

COUNTY OF YORK

MEMORANDUM

DATE: January 6, 2025

TO: York County Board of Supervisors

FROM: Mark L. Bellamy, Jr., County Administrator 

SUBJECT: Board Policies Review

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. The review was previously approved at the Board's December 5, 2023, meeting.

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

Existing 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:

BP94-06 Freedom of Information Act

- Procedures Section:
 - Since February 2023, York County has used NextRequest, an online FOIA portal by CivicPlus, to manage FOIA requests. While citizens can submit requests through other methods, the portal is the County's preferred system as it streamlines tracking requests, deadlines, and payments. Trained staff across divisions, such as Building Safety, to handle requests specific to their areas.
 - The Commonwealth mandates that requesters be informed that public bodies may charge for actual costs incurred in researching and responding to FOIA requests. Public bodies must also offer a cost estimate, which can include costs associated with preparing the estimate itself. The proposed update aligns with the *Code of Virginia*.

BP94-11 Vehicle Usage

- Punctuation and grammatical changes throughout the file.

- Procedure Section:
 - The Sheriff can allow officers to keep a County vehicle at home when off-duty if their home is within York County and no more than 35 miles from the Sheriff's Office. Exceptions can be made if the Sheriff recommends it, and the County Administrator approves, for homes up to 45 miles away. Officers who already have take-home vehicles before January 21, 2025, can keep them ("grandfathered"). Officers in special roles like Investigations or Special Teams can also be exempt, and exceptions can be made during emergencies when all officers are required to report. The Sheriff must provide a list of officers with take-home vehicles to the County Administrator at the start of each fiscal year and whenever there are changes.
 - The updated language clarifies the process for reporting vehicle accidents to the Risk Manager. It specifies that the Fleet Manager must forward accident reports to the Risk Manager within ten (10) working days of receiving the accident report. Additionally, it explains that incidents will be discussed at the next scheduled Safety Committee meeting, ensuring timely review and recommendations. This update ensures clear timelines and procedures for handling and addressing vehicle accidents.
 - As a clarification, the Human Resources Director is responsible for obtaining DMV records for new hires who will operate County vehicles and ensuring they are kept confidential in individual personnel files. Risk Management will update and maintain these records annually. DMV records for current employees can be accessed at no cost to the County or the individual. If an employee or volunteer fails to meet the driving standards outlined in Sections 9(b) or 10, the Human Resources Director will notify the relevant Department Director, Agency Head, and the County Administrator for appropriate action. This ensures all County vehicle operators meet safety and compliance standards.

BP12-24 McReynolds Athletic Complex Advertising

- The Parks and Recreation Division requests the repeal of Board Policy BP12-24. McReynolds Athletic Complex Advertising. This recommendation is based on the lower than anticipated advertising interest observed under the current policy. The current policy constrains the division's ability to offer various advertising opportunities to businesses, organizations, and individuals. Repealing this policy would provide greater flexibility to establish diverse advertising partnerships while preserving oversight; the Parks and Recreation Manager or their designee would continue to review and approve all advertising requests for the McReynolds Athletic Complex.

BP12-25 Freight Shed Use Policy

- Punctuation and grammatical changes throughout the file.

BP16-28 Riverwalk Landing Pier Operations

- Procedures Section:
 - Punctuation and grammatical changes throughout the file.
 - Clarification of operating schedule dates.
- Appendix A - Fees and Charges:
 - Clarification of the tendering rate fee, noting that the amount is charged to each vessel per day.
 - Language regarding fees included in the FY2025 Operating Budget related to the visit of the cruise ship, *The World*, to Yorktown.

Schott/3326

Attachments:

- Table of Contents
- Board Policies: BP94-06, BP94-11, BP12-25, BP16-28

BOARD POLICIES

Table of Contents

(by Policy Number)

Last Updated by the York County Board of Supervisors
June 18, 2024

<u>POLICY NUMBER</u>	<u>TITLE</u>
BP94-01	Authority of County Administrator With Regard to Operational Policies and Procedures
BP94-02	Acceptance of Conveyances of Real Estate
BP94-03	Chisman Creek and Wolf Trap Parks Usage Policy
BP94-04	Conduct of County Affairs in the Absence of the County Administrator
BP94-05	Dirt Street Improvement Program
BP94-06	Freedom of Information Act
BP94-07	Mosquito Control
BP94-08	Recreational Fees and Charges
BP94-09	Public Streetlight Installation and Service
BP94-10	Vehicle Fleet Management
BP94-11	Vehicle Usage
BP94-12	Prohibition of Smoking in County Buildings and Offices
BP94-13	Workplace and Employee Safety and Health
BP94-14	Use of County Buildings
<u>BP96-15</u>	<u>Citizen News</u> Advertising (Rescinded November 20, 2018)
BP99-16	Economic Development Incentive Funds
BP00-17	Group Use of New Quarter Park
BP00-18	York Hall Use Policy
BP01-19	Street Name Identification Signs
BP01-20	Subsidy Program for James City County-Williamsburg Community Center or James River Community Center Membership Fees (Rescinded October 16, 2007)
BP05-21	Outstanding Youth Awards Educational Scholarship Program
BP07-22	Requesting County Support for Events
BP08-23	Records Management Program
BP12-24	McReynolds Athletic Complex Advertising
BP12-25	Freight Shed Use Policy
BP14-26	Financial Management Policies
BP14-27	Community Services Grants Advisory Committee
BP16-28	Riverwalk Landing Pier Operations
BP23-29	Yorktown Waterfront Use Policy
BP24-30	Short-Term Rental Homes Policy (tourist homes and bed & breakfast inns)

