquiry form as soon as practicable and render an opinion as to whether the crash was preventable or non-preventable. The Safety Committee may also recommend changes to safety policies or procedures to the County Administrator (Part II of the Accident Inquiry form). The Human Resources Director, or designee, shall communicate the results of the review to the employee's Department Director who will, after consultation with the Human Resources Director, determine the appropriate corrective action. Corrective action may be administrative in nature, such as additional driver training or may include disciplinary measures. The County Administrator shall review the report, determine the appropriate disposition of the case, and conclude the Inquiry process (Part III of the Accident Inquiry form). Accident reporting and inquiry procedures are outlined on Attachment D.
- e. Failure to Report Vehicular Accident Damage. Using the Accident Inquiry form, the Fleet Manager shall notify the Safety Committee if a vehicle Accident Report has not been submitted when required or upon discovery of previously unreported damage to a County vehicle.

9. Driver Qualifications and Training:

- a. Licensing. Department Directors/Agency Heads are responsible for ensuring that their employees are properly licensed and trained to operate County vehicles. A valid Virginia driver's license is required to operate County vehicles. The basic license requirements for passenger vehicles apply, with the following additional requirements for heavy vehicles operated on the highway:

Those persons required to operate or maintain a vehicle weighing 26,001 pounds or more, gross vehicle weight rating (GVWR); or designed to carry 16 or more passengers, including the driver; or used to transport hazardous materials required to be placarded by federal law, must have a Virginia Commercial Motor Driver's License (CDL). Such license is required for volunteer drivers, heavy vehicle mechanics, and public school bus operators. Commercial license requirements do not apply to operators of emergency vehicles, such as fire fighters. However, operators of emergency vehicles must meet special State and

Federal skill requirements for driving certification.

10. Driving Records.

- a. A valid Virginia driver's license for the appropriate class of vehicle or equipment which will be operated is required if such vehicle or equipment operation is specifically required in the job description. ~~Prospective employees and volunteers who will be required to operate a County vehicle during the course of their employment shall secure a copy of a current (less than 30 days old) DMV driving record at the employee's or volunteer's own expense and shall complete a DMV Records Check Form upon hire (or when applicable, promotion).~~ Human Resources will be responsible for completing the record check with the Virginia ~~Division~~ Department of Motor Vehicles (DMV) upon hire, and annually thereafter. Special consideration may be given by the County Administrator for employees/volunteers to drive a County vehicle with an out-of-state license; however, Employees or volunteers with an approved out-of-state license will be required to a valid -secure a copy of a current (less than 30 days old) DMV driving record from the state of license must be provided to Human Resources upon request at the employee's or volunteer's own expense. &
- b. A Virginia driver's license for current and prospective employees and volunteers may not have DMV restriction codes which limit the driving privilege to the extent that requirements of the jobs applied for or occupied cannot be met. If the individual will be required to operate a bus capable of carrying more than 15 passengers, then the license must have the coded endorsement of "S."
- c. The Human Resources Director shall maintain a program to obtain the DMV records for operators of County vehicles. The DMV record shall be maintained in confidential, individual personnel files and updated annually. DMV driving records for County employees may be obtained from the ~~Division~~ Department of Motor Vehicles by the Human Resources Department at no expense to the County or individual concerned. The Human Resources Director shall notify the appropriate Department Director/Agency Head and County Administrator when an employee's or volunteer's record does not meet the minimum standards described in Sections 9(b) or 10.

11. Driving Standards.

- a. All current and prospective York County employees or volunteers who are required to operate a County-owned vehicle according to their job description shall be required to submit to a ~~Division~~ Department of Motor Vehicles (DMV) record check. All other employees and volunteers who may occasionally drive a County vehicle must also submit to a DMV records check prior to vehicle operation. For current employees and volunteers this check will occur, at a minimum, on an annual basis. Drivers must meet minimum standards as determined by the County. In addition to the annual DMV records check, all current employees and volunteers must inform their supervisor, by the next scheduled workday, of any licenses suspensions, or revocations, or charges being placed for any of the offenses listed in subparagraph (iii) below, and the final disposition of the case. Failure to do so may be grounds for immediate dismissal. Drivers must meet minimum standards as determined by the County. York County's standards are as follows:
 - (i) No record of two (2) or more than two (2) moving violations within the previous twelve (12) 12 months, or three (3) or more within the previous 24 months.
 - ~~(ii) No more than three (3) moving violations within the previous twenty-four (24) months.~~
 - (iii) No record of convictions associated with driving under the influence (DUI), eluding police, leaving the scene of an accident, or manslaughter (voluntary or involuntary) within the previous ~~sixty (60) 60~~ months.
 - ~~(iv)~~ (iii) No record of current revocations or suspensions or previous revocations or suspensions associated with moving violations within the last sixty (60) months. Special consideration may be given by the County Administrator for insurance suspensions or expired licenses and if approved, the employee will be transferred to a non-driving position for the duration of the suspension or expiration, depending on the length of time for the license reinstatement.
 - (iv) Reckless driving offenses will be reviewed on a case-by-case basis.
- b. If an employee or volunteer fails to meet driving standards and is in a position where operating a vehicle is essential to the County, appropriate action will be taken depending

on the severity and number of the conviction(s). At the recommendation of the Department Director/Agency Head, appropriate action may range from putting the employee or volunteer on a "watch status," with DMV checks conducted on a more frequent basis, to termination of employment or termination of voluntary assignment with the County.

This procedure does not prohibit Department Directors from issuing reasonable standard operating procedures with more stringent requirements.

- c. County vehicle driving privileges shall be suspended for a period of one (1) year for any current employee charged with and convicted of an offense listed in subparagraph ~~a a.(iii), aboveabove~~. In the case of employees occupying a position for which driving a County vehicle is a required duty, an effort may be made to transfer and/or demote the employee to a non-driving position provided a vacancy exists and the employee is qualified for that position. However, if no vacancy exists, the employee shall be separated from County employment. If the employee is transferred and/or demoted to a non-driving position, he/she must maintain a clear motor vehicle record for a full year before the County vehicle driving suspension is lifted. Additionally, any new violation(s) will result in a readjustment of the one (1) year suspension period. At the end of the suspension period, provided the employee has no new violations, County vehicle driving privileges shall be restored.
12. Driver Training. Operators of County vehicles shall be required to participate in the County's Defensive Driving Program administered by the Department of ~~Human Resources~~ Finance.
- a. A Defensive Driver Education Program shall be established by the County Administrator. Department Directors, Agency Heads, and Constitutional Officers whose employees operate County-provided vehicles shall support the program by ensuring that employees participate in Defensive Driving classes when scheduled and as otherwise required.
 - b. New employees will be ~~scheduled-assigned~~ by the Department of ~~Finance-Human Resources~~ for a Defensive Driving class ~~as soon as possible upon hire.~~
 - c. Certain Fire and Life Safety employees may be required to complete alternative programs.
13. Miscellaneous
- a. Monitoring Vehicle Use. Department Directors/Agency Heads shall carefully monitor and take necessary action to preclude operations that are contrary to the policies and procedures herein.
 - b. Grievance. Any Department or Agency aggrieved by a decision of the Director of Public Works shall immediately set up a conference between the County Administrator, Director of Public Works, and the aggrieved party to resolve the matter.
 - c. Citizen/Complaints. Complaints regarding the use or operation of County vehicles shall be directed to Department of Public Works. The Department of Public Works shall complete a Complaint Form (Attachment B) for each complaint and forward a copy of said Complaint Form to the appropriate Department Director/Agency Head and the County Administrator. Upon receipt, the appropriate Department Director/Agency Head shall investigate the complaint and report to the County Administrator the results of the investigation and any corrective action taken regarding the complaint.
 - d. Tickets/fines while driving County vehicles: Employee must practice defensive driving and adhere to traffic laws while driving County vehicles. All fines incurred due to improper use of the County vehicle will be investigated by the employing department with assistance from Risk Management. Should the employee be found at fault, he/she will be responsible for paying the fee associated with the violation.
 - e. Approved Departmental Rules. Any departmental rules, regulations, or procedures approved by the County Administrator governing the use or operation of County-owned or County-insured vehicles, which are not in conflict with this policy, shall be considered a part of this policy and shall be enforced as such.
 - f. Action to be Taken. Violations of this policy will be reviewed by the County Administrator's Office, in conjunction with Human Resources, and may result in loss of County driving privilege or loss of Department's vehicle allocation.
 - g. Supervisory Responsibilities. Department Directors, Agency Heads, and Constitutional Officers shall ensure that before their employees are permitted to operate a County vehicle, drivers are properly trained in its use; in procedures to be followed should they be involved

in an accident with a County vehicle; in the procedures for refueling vehicles with the automated vehicle identification/data collection system; in basic maintenance responsibilities of the operator (checking tires, oil level, lights, etc.); and in preventive maintenance services performed by the County garage. In addition, each authorized driver, whether a full-time County employee or volunteer worker, will be fully briefed on County and departmental personnel policies pertaining to operator negligence and damage to County property.

- h. Reimbursement for Use of Personal Vehicles. From time-to-time it may be necessary for employees to use personal vehicles for official County business. Personal vehicles should only be used with the approval of the employee's supervisor. Any miles driven will be reimbursed in accordance with the provisions set forth in Administrative Directive AD11-63.

Attachment A - Vehicle Accident Report Form
Attachment B - Complaint Form
Attachment C - Accident Inquiry Form
Attachment D - Accident Reporting and Inquiry Process

Vehicle No. _____ Last Name _____ First Name _____ Date _____

COUNTY OF YORK **VEHICLE ACCIDENT REPORT**

(To be submitted to the Risk Manager in Fiscal Accounting Services and the Fleet Manager within 24 hours)

Accident Date:	Day of Week:	Time:	Investigated at Scene by Police? ☐ Yes ☐ No	Number of Vehicle?	Was there a death? ☐ Yes ☐ No	City or County of Accident
Route No. Or street name at scene			at intersection with		of Route No. or Street Name	

VEHICLE INFORMATION

YOUR VEHICLE					OTHER VEHICLE OR PEDESTRIAN INVOLVED				
Driver's Name (Last, First, Middle)					Driver's Name (Last, First, Middle)				
Address (No. & Street)			Phone Number		Address (No. & Street)			Phone Number	
City		State	Zip Code		City		State	Zip Code	
Date of Birth	Sex	Driver's License No.		State	Date of Birth	Sex	Driver's License No.		State
Vehicle's Owner's Name (Last, First, Middle)			Phone Number		Vehicle's Owner's Name (Last, First, Middle)			Phone Number	
Address (No. & Street)					Address (No. & Street)				
City		State	Zip Code		City		State	Zip Code	
Date of Birth	Sex	Driver's License No.		State	Date of Birth	Sex	Driver's License No.		State
Vehicle No.	Make & Type of Vehicle			Year	Make & Type of Vehicle			Year	
License Plate Number		State	Cost to Repair		License Plate Number		State	Cost to Repair	

Describe Property (if auto, year, make, model, plate no.)		Other Veh. Or Property Insured ☐ Yes ☐ No	Company or Agency Name & Policy No.
Signature of Driver		Date Filed	If Signed by Person Other Than Driver, Give Reason

Describe What Happened: (Give full description of conditions leading to accident:	

COMPLAINT RECEIVED

REGARDING USE/OPERATION OF YORK COUNTY VEHICLE

I. TO BE COMPLETED BY DEPARTMENT OF PUBLIC WORKS:

1. Name and phone number of citizen making complaint: _____
_____ On file in the Department of Public Works _____ Call was anonymous
2. Date of Occurrence: _____
3. Vehicle Number: _____ License Plate Number: _____
4. Vehicle Description: _____
5. Department/Division Vehicle Assigned to: _____
6. Description of Driver (if given): _____
7. Location of Occurrence: _____

8. Nature of Occurrence: _____

II. TO BE FILLED OUT BY DEPARTMENT HEAD AND RETURNED TO COUNTY ADMINISTRATOR:

1. Name of Employee: _____
2. Position: _____
3. Summary of Findings: _____

4. Action Taken (if any) by Department Director: _____

III. Signature of Department Director: _____

ACCIDENT INQUIRY

ATTACHMENT C

Accident Report Control Number (Insurance Claim Number): *(Provided by Finance)* Date: _____

PART I [Fleet Manager Inquiry]

1. Summary of Facts:

(To include names of participants; date/time of occurrence; weather and road conditions; location and sketch of accident site as required; type and condition of vehicles involved; ownership of vehicles; results of accident, i.e., injury, fatality, damage. May be carried forward on a continuation page.)

