

COMMISSION ON LOCAL GOVERNMENT

CHAPTER 20

~~ORGANIZATION AND REGULATIONS OF PROCEDURE~~

1VAC50-20-1. Applicability.

The Commission on Local Government’s regulations are promulgated pursuant to the authority of §15.2-2903.1 of the Code of Virginia and are applicable to the proceedings of the Commission on Local Government. When necessary to fulfill its statutory responsibilities, the commission may grant, upon its own initiative, a waiver or modification of any of the provisions of these regulations, except those required by law, under terms and conditions and to the extent it deems appropriate.

1VAC50-20-5. Definitions.

The following words and terms, when used in this regulation, shall have the following meaning unless the context clearly indicates otherwise:

“Chairman” means the Chairman of the Commission on Local Government.

“Commission” means the Commission on Local Government.

“County or counties” means one or more county in the Commonwealth of Virginia.

“Local government or local governments” means one or more county, city, or town in the Commonwealth of Virginia.

“Locality or localities” means one or more county, city or town, in the Commonwealth of Virginia.

“Municipality” means a city or town in the Commonwealth of Virginia.

“Party or parties” means a local government or local governments; voters or property owners initiating a proposed annexation; voters of any community requesting that their community be incorporated as a town; voters petitioning for the transition of a city to town status; or a committee appointed by the circuit court to act for and in lieu of a local government to perfect a consolidation agreement.

1VAC50-20-10. Principal duties.

The commission is charged with reviewing proposed annexations, other local boundary change issues, petitions for partial immunity, local government transitions, and ~~various interlocal~~ agreements developed, and with assisting other interlocal concerns for the purpose of maintaining the Commonwealth's ~~political subdivision~~ local governments as viable communities

47 in which their citizens can live.

48

49 **1VAC50-20-20. (Repealed) Commission.**

50

51 ~~The commission consists of five members appointed by the Governor and confirmed by the~~
52 ~~General Assembly. The members are appointed for five year staggered terms, with the term of~~
53 ~~one member expiring each year. Members are eligible for reappointment.~~

54

55 **1VAC50-20-30. (Repealed) Qualifications.**

56

57 ~~Members at the time of appointment and during their terms of office must be qualified voters~~
58 ~~under the Constitution and laws of the Commonwealth of Virginia and must be qualified by~~
59 ~~knowledge and experience in local government. Members of the commission may not hold any~~
60 ~~other elective or appointive public office.~~

61

62 **1VAC50-20-40. Officers.**

63

64 The commission shall elect from its membership at its regular January meeting, or as soon
65 thereafter as possible, a chairman and a vice chairman, who shall serve terms of one year, or until
66 their successors are elected. In the event of a vacancy occurring in the office of chairman or vice
67 chairman, for any cause, the commission shall fill the same by election for the unexpired term.
68 The chairman shall preside at all meetings, presentations, and public hearings held by the
69 commission unless absent. In the absence of the chairman, the vice chairman shall preside at any
70 meeting or other assembly of the commission and shall exercise all powers and duties of the
71 chairman. In the event that neither the chairman nor vice chairman is present for a meeting or
72 other assembly of the commission, the remaining members of the commission shall elect a
73 temporary chairman who shall exercise all powers and duties of the chairman for the duration of
74 the meeting or assembly.

75

76 **1VAC50-20-50. Powers and duties of chairman.**

77

78 In addition to any other powers or duties placed upon the chairman by law, ~~this chapter~~ these
79 regulations, or other action of the commission, the chairman shall be authorized to:

80

81 1. Request one or more members of the commission or its staff to represent the commission
82 before local governing bodies, before state agencies and legislative committees, or before any
83 other entity where the representation of the commission is requested or where the chairman
84 deems ~~such~~ appropriate;

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86 2. Select or change sites for oral presentations and public hearings;

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88 3. Defer and reschedule issues the chairman deems appropriate upon consultation with the
89 commission;

90

91 4. Act on behalf of the commission in efforts to resolve disputes between the parties to an issue
92 relative to the production and sharing of data, or with respect to related concerns bearing on the

93 commission's review of an issue; and

94

95 5. Establish upon consultation with the parties an equitable distribution of time for public
96 presentations and to make other arrangements the chairman deems appropriate and consistent
97 with the requirements of law and ~~this chapter~~ these regulations for the conduct of ~~such~~ the
98 commission's oral presentations and public hearings.

99

100 **1VAC50-20-60. (Repealed) Panels.**

101

102 ~~The commission may appoint a panel of three members of the commission to conduct any~~
103 ~~hearing and investigation and to make any report required. Where panels are appointed under~~
104 ~~the authority of this chapter, any vote taken or report made with respect to the issue reviewed by~~
105 ~~the panel shall be restricted to the members of such panel. Any temporary absence of a panel~~
106 ~~member from a hearing shall not disqualify such member from voting on an issue nor from~~
107 ~~participating in the development of the report on the issue under review.~~

108

109 **1VAC50-20-70. (Repealed) Meetings.**

110

111 ~~The commission shall hold regular meetings at least once every two months. Special meetings~~
112 ~~may be called by any member and may be held when reasonably necessary to carry out the~~
113 ~~statutorily prescribed duties of the commission. The chairman shall cause to be mailed to all~~
114 ~~members, at least five days in advance of a special meeting, a written notice specifying the time,~~
115 ~~place, and purpose of such special meeting unless such special meeting was scheduled at a~~
116 ~~regular meeting of the commission or unless all commissioners file a written waiver of the~~
117 ~~notice.~~

118

119 **1VAC50-20-80. (Repealed) Quorum; requisite vote for action.**

120

121 ~~A majority of the members of the commission shall constitute a quorum. No action of the~~
122 ~~commission shall be valid unless authorized by a majority vote of those present.~~

123

124 **1VAC50-20-90. (Repealed) Disqualification of commissioners.**

125

126 ~~No member of the commission shall participate in the discussion, deliberation, drafting or~~
127 ~~approval of any report or finding required when any of the parties to the proceeding to which~~
128 ~~such report relates is a political subdivision in which such member presently or within the~~
129 ~~preceding five years has resided or has owned any interest in real property.~~

130

131 **1VAC50-20-100. Canons of conduct.**

132

133 The commission shall adopt, and may from time to time amend, Canons of Conduct regarding
134 members' conduct and their relations with parties and their agents. Officials and agents of
135 parties with issues before the commission shall be expected to obtain and review a copy of these
136 Canons of Conduct.

137

138

139 **1VAC50-20-110. Staff.**

140

141 The commission shall have a staff consisting of an executive director, who shall be appointed by
142 the Governor and confirmed by the General Assembly, and ~~such~~ other employees as are needed
143 and authorized by law.

144

145 **1VAC50-20-120. (Repealed) Offices.**

146

147 ~~The Commission's offices are located in Room 702, Eighth Street Office Building, Richmond,~~
148 ~~VA 23219. The telephone number is (804) 786-6508.~~

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150 **1VAC50-20-130. (Repealed) Communications with commission.**

151

152 ~~Communications with the commission shall be conducted through its Richmond offices. These~~
153 ~~offices shall be regularly staffed during normal working hours on weekdays. Telephone~~
154 ~~messages may be left with the commission at its Richmond office after normal working hours via~~
155 ~~recording.~~

156

157 **1VAC50-20-140. ~~Schedule for r~~ Regular meetings.**

158

159 The commission's regular meetings shall be held ~~on the second Tuesday~~ in January, March,
160 May, July, September, and November ~~at its offices~~ in Richmond. Changes in the schedule and
161 location of the regular meetings may be made by the commission, but such changes shall be duly
162 announced in The Virginia Register of Regulations published by the Virginia Code Commission.
163 ~~All special public meetings of the commission shall also be announced in the Virginia Register~~
164 ~~of Regulations or by other appropriate means.~~

165

166 **1VAC50-20-142. Special meetings.**

167

168 Special meetings of the commission may be called by any member on such occasions as may be
169 reasonably necessary to carry out the duties of the commission. Except in instances where a
170 special meeting is scheduled at a regular meeting, the chairman shall cause to be mailed to all
171 members, at least five days in advance of a special meeting, a written notice specifying the time,
172 place and purpose of the special meeting. Written notice of special meetings shall not be
173 required if all members of the commission file a written waiver of such notice requirement.

174

175 **1VAC50-20-150. Minutes of meetings and hearings.**

176

177 Minutes shall be recorded for each public meeting held by the commission. The minutes shall
178 include a brief summary of comments on major issues under consideration and concise and
179 specific statements of all action taken by the commission. The minutes shall be provided to each
180 commission member for reading and editing prior to approval at a subsequent commission
181 meeting. There need be no actual reading of the minutes at the meeting, but a vote shall be taken
182 for the formal approval of the minutes as written or amended. Copies of the minutes of ~~such~~
183 public meetings shall be made available to any interested party at a price sufficient to cover the
184 expense incurred.