BOARD POLICY	
SUBJECT	Freedom of Information Act
POLICY NUMBER	BP94-06
ORIGINAL EFFECTIVE DATE	October 20, 1994
REVISION DATE	November 20, 2018 (R18-108)
HISTORICAL REFERENCE	R90-98; R94-200; R99-171; R01-162 (9/4/01); R05-25 (February 15, 2005); R05-145 (August 16, 2005); Memo from County Administrator, 8/3/06; October 12, 2010; March 3, 2015; December 6, 2016; March 21, 2017

Purpose: To assure access to records in the custody of public officials; to provide guidelines on availability of records; and to establish authority for carrying out the provisions of the Freedom of Information Act, Section 2-1.340, Chapter 21, Code of Virginia.

Procedure:

1. It is the policy of the County to facilitate public access to the official records of the County and to make such records available and to respond to requests for access pursuant to the Freedom of Information Act (FOIA) in a timely fashion. Public records include any writing or recording – regardless of whether it is a paper record, an electronic file, an audio or video recording or any other format – that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of business. All public records are presumed to be open and may be withheld only if a specific, statutory exemption applies. Official records shall be open to inspection and/or copying during regular office hours of the County office/department having custody of them, unless they are records that are excluded from the Act's coverage. Payment for any costs associated with the copying of such documents (both staff time and copy machine costs) shall be the responsibility of the requestor.
2. Records are open to inspection and copying by citizens of the Commonwealth, representatives of newspapers and magazines with circulation in the Commonwealth, and representatives of radio and television stations that broadcast in or into the Commonwealth.
3. Requests for official County records pursuant to the Virginia Freedom of Information Act must designate the record(s) with reasonable specificity. However, a specific reference to the Freedom of Information Act by the requestor is not necessary to invoke the time limits for response by the County. A request need not be in writing, although the person receiving the request may require that the request be reduced to writing for the purpose of documenting or clarifying the scope of the request.

As of February 2023, the County has been contracting with NextRequest, a division of CivicPlus, to utilize that company's online FOIA portal. Although citizens are not required to utilize the portal when submitting FOIA requests, this is the County's preferred method of managing these requests and allows staff to easily track records requests, received/due dates, amounts to be paid, etc. Several staff members have been trained as program users/administrators and are able to respond to requests that target their division (i.e. Building Safety manages requests for Building Permits, etc.).

The FOIA Officer shall be informed of requests for viewing or the production of documents received by departments including specifically any which are identified by the requestor as a "FOIA" request as well as others which are beyond or more complex than the routine requests typically made of the department or office, those which are sensitive in nature, or those of uncertain legitimacy. The FOIA Officer shall then monitor the Department's process of responding to the request in accordance with FOIA requirements or, in the case of those determined to be more complex, shall assume the responsibility for coordinating and monitoring the process of responding to the request in accordance with FOIA requirements, requesting the County Attorney's legal advice and counsel whenever necessary.

4. The initial response to the request for records shall be provided within five (5) work days after receipt of the request and shall be one of the following:

- Advising the requestor in writing or by email that the records are available and can be viewed in the County Offices or will be provided in one or more of various formats (paper copy, electronic copy, etc.) in which they exist or can be reproduced;
- Advising the requestor in writing or by email that the records are being withheld as permitted by the Act or other statute, including citations of the section(s) of the Code that exempt the records from disclosure and identifying with reasonable particularity the volume and subject matter of the withheld records;
- Advising the requestor in writing or by email that only part of the requested records can be viewed or made available and specifically noting that the remainder are being withheld to include the specific citations of the Code section(s) that exempt the records from disclosure and identifying with reasonable particularity the subject matter of the withheld portions. When a portion of a requested record is withheld, only that portion of the record that is properly exempt from disclosure may be withheld, and the remainder shall be released;
- Advising the requestor in writing or by email that the records cannot be found or do not exist. If the person receiving the request knows that another public body has the requested records, the response shall include contact information for the other public body;
- Informing the requestor in writing or by email that it is not practically possible to identify or collect the requested records within five (5) work days, and explaining why. If this response is made within five (5) work days, the County has an additional seven (7) work days to make one of the preceding four responses. "Day One" is the first work day after the request is received.