2. Narrative Description of Accident Event:

(Summary of events developed in logical and chronological order based on interviews, and written statements. May be carried forward on a continuation page.)

3. Summary of Documentation Submitted in Evidence: *(List and attach)*

County Vehicle Accident Report

Police Report (if filed)

Written Statement of Parties Involved (if given)

Written Statement of Witnesses (if given)

Damage Estimates

Other as Appropriate *(Administrative Directives, Board Policies, extract of applicable legal code, mechanical evaluation, medical/legal reports, DMV record, history of accidents while in County employment, etc.)*

Attachments:

Accident Site Sketch (as required)

Documentation *(Part I paragraph 3, if any)*

Fleet Manager

PART II [Loss Control Management Committee]

1. Conclusions:

(Evaluation of facts and statements presented. Consideration of contributing factors. Violations of law or policy if any.)

2. Recommendations:

(Adjustment of policies or practices.)

Chair, Safety Committee

PART III [County Administrator]

1. Findings:

(County Administrator's evaluation and opinion of data and recommendations from Part I and II)

2. Action to be Taken:

(County Administrator's statement of action to be taken)

County Administrator

Form Distribution:

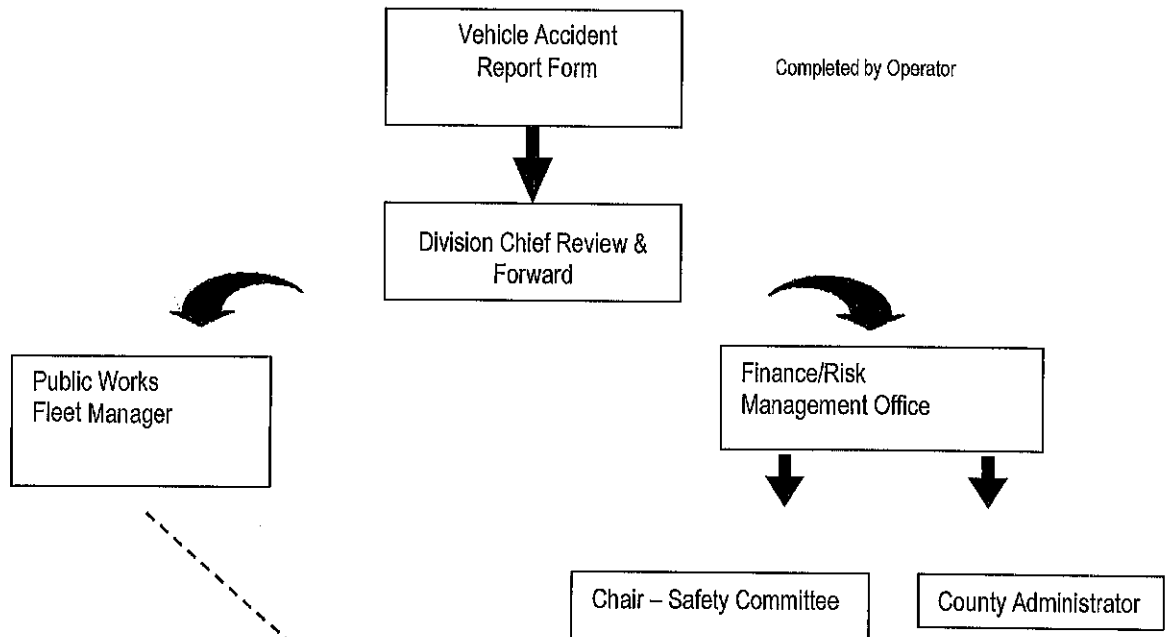
Human Resources Director

Department Head

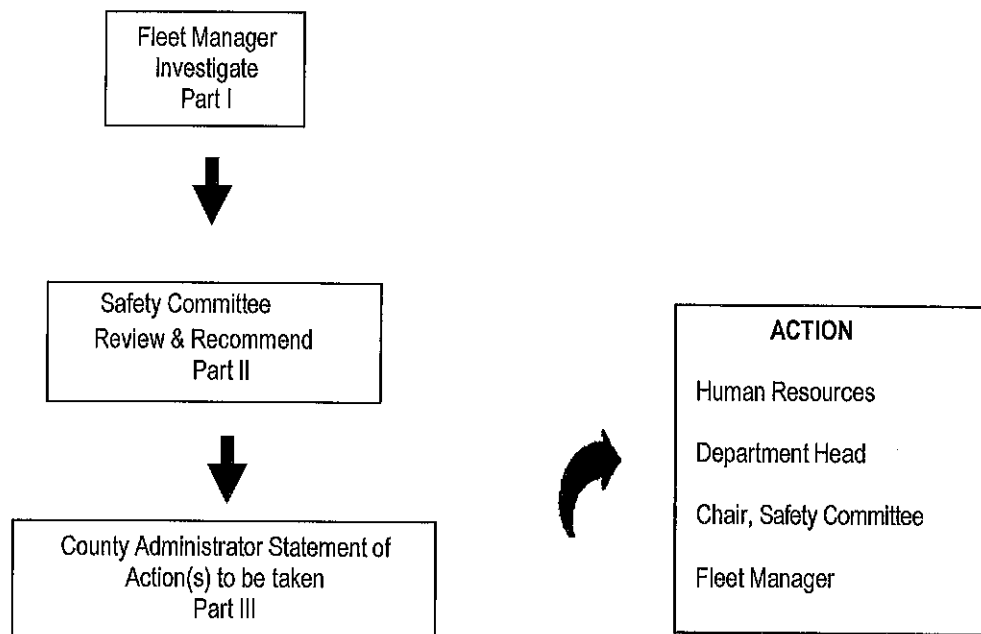
Chair, Safety Committee

Fleet Manager

VEHICLE ACCIDENT REPORTING PROCESS



VEHICLE ACCIDENT INQUIRY PROCESS



NOTE: Follow Safety Committee Administrative Directive if there is an injury to a County employee involved in the vehicle accident.

BOARD POLICY	
SUBJECT	Use of County Buildings
POLICY NUMBER	BP94-14
ORIGINAL EFFECTIVE DATE	October 20, 1994
REVISION DATE	November 16, 2021 (R21-116)
HISTORICAL REFERENCE	R94-200; R97-165; R99-171; R02-170; R05-25, May 18, 2009; De-cember 19, 2017 (R17-169); November 20, 2018 (R18-108); <u>November 16, 2021 (R21-116)</u>

Purpose: The County owns a variety of building facilities which are from time to time made available to York County governmental agencies and outside organizations or individuals. This general policy governs the terms and conditions for use of these facilities.

Procedure:

1. Statements of Policy and Objectives:

The primary purpose of County facilities is to assist the County's operating agencies in accomplishing governmental purposes. However, it is the policy of the Board of Supervisors to permit the reasonable use of those facilities by outside organizations or individuals when selected facilities are not in use or otherwise needed for governmental purposes. It is the intent of this policy to provide a broad framework applicable to all County facilities. Additional regulations and guidelines applicable to facility usage may be issued by the County Administrator or designee where appropriate and necessary because of usage, physical design, and other circumstances that are unique to each facility.

2. Costs:

Normally no charges will be assessed for facility use during designated office hours. However, a fee will be charged if a facility is made available outside established office hours to cover the costs associated with supervising and cleaning the facility. A fee of \$75 for up to three hours of use will be charged to outside organizations or individuals if a facility is made available for weekend use to cover the costs associated with supervising and cleaning the facility. An additional \$25 per hour will be charged if weekend use is requested beyond three hours. In addition, facility users will be charged to cover the cost of excessive cleanup and/or damage repair necessitated by their use. Fees for weekend use can be waived if a facility is already scheduled to be open to the general public and additional County staff is not needed for the proposed activity. No refunds will be made for cancellations unless notice is given at least seven days prior to the reserved date.

3. Reservation Procedures:

All requests for use of a County facility must be made in writing on an application form provided by the County, or through such online reservation procedures as may be available for particular buildings. Priority will be given to activities of the Board of Supervisors and to activities sponsored by County Departments or Agencies. All other reservations will be made on a first-come, ~~first-serve~~first-served basis and may be revoked by the County Administrator on a 24-hour notice if the facility is needed for governmental services. In the event emergency situations arise (e.g. hurricanes, building systems or structural issues, etc.), authorization for use of the facility may be canceled/revoked by the County Administrator with less than 24 hours' notice, and if that occurs, the User may request a refund of any reservation or building use fees paid for the canceled activity. Applications for use of a County facility shall be reviewed and may be approved by the Department Director or Agency Head having responsibility for the facility if:

- the proposed activity or use will not unreasonably interfere with or detract from the efficient delivery of services by the County;
- the requested use is not during hours when the facility is needed for County Department or Agency use;
- the proposed activity or use of the public building will not unreasonably interfere with or detract from the general public's use or enjoyment of the public building or with other scheduled activities;

- d. the event is of such a nature or duration that it can be reasonably accommodated in the particular public building applied for;
- e. the proposed activity and use is not reasonably anticipated to incite or result in violence, crime, or disorderly conduct which is beyond reasonable control;
- f. the proposed activity to be conducted by the applicant will not entail unusual, extraordinary, or burdensome expense, or police operation by the County;
- g. the facilities desired have not been reserved for other use at the day and hour requested in the application;
- h. the applicant, or the person on whose behalf the application is made, does not have a history of violating permit conditions or a history of failing to pay in full for any damages caused to County property, and has no other outstanding unpaid debts to the County;
- i. the proposed use is consistent with the provisions of the County Code and State and federal laws;
- j. the facility has been designated by the County Administrator as a facility that is available for the use;
- k. the requested use will be during hours when the facility is open for public use; and
- l. a responsible adult accepts responsibility for supervising the planned activity.
- m. the application contains no material falsehoods or misrepresentations.
- n. the applicant is legally competent to be sued.
- o. the proposed activity would not present an unreasonable danger to the health or safety of the applicant or other users of the building, to County employees, or to the public.

The grant of permission for the use of a facility may contain such conditions as are reasonably consistent with the protection and use of public buildings for the purposes for which they are maintained. It may also contain reasonable limitations on the time and area within which the activity is permitted. If an application is denied, the reasons, therefore, shall be stated to the applicant in writing.

4. Responsibility for Property:

The County of York assumes no responsibility for property brought on the premises or for lost or stolen items. The County also assumes no responsibility for injuries or illness sustained and/or contracted on the premises.