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1VAC50-20-160. Executive sessions or meetings.

The commission, its panels, or its members and staff may hold and conduct ~~such~~ executive sessions or meetings as may be necessary for mediation and negotiations, for deliberations, or for other appropriate purposes.

1VAC50-20-170. Confidentiality of proceedings and submissions.

All testimony, statements, exhibits, documents, or other evidence submitted to the commission by the parties in conjunction with its legally prescribed public meetings, presentations, or hearings shall be subject to disclosure by the commission under the provisions of the Virginia Freedom of Information Act. All other materials, including the testimony, statements, exhibits, documents, or other evidence submitted to the commission pursuant to executive deliberations, negotiations, or mediation which the commission is authorized by law to conduct, shall be treated as confidential and shall not be subject to disclosure by the commission nor by the parties involved in ~~such~~ executive proceedings except by agreement of the commission and all parties to such proceedings.

1VAC50-20-180. Notice to commission of proposed action as required by to §15.2-2907 of the Code of Virginia.

A. Notice of a proposed action as required by ~~§15.1-945.7~~ 15.2-2907 of the Code of Virginia to the commission shall be accompanied by resolution of the governing body of the ~~political subdivision~~ locality providing ~~such~~ the notice evidencing its support of such action. Notice to the commission should indicate the name, title, address, and phone number, and where available, telefax number and email address, of the individual who shall serve as designated contact with the commission regarding the issue presented. All notices required to be given the commission under the provisions of ~~§15.1-945.7~~ 15.2-2907 of the Code of Virginia shall also indicate the other local governments given notice of the proposed action pursuant to 1 VAC 50-20-~~200~~ 180 C.

1. Notice of a proposed annexation initiated by voters or property owners shall be accompanied by the original or certified petition signed by 51% of the voters of any territory adjacent to any municipality or 51% of the owners of real estate in number and land area in a designated area. Notice to the commission should indicate the name, title, address, and phone number, and where available, telefax number and email address, of the individual who shall serve as designated contact with the commission regarding the issue presented. All notices required to be given to the Commission under the provisions of §15.2-2907 of the Code of Virginia shall also indicate the other local governments given notice of the proposed action pursuant to 1 VAC 50-20-180 C.

2. Notice of a petition for the proposed transition of a city to town status that has been referred to the commission pursuant to §15.2-4102 of the Code of Virginia should indicate the name, title, address, and phone number, and where available, telefax number and email address, of the individual who shall serve as designated contact with the commission regarding the issue referred. All notices required to be given the commission under the provisions of §15.2-2907 of

231 the Code of Virginia shall also indicate the other local governments given notice of the proposed
232 action pursuant to 1 VAC 50-20-180 C.

233

234 3. Notice to the commission by a committee of citizens that has been appointed by the circuit
235 court to act for and in lieu of a governing body to perfect a consolidation agreement pursuant to
236 §15.2-3531 of the Code of Virginia should indicate the name, title, address, and phone number,
237 and where available, telefax number and email address, of the individual who shall serve as
238 designated contact with the commission regarding the proposed consolidation. All notices
239 required to be given to the Commission under the provisions of §15.2-2907 of the Code of
240 Virginia shall also indicate the other local governments given notice of the proposed action
241 pursuant to 1 VAC 50-20-180 C.

242

243 ~~**1VAC50-20-190. Submission of supporting materials by initiating party.**~~

244

245 B. Any party giving notice to the commission of a proposed action pursuant to § 15.1-945.7
246 15.2-2907 of the Code of Virginia may submit with such notice as much data, exhibits,
247 documents, or other supporting materials as it deems appropriate; however, such the submissions
248 should be fully responsive to all relevant elements of the applicable section of Part IV (1 VAC
249 50-20-540 et seq.) through 1 VAC 50-20-616.

250

251 ~~**1VAC50-20-200. Notice to affected local governments.**~~

252

253 C. Any local government party giving notice to the commission of a proposed action as required
254 by §15.1-945.7 15.2-2907 of the Code of Virginia shall also give notice to each Virginia local
255 government located within or contiguous to, or sharing functions, revenue, or tax sources with
256 the local government proposing such action. All such notices to the local governments shall
257 include an annotated listing of all documents, exhibits, and other material submitted to the
258 commission in support of the proposed action.

259

260 1. Any voters or property owners giving notice to the commission of a proposed annexation as
261 required by §15.2-2907 of the Code of Virginia shall also give notice to each Virginia local
262 government located within or contiguous to, or sharing functions, revenue, or tax sources with
263 the municipality to which annexation is sought. All notices to the immediately affected local
264 governments shall include copies of all documents, exhibits, and other material submitted to the
265 commission in support of the proposed action, and notice to other localities may include, in lieu
266 of copies of the submissions, an annotated listing of the material.

267

268 2. Any voters whose petition for the proposed transition of a city to town status that has been
269 referred to the commission pursuant to §15.2-4102 of the Code of Virginia shall also give notice
270 to each Virginia local government located within or contiguous to, or sharing functions, revenue,
271 or tax sources with the city proposed for town status. All notices to the immediately affected
272 local governments shall include copies of all documents, exhibits, and other material submitted
273 to the commission in support of the proposed action, and notice to other localities may include,
274 in lieu of copies of the submissions, an annotated listing of the material.

275

276

277 3. A committee of citizens that has been appointed by the circuit court to act for and in lieu of a
 278 governing body to perfect a consolidation agreement pursuant to §15.2-3531 of the Code of
 279 Virginia shall also give notice to each Virginia local government located within or contiguous to,
 280 or sharing functions, revenue, or tax sources with the local governments that are proposed to be
 281 consolidated. All notices to the immediately affected local governments shall include copies of
 282 all documents, exhibits, and other material submitted to the commission in support of the
 283 proposed action, and notice to other localities may include, in lieu of copies of the submissions,
 284 an annotated listing of the material.

285
 286 **~~1VAC50-20-210. Submissions by other parties.~~**

287
 288 D. Any local government receiving notice pursuant to 1 VAC 50-20-200 180 C or any other
 289 affected party may submit such data, exhibits, documents, or other material for commission
 290 review and consideration as it deems appropriate. Such The submissions should, however, be
 291 responsive to all relevant elements of the applicable section of Part IV (1 VAC 50-20-540 et
 292 seq.) through 1 VAC 50-20-616. Any party submitting material to the commission for review
 293 pursuant to this section shall also designate an individual as principal contact for the commission
 294 and shall furnish the individual's title, address and phone number, and where available, telefax
 295 number and email address. An annotated listing of all documents, exhibits, or other material
 296 submitted to the commission pursuant to this section shall be provided to the party initiating the
 297 proceeding before the commission. The commission may establish a time by which all
 298 submissions by respondent parties must be received.

299
 300 **~~1VAC50-20-220. Commission scheduling of review.~~**

301
 302 E. Upon its receipt of notice of a proposed action pursuant to 1 VAC 50-20-180 A, the
 303 commission shall, subsequent to discussion with representatives of the party submitting the
 304 notice and other appropriate parties, schedule a review of the proposed action. The commission
 305 shall also concurrently extend the services of its office to the parties in an endeavor to promote a
 306 negotiated settlement of the issue and, further, may designate, with the agreement of the parties,
 307 an independent mediator to assist in the negotiations.

308
 309 1. The Commission's review of a notice of a proposed annexation as required by §15.2-2907 of
 310 the Code of Virginia filed by voters or property owners shall be terminated upon receipt of an
 311 ordinance, duly adopted by a majority of the elected members of the governing body of the
 312 affected city or town, rejecting the annexation proposed by the notice.

313
 314 **1VAC50-20-230. Referral to commission of proposed voluntary settlement agreements.**

315
 316 A. Referral of a proposed voluntary settlement agreement to the commission under the
 317 provisions of § 15.1-1176.1 15.2-3400 of the Code of Virginia shall be accompanied by
 318 resolutions, joint or separate, of the governing bodies of the political subdivision localities which
 319 are parties to the proposed agreement requesting the commission to review such the agreement.
 320 The resolution or resolutions shall also state the intention of the governing bodies to adopt such
 321 the agreement subsequent to the commission's review and shall designate the individual (with
 322 title, address, and telephone number) should indicate the name, title, address, and phone number,

323 and where available, telefax number and email address, of the individual who shall serve as each
324 locality's principal contact with the commission during the period of its review. Referrals to the
325 commission pursuant to § ~~15.1-1176.1~~ 15.2-3400 of the Code of Virginia shall also be
326 accompanied by a listing of local governments receiving notice of ~~such~~ the referral under 1 VAC
327 ~~50-20-250~~ 230 C.