Requestors may choose to receive electronic records in any format used by the County in the regular course of business. The County is not obligated to compile information or to create reports that are not already in existence, but may agree to do so under such terms and conditions as may be negotiated with the person making the request. Charges for providing the information, however, shall not exceed those set out in this policy. Excising exempt or irrelevant fields of information from a database or the conversion of a record or data from one available format to another, such as by scanning documents for emailing or copying to a CD, does not constitute the creation of a new record or report.

5. Charges

a. Requestors shall be responsible for the costs of:

- computer machine search time;
- staff time for research and review of the records to remove FOIA-exempt materials; and,
- any copying or document production costs set forth herein.

~~As a courtesy to those who have made complex or voluminous requests, as well as to ascertain the need for advance payment when the cost of responding will exceed \$200, the FOIA Officer will compile an estimate of the anticipated total cost and provide that estimated amount to the requestor.~~ The Commonwealth requires that those requesting records be informed that public bodies may charge for the actual costs incurred when researching and responding to the request, and must offer to provide a cost estimate to the requester. The final cost may include the cost required to determine the estimated charges.

Requests to provide information and records in computerized formats will be reviewed on a case-by-case basis and charges will be calculated based on material costs and staff time costs, including the staff time involved in the receipt, review, coordination, cost estimating, and response to the request.

Staff time charges will be calculated based on a rate of \$25 per hour (which represents the median hourly rate of pay of County employees, excluding fringe benefits or County overhead costs), or the actual hourly rate of the employee performing the response/review, whichever is the lesser amount. The County shall make every effort to have the work performed by the lowest-level employee reasonably capable of performing the search and copying.

If the charges to search for and reproduce the documents are expected to exceed \$200, the County will require payment of the estimated costs in advance by the requestor. If such advance payment is required, the time allowed for response stops running until the requestor responds with the payment. If actual costs are less than the amount of the paid estimate, the requestor shall be refunded the excess, and if actual costs exceed the estimate, the requestor shall be required to pay such additional amount, and the requestor shall be so advised at the time the amount of the estimate is communicated. Charges may be paid in cash or by check made payable to the Treasurer, County of York. A receipt (receipts may be obtained through the appropriate department or the Treasurer's Office) will be provided to the requestor.

- b. Current charges for the costs incurred in searching and copying official County records have been calculated based on the costs of labor, office machines and materials and are as follows:

Office Copy Reproduction: Five (5) pages, or fewer, and up to fifteen (15) minutes of staff time for accessing, and/or copying the material - No Charge;

More than 5 pages - \$0.02 per page

More than fifteen (15) minutes staff time – Actual cost based on the staff-time cost calculations set forth in subsection 5.a. above.

DVD of any recorded program or meeting: \$15.00 per DVD (available for Board of Supervisors regular meetings and work sessions and Planning Commission regular meetings; availability typically expires 30 days after the meeting or upon approval of the meeting minutes, whichever occurs last)

Printed Publications/Books/Documents/Maps Reproduced

Documents and publications are available in a variety of formats, with many being posted on and available for downloading from the County's web site at www.yorkcounty.gov. Included among these are the:

- York County Code
- Comprehensive Plan
- Annual Budget
- Comprehensive Annual Financial Report (CAFR)
- Utilities Strategic Capital Plan – Water, Wastewater, Stormwater
- Sewer Regulations Manual

These and other documents can be copied to a CD, the cost of which is \$10.00. Paper copies of entire documents, or portions thereof, are available at the "Office Copy Reproduction" cost noted above. Documents that have been commercially printed and bound will be available as long as quantities exist, with the cost being the actual per-document cost associated with the original printing order.

Map/Map Products/Plats/Plans

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Size	Color Computer Generated	Color Aerial Photos or Solid-Fill Computer Generated
8-1/2" x 11" or 11" x 17"	Customers are eligible at no charge for TWO maps within a 24 hour period. Additional maps will require a \$1.00 fee per map.	
18"x24", 18"x36" 24"x36", 36"x36"	10.00	15.00
36"x36"(+) - 36"x72"	\$12.00	20.00
All maps must be picked up at 120 Alexander Hamilton Blvd, Information Technology Department – GIS office. Postage for mailing maps is \$10.00 for a folded map, \$15.00 if sent in a mailing tube.		