5. Use of Building Facilities by Outside Organizations:

- a. No fund-raising activities shall be conducted in County buildings for non-County governmental-related purposes.
- b. Except as noted in Section 9. below, uses that are extensions of a business operation (e.g., sales meetings, business seminars, etc.) shall be prohibited, and no use shall involve any type of for-profit commercial activity.
- c. All publicity (e.g., posters, brochures, throw-aways, radio, or television announcements) must carry the name of the organization sponsoring the meeting. The County may not be identified as a sponsor or co-sponsor without prior written approval of a County Department Director/Agency Head.
- d. Neither the name nor the address of a County facility may be used as the official address or headquarters of an organization.
- e. The fact that a group is permitted to meet at a County facility does not in any way constitute an endorsement of the group's policies or beliefs by the County.
- f. Use of a facility more than once a month to accommodate routine organizational meetings is not permitted. Requests for regular monthly use (e.g., a user wanting to meet once each calendar month on a regular recurring basis) shall be made on a month-to-month basis. (Dr. Martin Luther King, Jr., Building, Senior Center of York, and York Hall are exempt from this provision.)

6. Policy Governing Conduct:

- a. Users of County building facilities are responsible for the proper conduct of members or guests.
- b. Neither alcoholic beverages nor illegal drugs, nor any person under the influence of alcohol or illegal drugs, shall be allowed on the premises, provided, however, that with the specific authorization and sanction by the Board of Supervisors, receptions involving the serving of alcoholic beverages may be held in County buildings by the County or by a County government-related organization. No drugs or controlled substances shall be brought onto or used on the York Hall property except in accordance with a medical prescription or otherwise as allowed by law. Persons under the influence of illegal drugs shall not be allowed on the premises.
- c. Betting or gambling in any form is prohibited.
- d. Riotous, boisterous, threatening, or obscene conduct, or the use of abusive, threatening, profane, or obscene language, shall not be permitted.
- e. Smoking and/or Vaping is not permitted in County building facilities.
- f. County building facilities shall not be used for any purpose described and identified as an obscene exhibition or performance by Chapter 15.5 of the York County Code. Displays of art shall not include material, which is obscene as defined by Section 15.5-2 of the York County Code. Users of the facility are responsible for ensuring that the content or subject matter of meetings, performances, displays, and exhibits are consistent with the terms of said Chapter.
- g. No pets or animals (with the exception of service dogs) are allowed in County buildings.
- h. Collection of donations or admissions shall be permitted for those activities that involve displays, exhibits, or performances, provided that the intention to do so is indicated on the Facilities Reservation form and that such User is supported by the York County Arts Commission or by other grants or funding from York County. Sales of exhibited items, such as artwork, by the User shall be permitted provided the User is Government or Government-Related or is supported by the York County Arts Commission or by other grants or funding from York County.
- i. No signs, emblems, symbols, or similar items may be erected on County building grounds or affixed to the interior or exterior of buildings by any User without specific authorization from the County Administrator or his designee.
- j. Permission to use County buildings is limited to the room, ~~or~~ rooms, or space described in the Facilities Reservation form, which all Users shall be required to execute. No permission is granted to any group or individual to enter any other room, except ~~rest rooms~~ restrooms, stairwells, and entryways which must be traversed to gain access to the authorized meeting room. No activity shall infringe on the ability of staff or other organizations to access the facility. All Users of the facilities must limit participation to the posted maximum "allowable" persons in the room per fire regulations.
- k. Additional rules, regulations, and/or limitations that are applicable to specific building facilities will be issued during the reservation process.
- ~~k-l.~~ Glitter, balloons, bubble machines, and smoke machines are not to be used within county building space without prior approval from the approving authority.

7. Equal Access: This policy shall apply to all prospective Users applying to use County buildings. No group or individual shall be excluded from equal access to County buildings because of considerations of race, sex, religious or political persuasion, or because of the political, religious, or social aims expressed by the individual or group, or by any group's members.

8. Denial of Access: The use of County buildings may be denied to any individual or group which has, at any time prior to any requested use, been responsible for, or caused, any damage to County property through or because of acts of vandalism, violence, or rowdiness, or which has failed to clean up facilities, whether such damage was caused by any members of such group, or by any invitees to any approved meeting. Subsequent approval for use of the facility may, in the County's discretion, be conditioned upon a higher insurance level than is set forth above, or additional security and custodial charges. However, no individual or group shall be denied access under this section to the use of County buildings or facilities because of damages not caused directly by the group or individual group members, or invited guests.

9. Special Provisions for Library Meeting Rooms: The above provisions notwithstanding, the Meeting Room facilities of the York County Libraries may be reserved and used by businesses or professionals for the conduct of business or informational meetings or seminars provided that such events are open to the general public and for which there is no admission charge and provided there is no real or implied obligation for attendees to obtain goods or professional or other services from the presenters. Hours of availability and reservation procedures and policies for such business/professional use shall be the same as applicable to any other Library Meeting Room users, provided, however, that business and professional users shall be required to pay the following fees and charges:

- a. *Reservation Deposit:* \$25 (creditable toward room rental fees). Reservations shall not become effective until the Reservation Deposit is paid.
- b. *Room Rental Fee:* \$50 base fee, plus \$15 per hour for every hour or portion thereof beyond two (2) hours.
- c. *Extraordinary Clean-up Fee:* \$50, or the actual cost if greater; Extraordinary clean-up shall be deemed to be any clean-up that requires additional staff or specialized contractors or resources above and beyond that which is typical as a follow-up to a scheduled event. Examples of such efforts include, but are not limited to: removing stains from carpeting; repairing damage to the facilities; picking up and/or removing amounts of trash above and beyond that which can be accommodated in the normally available receptacles.

Full payment of the required fees for the entire time slot reserved shall be paid no later than fourteen (14) days in advance of the event date. No refunds will be made for cancellations unless written notice (letter or email) is given at least seven (7) days prior to the reserved date. Furthermore, no refunds will be made for fees associated with any unused portion of the reserved time.

10. Special Provisions for Dr. Martin Luther King, Jr., Community Building: The Division of Parks and Recreation is responsible for the scheduling and oversight of this building and has established policies for its use and reservations. These policies and the above provisions notwithstanding, the Dr. Martin Luther King, Jr., Community Building at Charles Brown Park users shall be required to pay the following fees and charges:

- ~~a. *Reservation, Key and Damage Deposit:* \$100 (creditable toward building rental fees). Reservations shall not become effective until the Reservation Deposit is paid.~~
- ~~b. a. *Building Rental Fee:* \$150 building rental fee per day; for York County residents and York County Organizations; \$250 building rental fee per day for non-residents or non-York County Organizations. Optional: 3-hour rental Monday through Wednesday base fee of \$90 for residents and \$150 for non-residents~~
- ~~b. *Extraordinary Clean-up Fee:* \$100, or the actual cost, if greater, may be charged. Extraordinary clean-up shall be deemed to be any clean-up that requires additional staff or specialized contractors or resources above and beyond that which is typical as a follow-up to a scheduled event. Examples of such efforts include, but are not limited to: removing stains from carpeting; repairing damage to the facilities; picking up and/or removing amounts of trash above and beyond that which can be accommodated in the normally available receptacles.~~
- ~~c. *Extended Stay Late Fee:* \$50 an hour will be required if the individual or party who has reserved the space stays past the time frame they were supposed to vacate the Community building.~~

Full payment of the build rental fee is required to be paid no later than fourteen (14) days in advance of the event date. If payment is not made fourteen (14) days prior to the reservation, it may be canceled. No refunds will be made for cancellations unless written notice (letter or email) is given at least seven (7) days prior to the reserved date. Furthermore, no refunds will be made for fees associated with any unused portion of the reserved time.

For the purposes of administering the Dr. Martin Luther King, Jr., Community Building fees, resident and non-resident status shall be determined based on the following criteria:

- o a County resident is defined as anyone permanently living within the geographical boundaries of York County, Virginia. York County Parks and Recreation reserves the right to request proof of residency. All others will be considered non-residents;

- eligibility for County resident fees for a group or organization requires that the group or organization be based in the County (e.g., charter, mailing address, etc.) and that at least 80% of the organization's members are permanently living within the geographical boundaries of York County, Virginia. York County Parks and Recreation reserves the right to request proof of residency. All others will be considered non-resident groups/organizations;

11. Designation of Board's Agent: The County Administrator is hereby designated as the Board's agent to carry out the requirements of this policy.

ATTACHMENT A**FACILITIES AVAILABLE FOR
YORK GOVERNMENTAL AND OUTSIDE ORGANIZATIONS**

FACILITY	LOCATION	APPROVAL AUTHORITY	OCCUPANCY LIMIT	HOURS OF AVAILABILITY (at no charge)
Public Safety Meeting Room (available only for York County governmental meetings and functions)	Public Safety Building	Department of Fire and Life Safety	120 with chairs only 55 with tables and chairs	9:00 a.m. to 10:00 p.m. Monday – Friday
Griffin-Yeates Conference Auditorium	Griffin-Yeates Center	Department of Community Services	60 with chairs only 30 with tables and chairs	5:00 p.m. to 10:00 p.m. Monday – Friday
York Library Branch Community Room	Public Library	Public Library	115 with chairs only 50 with tables and chairs	During Established Library Hours
Tabb Library Branch	Public Library	Public Library	110—chairs only 50 with tables and chairs	During Established Library Hours
Meeting Room, (East Room) 1 st Floor	York Hall	County Administration	90 General Seating	See York Hall Use Policy –BP00-18
Board Room, 2 nd Floor	York Hall	County Administration	120 Fixed Seating	See York Hall Use Policy – BP00-18
Dr. Martin Luther King, Jr., Community Center	Charles E. Brown Park	Division of Parks and Recreation	120 with chairs only 60 with tables and chairs	10:00 a.m. to 10:00 p.m. 7 days per week, and other times when arranged with Parks and Recreation.

NOTE: Except for the Dr. Martin Luther King, Jr., Community Building facilities are not available during established County holidays

BOARD POLICY	
SUBJECT	Group Use of New Quarter Park
POLICY NUMBER	BP00-17
ORIGINAL EFFECTIVE DATE	September 5, 2000
REVISION DATE	October 4, 2022 (R22-144)
HISTORICAL REFERENCE	February 15, 2005 (R05-25); October 16, 2007 (R07-131); September 18, 2012 (R12-118); October 5, 2015; December 6, 2016(R16-130); December 19, 2017 (R17-169); November 20, 2018 (R18-108); October 15, 2019 (R19-111); November 16, 2021 (R21-116); October 4, 2022 (R22-144)

Purpose: This policy governs the operation of New Quarter Park.

Procedure:

1. Statement of Policy and Objectives:

New Quarter Park will be open and staffed for general public use as follows:

April through October – Daily - 8 a.m. to ~~sunset~~dusk.

November through March – Friday – 10 a.m. to 5 p.m.~~dusk~~; Saturday and Sunday – 8 a.m. to 5 p.m. ~~dusk~~. Requests for special event use of the park will be considered on a case-by-case basis.

2. Costs:

Shelter Reservation Fees:

Four group shelters are available for reservations at the following rates:

Large Shelter: \$1~~5000~~ for residents; \$200~~150~~ for non-residents for a ~~full-day~~full day. Medium-size Shelters: \$750 for residents; \$100~~75~~ for non-residents for a full day.

Other Facilities Fees:

Campfire Circle: \$25 residents; \$50 non-residents

Disc Golf Fees: \$3 per round or \$25 for an annual pass for residents
\$5 per round or \$50 for an annual pass for non-residents

For special events and/or groups of 300 or more, additional costs may be incurred by the sponsoring agency should the Parks and Recreation Manager deem it necessary for the sponsor to provide portable restroom facilities, additional trash dumpsters, supplemental staff, and other miscellaneous services due to the type of event and/or size of the group. The Parks and Recreation Manager will determine what additional requirements/fees will apply on a case-by-case basis.