328

329 ~~**1VAC50-20-240. Submission of supporting materials by parties making referral.**~~

330

331 B. Any party or parties referring a proposed voluntary settlement agreement to the commission
332 for review pursuant to § ~~15.1-1176.1~~ 15.2-3400 of the Code of Virginia may submit with ~~such~~
333 the proposed agreement as much data, exhibits, documents, or other supporting materials as
334 deemed appropriate; however, ~~such~~ the submissions should be fully responsive to all relevant
335 elements of the applicable section of ~~Part IV (1 VAC 50-20-540 et seq.)~~ 610.

336

337 ~~**1VAC50-20-250. Notice to affected local governments.**~~

338

339 C. Whenever a proposed voluntary settlement agreement is referred to the commission for
340 review pursuant to 1 VAC 50-20-230 A, the parties to ~~such~~ the proposed agreement shall
341 concurrently give notice of ~~such~~ the referral to each Virginia local government with which any of
342 ~~such~~ the parties is contiguous, or with which any of ~~such~~ the parties shares any function,
343 revenue, or tax source. All such notices of referral shall be accompanied by a copy of the
344 proposed voluntary settlement agreement, or a descriptive summary thereof, and an annotated
345 listing of all documents, exhibits, and other materials submitted to the commission in support of
346 the proposed agreement.

347

348 ~~**1VAC50-20-260. Submissions by other parties.**~~

349

350 D. Any local government receiving notice of referral pursuant to 1 VAC 50-20-250 230 C, or
351 any other party, may submit ~~such~~ data, exhibits, documents, or other supporting materials
352 relevant to the commission's review as it deems appropriate; however, such submissions should
353 be responsive to all relevant elements of the applicable section of ~~Part IV (1 VAC 50-20-540 et~~
354 ~~seq.)~~ 610. Any party submitting materials to the commission pursuant to this chapter shall also
355 designate an individual (~~with title, address, and phone number~~) who shall serve as principal
356 contact with the commission during the period of its review, and shall furnish the individual's
357 title, address and phone number, and where available, telefax number and email address. The
358 commission may establish a time by which all submissions by respondent parties must be
359 received. Any party submitting materials to the commission pursuant to this chapter shall also
360 provide an annotated listing of ~~such~~ the material to the parties to the proposed voluntary
361 settlement agreement.

362

363 ~~**1VAC50-20-270. Referral to commission of proposed town-county agreement defining**~~
364 ~~**annexation rights.**~~

365

366 A. Referral to the commission of a proposed town-county agreement defining annexation rights
367 pursuant to § 15.2-3231 of the Code of Virginia shall be accompanied by resolutions, joint, or
368 separate, of the governing bodies of the town and county requesting the commission to review

369 ~~the such~~ agreement. The resolution or resolutions shall also state the intention of the governing
370 bodies to adopt ~~such the~~ agreement subsequent to the commission's review and ~~shall designate~~
371 ~~the individual (with title, address, and telephone number)~~ should indicate the name, title, address,
372 and phone number, and where available, telefax number and email address, of the individual who
373 shall serve as each locality's principal contact with the commission during the period of its
374 review. Referrals to the commission pursuant to ~~§15.1-1058.2~~ 15.2-3231 of the Code of Virginia
375 shall also be accompanied by a listing of local governments receiving notice of ~~such~~ referral
376 under 1 VAC 50-20-~~290~~ 270 C.

377
378 **~~1VAC50-20-280. Submission of supporting materials by parties making referral.~~**

380 B. Any party or parties referring a proposed agreement to the commission for review pursuant to
381 ~~§15.1-1058.2~~ 15.2-3231 of the Code of Virginia may submit with ~~such the~~ proposed agreement
382 as much data, exhibits, documents, or other supporting materials as deemed appropriate;
383 however, ~~such~~ submissions should be fully responsive to all relevant elements of the applicable
384 section of ~~Part IV (1 VAC 50-20-540 et seq.)~~ 560.

385
386 **~~1VAC50-20-290. Notice to affected local governments.~~**

388 C. Whenever a proposed agreement is referred to the commission for review pursuant to 1 VAC
389 50-20-270 A, the parties to ~~such the~~ proposed agreement shall concurrently give notice of ~~such~~
390 the referral to each local government with which either party is contiguous or with which either
391 party shares any function, revenue, or tax source. All ~~such~~ notices of referral shall be
392 accompanied by a copy of the proposed agreement, or a descriptive summary thereof, and an
393 annotated listing of all documents, exhibits, and other materials submitted to the commission in
394 support of the proposed agreement.

395
396 **~~1VAC50-20-300. Submissions by other parties.~~**

398 D. Any ~~other~~ local government receiving notice of referral pursuant to 1 VAC 50-20-~~290~~ 270 C,
399 or any other party, may submit ~~such~~ data, exhibits, documents, or other supporting materials
400 relevant to the commission's review as they deem appropriate; however, ~~such the~~ submissions
401 should be responsive to all relevant elements of the applicable section of ~~Part IV (1 VAC 50-20-~~
402 ~~540 et seq.)~~ 560. Any party submitting materials to the commission pursuant to these regulations
403 shall also designate an individual (~~with title, address, and phone number~~) who shall serve as
404 principal contact with the commission during the period of its review, and shall furnish the
405 individual's title, address and phone number, and where available, telefax number and email
406 address. The commission may establish a time by which all submissions by respondent parties
407 must be received. Any party submitting materials to the commission pursuant to this chapter
408 shall also provide an annotated listing of ~~such the~~ material to the parties to the proposed
409 agreement.

410
411 **~~1VAC50-20-310. Petition to commission~~ Referral to commission of town petition for order**
412 **establishing annexation rights.**

413
414 A. Any town unable to reach an agreement with its county as to future annexation rights may,

415 pursuant to ~~15.1-1058.4~~ 15.2-3234 of the Code of Virginia, adopt an ordinance petitioning the
416 commission for an order establishing its rights to annex territory in such county. The petition to
417 the commission shall include the terms of a proposed order establishing the town's annexation
418 rights and ~~shall designate the individual (with title, address, and telephone number)~~ should
419 indicate the name, title, address, and phone number, and where available, telefax number and
420 email address, of the individual who shall serve as the town's principal contact with the
421 commission. Petitions to the commission pursuant to ~~§15.1-1058.4~~ 15.2-3234 of the Code of
422 Virginia shall also be accompanied by a copy of the ordinance and by a listing of all local
423 governments being served or receiving notice of the town's petition pursuant to 1 VAC 50-20-
424 ~~330~~ 310 C.

425
426 **~~1VAC50-20-320. Submission of supporting materials by town petitioning commission.~~**

427
428 B. Any town petitioning the commission under the authority of ~~§15.1-1058.4~~ 15.2-3234 of the
429 Code of Virginia may submit with ~~such~~ the petition as much data, exhibits, documents, or other
430 supporting materials as deemed appropriate; however, ~~such~~ the submissions should be fully
431 responsive to all relevant elements of the applicable section of ~~Part IV (1 VAC 50-20-540 et~~
432 ~~seq.)~~ 616.

433
434 **~~1VAC50-20-330. Service or notice to affected local governments.~~**

435
436 C. Any town petitioning for an order establishing its annexation rights under the authority of
437 ~~§15.1-1058.4~~ 15.2-3234 of the Code of Virginia shall serve a copy of the petition and ordinance
438 on the Commonwealth's attorney, or the county attorney if there be one, and on the chairman of
439 the board of supervisors of the county whose territory would be affected by the town's proposed
440 annexation order. The town shall also give notice of its petition to all other towns located within
441 such county and to each local government adjoining ~~such~~ the affected county. The service in the
442 county and the notice to other localities shall be accompanied by an annotated listing of all
443 materials submitted to the commission pursuant to 1 VAC 50-20-~~320~~ 310 B.

444
445 **~~1VAC50-20-340. Submissions by county and other parties.~~**

446
447 D. A county served with a copy of a town's petition pursuant to 1 VAC 50-20-~~330~~ 310 C shall
448 file its response to such petition with the commission within 60 days after receipt of such service.
449 Any other ~~locality~~ party receiving notice pursuant to 1 VAC 50-20-~~330~~ 310 C, ~~or other party,~~
450 may also submit materials to the commission for consideration with respect to the town's petition
451 within 60 days of their receipt of such notice. Responses and submissions to the commission
452 pursuant to this chapter may include ~~such~~ data, exhibits, documents, or other materials as the
453 submitting party deems appropriate; however, such responses and submissions should be
454 responsive to all relevant elements of the applicable section of ~~Part IV (1 VAC 50-20-540 et~~
455 ~~seq.)~~ 616. Any party submitting materials to the commission for review pursuant to this chapter
456 shall also designate an individual ~~(with title, address, and phone number)~~ who shall serve as
457 principal contact with the commission, and shall furnish the individual's title, address and phone
458 number, and where available, telefax number and email address. Any party submitting materials
459 to the commission pursuant to this chapter shall also provide an annotated listing of such
460 material to the town petitioning the commission.