- c. Custom-produced color map originals
 Certain custom map products are available by special request to the Division of Computer Support Services. These map products could take the form of a single tax parcel overlaid with topographic and spot elevations or any combination of available data or require analysis or annotation editing. The base price of \$30.00 includes one map sheet (up to 44" x 76") and one hour of processing time. Additional color copies will reflect costs based on the table above and additional processing time will cost \$20.00 per hour or any part thereof. A minimum of one week will be needed to produce these maps.
- d. For geographic information system requests, data availability and charges shall be as follows:
- (1) Data is organized by individual GIS data layers, and data layer sets. The data layer sets are organized collections of individual layers into subject-matter groupings. Pricing of individual layers and layer sets is based on the York County tile structure, which is comprised of 5,000 feet by 5,000 feet squares. County-wide data layers are available for several layers (see subsection (3) below).
 - (2) Data layer sets
 Each York County tile, or equivalent area (data request need not conform to the exact tile boundary), constitutes one geographic charge unit. Data type is organized by information group. All data is organized into six separate information groups. A single group is one information charge unit. The information groups include:
 - Topographic: Contours, spot elevations, annotations and County boundary.
 - Tax Parcel: All geographic information pertaining to parcel boundaries, easements, zoning and all annotations.
 - Planimetric:
 - edge of pavement
 - parking lots & pads
 - building footprint
 - shorelines
 - County boundary
 - road centerline
 - driveways
 - swimming pools
 - sidewalks

- railroads
- docks
- land cover
- Environmental Management:
 - Flood zones
 - RPA/RMA
 - NWI Wetlands
 - Soils
 - Land cover
 - Drinking water protection
 - Hurricane Surge Zones
- Governmental:
 - Election Districts/Voting precincts
 - County Sites
 - Census Tracts
 - County Planning Layer (current land use or Land Use 2025)
 - Zip Code
 - Zoning
- Infrastructure:
 - Control Monumentation
 - Radio Towers
 - Railroad
 - Fire Hydrants
 - Sewer Lines
 - Road Centerline

Data cost

The charge for each York tile-sized area for an individual layer is \$20.00. The layer set charge per York tile-sized area is \$40.00. This charge covers the cost of setup on the computers and conversion of the data to specified formats.

(3)

County-wide Category

County-wide information groups and their associated costs include:

- Streets with street name annotations and County boundary (\$100.00)
- Census block, census tract, zip code and County boundary (\$100.00)
- Voting Districts/precincts (\$100.00)
- Parcels (\$300.00)
- Zoning (\$300.00)
- Individual Planimetric layers (\$100.00 each)
- Land Use: current, 2015, 2025 or 2035 (\$100.00 each)
- Chesapeake Bay Preservation Areas – RPA/RMA (\$100.00)

(4)

Format and media for all digital geographic information

All digital geographic information will use York County's state plane geographic reference and will be available in ESRI Shapefile or geodatabase, or AutoCADD DXF format. Data delivery options include email (subject to file size limits), posting to the County's FTP site for download, and CDROM. If CDROM is requested, an additional charge of \$10.00 will be added to cover the cost of the CD and the additional processing time involved.

- (5) Data Queries of GIS and Real Estate Information
Custom queries of the data held in GIS and Real Estate format will be performed at the following rates:

\$50.00 minimum charge, or \$.05 cents per record, whichever is greater.

- e. For documents or other requests not specifically listed in this section, the charge shall be based on the actual cost to the County of searching for and providing the document, including but not limited to any associated labor or administrative costs, with staff-time costs calculated as set forth in subsection 5.a. above.

BOARD POLICY	
SUBJECT	Vehicle Usage
POLICY NUMBER	BP94-11
ORIGINAL EFFECTIVE DATE	October 20, 1994
REVISION DATE	December 5, 2023 December 5, 2023 <u>January 21, 2025</u>
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); December 5, 2023 (R23-XXX)

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 in driving distance 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~~ ~~take~~ Home ~~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. Properly licensed volunteer workers may operate County vehicles while acting within the scope of their duties with the prior approval of the County Administrator. Such authorization shall be requested by the appropriate Department Director, Agency Head, or Constitutional Officer through the 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 within 35 miles driving distance from the York-Poquoson Sheriff's Office building. At the recommendation of the Sheriff,