All requests for refunds must be submitted in writing. Requests must be made 30 days prior to the reservation date. If the County closes the park for inclement weather or any other reason, a refund will be issued unless the event can be rescheduled to a date acceptable to the County and the group.

3. Reservation Procedures:

All requests for shelter/~~campfire circle facility~~ reservations and special events at New Quarter Park ~~should~~must be submitted at least 14 working days in advance of the date that the facilities are to be used. ~~made in writing on a County of York Facility Request Form.~~ Reservation requests will be accepted during regular New Quarter Park office hours. Reservations will be accepted beginning on the first office day in January and will only be accepted for the current year. Persons making applications for a reservation shall be at least 21 years old. The Parks and Recreation Manager may approve ~~reservations a year in advance for annual special events~~annual special events reservations a year in advance.

No park guest or patron may utilize the fire circle to burn material without first submitting an approved Facility Request Form.

York County retains the right to cancel or reschedule reservations when deemed necessary. If this situation occurs, as much notice as possible will be given to those that have reservations. Refunds will not be issued for inclement weather. If possible, the event may be rescheduled.

In the event that significant changes occur with a special event that has been approved for use of the park, immediate notice must be given to the York County Parks and Recreation Division. Examples of significant changes include, but are not necessarily limited to the following: the times of park usage; larger or smaller attendance estimates than what is presented on the Facility Request Form; the nature of the event; or the type of equipment that is needed or being used for the event.

4. Insurance Requirements

A certificate of insurance is required for all user organizations and must be submitted to the Division prior to approval. A list of additional insurance terms and coverage will be provided.

4.5. Park Regulations:

In general, all rules and regulations established in Chapter 17 of the Code of the County of York (also referred to as the Public Areas Ordinance) apply. In addition, the following regulations shall apply:

- a. Camping is prohibited.
- b. Dogs must be on a leash at all times. Owners must properly dispose of feces from their dogs.
- c. All fires must be contained in the campfire circle and/or cooking grills near the picnic shelters. Fires must not be left unattended and shall be completely extinguished before leaving the park. Water must be brought to all fire sites for safety purposes. Buckets are available from the park staff for such purposes.
- d. The use of gasoline to ignite any fire is prohibited.
- e. Firewood collected from the park for use for an event at the park is restricted to gathering dead material on the ground. Cutting trees or tree limbs is prohibited.
- f. Swimming is prohibited.
- g. Individuals must possess a valid Virginia fishing license in order to fish.
- h. Individuals initiating boating, canoeing, and/or kayaking activities from the park shall wear lifejackets and should check in at the Park office.
- i. The possession and/or consumption of alcoholic beverages and controlled substances are prohibited.
- j. Parking vehicles along the sides of the road is prohibited.
- k. Golfing, horseback riding, flying radio or wire-controlled airplanes, drones, glitter, balloons, ATVs, dirt bikes, and the use of metal detectors are prohibited.
- l. Patrons are responsible for properly disposing of litter and trash resulting from their use of the park facilities.

Additional rules and regulations may be issued by the Parks and Recreation Manager as deemed necessary. Failure of any group to abide by the conditions of use for the park may result in denial of approval for future requests.

BOARD POLICY	
SUBJECT	Street Name Identification Signs
POLICY NUMBER	BP01-19
ORIGINAL EFFECTIVE DATE	September 4, 2001 (R01-162)
REVISION DATE	
HISTORICAL REFERENCE	<u>September 4, 2001 (R01-162)</u>

Purpose: To establish policies for fabrication, installation and maintenance of street name identification signs in York County. This policy does not apply to signs installed by the Virginia Department of Transportation (VDOT.)

Procedure:

1. Administration of the Street Sign Program:
The County Administrator or his designee is responsible for the administration of the Street Name Sign Program for York County to ensure the proper identification of streets and roads for public safety and convenience.
2. Standards for Street Name Identification Signs:
All street name identification signs located within York County shall meet the following standards:

- a. Permanent street name identification signs shall have reflective backgrounds and the number of letters shall not exceed 14 characters (including the RD., DR., or other prefix or suffix). Signs shall conform with the following size standards based on the existing or anticipated posted speed limit of the roadway to which the sign faces:

Speed Limit	Sign Size	Lettering Height	
		Upper case	Lower case
< 35 mph	9" x 30" min. to 48" max.	5"	2½"
36-50 mph	12" x 30" min. to 60" max.	6"	3"

- b. All street name identification signs shall meet Virginia Department of Transportation (VDOT) standards. Public street signs shall have green background with white lettering. Private street signs shall have white background and green lettering. Public street signs shall have the route number located in the lower right corner of the sign. Private street signs shall have the word "PRIVATE" in the lower right corner of the sign.
 - c. Street name identification signs shall be placed within the VDOT right-of-way on steel galvanized 2"x2" posts unless otherwise approved by the County Administrator.
3. Responsibility for Fabrication, Installation and Maintenance of Signs:
The County shall be responsible for fabrication, installation and maintenance of all street name identification signs in the County except:
 - a. Street name identification signs that are fabricated, installed and maintained by VDOT. (The County Administrator is authorized but not obligated to fabricate, install and maintain street identification signs for VDOT.)
 - b. Signs that are approved by the County Administrator for a development having a mandatory Property Owners Association. (The County Administrator is authorized but not obligated to fabricate, install or maintain said signs.)
 4. Authority to Approve Alternate Designs:

The County Administrator or his designee may waive the normally applicable street name sign identification standards for good cause shown under any of the following circumstances:

- a. On streets within the historic village of Yorktown, when the alternate design is part of a comprehensive street sign program intended to create a special aesthetic character.
- b. On streets within an individual development when the responsible party (the developer or a Property Owners Association) wants to achieve a unique design and configuration for aesthetic or architectural reasons. In order to be eligible for this opportunity, the development must have a mandatory Property Owners Association in which all lot owners are members and the following additional conditions must be met:
 - (1) The County Administrator or his designee shall determine that the proposed sign specifications exceed the standard specifications for a County street name sign and the responsible party must illustrate how the upgrade will enhance the aesthetic or architectural character of the development;
 - (2) The proposed street signs must meet all applicable VDOT standards and be approved in writing by VDOT; and
 - (3) The developer or the Property Owners Association must provide a written guarantee in a form acceptable to the County Attorney that the Property Owners Association will maintain the street identification signs in perpetuity. Such guarantee shall provide for the repair or replacement of any such sign within 30 days of being notified by the County to do so, and shall require the Property Owners Association to pay for standard County signs to be fabricated and installed by the County if repair or replacement is not made within such 30 day period.
 - (4) The Property Owners Association may submit a written request to the County Administrator requesting that the County replace all the unique signs within the development with standard County street identification signs. The County Administrator may approve such request provided that the Property Owners Association agrees to pay the full cost (based on the street identification sign cost schedule in effect at the time of the request) of changing such unique signs to the standard County street identification sign.

5. Fees for Fabrication, Installation and Maintenance of Street Identification Signs:
The following guidelines shall be used by the County Administrator or his designee for assessing fees for fabrication, installation and maintenance of street identification services:

- a. For New Streets in Standard Subdivisions:
Developers shall be charged a fee of \$3250 for each street name identification sign for a standard subdivision. A street identification sign shall be defined as a single or double faced street name sign that identifies one or two streets using the same pole. After the initial fee is paid and the sign is installed, all subsequent maintenance and replacement costs, as necessary, shall be borne by the County.
- b. For Unique Signs Approved for Developments with a Mandatory Property Owners Association:
Where the County Administrator authorizes the use of a unique sign design, as provided above, the developer or the Property Owners Association shall be responsible for the full cost of fabrication, installation and maintenance of the unique signs and there shall be no fee imposed by the County. However, the County Administrator is authorized, but is not obligated, to provide services to fabricate, install or maintain said signs (or parts of said signs) provided a fee determined by the County Administrator is charged to cover labor, materials and estimated administrative costs.

BOARD POLICY	
SUBJECT	Requesting County Support for Events
POLICY NUMBER	BP07-22
ORIGINAL EFFECTIVE DATE	October 16, 2007 (R07-131)
REVISION DATE	October 4, 2022 (R22-144)
HISTORICAL REFERENCE	September 18, 2012 (R12-118); October 5, 2015; November 20, 2018 (R18-108); October 15, 2019 (R19-111); October 4, 2022 (R22-144)

Purpose:

1. To outline the process for requesting support from York County for events not conducted by an agency of County government. (Requests from for-profit entities and/or for events sponsored by for-profit entities will not be considered unless a formal approved relationship between the for-profit entity and the York County Board of Supervisors exists.)
2. To facilitate a planned and coordinated approach in evaluating requests for events to be held in York County that have a potential impact on County residents and businesses.
3. To ensure that County support for events is based upon reasonable and quantifiable facts and projections.
4. To establish a formal process to determine both the costs that will be incurred by the County for support of the proposed event and the amount of reimbursement that is to be made by the requesting party to the County for such support.

Background:

The York County Board of Supervisors recognizes the many direct and indirect benefits that events can have on the community. Consequently, the Board of Supervisors provides staff and funding to conduct a wide variety of events and activities for citizens and visitors. In addition, the County works with many other groups to co-sponsor events for the public through the provision of staff, equipment, facilities, advertising, or funding.

With the regional growth in population and construction of facilities that are conducive and desirable for hosting events, interest by non-County governmental parties to sponsor events in York County has also increased. Such interest has generated requests for events to be held in York County that have not been budgeted or planned for. Because of competing priorities and limited resources it would be impossible for the County to support all of the requests for assistance. Therefore, this policy is intended to provide a systematic process for determining whether a proposed event can be supported by County government and to what level it can be supported.

Definitions:

- County Administrator – means the York County Administrator or his/her designee.
- County Support – means the allocation of staff and resources for coordination of and/or working at an event. County support also includes, but is not limited to, equipment, funding, facilities, vehicles, permits, public transportation, advertising, supplies, etc.
- Event – means an activity or program, such as concerts, celebrations/commemorations, cultural performances, sporting competitions, art shows, car/boat shows, farmer's markets, parades, etc.
- Riverwalk Landing – defined as the County-owned property bounded by the Coleman Bridge on the west, the York River on the north, the public restroom building at the Ballard Street/Water Street

intersection on the east, and the Chischiak Watch townhouse property and the parking terrace on the south.

- National Park Service Beach Picnic Area – the park area east of the intersection of Comte de Grasse and Water Streets in Yorktown that is bordered on the north by the York River.

Procedures:

1. Requests for event support from York County shall be made in writing to: ~~Waterfront Operations and Events Manager~~, York County Economic and Tourism Development, P.O. Box 532, Yorktown, Virginia 23690. The request shall include the following information:
 - a. Detailed description of the proposed event and explanation of the benefits to York County government and the community;
 - b. Type of event (i.e., public, private, free/fee-based, fundraising, etc.);
 - c. Name, address, and phone number of the individual(s)/organization(s) sponsoring the event;
 - d. Type of organization sponsoring the event (i.e., private, profit/non-profit, etc.);
 - e. Outline sponsoring individual(s)/organization(s) experience with conducting this type of or similar event;
 - f. Specific location(s) where the event will be held;
 - g. Proposed date and rain date (if applicable) of event;
 - h. Time schedule for the event, including set-up, take-down, clean-up, and various activity elements;
 - i. Anticipated attendance;
 - j. Description of how the event is being advertised/marketed;
 - k. Description of arrangements/needs to accommodate public health and convenience issues (i.e., trash collection and removal, restrooms, first aid stations, etc.);
 - l. Description of arrangements/needs to accommodate public safety issues (i.e. traffic and crowd control, security, public broadcast systems, etc.);
 - m. Description of arrangements/needs to accommodate utility issues (i.e., electric service, generators, spider boxes, outlets, water hook-ups, phone lines, internet access, etc.)
 - n. Number of parking spaces required and parking locations desired;
 - o. Documentation of Insurance coverage and limits available;
 - p. Revenue/expenditure estimates;
 - q. Amounts and/or estimated value of any sponsorships (i.e. monetary, in-kind, etc.);
 - r. Special requirements of sponsors (i.e., banners, booths, literature distribution, giveaways, use of logo, etc.)
 - s. Statement of where profits made from the event will be disbursed;
 - t. Outline of how much and what kind of County support is being requested;
 - u. Statement as to whether or not the event sponsor intends to reimburse the County for any support provided for the event.