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1VAC50-20-350. Referral to commission of minor adjustment of boundary lines.

A. Whenever a court refers a proposed boundary line adjustment to the commission pursuant to § ~~15.1-1031.4~~ 15.2-3109 of the Code of Virginia, the ~~jurisdictions~~ localities proposing the boundary line adjustment shall, upon receipt of notification of ~~such~~ the referral, provide the commission with a copy of their petition to the court and shall designate an individual for each ~~jurisdiction~~ locality ~~(with title, address, and phone number)~~ who shall serve as principal contact with the commission, and shall furnish the individual’s title, address, and phone number, and where available, telefax number and email address. ~~The jurisdictions shall also advise the commission of those localities receiving notice of the proposed boundary adjustment pursuant to 1 VAC 50-20-370.~~ Referrals to the commission pursuant to §15.2-3109 of the Code of Virginia shall also be accompanied by a listing of local governments receiving notice of the referral under 1 VAC 50-20-350 C.

~~**1VAC50-20-360. Submission of supporting materials by local governments proposing boundary adjustments.**~~

B. The two ~~jurisdictions~~ localities proposing a boundary line adjustment pursuant to § ~~15.1-1031.4~~ 15.2-3109 of the Code of Virginia may, jointly or independently, submit to the commission with their petition as much data, exhibits, documents, or other supporting materials as they deem appropriate; however, such submissions should be fully responsive to all relevant elements of the applicable section of ~~Part IV (1 VAC 50-20-540 et seq.)~~ 600.

~~**1VAC50-20-370. Notice to affected local governments.**~~

C. Whenever a proposed boundary line adjustment, ~~as authorized by § 15.1-1031.4 of the Code of Virginia,~~ is referred to the commission for review pursuant to §15.2-3109 of the Code of Virginia, the ~~local governments~~ localities proposing the adjustment shall concurrently give notice of the proposed adjustment as well as notice of the referral of the issue to the commission to each local government with which either party is contiguous and to any other ~~locality~~ local government deemed to be potentially affected by the proposed adjustment. Such notice shall include a copy of the petition requesting the boundary line adjustment, or an informative summary thereof, and an annotated listing of all documents, exhibits, and other materials submitted to the commission for review pursuant to ~~1 VAC 50-20-360~~ 350 B.

~~**1VAC50-20-380. Submissions by other parties.**~~

D. Any local government receiving notice of a proposed boundary line adjustment pursuant to ~~1 VAC 50-20-370~~ 350 C, or any other party, may submit such data, exhibits, documents, or other supporting materials relevant to the commission’s review as they deem appropriate; however such submissions should be responsive to all relevant elements of the applicable section of ~~Part IV (1 VAC 50-20-540 et seq.)~~ 600. Any party submitting materials to the commission pursuant to this chapter shall also designate an individual ~~(with title, address, and phone number)~~ who shall serve as principal contact with the commission during the period of its review, and shall

507 furnish the individual’s title, address, and phone number, and where available, telefax number
508 and email address. The commission may establish a time by which all submissions by
509 respondent parties must be received. Any party submitting materials to the commission pursuant
510 to this chapter shall also provide an annotated listing of ~~such the material~~ materials to the ~~local~~
511 governments localities proposing the boundary line adjustment.

513 **1VAC50-20-382. Referral to commission of proposed economic growth-sharing**
514 **agreements.**

515
516 A. Referral of a proposed economic growth-sharing agreement to the commission under the
517 provisions of §15.2-1301 of the Code of Virginia shall be accompanied by resolution, joint or
518 separate, of the governing bodies of the localities which are parties to the proposed agreement
519 requesting the commission to review the agreement. The resolution or resolutions shall also state
520 the intention of the governing bodies to adopt the agreement subsequent to the commission's
521 review and should indicate the name, title, address, and phone number, and where available,
522 telefax number and email address, of the individual who shall serve as each locality's principal
523 contact with the commission during the period of its review. Referrals to the commission
524 pursuant to §15.2-1301 of the Code of Virginia shall also be accompanied by a listing of local
525 governments receiving notice of the referral under 1 VAC 50-20-382 C.

526
527 B. Any party or parties referring a proposed economic growth-sharing agreement to the
528 commission for review pursuant to §15.2-1301 of the Code of Virginia may submit with the
529 proposed agreement as much data, exhibits, documents, or other supporting materials as deemed
530 appropriate; however, the submissions should be fully responsive to all relevant elements of the
531 applicable section of 1 VAC 50-20-612.

532
533 C. Whenever a proposed economic growth-sharing agreement is referred to the commission for
534 review pursuant to 1 VAC 50-20-382 A, the parties to the proposed agreement shall concurrently
535 give notice of the referral to each Virginia local government with which any of the parties is
536 contiguous, or with which any of the parties shares any function, revenue, or tax source. All
537 notices of referral shall be accompanied by a copy of the proposed agreement, or a descriptive
538 summary thereof, and an annotated listing of all documents, exhibits, and other materials
539 submitted to the commission in support of the proposed agreement.

540
541 D. Any local government receiving notice of referral pursuant to 1 VAC 50-20-382 C, or any
542 other party, may submit data, exhibits, documents, or other supporting materials relevant to the
543 commission’s review as it deems appropriate; however, the submissions should be responsive to
544 all relevant elements of the applicable section of 1 VAC 50-20-612. Any party submitting
545 materials to the commission pursuant to this chapter shall also designate an individual who shall
546 serve as principal contact with the commission during the period of its review, and shall furnish
547 the individual’s title, address and phone number, and where available, telefax number and email
548 address. Any party submitting materials to the commission pursuant to this chapter shall also
549 provide an annotated listing of the material to the parties to the proposed agreement.

550
551 **1VAC50-20-384. Determination of continued eligibility for city status**

552

553 A. The commission shall review each decennial census of population released by the United
554 States Bureau of the Census to determine whether any city has failed to meet the criteria for city
555 status established by Article VII, Section 1 of the Constitution of Virginia. In any instance
556 where the census indicates that a city may not meet the constitutional criteria, the commission
557 shall conduct an investigation of the city’s population, assets, liabilities, rights and obligations,
558 and shall certify its findings to the governing body of such city.

559
560 B. In the conduct of its investigation the commission shall request the assistance of the city in
561 the provision of relevant data and information. The city may submit as much data, exhibits,
562 documents or other material as it deems appropriate; however, the submissions should be
563 responsive to all relevant elements of the applicable section of 1VAC 50-20-614.

564
565
566 **1VAC50-20-390. Counsel General provision applicable to mandatory commission reviews.**

567
568 A. Any local government or other party appearing before the commission relative to any
569 mandatory review may be represented by counsel.

570
571 **~~1VAC50-20-400. Order for consideration of issues.~~**

572
573 B. The commission shall generally schedule for consideration issues in the order in which
574 received; however, the commission reserves the right to consider issues in other sequence where
575 it deems ~~such~~ appropriate. Where notices are received of related or competitive actions affecting
576 the same ~~political subdivision or subdivisions~~ locality or localities, the commission may, where
577 appropriate, consider ~~such~~ the issues and render ~~such~~ the reports or a consolidated report
578 concurrently.

579
580 **~~1VAC50-20-410. Scheduling of a commission review.~~**

581
582 C. Subsequent to its receipt of an issue for a mandatory review the commission shall meet, or
583 otherwise converse, with representatives of the principally affected ~~localities~~ parties for purposes
584 of establishing a schedule for its review of the issue. ~~Such~~ The schedule shall include dates (i)
585 for the submission of responsive materials from affected jurisdictions, (ii) for tours of affected
586 areas and oral presentations, if any are desired by the commission, (iii) for a public hearing, and
587 (iv) for the issuance of the commission's report.

588
589 **~~1VAC50-20-420. Continuances and deferrals.~~**

590
591 D. The commission may continue or defer its proceedings with respect to an issue at any time it
592 deems ~~such~~ appropriate; however, no ~~such~~ continuance or deferral shall result in an extension of
593 the commission's reporting deadline beyond any time limit imposed by law, except by agreement
594 of the parties or in accordance with other statutory procedures. The commission shall also accept
595 requests for continuances or deferrals from any party at any time during its proceedings but shall
596 not grant or deny any such requests until all parties have had an opportunity to comment on ~~such~~
597 the requests. In any instance where the commission grants a continuance or a deferral, ~~such~~ the
598 continuance or deferral may be conditioned upon an appropriate extension of the commission's

599 reporting deadline with respect to the issue under review.