the County Administrator may approve exceptions to the required distance not to exceed 45 miles in driving distance from the Sheriff's Office, may "grandfather" current officers assigned take home vehicles prior to January 21, 2025, may exempt officers currently assigned to the Investigations Division and/or Special Teams as defined in Personnel Policies and Procedure, Section 3-13 (J), and/or may exempt officers when warranted for an event requiring all alpha status personnel to report. A list of vehicles and the assigned officer's name so authorized shall be provided to 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, and (4) travelling to and from any authorized work-related assignment.
- 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 to the Director of 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 Department of Motor Vehicles as to the extent of the property damage involved. The driver is responsible for contacting the 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~~they 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 \$500 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, 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 their report to the Risk Manager to be discussed at the next Safety Committee meeting. Additional reports concerning the accident 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, such as police reports, statements from non-County employees, etc. shall be included with the Fleet Manager's report 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 at the next scheduled quarterly meeting 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~~ [recommendations](#) to safety policies or procedures [will be discussed in the quarterly memo](#) 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. Human Resources will be responsible for completing the record check with the Virginia Department of Motor Vehicles (DMV) upon hire, and [the Risk Management division of the Finance Department is responsible for completing and maintaining the record checks](#) 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, a valid 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 [new hires who are](#) operators of County vehicles. The DMV record shall be maintained in confidential, individual personnel files and [will be updated and maintained](#) annually [by Risk Management](#). DMV driving records for County employees may be obtained from the [Virginia](#) 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 Department of Motor Vehicles 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 moving violations within the previous 12 months, or three (3) or more within the previous 24 months.
 - (ii) 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 60 months.
 - (iii) No record of current revocations or suspensions or previous revocations or suspensions 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) above. 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/they 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.

- 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 assigned by the Department of Human Resources for a Defensive Driving class -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~~ Fines wWhile dDriving County vVehicles: 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~~they 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 AD1163.

Attachment A - Vehicle Accident Report Form

Attachment B - Complaint Form

Attachment C - Accident Inquiry Form

Attachment D - Accident Reporting and Inquiry Process [MR1]

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? <input type="checkbox"/> Yes <input type="checkbox"/> No	Number of Vehicle?	Was there a death? <input type="checkbox"/> Yes <input type="checkbox"/> No	City or County of Accident
Route No. Or street name at scene			or	miles <input type="checkbox"/> n <input type="checkbox"/> e	feet <input type="checkbox"/> s <input type="checkbox"/> w of Route No. or Street Name	
at intersection with _____						

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 <input type="checkbox"/> Yes <input type="checkbox"/> 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:

ROAD AND WEATHER CONDITIONS:					
WEATHER Clear <input type="radio"/> Rain <input type="radio"/>		ROAD Dry <input type="radio"/> Wet <input type="radio"/>		ROAD CHARACTER	
				Straight and Level <input type="radio"/>	Straight with Grade <input type="radio"/>
				Curve and Level <input type="radio"/>	Curve with Grade <input type="radio"/>
				Straight at Crest of Hill <input type="radio"/>	
				Curve at Crest of Hill <input type="radio"/>	

Injured:						
Name and Address	Phone No.	Ped.	Ins. Veh.	Other Veh.	Age	Extent of Injury

Witnesses or Passengers:			
Name and Address	Phone No.	Ins. Veh.	Other (specify)

Damage to Property other than Vehicles:	Estimated Amount of Damages
---	-----------------------------

Complete a Diagram showing direction and positions of automobiles involved, designating clearly point of contact.

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~~ Safety Committee]

1. Conclusions:

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

2. Recommendations:

(The Risk Manager and/or Safety Committee Chair will prepare a memo to the County Administrator to describe the accident, damage amount, and recommendations (if any) of the safety committee.) ~~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