2. Requests for event support shall be submitted according to the following schedule:

- a. Events with an anticipated attendance of more than 3,000 people – no less than 15 months before the event.
- b. Events with an anticipated attendance of 1,000 to 3,000 people – no less than 12 months before the event.
- c. Events with an anticipated attendance of less than 1,000 people - no less than 9 months before the event.

Under special circumstances, the County Administrator may allow exceptions to the above-listed deadlines.

3. Upon receipt of the event proposal and support request, various County agencies will evaluate the proposal, formulate cost estimates to provide the support requested, and prepare an assessment and recommendation for consideration by the County Administrator. County agencies involved in this process will include, but not be limited to: Fire and Life Safety, Sheriff's Office, Public Works, Finance, School Division, Parks and Recreation Division, and Economic and Tourism Development Department. Under certain scenarios, input or permits/approvals for the event may be necessary from agencies such as the National Park Service, Virginia Department of Transportation, Virginia Department of Alcoholic Beverage Control, State Police, United States Coast Guard, and other neighboring jurisdictions.
4. The evaluation process may require submission of additional information, references, etc., from the requesting party.
5. The support cost estimates and recommendations of the pertinent agencies will be forwarded to the County Administrator for final consideration and approval. Notification of the County Administrator's decision as to whether or not the County is able to support the event and, if so, the billable amounts and payment requirements (i.e., deposits, bonds, etc.) will be communicated to the requesting party as soon as possible. Depending on the complexity of the event and/or request, the County's evaluation of the request and final decision as to County support could take as long as two or three months. Nothing in this policy shall be construed as an obligation on the part of the County to support a non-governmental event.
6. If non-reimbursable County support is approved for the event, recognition of such support shall be included in any advertising of the event. Use of the York County logo and/or text recognizing County support shall be approved by the Director of Economic and Tourism Development prior to public release.

Facility Regulations:

In addition to regulations found in Chapter 17 – Public Areas - of the York County Code, any other Board Policy or Administrative Directive, or written agreement, the following regulations shall apply for events held at the facilities listed below:

1. Riverwalk Landing:
 - a. Fundraising events shall be limited to those that are County-sponsored or co-sponsored.
 - b. The Parking Terrace shall remain open for general public use.
2. National Park Service Beach Picnic Area:
 - a. The area shall remain open to the general public during its normal operating hours.
 - b. Admission or registration fees may not be collected on-site.
 - c. There shall be no souvenir sales associated with any authorized event.

- d. Alcohol is prohibited on National Park Service Property.
- e. All posted use regulations for the area shall be observed.

Exemptions:

Attachment A provides a listing of the various groups that have co-sponsored annual events with York County for several years and which, therefore, are considered exempt from submitting proposals under this policy. However, should there be any change to the events listed on Attachment A that would increase the demand for County support, this exemption shall be considered null and void and the conditions outlined in this policy shall apply.

The listing of an event on Attachment A does not guarantee that County support will continue in future years at the same level or even at any level. The County reserves the right to discontinue entirely or to change/reduce the level of service provided for any reason deemed necessary by the County. Notification of any such changes will be made to the event sponsor at the earliest possible time.

Attachment A may be modified administratively by the County Administrator or his/her designee.

ATTACHMENT A

1. Veterans of Foreign Wars 824 - Yorktown 4th of July Parade
2. York County Historical Committee
 - a. Memorial Day and Veteran's Day Ceremonies
 - b. Procession of Lights and Tree Lighting Ceremony
3. Celebrate Yorktown Committee
 - a. Virginia Symphony Concert
 - b. Summer Concert Series
4. Eastern Virginia Mountain Bike Association – Bike Day at New Quarter Park
5. Riverwalk Landing Business Association – Farmer's Market
6. Yorktown Foundation
 - a. Tall Ships Committee – Annual Visits of Tall Ships
 - b. Lighted Boat Parade
7. Yorktown Christmas Market on Main
8. Victory Family YMCA – 10K & 5K and Family Fun Run
9. Blues, Brews, and BBQ
10. Yorktown Wine Festival

BOARD POLICY	
SUBJECT	Freight Shed Use Policy
POLICY NUMBER	BP12-25
ORIGINAL EFFECTIVE DATE	November 15, 2012
REVISION DATE	October 4, 2022 (R22-144)
HISTORICAL REFERENCE	January 7, 2013; March 3, 2015; December 6, 2016; December 19, 2017 (R17-169); November 20, 2018 (R18-108); November 16, 2021 (R21-116); <u>October 4, 2022 (R22-144)</u>

Purpose: It is the intent of the Board of Supervisors to allow private citizens, citizen groups and organizations as well as government-related users to use certain public meeting areas and public spaces in the Yorktown Freight Shed and on its grounds to the extent that such use is consistent with County uses of the building, with any permanent or semi-permanent space allocations the Board has made, and with requirements for operation, maintenance, and supervision of the facilities. The purpose of this policy is to establish the guidelines and procedures for such uses.

Procedure:

1. Available Facilities:

The Yorktown Freight Shed facilities (the Facilities) that may be scheduled and reserved for functions/events consist of the main building, an ancillary catering kitchen, and an outdoor plaza. ~~The outdoor plaza may be covered with a tent available for rental on a separate fee basis.~~ Public restrooms are available in an adjacent structure, easily accessible via an open-air walkway. Public parking is available across Water Street in the Riverwalk Landing parking terrace and in other locations within the Village. Users are advised that the parking terrace may be filled to capacity at certain peak times, particularly when other special waterfront events such as outdoor concerts are scheduled. In those situations, Users may need to park in other lots within several blocks walking distance.

- a. Yorktown Freight Shed. The Yorktown Freight Shed is a single level facility consisting of approximately 1,950 square feet of floor area. Maximum Building/Fire Code occupancy limits are:
 - 390 persons standing;
 - 275 persons seated in presentation format; and,
 - 130 persons seated at tables and chairs for reception/banquet functions.
- b. Riverwalk Plaza. The Riverwalk Plaza is an open-air brick plaza encompassing approximately 2,000 square feet and situated between the Historic Freight Shed and the York River shoreline. The Plaza can be cordoned off from the remainder of the public plaza and open space areas in Riverwalk Landing with portable bollards and designated for the exclusive use of the scheduling party.
- c. Riverwalk Plaza Tent. The Riverwalk Plaza will be covered with a 2,000 square-foot tent.. The tent is not heated or air-conditioned. The County reserves the right to take the tent down in advance of any forecasted weather conditions(s) when there is risk that damage to the tent could possibly occur. The County also reserves the right to suspend setup for an extended period until adverse forecasted weather conditions have completely cleared.
- d. Catering Kitchen. The catering kitchen offers prepping counter space, a commercial sink, handwashing station, a commercial refrigerator, two ice-makers, warming cabinet, two microwave ovens, and a utility cart to support functions scheduled in the Yorktown Freight Shed.

2. Administration/Management:

The County Administrator shall be responsible for the administration and enforcement of this policy and shall designate a County department or specific position to serve as the Freight Shed Management to perform the following functions and duties and such others as set forth herein:

- a. Receiving, evaluating, and acting on all applications for use and scheduling of the Facilities;
- b. Maintaining a schedule of events/reservations and making said schedule available to Users and prospective Users on a real time basis through the use of an appropriate computer-based calendar system;
- c. Showing the facilities to prospective Users, reviewing all Facility policies and procedures with Users, conducting pre- and post-event inspections of the Facilities, and coordinating set-up and clean-up logistics;
- d. Establishing and maintaining an access control system for such times as Users are to be issued access codes, and ensuring that Users are instructed on building opening and lock-up procedures.

3. Permitted Uses:

- a. Special Events such as weddings, receptions, private banquets and parties.
- b. Special meetings of groups or organizations occurring on a periodic basis, but not to become the regularly scheduled meeting place for such groups or organizations.
- c. Arts and Educational Activities such as recitals, art shows, cultural performances, lectures, demonstrations, or other similar programs.
- d. Other appropriate uses as approved by the Freight Shed Management.

4. Hours of Availability:

Only one rental will be accommodated on any given day. Fees will be based on which of the following time periods the renting party desires to use:

- a. Tier 1 hours of availability shall be Monday through Thursday, 10:00 a.m. to 5:00 p.m.
- b. Tier 2 hours of availability shall be Monday through Thursday, 10:00 a.m. to 11:00 p.m.
- c. Tier 3 hours of availability shall be Friday and Saturday 10:00 a.m. to 11:00 p.m.
- d. Tier 4 hours of availability shall be Sunday, 10:00 a.m. to 11:00 p.m.

5. Policies Governing Use and Conduct:

The following rules of use and conduct shall be observed by all users of the Yorktown Freight Shed, the Riverwalk Plaza, Riverwalk Plaza Tent and the Catering Kitchen (the Facilities). The User (defined as the individual or group renting the facilities) is responsible for ensuring that these guidelines are observed at all times by vendors, participants and/or guests. Failure to adhere to any of the following policies may result in a forfeiture of the user's damage deposit and potential prohibition of future use.

- a. The User is responsible for ensuring lawful and orderly conduct during the period of use.
- b. The User is responsible for all damages to the building or grounds occurring during use.
- c. All Users of the Facilities must limit participation to the posted maximum "allowable" persons in the space per building/fire code regulations.
- d. Riotous, boisterous, threatening, or indecent conduct or the use of abusive, threatening, profane, or indecent language shall not be permitted.
- e. Open invitation parties or similar events where alcoholic beverages are being sold shall be prohibited.