600

601 E. The commission may confront the necessity of continuing or deferring its proceedings as a
602 result of statutory requirement or court order. In such instances, the commission shall reschedule
603 its proceedings, upon consultation with the parties, in a manner that permits an expeditious
604 conclusion of its review. The parties should anticipate, however, that the duration of the
605 continuance or stay shall result in a commensurate delay in the issuance of the commission’s
606 report.

607

608 ~~1VAC50-20-430. Convening of other meetings with parties.~~

609

610 F. In addition to any meeting, presentation, public hearing, or other gathering of the parties
611 specified by this chapter, the commission may, where it deems such necessary for an analysis of
612 material or for a discussion or clarification of the issues before it, schedule other meetings of
613 appropriate parties.

614

615 ~~1VAC50-20-440. Restrictions on communications with commissioners.~~

616

617 G. No party or parties to a proceeding before the commission for mandatory review shall
618 communicate in any manner with any member of the commission with respect to the merits of
619 the issue under review except as is authorized by this chapter, or as may be otherwise authorized
620 by the commission or its chairman.

621

622 ~~1VAC50-20-450. Supplemental submissions.~~

623

624 H. In addition to the submissions authorized by the preceding sections of Part III (1 VAC 50-
625 20-180 et seq.) through 1 VAC 50-20-384, the commission may allow supplemental submissions
626 where such are deemed necessary or appropriate by the commission for the provision of current
627 and complete data. Where supplemental submissions are authorized pursuant to this chapter
628 subsection, copies of all such submissions shall be provided by the submitting party to all
629 principal parties. The commission shall endeavor to establish dates for the filing of all such
630 supplemental submissions which will allow an opportunity for their review and critical analysis
631 by other affected parties. However, the commission may accept supplemental submissions filed
632 after any established dates if, in the commission’s judgment, the submissions assist the
633 commission in the discharge of its statutory responsibilities.

634

635 ~~1VAC50-20-460. Disclosure of submissions.~~

636

637 I. Any material submitted to the commission by the parties in conjunction with or relative to any
638 notice filed pursuant to any mandatory review covered by Part III (1 VAC 50-20-180 et seq.)
639 through 1 VAC 50-20-384, except materials presented in the context of negotiations or mediation
640 of a confidential nature as authorized by law, shall be considered public documents and made
641 available by the submitting party for review by any other interested party or by the public. Any
642 interested party or member of the public may request copies of any such material which shall be
643 provided promptly by the party submitting such the material to the commission at a price
644 sufficient to cover the cost of reproduction.

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~~**1VAC50-20-470. Identification and nature of materials submitted.**~~

J. Each document, exhibit, or other material submitted to the commission shall bear a title, the date of preparation, a detailed citation of the sources from which all data are obtained, and the name of the entity which submitted ~~such~~ the document, exhibit, or other material. All material submitted to the commission by a local government shall be, as nearly as practicable, in the same form as ~~such~~ the material would subsequently be submitted to the courts. The commission may ~~not refuse to~~ accept for review and consideration any exhibit, document, or other material unless the person preparing it, or a representative of the entity responsible for its submission, shall be willing to appear before the commission for purposes of answering questions concerning ~~such~~ the material.

~~**1VAC50-20-480. Projections of data.**~~

K. Unless otherwise requested, wherever the regulations of the commission call for the projection of data, ~~such~~ the projections should be made for periods of time deemed appropriate and possible by the submitting party. In each instance where projections are given, the method and bases of ~~such~~ the projections should be indicated.

~~**1VAC50-20-490. Certification of submissions.**~~

L. All data, exhibits, documents, or other material submitted to the commission on the initiative of a party or pursuant to a request from the commission shall be certified by the submitting party (i) as to source and (ii) as to the fact that ~~such~~ the material is correct within the knowledge of the submitting party.

~~**1VAC50-20-500. Required copies of submissions.**~~

M. Any ~~local government party or parties~~ filing notice or making submissions to the commission shall provide at least eight copies of all submissions, unless the commission agrees that a lesser number would be sufficient for its review and analysis. The commission may make provisions for the electronic filing of submissions, including facsimile.

~~**1VAC50-20-510. Staff solicitation of data.**~~

N. At any time during the course of the commission's review of any issue, the commission's staff may solicit ~~such~~ additional data, documents, records, or other materials from the parties as is deemed necessary for proper analysis of ~~such~~ any issue. Where such materials are solicited from a party, the commission's staff, where practicable, shall make ~~such~~ the request in writing, with copies of ~~such~~ the request being provided to other principal parties. Copies of all materials submitted to the commission pursuant to this chapter shall concurrently be provided to each principal party, or shall be made available to ~~such~~ the parties in a manner acceptable to the commission. The commission shall be given written notification by the submitting party of each principal party provided a copy of ~~such~~ the material or of arrangements proposed for making ~~such~~ the material available to the principal parties.

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~~1VAC50-20-520. Independent research by commission.~~

Q. The commission shall not be limited in its analysis of any issue to the materials submitted by the parties but shall undertake ~~such~~ independent research as it deems appropriate in order to assure a full and complete investigation of each issue.

~~1VAC50-20-530. Cooperation among parties in provision of data.~~

P. The commission shall request all parties to cooperate fully in the development and timely sharing of data relative to the issue under review. The commission considers ~~such~~ the cooperation among parties vital to the discharge of its responsibilities.

Q. The commission may allow the parties to correct the data, exhibits, documents, or other material submitted to the commission prior to the date established for the closing of the record pursuant to 1 VAC 50-20-640 B. Where corrections are authorized pursuant to this chapter, copies of all corrections shall be provided by the submitting party to all principal parties. If, in the commission’s judgment, the corrections are of a substantive nature as to significantly alter the scope or character of the issue under review, the commission may delay its proceedings for an appropriate amount of time to provide an opportunity for other parties to respond to the corrected data, exhibits, documents, or other material.

R. Following the receipt of a notice, the commission may request the party initiating the proposed action to prepare and file testimony in support of the proposed action. The testimony of the party initiating the proposed action may refer to all data, exhibits, documents, or other material previously submitted to the commission or filed with the testimony. In all proceedings in which the initiating party files testimony, the affected party or parties shall be permitted and may be requested by the commission to file, on or before a date established by the commission, testimony in response to the proposed action. The testimony of the affected party or parties may refer to all data, exhibits, documents, or other material previously submitted to the commission or filed with the testimony. Any affected party or parties that chooses not to file testimony by the date established by the commission may not thereafter present testimony except by permission of the commission, but may otherwise fully participate in the proceeding and engage only in cross-examination of the testimony of other parties. Failure to comply with the directions of the commission, without good cause shown, may result in rejection of the testimony by the commission. The commission may permit the parties to correct or supplement any prepared testimony before or during the oral presentations as called for in 1 VAC 50-20-620. Eight copies of prepared testimony shall be filed unless otherwise specified by the commission.

1VAC50-20-540. Annexation.

In developing its findings of fact and recommendations with respect to a proposed annexation, the commission shall consider the information, data, and factors listed in this ~~chapter~~ section. Any city or town filing notice with the commission that it proposes to annex territory shall submit with ~~such~~ the notice data and other evidence responsive to each element listed ~~herein~~ in this section which it deems relevant to ~~its case~~ the proposed annexation. Any voters or property

737 owners filing notice pursuant to §15.2-2907 of the Code of Virginia with the commission
738 seeking annexation to a municipality shall submit with the notice data and other evidence
739 responsive to each element listed in this section which it deems relevant to the proposed
740 annexation, except that 1 VAC50-20-540 1 is a required to be included in the notice filed with
741 the commission.

742

743 1. A written metes and bounds description of the boundaries of the area proposed city for
744 annexation having, as a minimum, sufficient certainty to enable a layman to identify the
745 proposed new boundary. ~~Such~~ The description may make reference to readily identifiable
746 monuments such as public roads, rivers, streams, railroad rights of way, and similar discernible
747 physical features.

748

749 2. A map or maps showing (i) the boundaries of the area proposed for annexation and their
750 geographic relationship to existing political boundaries, (ii) identifiable unincorporated
751 communities, (iii) major streets, highways, schools, and other major public facilities, (iv)
752 significant geographic features, including mountains and bodies of water, (v) existing uses of the
753 land, including residential, commercial, industrial, and agricultural, and (vi) information deemed
754 relevant as to the possible future use of the property within the area sought for annexation.

755

756 3. A ~~tabular compilation~~ land use table showing both the acreage and percentage of land
757 currently devoted to the various categories of land use in the municipality, the county, and the
758 area proposed for annexation.