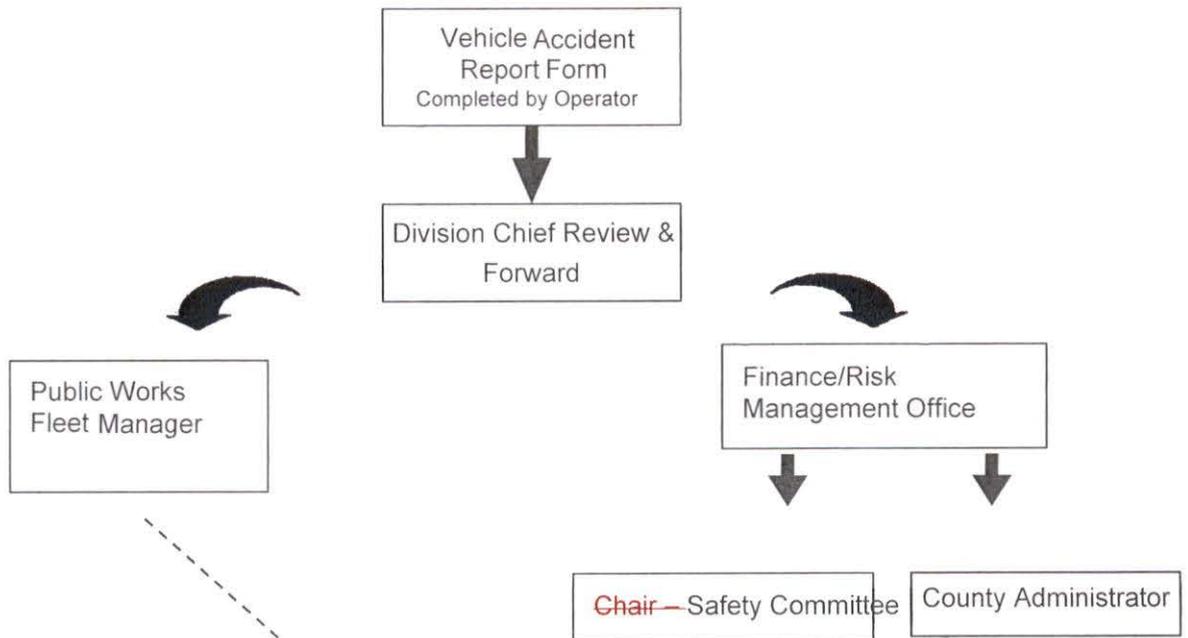
~~Chair, Safety~~

~~Committee Risk~~

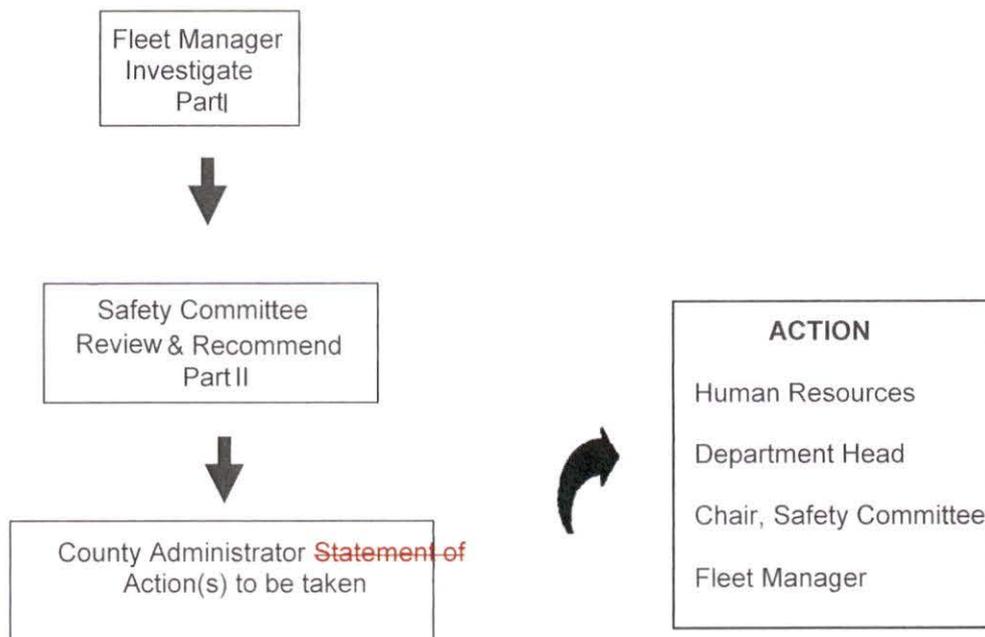
~~Management~~

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	Freight Shed Use Policy
POLICY NUMBER	BP12-25
ORIGINAL EFFECTIVE DATE	November 15, 2012
REVISION DATE	November 16, 2021 (R21-116)
HISTORICAL REFERENCE	January 7, 2013; March 3, 2015; December 6, 2016; December 19, 2017 (R17-169); November 20, 2018 (R18-108)

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, ~~commerical-~~[commercial](#) sink, handwashing station, 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	\$1,300flat 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	\$1,500flat rate	
Non-profit Groups	\$1,000 flat rate	
T2	Monday – Thursday – (10:00 am - 11:00 pm)	
Private - York County Resident/Employee	\$1,800flat 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	\$2,100flat rate	
Non-profit Groups	\$1,350flat rate	
T3	Friday - Saturday – (10:00 am - 11:00 pm)	
Private - York County Resident/Employee	\$3,000flat 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	\$3,500flat rate	
Non-profit Groups	\$2,250 flat rate	
T4	Sunday – (10:00 am - 11:00 pm)	
Private - York County Resident/Employee	\$2,500flat 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	\$3,000flat 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 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 facility or equipment, adhered to use polices 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). 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. 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, or money order. Payments will only be accepted in person during regular business hours at the following address: 121 Alexander Hamilton Boulevard, Yorktown, Virginia. Check or money order 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% non-refundable 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	Riverwalk Landing Pier Operations
POLICY NUMBER	BP16-28
ORIGINAL EFFECTIVE DATE	December 6, 2016
REVISION DATE	October 4, 2022 (R22-144)
HISTORICAL REFERENCE	R05-65; AD10-62; December 19, 2017 (R17-169); November 20, 2018 (R18-108)

Purpose: To highlight the Yorktown Waterfront by increasing the usage of the piers by daily, overnight, recreational, and larger private boats while working in partnership with the waterfront businesses to explore opportunities to partner and increase awareness for the piers and businesses.