- f. The User shall not be engaged in advocating social or political change by violence or by other illegal means. This restriction does not prohibit the discussion of controversial subjects in public forum. In the case of Users wishing to use the Facilities for an event that will be open to the general public (i.e., attendees other than individual Users or members of the using group, their specially invited guests, or prospective members), the purpose and/or content of the event shall be of a cultural, historical, educational, governmental, or political nature. Examples would include: recitals, art shows/exhibits, lectures, children and youth programming, historical re-enactments, historic/interpretive exhibits/demonstrations, etc.
- g. The Facilities shall not be used for any purpose described and identified as an obscene exhibition or performance by any applicable law, including but not limited to Chapter 15.5 of the York County Code. Displays of art shall not include material that is obscene as defined by Section 15.5-2 of the York County Code or any other applicable law. Users of the Facilities are responsible for ensuring that the content or subject matter of meetings, performances, displays, and exhibits is consistent with the terms of said Chapter.
- h. No drugs or controlled substances shall be brought onto or used on or within the Facilities property except in accordance with a medical prescription or otherwise as allowed by law. Persons under the influence of illegal drugs shall not be allowed on the premises.
- i. Smoking or vaping is prohibited in the Yorktown Freight Shed, the Riverwalk Plaza Tent, and the Catering Kitchen.
- j. Betting or gambling in any form is prohibited. This shall not be deemed to prohibit live or silent auctions or raffles conducted in conjunction with an otherwise authorized function.
- k. No pets or animals (with the exception of service animals) are allowed in the Yorktown Freight Shed, Riverwalk Plaza Tent or Catering Kitchen.
- l. No sparklers or celebratory throwing of confetti, rice, birdseed, or petals shall be permitted in the Yorktown Freight Shed, Riverwalk Plaza Tent or on the Riverwalk Plaza. Failure to adhere may result in "extraordinary cleanup" fees.
- m. No open flames, including without limitation decorative candles on tables unless shielded by a glass bowl or bulb, shall be permitted in either the Yorktown Freight Shed or the Riverwalk Plaza Tent.
- n. Cooking of any type is strictly prohibited in the Freight Shed kitchen, Freight Shed, Freight Shed Plaza tent, and all surrounding areas. Failure to adhere to the no cooking policy will result in the forfeiture of damage deposit.
- o. No open flame heaters shall be permitted in either the Freight Shed or the Freight Shed Plaza Tent. Heaters for use under the Freight Shed Plaza Tent must be approved by Freight Shed Management prior to the event.
- p. Collection of donations or admissions shall be permitted for those activities that involve displays, exhibits or performances, provided that the intention to do so is indicated on the Freight Shed Use Agreement. Upon specific approval of the Freight Shed Management, a ticketed event such as a wine festival may be scheduled for the Facilities. Sales of exhibited items, such as artwork, shall be permitted provided that all applicable business license requirements are observed.
- q. No signs, emblems, symbols, or similar items may be erected on the Yorktown Freight Shed grounds or affixed to the interior or exterior of the building by any User without specific authorization from the Freight Shed Management.
- r. All publicity (e.g., posters, brochures, information flyers, radio or television announcements, etc.) must carry the name of the organization sponsoring the meeting. The County of York may not be identified as a sponsor or co-sponsor without prior written approval.
- s. It is expressly understood that permission to use the Facilities does not in any way con-

stitute an endorsement of any organization or group by York County or its officers, agents or employees.

- t. Authorizations for use of the Yorktown Freight Shed shall not be approved for, nor be construed to accommodate, a regular meeting schedule for groups or organizations.

6. Food and Beverage Policies:

- a. Alcoholic beverages may be served at events provided that the User secures all necessary approvals and licenses from the Virginia ABC Board, which the User shall obtain at the User's sole cost. User shall comply fully with all conditions of any such license. Use of a caterer with an ABC license is recommended. The ABC license must be posted on the premises before the start of the event and a copy sent to Freight Shed Management.
- b. The sponsoring User accepts full responsibility for maintaining control of consumption and enforcing moderation. Any behavior which indicates intoxication of any participant shall be cause for consumption to immediately cease, and shall also be cause for future denial of permission for the sponsoring User to serve alcoholic beverages at its functions in the Facilities.
- c. No alcohol may be consumed in any other area except the designated area of the event. No alcohol may be carried outside the Yorktown Freight Shed or Riverwalk Plaza Tent, except within the posted/delineated limits of the Riverwalk Plaza, if applicable.
- d. Use of a caterer is recommended for food and alcoholic beverage service. Caterers must be appropriately licensed to do business, unless exempt from licensing requirements under applicable law, and must have all applicable Health Department and ABC Board permits.
- e. If using the kitchen facilities, the user is responsible for provision of all necessary serving utensils, paper goods, silverware, beverage containers or servers. The use of deep-fat-fryers is prohibited, whether in the Yorktown Freight Shed, Catering Kitchen or anywhere on the brick plaza surrounding the facilities. Failure to leave the kitchen area in a clean and sanitary condition, as determined by the Freight Shed Management following use, can result in the assessment of "extraordinary clean-up" fees and denial of facility use in the future.
- f. Potholders, protective plates, or trivets shall be required for hot dishes to be set on any of the tables inside the Yorktown Freight Shed. Any damage to tables or furnishings due to neglect, the placement of hot dishes/containers or food/beverage spillage, and the cost of any necessary cleaning/repairs, shall be the responsibility of the User.

7. Set Up:

- a. The User is responsible for supplying information on the Yorktown Freight Shed Use Agreement form concerning the desired set up of the facilities including the number and placement of chairs and tables fourteen (14) days before event. Unless otherwise arranged between the User and the Freight Shed Management all set-up and take-down of Facility-supplied tables/chairs/etc., will be the responsibility of the Freight Shed Management. In no case shall the User be allowed to re-arrange any of the interior permanent fixtures or furnishings in the facility for use outside on the Freight Shed Plaza or under the Freight Shed Plaza tent.
- b. White folding chairs are available for use outside in the Plaza tent area, and the Freight Shed Management will provide instructions concerning set-up/take-down responsibilities and procedures to Users. White folding chairs are also available for permitted events outside in the Stage Performance area, in conjunction with a freight shed reservation.
- c. The User is responsible for supplying such items as easels, display boards, and other equipment needed for their function. Equipment located in the facility (e.g., the podium and microphone) may be used, subject to approval by the Freight Shed Management.
- d. Set-up of furniture and equipment by the Freight Shed Management will occur and be complete prior to the scheduled event.
- e. Parking at curbside on Water Street in front of the Yorktown Freight Shed or in the cob-

blestone square is not permitted. User's or Caterer's delivery vehicles may be parked temporarily in the pull-off area marked for loading and unloading, east of the Freight Shed. Upon completion of unloading/loading, the vehicle shall be moved off the street and parked in an authorized parking space. Driving or parking vehicles on the brick plazas or walkways adjacent to the Yorktown Freight Shed and Catering Kitchen is strictly prohibited. Vehicles in violation of this regulation shall be subject to ticketing, towing and/or the User/Caterer responsible for the vehicles may be barred by the Freight Shed Management from future events and subject to loss of damage deposit

- f. Any equipment or building malfunctions or damage discovered by the User or Caterer during set-up/preparations for an event shall be reported immediately to the Freight Shed Management.

8. Clean Up:

- a. Users shall be responsible for all clean up following the conclusion of the use of the facility. All trash shall be removed from the premises at the User's expense, with the exception of closed bags of non-toxic trash that can fit cleanly and neatly into the five (5) trash receptacles provided (four [4] in the Freight Shed and one [1] in the Catering Kitchen). Loose trash or bags full of trash shall not be left inside or outside either of the buildings and shall be disposed of by the User. Everything brought to the facilities by the User, caterer, rental company, or guests shall be removed after and on the same day of the event. Failure to adhere to these guidelines will result in loss of damage deposit.
- b. Upon completion of any event where food or drink was provided to event guests, the following clean up shall be performed by the Caterer and/or User:
- All spillage and sticky residues caused by the use of punch bowls and/or fountains shall be thoroughly cleaned from the surfaces of cabinets, tables and the floor.
 - Microwaves and food warmers provided for use in the kitchen shall be checked for any remaining food items, and such food items shall be removed and properly disposed. The insides shall be wiped out and thoroughly cleaned of any food spills that occurred during the event.
 - The refrigerator in the Catering Kitchen shall be checked for remaining food items and flowers, and such items shall be removed and properly disposed. The inside shall be wiped out and thoroughly cleaned of any food spills that occurred during the event.
 - Tables and counters in the Freight Shed and Catering Kitchen shall be wiped clean of food spills and debris and the sink in the Catering Kitchen shall be cleaned of all food remains and rinsed. All food remains or other such items collected by these operations shall be properly disposed.
 - Event-related food spills and/or trash on the floor of the Freight Shed, the floor of the Catering Kitchen, or on the exterior brick plaza areas surrounding the buildings shall be thoroughly cleaned up and properly disposed.
 - NOTE - Normal cleaning supplies (e.g.; rags, spray cleaners, paper towels, etc.) shall be the responsibility of the User or Caterer. Neither the Freight Shed Management nor the County of York will provide such cleaning supplies.
- c. The cost of any clean-up by Freight Shed Management required as a result of the User's failure to do so, including the removal of items left behind or the disposal of any trash above and beyond the allowable five (5) bags, shall be charged to the User at the rate of \$75/hour and shall be deducted from the Damage Deposit. The User shall be responsible for any costs in excess of the Damage Deposit amount as may be assessed by the Freight Shed Management upon post-event inspection of the Facilities.

9. Fees:

Yorktown Freight Shed	Pricing	Notes
T1	Monday – Thursday – (10:00 am - 5:00 pm)	
Private - York County Resident/Employee	\$1,300_flat rate	Includes use of venue from 10am-5pm; use of all furniture to include white folding chairs; use of tent behind the freight shed; use of caterer's kitchen
Private - Non-Resident	\$1,500_flat rate	
Non-profit Groups	\$1,000 flat rate	
T2	Monday – Thursday – (10:00 am - 11:00 pm)	
Private - York County Resident/Employee	\$1,800_flat rate	Includes use of venue from 10am-11pm; use of all furniture to include white folding chairs; use of tent behind the freight shed; use of caterer's kitchen
Private - Non-Resident	\$2,100_flat rate	
Non-profit Groups	\$1,350_flat rate	
T3	Friday - Saturday – (10:00 am - 11:00 pm)	
Private - York County Resident/Employee	\$3,000_flat rate	Includes use of venue from 10am-11pm; use of all furniture to include white folding chairs; use of tent behind the freight shed; use of caterer's kitchen
Private - Non-Resident	\$3,500_flat rate	
Non-profit Groups	\$2,250 flat rate	
T4	Sunday – (10:00 am - 11:00 pm)	
Private - York County Resident/Employee	\$2,500_flat rate	Includes use of venue from 10am-11pm; use of all furniture to include white folding chairs; use of tent behind the freight shed; use of caterer's kitchen
Private - Non-Resident	\$3,000_flat rate	
Non-profit Groups	\$1,750 flat rate	
January, February and March	20% discount applied to applicable fees above for events held during January, February and March.	
Reservation Deposit	\$500	Necessary to finalize the reservation and is due when the reservation agreement is received. Applied to balance due; non-refundable upon cancellation.
Damage Deposit	\$200	Refundable with no damage and adherence to use policies.
Gross Receipts	In addition to the Flat Rates set forth above, any event involving revenue generation from ticket sales, admission charges, sale of artwork, etc. shall be assessed an additional fee equal to 15% of the total gross receipts. Non-Profits may be exempt from gross receipts upon approval from the Freight Shed Management.	

Reservation Deposit (due with the reservation agreement) - \$500 is necessary to finalize the reservation. This deposit will be applied to balance due and is non-refundable.

Damage Deposit – The \$200 damage deposit will be refunded after the post rental facility inspection, provided there is no damage to the facility or equipment, adhered to use policies and no extraordinary clean-up is required. A check will be sent via regular mail to the address listed on the reservation agreement 2-3 weeks after the event is held.

The damage deposit and the balance of rental fee (full fee amount for event minus reservation deposit) are due 60 days prior to the event.

In addition to the rental fees set forth above, any event involving revenue generation from ticket

sales, admission charges, sale of artwork, etc. shall be assessed an additional fee equal to 15% of the total gross receipts.

10. Determination of Resident/Non-Resident and Non-profit Group Status

For the purposes of this Policy, *resident* and *non-resident* distinctions shall be as follows:

- Individual facility reservations, a County resident is defined as anyone permanently living within the geographical boundaries of York County, Virginia. The resident may only rent the facility for themselves or immediate family (spouse, parent, guardian, brother, sister, son, daughter, parents-in-law, grandparent, grandchild, step-parent, step-brother, step-sister, step-child). ~~Freight Shed Management York County Tourism Development~~ reserves the right to request proof of residency. All others will be considered non-residents;
- Group or organization facility reservations eligibility for County resident fees requires that the group or organization be based in the County (e.g., charter, mailing address, etc.) ~~and that at least 80% of the organization's members or players are permanently living within the geographical boundaries of York County, Virginia.~~ ~~Freight Shed Management York County Tourism Development~~ reserves the right to request proof of residency. All others will be considered non-resident groups/organizations;

For the purposes of determining eligibility for reduced fees for County of York employees, distinctions shall be as follows:

- For individual facility reservations, a County employee is defined as a full-time employee. The employee may only rent the facility for themselves or immediate family (spouse, parent, guardian, brother, sister, son, daughter, parents-in-law, grandparent, grandchild, step-parent, step-brother, step-sister, step-child).
- Retirees, part-time or work-as-required are not eligible for the County of York reduced employee fee.