759

760 4. The past, the estimated current, and the projected population of the municipality, the county
761 affected by the proposed annexation, and the area of the county proposed for annexation.

762

763 5. The past, the estimated current, and the projected future number of public school students
764 enrolled in the public schools and the number of school age children living in the municipality,
765 the county affected by the proposed annexation, and the area of the county proposed for
766 annexation.

767

768 6. The assessed property values, by major classification ~~where a classification system is~~
769 ~~maintained~~, and if appropriate, the ratios of assessed values to true values for real property,
770 personal property, machinery and tools, merchants' capital, and public service corporation
771 property for the current year and the preceding 10 years for the municipality, and the county
772 affected by the proposed annexation, and similar data for the current year for the area of the
773 county proposed for annexation.

774

775 7. The current local property and nonproperty tax rates and ~~such~~ the tax rates for the preceding
776 10 years, applicable within the municipality, the county affected by the proposed annexation, and
777 the area of the county proposed for annexation.

778

779 8. The estimated current local revenue collections and intergovernmental aid, ~~such~~ the
780 collections and aid for the previous 10 years, and projections of ~~such~~ the collections and aid
781 (including tax receipts from real property, personal property, machinery and tools, merchants'
782 capital, business and professional license, consumer utility and sales taxes) within the

783 municipality, and the county affected by the proposed annexation, and similar data for the past
784 year for the area of the county proposed for annexation.

785
786 9. The amount of long term indebtedness and the purposes for which all ~~such~~ long-term debt has
787 been incurred by the municipality and the county affected by the proposed annexation.

788
789 10. The need in the area proposed for annexation for urban services, including but not limited to
790 those listed below, the level of ~~such~~ services provided by the municipality and by the county
791 affected by the proposed annexation, and the ability of the municipality and the county to
792 provide ~~such~~ the services in the area proposed for annexation:

793
794 Sewage treatment;

795
796 Water;

797
798 Solid waste collection and disposal;

799
800 Public planning;

801
802 Subdivision regulation and zoning;

803
804 Crime prevention and detection;

805
806 Fire prevention and protection;

807
808 Public recreational facilities;

809
810 Library facilities;

811
812 Curbs, gutters, and sidewalks;

813
814 ~~Gutters~~ Storm drains;

815
816 ~~Sidewalks~~ Street lighting;

817
818 ~~Storm drains~~ Snow removal;

819
820 ~~Street lighting~~ Street maintenance;

821
822 ~~Snow removal~~ Schools;

823
824 ~~Street maintenance~~ Housing; and;

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826 ~~Schools~~ Public Transportation.

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828 Housing; and

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~~Public transportation.~~

11. Efforts made by the municipality and the county affected by the proposed annexation to comply with applicable state policies with respect to environmental protection, public planning, education, public transportation, housing, and other state service policies promulgated by the General Assembly.

12. The community of interest which (i) may exist between the municipality and the area proposed for annexation and its citizens and which (ii) may exist between ~~such~~ that area and its citizens and the rest of the county; the term “community of interest” may include, but not be limited to, consideration of natural neighborhoods, natural and manmade boundaries, the similarity of service needs, and economic and social bonds.

13. Any arbitrary prior refusal to cooperate by the governing body of the municipality or of the county affected by the proposed annexation, if such has occurred, to enter into cooperative agreements providing for joint activities which would have benefited citizens of both ~~political subdivision~~ localities.

14. The need for the municipality to expand its tax resources, including its real estate and personal property tax base.

15. The need of the municipality to obtain land for industrial, commercial, and residential development.

16. The adverse effect on the county affected by the proposed annexation resulting from the loss of areas suitable and developable for industrial, commercial, or residential use.

17. The adverse effect on the county of the loss of tax resources and public facilities ~~on the ability of the county~~ necessary to provide services to those persons in the remaining areas of the county after the proposed annexation.

18. The adverse impact of the proposed annexation on agricultural operations located in the area proposed for annexation.

~~19.~~ 19. The terms and conditions upon which the municipality proposes to annex, its plans for the improvement of the annexed territory during the 10-year period following annexation, including the extension of public utilities and other services, and the means by which the municipality shall finance the improvements and extension of services.

~~20.~~ 20. Data pertinent to a determination of the appropriate financial settlement between the municipality and the affected county as required by ~~§15.1-1042~~ 15.2-3211 of the Code of Virginia and other applicable provisions of the Code of Virginia.

~~21.~~ 21. The commission’s staff shall endeavor to assist localities contemplating or involved in annexation proceedings by identifying additional data elements considered by the commission to

875 be relevant in the disposition of annexation issues.

876

877 **1VAC50-20-550. Partial county immunity.**

878

879 In developing its findings of fact and recommendations with respect to a proposed petition for
880 partial immunity the commission shall consider the information, data, and factors listed in this
881 ~~chapter~~ section. Any county filing notice with the commission that it proposes to seek immunity
882 for a portion of its territory shall submit with ~~such~~ the notice data and other evidence responsive
883 to each element listed ~~below~~ in this section which it deems relevant to ~~its case~~: the proposed
884 petition for partial immunity.

885

886 1. A written metes and bounds description of the area for which immunity is sought having, as a
887 minimum, sufficient certainty to enable a layman to identify the proposed immunity areas. ~~Such~~
888 The description may make reference to readily identifiable monuments such as public roads,
889 rivers, streams, railroad rights of way, and similar discernible physical features.

890

891 2. A map or maps showing: (i) the boundaries of the area proposed for immunity and their
892 geographic relationship to existing political boundaries; (ii) identifiable unincorporated
893 communities; (iii) major streets, highways, schools, and other major public facilities; (iv)
894 significant geographic features, including mountains and bodies of water; (v) existing uses of the
895 land, including residential, commercial, industrial, and agricultural; and (vi) information deemed
896 relevant as to the possible future use of the property within the area for which immunity is
897 sought.

898

899 3. A ~~tabular compilation~~ land use table showing both the acreage and percentage of land
900 currently devoted to the various categories of land use in the county, the affected city, and the
901 area proposed for immunity.

902

903 4. The estimated current and projected population and population density of the areas for which
904 immunity is sought.

905

906 5. The urban services, including but not limited to those listed below, provided in the area for
907 which immunity is sought and the type and level of ~~such~~ services in relation to those furnished
908 by the city from which immunity is sought:

909

910 Sewage treatment;

911

912 Water;

913

914 Solid waste collection and disposal;

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916 Public planning;

917

918 Subdivision regulation ~~of~~ and zoning;

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920 Crime prevention and detection;

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 922 Fire prevention and protection;
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 924 Public recreational facilities;
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 926 Library facilities;
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 928 Curbs, gutters, sidewalks;
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 930 Storm drains;
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 932 Street lighting;
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 934 Snow removal;
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 936 Street maintenance;
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 938 Schools;
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 940 Housing; and
 941
 942 Public transportation.

943
 944 6. Efforts made by the county to comply with applicable state policies with respect to
 945 environmental protection, public planning, education, public transportation, housing, and other
 946 state service policies promulgated by the General Assembly.
 947

948 7. The community of interest which: (i) may exist between the area for which immunity is
 949 sought and the remainder of the county; (ii) the community of interest which may exist between
 950 ~~such~~ that area and the city from which immunity is sought; and (iii) the relative strength of ~~such~~
 951 the community of interests.
 952

953 8. Any instance in which either the county or the affected city has arbitrarily refused to
 954 cooperate in the joint provision of services.
 955

956 9. Whether the proposed grant of immunity would substantially foreclose a city of 100,000
 957 population or less from expanding its boundaries by annexation.
 958

959 10. The commission’s staff shall endeavor to assist localities contemplating or involved in
 960 partial immunity proceedings by identifying the additional data elements considered by the
 961 commission to be relevant in the disposition of partial immunity issues.
 962

963 **1VAC50-20-560. Town-county agreements defining annexation rights.**
 964

965 In developing its findings of fact and recommendations with respect to a proposed town-county
 966 annexation agreement the commission shall consider the information, data, and factors listed in

967 this ~~chapter~~ section. Any town or county presenting proposed annexation agreements to the
968 commission under the provisions of ~~§15.1-1058.2 or §15.1-1058.4~~ 15.2-3231 of the Code of
969 Virginia shall submit with the proposed agreement data and other evidence responsive to each
970 element listed ~~below~~ in this section which it deems relevant.

971
972 1. A written metes and bounds description of those areas of the county made eligible for
973 annexation under the proposed agreement having as a minimum, sufficient certainty to enable a
974 layman to identify ~~such~~ those areas. ~~Such~~ The description may make reference to readily
975 identifiable monuments such as public roads, rivers, streams, railroad rights of way, and similar
976 discernible physical features.