Background:

By the adoption of R05-65, the York County Board of Supervisors recognized the need to set fees as part of implementing an operational plan in anticipation of the opening of the Riverwalk Landing Piers. The Board further acknowledges that efficient and fair use of this public resource requires the administration of comprehensive operating policies and procedures. In 2016, the County Administrator enlisted the expertise of local businesses, the boating community and staff to review the policies and recommend changes to the pier operation.

Definitions:

Commercial Vessels – Cruise ships, charter boats, and vessels operated by for-profit businesses.

Core Facility Hours – The hours during which the Dockmaster’s Office is open and staffed.

Extended Stay Boater – A recreational/non-commercial vessel that stays tied to the piers for more than 4 hours during the core facility hours, or for any length of time during non-core hours.

Dockmaster – Full-time and/or seasonal part-time staff assigned to operating and overseeing the use of the Riverwalk Landing Piers.

Dockmaster’s Office – The building located at 425 Water Street, Yorktown, Virginia 23690.

Holiday and Special Event – The holiday and special event will be subject to the conditions as outlined in this policy and the Appendix. A current list of these dates is listed in Appendix A and will be updated annually by the County Administrator without need for Board action.

MARSEC – Maritime Security Levels I, II or III as defined by the federal Maritime Transportation Security Act 33 CFR Part 105 (Navigation and Navigable Waters) security regulations.

Mooring Balls - A system of ~~eight~~ mooring balls located east of the Riverwalk Landing Piers.

MTSA – Federal Maritime Transportation Security Act (33 CFR Part 105).

Public Areas Ordinance – Chapter 17 of the “Code of the County of York, Virginia” known as “The York County Ordinance Regulating Conduct in the Public Areas of York County.”

Pump Out – Sewage disposal system located on the T-pier especially designed for marine use.

Riverwalk Landing Piers – Two piers on the York River in Yorktown generally located adjacent to Water Street between the Coleman Bridge and Ballard Street. One pier is T-shaped and is known as the commercial pier; the other pier is L-shaped and is known as the recreational pier.

Temporary Boater – A recreational/non-commercial vessel that docks at the piers for a period not exceeding 4 hours and with none of that time being outside the core facility hours.

Procedures:

1. Operating Schedule:

Core facility hours (i.e., when the Dockmaster's Office is staffed and open) are as follows:

April 1 through Thursday before Memorial Day (7 days per week)

Sunday through Thursday 10 a.m. – 6 p.m.

Friday, Saturday, Holidays & Special Events 10 a.m. – 9 p.m.

Friday before Memorial Day to Labor Day

Piers open from 10 a.m. - 9 p.m., 7 days a week.

November 1 through November 31

Piers open from 10 a.m. – 5 p.m., Thursday - Sunday

December 1 through March 31:

Available to recreational boaters but no office hours; excluding special events. Boaters must contact the posted phone number for security purposes and to obtain the security code for the gate to the docks. Payment arrangements will be made at this time. Water, electricity, and pump-out services are not available during this time.

Holidays: Closed:

Thanksgiving, Christmas Eve, Christmas Day, New Year's Eve and New Year's Day.

Core facility hours may be adjusted when necessitated by the docking reservation schedule, inclement weather, holiday usage, or special events.

2. Reservation Procedures:

Reservations for recreational/non-commercial docking will be taken on a first-come, first-served basis pending available space. Reservations for any date during a calendar year can be requested beginning the first business day of that calendar year. Reservation requests can be made by phone, VHF radio, email, or in person to the Dockmaster. For holiday and special event dates a deposit is required at time of reservation and minimum night stay may apply. Fees and dates are in Appendix A of this policy.

Reservations for commercial, specialty and other non-recreational vessels will be handled on a case by case basis by the Dockmaster.

The Dockmaster reserves the right to assign docking space. The Dockmaster can also regulate pedestrian traffic on the piers and/or cancel docking reservations for public safety related reasons including, but not limited to inclement weather, slippery pier surfaces, heightened wave action, high winds, crowd control, malfunction of the pier system/infrastructure, damage to the piers, repair work, presence of hazardous materials, a boating accident, investigation of a boating accident, rescue situation, medical response, or security issues.

The Dockmaster shall have the authority to refund docking and reservation fees if weather conditions pose a safety risk to the boaters or vessels or if structural issues require that the piers be close.

3. Fee Schedule:

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. These fees and charges are shown on Appendix A of this policy and will be updated as changes are approved by the Board of Supervisors.

4. Rules and Regulations:

All rules and regulations established in the York County Code and the listed below shall apply. Additional rules and regulations may be issued as necessary by the Board, or by the County Administrator pursuant to his authority under the terms of Chapter 17 of the York County Code.