For the purposes of determining eligibility for reduced fees, the term Civic/Non-profit Groups shall be limited to Federal, State, and Local Government Agencies as well as those which are based in York County (i.e., chartered/registered with a York County mailing address for the group and/or its principal officer); or, one that is provided financial support by or through the York County Arts Commission. Non-profits may be exempt from gross receipts upon approval from the Freight Shed Management.

11. Reservations

- a. The Facilities may be reserved or by Private Users other than non-profit groups as defined in section 10 above as much as 18 months in advance.
- b. Non-profit Groups, as defined in section 10, may reserve twelve (12) months in advance.
- c. Requests for a "hold" on a desired reservation date may be directed to members of the Freight Shed Management or may be made in writing. In the event of an overlap of desired dates, the "hold" request made directly to the Freight Shed Management shall be considered the primary request. Temporary holds on dates shall be valid for a maximum of ten (10) business days. A completed Reservation Agreement form and full payment of the Reservation Deposit must be made within ten (10) business days of the temporary hold being placed on a desired date. Failure to make the Reservation Deposit within those ten (10) business days will void the Reservation "hold" and open that date / time to other interested parties.
- d. Reservations are not firm until the Reservation Deposit has been paid. The balance of rental fee (full fee amount for event minus reservation deposit) is due 60 days prior to the event. Failure to complete payment for a reserved date will void the reservation and open that date/time to other interested parties.
- e. **Payment:** Payment may be made by cash, check, money order or credit card. Payments will only be accepted in person during regular business hours at the following address: 121 Alexander Hamilton Boulevard, Yorktown, Virginia. Check or money or-

der can be mailed to Freight Shed Management P.O. Box 51, Yorktown, VA 23690. Checks should be made payable to Treasurer, County of York. Fees may be charged for returned checks. Credit Card payments are subject to a 3% charge of the total amount charged.

- f. **Change of Event Date:** If a User finds it necessary to change a reservation date, the request must be made in writing (letter or email) at least 60 days prior to the original confirmed event date. One such change-of-date request will be processed without need for payment of a new reservation deposit. Any subsequent change-of-date requests for the event must be accompanied by an additional \$200 non-refundable reservation deposit.
- g. **Cancellation:** Reservation deposits are non-refundable. No refunds of other event fees paid in advance will be made unless a written request (letter or email) has been made at least 60 days prior to the event date. The Freight Shed Management shall have the authority to waive these restrictions when an event cannot be held due to extraordinary circumstances such as structural damage to the building, an extended power outage, or a severe weather event such as a hurricane or blizzard.
- h. **County Government-Related Events:** Each County of York department will be allotted three uses of the Freight Shed per calendar year, Monday – Thursday only, at no cost. The Facilities may be reserved no sooner than six months before the requested date. All cancellations must be made three months in advance of the event date. Any cancellations made less than three months from the event date will result in a forfeiture of one of the three allotted uses. Each request must have the approval of the individual Department's Director. Failure to adhere to all other established Freight Shed use policies may result in the denial of use for future events.
- i. All fees shall be subject to change upon approval of the appropriate authority (Board of Supervisors or County Administrator).

12. Miscellaneous:

- a. Users shall provide, at their own expense, any security which is desired or which the Freight Shed Management recommends in addition to the normal security provided by the County for purposes it may deem appropriate. Freight Shed Management may require private security for any function that involves the serving of alcoholic beverages other than beer, wine or champagne, or that will accommodate more than 200 attendees.
- b. The County of York is not responsible for property placed in or on the premises.
- c. The Freight Shed Management shall have the right to cancel approved reservation dates due to unforeseen circumstances that threaten public safety or the safety of attendees such as inclement weather or electrical outages. In such cases, the Users will be given the opportunity to re-schedule the event to another available time or, at the User's request, will be entitled to a full refund.
- d. The Freight Shed Management shall have the right to limit or prohibit the use of amplified sound or music on the Plaza or in the Tent (e.g., bands or DJ's) when such activity would present potential conflicts with other activities or events scheduled at Riverwalk Landing.
- e. The Freight Shed Management shall have the right to request any person or persons failing to abide by the Freight Shed rules to leave the premises, and to request the assistance and intervention of the York County Sheriff's Office as necessary.
- f. This policy shall apply to all prospective Users applying to use the Yorktown Freight Shed. No group or individual shall be excluded from equal access to the Freight Shed because of considerations of race, sex, religious or political persuasion, or because of the political, religious, or social aims expressed by the individual or group, or by any group's members.
- g. The use of the Facilities may be denied to any individual or group which has, at any time prior to any requested use, been responsible for, or caused, any damage to the Freight Shed or to property owned by the County of York or any other tenant of Riverwalk Landing through or because of acts of vandalism, violence, or rowdiness, or which

has failed to clean up facilities, whether such damage was caused by any members of such group, or by any invitees to any approved meeting. Subsequent approval for use of the Facilities may, in the Freight Shed Management's discretion, be conditioned upon a higher insurance level than is set forth above or additional security and custodial charges. However, no individual or group shall be denied access under this section to the use of the Freight Shed building or facilities because of damages not caused directly by the group or individual group members, or invited guests.

- h. The procedures, requirements and conditions set forth in this policy shall control the use of the Freight Shed, notwithstanding any provisions more or less restrictive as may be set forth in Board Policies dealing with the use of other County buildings.
- i. The County Administrator or his designee shall have the authority to interpret, supplement, or make exceptions to the -operational and procedural requirements set forth herein when deemed necessary for the safe, effective, and appropriate use of the Facility.
- j. The Yorktown Trolley is not available to hire or charter service and will not deviate from its pre-determined/regular routes.

BOARD POLICY	
SUBJECT	Yorktown Waterfront Public Areas Use Policy
POLICY NUMBER	BP23-29
ORIGINAL EFFECTIVE DATE	
REVISION DATE	
HISTORICAL REFERENCE	

Purpose:

1. To establish policies, procedures, and fees for the public use of the Yorktown Waterfront public areas for small events and weddings under the control of York County.
2. To facilitate a planned and coordinated approach in evaluating requests for special events and activities at Riverwalk Landing and other Yorktown Waterfront areas that do not require County support.
3. This policy outlines available areas and restrictions for public areas used for small events and weddings so these activities will not negatively affect the use of the areas by the general public.
4. All requests for special events that will require County support are governed by Board Policy BP07- 22 "Requesting County Support for Events" and are to be requested separately.

Procedure:

Since the major redevelopment in 2005 of the Yorktown Waterfront with Riverwalk Landing, there has been an increasing number of requests by groups and organizations to host a variety of activities and events. This policy is intended to provide a systematic process for requests for proposed wedding ceremonies, activities, and special events that do not require support from York County government.

Definitions:

For the purposes of this policy, the following definitions shall apply:

- County Administrator – the York County Administrator or his/her designee.
- Director – the York County Economic and Tourism Development Director or his/her designee.
- Riverwalk Landing – defined as the County-owned property bounded by the Coleman Bridge on the west, the York River on the north, the public restrooms building at the Ballard Street/Water Street intersection on the east, and the Chischiak Watch townhouse property and the parking terrace on the south.
- Chischiak Green Area – the grass area between Water Street, Ballard Street, Buckner Street, and the Chischiak Watch townhouse property.
- Yorktown Public Beach Area – the County-owned property bounded from Coleman Bridge, the York River, the Riverwalk sidewalk, and the public beach area at the bottom of Comte de Grasse at the entrance to the National Park Service Beach Picnic area.
- Riverwalk Landing Performance Stage Area – the raised brick area to the east of the

bounded to the north by the Riverwalk sidewalk and Water Street to the south.

- National Park Service Beach Picnic Area – the park area east of the intersection of Comte de Grasse and Water Streets in Yorktown that is bordered on the north by the York River. This area, though owned by the National Park Service, is managed by York County under a special use agreement.
- Special Event – an activity or program, such as a concert, celebration/commemoration, cultural performance, sporting competition, art show, car/boat show, farmers market, parade, etc.
- County Support – the allocation of staff resources for coordination of and/or working at an event. County support also includes, but is not limited to, equipment, funding, facilities, vehicles, permits, public transportation, advertising, supplies, etc.
- Group – any non-profit association, formally or informally constituted organization, civic club, corporation, or partnership that is not associated with, or a part of, the York County Government.
- Riverwalk Landing Business – a current business tenant that is leasing space in the Riverwalk Landing Commercial Development.
- User – any person/persons or group that is requesting use of public County facilities or areas as defined in this policy.
- Designated Contact Person – the person designated by the organization or group to be the agent/representative for the organization or group in all communications with the County. This person shall be the only person recognized by the County to represent the organization regarding any issues relating to the organization's use of facilities. This person is responsible to see that all of the organization's participants are aware of all policies, procedures, and conditions of use for the facilities which they have a permit to use.
- Department – the York County Department of Economic and Tourism Development.
- Director – the Director of Economic and Tourism Development or his/her designee.
- Small Event – A gathering of no less than 10 and no more than 100 people for the purpose of conducting a ceremony or an event in a public area.
- For individual facility reservations, a County resident is defined as anyone permanently living within the geographical boundaries of York County, Virginia. York County Economic and Tourism Development reserves the right to request proof of residency. All others will be considered non-residents.
- For group or organization facility reservations, eligibility for County resident fees requires that the group or organization be based in the County (e.g., charter, mailing address, etc. York County Economic and Tourism Development reserves the right to request proof of residency. All others will be considered non-resident groups/organizations.

Outline of Area Covered By this policy:

Permits Issued for small events and weddings

Yorktown Beach Public (East of Watermen's Museum)
Chischiak Green Area (green space between Ballard St. and
Buckner St.) Riverwalk Landing Performance Stage Area

Permits Issued for small events

National Park Service Beach Picnic Area (East of Yorktown Fishing Pier)

Permits only Issued for Tenants and County-sponsored or co-sponsored events

Riverwalk Landing Retail Outdoor Areas

No Permits issued

National Park Service Beach Area (West of Watermen's Museum or Yorktown Fishing Pier)

Other areas Managed by York County Economic and Tourism Development

Riverwalk Landing Piers (Reference AD10-62) (Contact 757-890-3370) Freight Shed and Tent Area (Reference BP12-25) (Contact 757-890-3730)

1. Procedures:

Facility Request Permit

A "County of York Facility Request Permit for Yorktown Waterfront Facilities" form must be submitted in order for a request to receive consideration for approval. Individuals completing this form must be at least 21 years of age. This form can be obtained:

- 1) At the Economic and Tourism Development Office, 121 Alexander Hamilton Boulevard, Yorktown, or
- 2) By downloading online at www.visityorktown.org

The form must be filled out completely, including the requested date and time for the proposed use, the name of the individual/organization, type of event, area requested, and the contact information. Any equipment to be set up (i.e., chairs, sound system, etc.) and the approximate number of people attending the event must be indicated on the request. Failure to fill out the form thoroughly and completely will delay the County's response to the request.

Submission of a completed request form does not guarantee approval of the Facility Request Permit.