977
978 2. A map or maps showing: (i) the boundaries of the various areas eligible for annexation under
979 the proposed agreement and their relationship to existing political boundaries; (ii) identifiable
980 unincorporated communities; (iii) major streets, highways, schools, and other major public
981 facilities; (iv) significant geographic features, including mountains and bodies of water; (v)
982 existing uses of the land, including residential, commercial, industrial and agricultural; and (vi)
983 information deemed relevant as to the possible future use of the property in the areas affected by
984 the proposed agreement.

985
986 3. A ~~tabular compilation~~ (land use table) showing both the acreage and percentage of land
987 currently devoted to the various categories of land use in the town, the county, and the areas of
988 the county affected by the agreement.

989
990 4. The past, the estimated current, and the projected population of the town, the county, and
991 those areas of the county affected by the proposed agreement.

992
993 5. The past, the estimated current, and the projected number of public school students enrolled
994 in the public schools and the number of school age children living in the town, the county, and
995 those areas of the county affected by the proposed agreement.

996
997 6. The assessed property values, by major classification ~~where a classification system is~~
998 ~~maintained~~, and, if appropriate, the ratios of assessed values to true values for real property,
999 personal property, machinery and tools, merchants' capital, and public service corporation
1000 property for the current and preceding 10 years for the town, and the county, and similar data for
1001 the current year in those areas of the county affected by the proposed agreement.

1002
1003 7. The need of the municipality to expand its tax resources, including its real estate and personal
1004 property tax base.

1005
1006 8. The need of the municipality to obtain land for industrial, commercial, and residential
1007 development.

1008
1009 9. The current and prospective need for additional urban services in the areas of its county
1010 subject to annexation under the agreement.

1011
1012 10. Plans for the immediate and future improvement of areas annexed under the terms of the

1013 agreement, including the extension of public utilities and other services.

1014

1015 11. The commission's staff shall endeavor to assist localities contemplating or involved in town-
1016 county agreements defining annexation rights by identifying additional data elements considered
1017 by the commission to be relevant in the disposition of ~~such~~ the issues.

1018

1019 **1VAC50-20-570. Town incorporation.**

1020

1021 In developing its findings of fact and recommendations with respect to a proposed town
1022 incorporation the commission shall consider the information, data, and factors listed in this
1023 ~~chapter~~ section. Any party or parties filing notice with the commission that they propose to have
1024 a community incorporated as a town, or whose petition for incorporation has been referred to the
1025 commission by the court pursuant to ~~§15.1-966.1~~ 15.2-3601 of the Code of Virginia, shall submit
1026 with such notice or subsequent to ~~such~~ the court referral data and other evidence responsive to
1027 each element listed ~~below~~ in this section which they deem relevant to the ~~issue~~: proposed
1028 incorporation.

1029

1030 1. A petition signed by not less than 100 duly qualified voters residing within the boundaries of
1031 the proposed town supporting the proposed incorporation.

1032

1033 2. A written metes and bounds description of the area proposed for incorporation as a town
1034 having, as a minimum, sufficient certainty to enable a layman to identify the proposed town
1035 boundary. ~~Such~~ The description may make reference to readily identifiable monuments such as
1036 public roads, rivers, streams, railroad rights of way, and similar discernible physical features.

1037

1038 3. A map or maps showing: (i) the boundaries of the proposed town and their relationship to
1039 existing political boundaries; (ii) identifiable unincorporated communities; (iii) major streets,
1040 highways, schools, and other major public facilities; (iv) significant geographic features,
1041 including mountains and bodies of water; and (v) existing uses of the land, including residential,
1042 commercial, industrial and agricultural.

1043

1044 4. A ~~tabular compilation~~ (land use table) showing both the acreage and percentage of land
1045 currently devoted to the various categories of land use in the area proposed for incorporation.

1046

1047 5. The estimated past, the estimated current, and the projected population of the area proposed
1048 for incorporation and the county within which the town would be situated.

1049

1050 6. Information indicating: (i) why the proposed incorporation is desired and in the interest of the
1051 inhabitants; (ii) how the general good of the community is served by ~~such~~ the incorporation; and
1052 (iii) why the services needed within the proposed town cannot be provided by the establishment
1053 of a sanitary district, through the extension of existing county services, or by other arrangements
1054 provided by law.

1055

1056 7. The commission shall endeavor to assist communities contemplating or involved in proposed
1057 town incorporations by identifying additional data elements considered by the commission to be
1058 relevant in the disposition of ~~such~~ incorporation issues.

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1VAC50-20-580. Town-city transitions.

In developing its findings of fact and recommendations with respect to a proposed town to city transition the commission shall consider the information, data, and factors listed in ~~these regulations~~ this section. Any town filing notice with the commission that it proposes to become a city shall submit with ~~such the~~ notice data and other evidence responsive to each element listed ~~below in this section~~ which it deems relevant to ~~its case:~~ the proposed transition.

1. A written metes and bounds description of the boundaries of the proposed city having, as a minimum, sufficient certainty to enable a layman to identify the proposed city boundary. ~~Such~~ The description may make reference to readily identifiable monuments such as public roads, rivers, streams, railroad rights of way, and similar discernible physical features.
2. A map or maps showing: (i) the boundaries of the proposed city and their geographic relationship to existing political boundaries; (ii) identifiable unincorporated communities; (iii) major streets, highways, schools, and other major public facilities; (iv) significant geographic features, including mountains and bodies of water; (v) existing uses of the land, including residential, commercial, industrial, and agricultural; and (vi) information deemed relevant as to the possible future use of the property within the proposed city.
3. A ~~tabular compilation~~ (land use table) showing both the acreage and percentage of land currently devoted to the various categories of land use in the proposed city.
4. The past, the estimated current, and the projected population of the proposed city and the county affected by the proposed transition.
5. The past, the estimated current, and the projected future number of public school students enrolled in the public schools and the number of school age children living in the proposed city and the county affected by the proposed transition.
6. The assessed values, by major classification ~~where a classification system is maintained~~, and, if appropriate, the ratios of assessed values to true values for real property, personal property, machinery and tools, merchants' capital, and public service corporation property for the current year and the preceding 10 years for the county and within the proposed city.
7. The current local property and nonproperty tax rates, and ~~such the~~ tax rates for the preceding 10 years, applicable within the county and the proposed city.
8. The estimated current local revenue collections and intergovernmental aid, ~~such the~~ collections and aid for the previous 10 years, and projections of ~~such the~~ collections and aid, including tax receipts from real property, personal property, machinery and tools, merchants' capital, business and professional license, consumer utility and sales taxes, within the county and the proposed city.
9. The amount of long-term indebtedness and the purposes for which ~~all such~~ that long-term

1105 debt has been incurred by the municipality and the county affected by the proposed transition.

1106

1107 10. The current type and level of urban services provided by the town, the additional services to
1108 be provided and the additional costs to be borne by the proposed city, and the means by which
1109 the proposed city shall finance ~~such~~ the additional services and costs.

1110

1111 11. The fiscal capacity of the town to function as an independent city and to provide appropriate
1112 urban services.

1113

1114 12. The effect and impact of the proposed transition on the ability of the county to meet the
1115 service needs of its remaining population and the means by which any substantial impairment of
1116 the county's ability to meet ~~such~~ those needs shall be offset.

1117

1118 13. The effect of the proposed transition on compliance with and the promotion of applicable
1119 state policies with respect to environmental protection, public planning, education, public
1120 transportation, housing, and other state service policies declared by the General Assembly.

1121

1122 14. Data pertinent to a determination of the appropriate financial settlement as required by
1123 ~~§15.1-1003~~ 15.2-3829 and other applicable provisions of the Code of Virginia.

1124

1125 15. The commission's staff shall endeavor to assist localities contemplating or involved in town-
1126 city transition proceedings by identifying additional data elements considered by the commission
1127 to be relevant in disposition of ~~such~~ town to city transition issues.

1128

1129 **1VAC50-20-590. County-city transitions.**

1130

1131 In developing its findings of fact and recommendations with respect to a proposed county to city
1132 transition the commission shall consider the information, data, and factors listed in this ~~chapter~~
1133 section. Any county filing notice with the commission that it proposes to become a city shall
1134 submit with ~~such~~ the notice data and other evidence responsive to each element listed ~~below~~ in
1135 this section which it deems relevant to ~~its case~~; the proposed transition.