- a. All vessels must register with the Dockmaster upon arrival. An after-hours check-in system is available for boaters arriving when the Dockmaster Office is not open.
- b. Use of docks by commercial boats is limited to cruise ships, tall ships, research vessels, and for hire vessels when no other safe or accessible dockage is available in the immediate vicinity with County approval and proper insurance. Use of the piers by commercial boats to tender passengers or crew or pick-up supplies is not allowed without written approval from the County and proper insurance.
- c. All vessels shall be appropriately licensed and insured. The County will not be liable for any loss, damage, or injury suffered by persons or vessels accessing, egressing, and while docked at the piers.
- d. No maintenance, painting, or repair of vessels at the piers is permitted.
- e. Piers must be kept clear of material and hazards such as hoses, cushions, tables, chairs, coolers, etc.
- f. The owner/operator of vessels utilizing the piers shall be held responsible for his or her guests and any damage by said vessel or guest.
- g. Consumption of alcoholic beverages is prohibited on the piers.
- h. Boisterous conduct and loud music will not be tolerated. "Quiet hours" will be observed from 11:00 pm until 7:00 am.
- i. No fishing, swimming, or diving is permitted from the piers. No swimming or diving from vessels moored at the piers.
- j. Open fires are not permitted.
- k. All refuse and trash must be placed in receptacles provided on the shore.
- l. Pets must be leashed at all times while on the piers and surrounding waterfront land and parks.
- m. No rafting will be allowed unless specifically authorized by the Dockmaster.
- n. The Dockmaster reserves the right to deny access and revoke docking privileges to any persons or vessels failing to comply with the above rules and regulations.

Appendix A Fees and Charges

Docking Fees:

Temporary Stays (during core facility hours):

Weekday Rates (Monday-Thursday) Free for up to 4 hours - \$5 after 4 hours until piers close
Weekend Rates (Friday – Sunday) \$5 for up to 4 hours and an additional \$10 after 4 hours until piers close
Holiday & Special Events \$5 for up to 4 hours and an additional \$10 after 4 hours until pier close

Any fee paid for the day will be credited if the boater decides to stay overnight.

Space for temporary stay boaters cannot be reserved as the Dockmaster must maintain space for guests staying overnight that have made reservations.

Overnight stays:

Weekday Rates (Monday-Thursday) \$1.75 per foot per day
Holiday and Weekend Rates (Friday – Sunday) \$2.25 per foot per day
Commercial Rate \$3.50 per foot per day
Tendering Rate ~~\$500~~-1,000 per vessel per day

For holiday and special event dates a deposit equal to one night stay is required at time of reservation and minimum night stay may apply. See list below:

- Required 2-night minimum stay and deposit: Fourth of July
- Required deposit, no minimum stay required: Wine Festival, Blues, Brews, and BBQ

When reservations are canceled less than two weeks prior to the reservation date, deposits will not be refunded. If the boater does not dock during the first night of their reservation and has made no contact with the Dockmaster regarding their intentions, the remainder of their reservation period may be offered to other interested parties and no refund of deposits will be issued.

Other Specials and Discounts for overnight stays (Only one discount can be applied per stay)

- 10% discount for current membership in a Yacht club, Boat US membership, or for a group of 6 or more boats traveling together with a reservation
- Multi-night discount (stay 7 consecutive nights get one weekday night free)

Mooring Balls may be used free of charge for up to 72 hours. \$30 per day for vessels using mooring balls to use the marina facilities to include, four-hour dinghy dockage, pump out, water, and access to boaters' restroom.

Utility Fees:

30 Amp Electric Service - \$8.00 per connection for up to 24 hours
50 Amp/twin 30 amp Electric Service - \$12.00 per connection for up to 24 hours
100 Amp/twin 50 amp Electric Service - \$20.00 per connection for up to 24 hours
Sewer Pump-Out - \$5.00 for up to 20 gallons; no charge for Overnight boaters
Water Service (Commercial Vessels Only) - \$50 per 1,000 gallons

Domestic and Foreign Flag Commercial Passenger Vessels

Passenger Head Tax \$20 per passenger per day

(this fee applies to all passengers aboard the vessel not just those disembarking from the ship)

Tendering Rate \$1,000 per vessel per day

Commercial Docking Rate \$3.50 per foot per day

Security Charges:

Charges for security will apply to vessels that fall under the requirements of the Maritime Transportation Security Act (MTSA.) Security charges shall be based upon existing MARSEC Level conditions and predetermined ~~current~~ rates of pay for security officers provided by York County.

Special or Promotional Rates:

In support of Special or Promotional Events, the County Administrator or his designee may waive or reduce the normally applicable fees and charges.

Promotional and Miscellaneous Items:

Promotional and minor supplies may be stocked and sold to the boaters to market the piers; fees shall be set at the amount necessary to cover at least all direct costs.