Submission Schedule for Facility Request Permit

- a. Facility Request Permit forms may be submitted up to 18 months, and no less than 10 days, prior to the event date. However, the request will not be processed and/or approved earlier than 12 months before the event or until all County event schedules are finalized. Request will be filed in order of receipt and will be processed according to the priorities outline in Section 3 of this policy.
- b. Request submitted for the Riverwalk Landing Performance Stage Area by individuals/groups that have the Freight Shed reserved may be approved earlier than 12 months before the event.

2. Fees and Charges:

Special Events Permit Fees

A **non-refundable** fee for Residents - \$50; Non-residents - \$100 must accompany each Facility Request Permit in order for the request to be processed and considered. Payment is to be made payable to "Treasurer, County of York," and must be submitted to Economic and Tourism Development 14 days prior to the date of the reservation.

Performance Stage Reservation Fees

A **non-refundable** fee for Residents - \$100; Non-residents - \$200 is required to reserve the Riverwalk Landing Performance Stage Area. Payment is to be made payable to "Treasurer, County of York," and must be submitted to Economic and Tourism Development 14 days prior to the date of the reservation.

3. Priority of Use for Yorktown Waterfront Facilities

The priority of use levels listed below shall determine scheduling and approval for processing Facility Requests for the Yorktown Waterfront areas listed in this policy.

1. York County-sponsored or co-sponsored events
2. State and other governmental agency events
3. Other requests on a "first-come, first-served" basis

A County-sponsored or co-sponsored event may bump another scheduled event 120 days prior to the event date.

Events may be canceled in cases of inclement weather or if the areas are closed because of damage created by storms and the areas are deemed unsafe by the County.

Guidelines for Areas:

- a. All property identified in an approved Facility Request Permit shall remain open to the public during any event. The use permit does not grant exclusive use of an area.
- b. A Facility Request Permit may not be approved if a York County-sponsored or co-sponsored special event is being held.
- c. A Facility Request Permit may not be approved for certain area if requested during periods of heavy use (April through October) or the number of approved permits may be limited to ensure the areas remain available to the public.
- d. Public areas listed in the policy may be closed to the public under special circumstances as required by York-Poquoson Sheriff's Office, York County Fire and Life Safety, or other State and local Law Enforcement agencies.

Facility Regulations for Wedding Ceremonies and Small Events at Yorktown Waterfront Public Areas:

In addition to regulations found in Chapter 17 – Public Areas – of the York County Code, the following regulations shall apply for all areas:

- a. No wedding ceremonies are permitted on National Park Service property per November 12, 2013 NPS policy.
- b. All wedding ceremonies held on Yorktown Beach will be permitted on a "first-come, first-served" basis. Wedding parties may not ask others to move or restrict use by other in these areas.
- c. Any decorations and/or special equipment, such as tents, canopies, arches, sound systems, etc., must be identified in the permit request, require prior approval, and may not be permitted in certain areas.
- d. Standing speakers, disk jockeys, public address systems, or any other types of amplified devices are prohibited in the National Park Service Beach Picnic area and, in some cases, the Yorktown Beach area.
- e. A four-hour maximum time limit will be imposed on all wedding ceremonies/events. This shall include set-up and take-down time. The County of York will not supply or set up any equipment.
- f. Affixing directional signage to existing buildings, property, signs, poles, or plants is not permitted.
- g. Fires, candles, tiki torches, and all other forms of open flame are prohibited.
- h. Consumption or possession of alcoholic beverages or controlled substances is prohibited. (Reference Section 17-50 and 51)

- i. All equipment (i.e. tables, chairs, arches, etc.) to be set-up for approved wedding ceremonies/events must be removed within an hour of the conclusion of the event. All equipment must be hand carried to the site and no vehicles are permitted to drive on the grass, beach, or sidewalks at Riverwalk Landing or on Yorktown Beach.
- j. User will be billed for any costs incurred by the County of York for removal of any equipment left at any location listed in this policy.
- k. To protect County property and wildlife, the releasing of balloons, doves, or butterflies and the dropping of rice, birdseed, flower petals, or other natural or artificial materials is not permitted. Additionally, the use of the sparklers or releasing floating or flying lanterns is prohibited in all areas.
- l. Vehicles are subject to all parking ordinances. Vehicles may not be parked on road shoulders and may not impeded traffic flow. Parking spaces may not be reserved or blocked off nor can parked vehicles interfere with normal public use.
- m. The private use of the Yorktown Trolley is prohibited.
- n. All trash associated with use must be removed from the location and carried off-site. The cost of any clean-up required as a result of the User's failure to do so, including the removal of items left behind or the disposal of any trash, shall be charged to the User at the rate of \$75/hour.
- o. Assemblies, Meeting, Demonstrations, and Parades in public areas – permit required. (Reference Section 17-57)
- p. Distribution of printed materials is permitted as long as the activity does not disrupt pedestrian or vehicular traffic and does not result in a disruption of the peace. For the setting up of items such as tables, tents, and stand-alone signs, a permit is required. During large events at the Yorktown Waterfront, groups or individuals distributing printed materials may be directed to occupy one of the predesignated Freedom of Speech areas.
- q. Vending: York County Economic Development Authority policy dated November 13, 2007 shall apply for all requests for vending in Riverwalk Landing. Vending operations on the Yorktown Waterfront are subject to restrictions – permit required. (Reference Section 17-71) No vending or solicitation is allowed on National Park Service property.

1. Riverwalk Landing:

- a. Fundraising events shall be limited to those that are County-sponsored or co-sponsored. (Reference BP07-22)
- b. The Parking Terrace shall remain open for general public use and cannot be "reserved" for any special events or groups. (Reference BP07-22)

2. Yorktown Beach Area:

- a. Wedding ceremonies – permit required
- b. Between April 1 and October 31, in order to manage the use of the Yorktown public beach area and allow for maximum public usage, a permit will be required for any organized activity, or for groups of 10 or more, for use of the Yorktown public beach area between the hours of 10 am and 4 pm on weekends or holidays.
- c. Dogs and Other Domesticated Animals – Dogs and other domesticated animals are prohibited on Yorktown Beach. This does not apply to service animals. Leashed dogs are permitted on the Riverwalk pathway. (Reference Section 17-55)
- d. Bonfires are prohibited - (Reference Section 17-23)
- e. Metal-detecting devices are permitted as defined in Section 17-35(e)

3. National Park Service Beach Picnic Area:

- a. The area shall remain open to the general public during its normal operating hours.
- b. No wedding permits will be approved for this area per the National Park Service.
- c. Admission or registration fees may not be collected on-site.
- d. There shall be no souvenir sales associated with any authorized event.
- e. Alcohol is prohibited on National Park Service property.
- f. A Facility Request Permit form must be submitted to Economic and Tourism Development and approved 14 days prior to the date of the reservation.
- g. All posted use regulations for the Area shall be observed.

4. Miscellaneous:

- a. The County of York is not responsible for lost or stolen property placed in or on the premises.
- b. Permits may be denied to individuals or groups that have been responsible for any damage to property owned by the County of York or National Park Service through acts of vandalism, violence, or rowdiness, or which failed to clean up facilities, whether such damage was caused by the individual, any member of such group, or by guests attending any previously permitted event.
- c. This policy shall apply to all prospective Users applying for a Facility Request Permit. No group or individual shall be excluded from equal access due to race, gender, religion, or political persuasion.
- d. Launching or landing drones is prohibited on all County of York or National Park Service property.
- e. Commercial Photography/Videography – permit required for all activities/areas of Riverwalk Landing and the Yorktown Waterfront. (Reference Section 17-75)

COUNTY OF YORK

MEMORANDUM

DATE: November 16, 2023

TO: York County Board of Supervisors

FROM: Neil A. Morgan, County Administrator 

SUBJECT: Riverwalk Pier Access

At the Board of Supervisors meeting on October 17, 2023, a citizen expressed some concern about access to the commercial pier in Yorktown during the visit of the passenger ship "The World." Chairman Shepperd asked me to provide the Board with more details on the matter. The following information is provided pursuant to the request.

Background

The Riverwalk Landing Piers were opened in 2005. When the piers were initially opened, the operation was contracted to a private marina management company as County staff did not have the experience to manage the piers. Over time and with staff changes, the County took over the operation, hired, and trained the operational staff. In 2016, the County Administrator enlisted the expertise of local businesses, the boating community, and staff to review the policies and recommend changes that were adopted by the Board of Supervisors in December 2016. The piers are operated under Board Policy BP16-28, which provides the framework for the operation and oversight. The operation of the piers falls under the Department of Economic and Tourism Development; the primary staff person is the County's Dockmaster.

The purpose of the piers is to highlight the Yorktown waterfront by increasing visitation from daily, overnight, recreational, and larger ships including military and educational vessels, tall ships and cruise ships, while working in partnership with the waterfront businesses to increase awareness for the piers and their businesses.

While the piers have been used by visitors and citizens as a "boardwalk", it should be remembered that the purpose of the piers is for the registered boaters, and control and access to the piers has to be managed by the Dockmaster and their staff.

There are two piers at Riverwalk Landing: the "T" pier is the commercial pier, which was primarily funded with money from a boating infrastructure grant. This pier is intended to be primarily used by commercial vessels and smaller transient vessels, as needed. The smaller "L" pier is the transient pier located behind Riverwalk Landing, and is intended for private recreational transient vessels 26 feet in length and over, as outlined in the boater infrastructure grant. When space is available, staff does allow smaller boats to use the "T" pier. The intent of the grant is that private recreational transient vessels use the "L" pier when docking at Riverwalk Landing.

Operation and Access to the Piers

The docks were designed and constructed as piers, not as a pedestrian walkway. There are no rails or safety features for casual strolling. We operate and staff the piers on a set schedule during the boating season, and the gate is open for people to go sailing on our homeported tall ships, to get to their docked boats, or to walk out on. However, we will close the gates if there is inclement weather, such as thunder and lightning or wind above 15 mph, for the safety of people on the piers. We will also close the gates for significant events when the pier is full to make sure boaters are safe from people boarding their personal boats, as well as for the safety of patrons, as it becomes dangerous to stroll around. We regulate pier traffic when we have tall ships or other events on the pier, because the floating structures have stability and weight limits and can become dangerous with too many people on them. Lastly, to ensure the safety of visitors, the pier gates are closed when staff is not on site, such as evenings and the off-season, which stretches from November through March of the following year. In essence, public access to the piers is often permitted, but restrictions may apply, limiting entry to registered boaters or patrons of charter cruises and cruise ships at various times. The Yorktown Fishing Pier is available 24/7 for individuals to walk out on, has safety rails, and was designed with pedestrians in mind.

We have specific requirements that we have to maintain when foreign-flagged ships, such as "The World" cruise ship, are in our port based on our approved port security plan. As part of our plan and the Maritime Transportation Security Act (MTSA) requirements, we are required to have security personnel on site twelve hours before any foreign ship visits our port. Security has to remain in place on our piers until the ship has pulled anchor and started to move. While ships are tendering, no one is allowed past the gazebo without proper identification for the safety of the ship, our port, and patrons. There are additional safety measures in place, but we cannot go into greater detail as it could compromise our ports security plan.

As mentioned above, for the safety and security of the boaters, visitors, and guests, there are times that we have to close the piers to the public. While it may seem restrictive, it really is the exception rather than the rule. Additionally, the Yorktown Fishing Pier is available and is a much safer option for visitors and residents to use. In the past, we have had to restrict or control access to the piers for events like L'Hermione visit, OpSail 2012, Maritime weekend, Fourth of July, and other times when we needed to manage the number of individuals on the piers for the safety of the boaters and visitors.

I hope that this information has provided you with a better understanding of the pier operations. Please let me or staff know if you have any questions.

Fuller/3504