1136

1137 1. A map, or maps, showing: (i) the location of all towns situated within the county; (ii) all
1138 adjoining and adjacent ~~political subdivision~~ localities; (iii) identifiable unincorporated
1139 communities within the county; (iv) the population density of the various areas of the county; (v)
1140 the areas of the county served by urban services; (vi) major streets, highways, schools and other
1141 major public facilities; (vii) significant geographic features, including mountains and bodies of
1142 water; (viii) existing uses of the land, including residential, commercial, industrial, and
1143 agricultural; and (ix) information deemed relevant as to the possible future use of the property
1144 within the county.

1145

1146 2. A ~~tabular compilation~~ (land use table) showing both the acreage and percentage of land
1147 currently devoted to the various categories of land use in the county.

1148

1149 3. The past, the estimated current, and the projected future population of the county, each town
1150 within the county, and of the major densely populated unincorporated communities within the

1151 county.

1152

1153 4. The past, the estimated current, and the projected future number of public school students
1154 enrolled in the public schools and the number of school age children living in the county and in
1155 each town therein.

1156

1157 5. The assessed values, by major classification ~~where a classification system is maintained~~, and
1158 if appropriate, the ratios of assessed values to true values for real property, personal property,
1159 machinery and tools, merchants' capital, and public service corporation property for the current
1160 year and the preceding 10 years for the county and each town within the county.

1161

1162 6. The current local property and nonproperty tax rates, and ~~such~~ the rates for the preceding 10
1163 years, within the county and all towns within the county.

1164

1165 7. The estimated current local revenue collections and intergovernmental aid, ~~such~~ the
1166 collections and aid for the previous 10 years, and projections of ~~such~~ the collections and aid
1167 (including tax receipts from real property, personal property, machinery and tools, merchants'
1168 capital, business and professional license, consumer utility and sales taxes) within the county and
1169 within each town within the county.

1170

1171 8. The amount of long-term indebtedness of the county and each town within the county and the
1172 amount and purpose for which ~~all such~~ that debt has been incurred.

1173

1174 9. Data regarding: (i) the urban-type services presently provided by the county; (ii) the level of
1175 ~~such~~ those services; (iii) the areas of the county served by ~~such~~ those services; (iv) the additional
1176 services to be provided and the additional cost to be borne by the proposed city; and (v) the
1177 means by which the proposed city shall finance ~~such~~ the additional services and costs.

1178

1179 10. The fiscal capacity of the county to function as an independent city and to provide
1180 appropriate services.

1181

1182 11. The impact of the proposed transition on compliance with and the promotion of applicable
1183 state policies with respect to environmental protection, public planning, education, public
1184 transportation, housing, and other state service policies declared by the General Assembly.

1185

1186 12. The commission's staff shall endeavor to assist localities contemplating or involved in
1187 proposed county-city transitions by identifying additional data elements considered by the
1188 commission to be relevant in the disposition of ~~such~~ county to city transition issues.

1189

1190 **1VAC50-20-600. Minor adjustment of boundary lines.**

1191

1192 In developing its findings of fact and recommendations with respect to a proposed boundary line
1193 adjustment the commission shall consider the information, data, and factors listed in this section.
1194 The ~~local governments~~ localities petitioning for a boundary line adjustment under the provisions
1195 of § ~~15.1-1031.4~~ 15.2-3109 of the Code of Virginia shall, separately or jointly, at the time they
1196 initiate ~~such~~ a petition to the court, submit to the commission data and other evidence responsive

1197 to each element listed ~~below~~ in this section which is relevant to the ~~ease~~: boundary line
1198 adjustment.

1199
1200 1. A written metes and bounds description of the precise segment of the boundary for which an
1201 adjustment is sought having, as a minimum, sufficient certainty to enable a layman to identify
1202 the boundary segment in question. ~~Such~~ The description may make reference to readily
1203 identifiable monuments such as public roads, rivers, streams, railroad rights of way, and similar
1204 discernible physical features.

1205
1206 2. A map or maps showing: (i) the precise segment of the boundary which the parties agree
1207 should be adjusted; (ii) identifiable unincorporated communities; (iii) major streets, highways,
1208 schools, and other major public facilities; (iv) significant geographic features, including
1209 mountains and bodies of water; (v) existing uses of the land, including residential, commercial,
1210 industrial, and agricultural; and (vi) information deemed relevant as to the possible future use of
1211 the land.

1212
1213 3. The estimated past, the estimated current, and the projected future population and population
1214 density of all areas adjacent to the segment of the boundary proposed for adjustment and of other
1215 areas possibly affected by the proposed boundary line adjustment.

1216
1217 4. A ~~tabular compilation~~ (land use table) showing both the acreage and percentage of land
1218 currently devoted to the various categories of land use in all areas adjacent to the segment of the
1219 boundary proposed for adjustment and in other areas possibly affected by the proposed boundary
1220 line adjustment.

1221
1222 5. The past, the estimated current, and the projected future number of public school students
1223 enrolled in the public schools and the number of school age children living in all areas adjacent
1224 to the segment of the boundary proposed for adjustment and in other areas possibly affected by
1225 the proposed line adjustment.

1226
1227 6. The assessed and true real property values, by major classification ~~where a classification~~
1228 ~~system is maintained~~, of those areas adjacent to the segment of the boundary proposed for
1229 adjustment and of any other area possibly affected by the proposed adjustment and other fiscal
1230 data relative to the issue.

1231
1232 7. Maps indicating the principal alternative boundary line adjustments which have been
1233 considered by the parties and a brief statement as to how each alternative adjustment would
1234 promote the effective and efficient provision of public services.

1235
1236 8. Information as to why the proposed boundary line adjustment is sought by the parties.

1237
1238 9. The commission's staff shall endeavor to assist localities contemplating or involved in
1239 proposed boundary line adjustments by identifying additional data elements considered by the
1240 commission to be relevant in the disposition of boundary line adjustment issues.

1241
1242 **1VAC50-20-601. City-town transitions.**

1243
1244 In developing its findings of fact and recommendations with respect to a proposed transition of a
1245 city to town status the commission shall consider the information, data, and factors listed in this
1246 section. Any city filing notice with the commission that it proposes to become a town or any
1247 petition for the transition of a city to town status that has been referred to the commission by the
1248 court pursuant to §15.2-4104 of the Code of Virginia should be accompanied by data and other
1249 evidence responsive to each element listed in this section which the city deems relevant to the
1250 proposed transition.

1251
1252 1. Map or maps showing: (i) the boundaries of the city proposed for transition and their
1253 geographic relationship to other political boundaries; (ii) identifiable unincorporated
1254 communities; (iii) major streets, highways, schools, and other major public facilities; (iv)
1255 significant geographic features, including mountains and bodies of water; (v) existing uses of the
1256 land within the city, including residential, commercial, industrial, and agricultural; and (vi)
1257 information deemed relevant as to the possible future use of the land within the city.

1258
1259 2. The past, the estimated current, and the projected future population and population of the city
1260 and the county affected by the proposed transition, and the estimated density of the city and the
1261 affected county.

1262
1263 3. A land use table showing both the acreage and percentage of land currently devoted to the
1264 various categories of land use in the city and the county affected by the proposed transition.

1265
1266 4. The past, the estimated current, and a five year projection of the future number of public
1267 school students enrolled in the public schools and the number of school age children living in the
1268 city and the county affected by the proposed transition.

1269
1270 5. The assessed values, by major classification for real property, personal property, machinery
1271 and tools, merchants' capital, and public service corporation property for the current year and the
1272 preceding 10 years for the city and for the county affected by the proposed transition.

1273
1274 6. The current local property and non-property tax rates, and the rates for the preceding 10 years,
1275 applicable within the city and the county affected by the proposed transition.

1276
1277 7. The estimated current local revenue collections (including receipts from real property,
1278 personal property, machinery and tools, consumer utility, sales taxes, etc., and receipts from non-
1279 tax sources) and intergovernmental aid, and the collections and aid for the preceding 10 years,
1280 for the city and the county affected by the proposed transition.

1281
1282 8. The identification of those services performed by the city which are proposed for assumption
1283 by the county as a result of the proposed transition, the number of customers or recipients of each
1284 service within the city which would be served by the county subsequent to the transition, and the
1285 aggregate annual cost to the county for the provision of services within the city.

1286
1287 9. The identification of those services which would be provided by the town subsequent to the
1288 proposed reversion, the number of recipients of each service within the municipality, and the

- 1289 aggregate annual cost to the proposed town for the provision of services.
1290
- 1291 10. The identification of those city-owned facilities which are proposed for transfer to the
1292 county, the identification of those which would be retained by the proposed town, and the current
1293 fair market value and the outstanding city debt attributable to each facility.
1294
- 1295 11. The current outstanding debt of the city, the applicable portion of debt stated as a percentage
1296 of the city's constitutional debt limit, and the current schedule for the retirement of all municipal
1297 debt.
1298
- 1299 12. The identification of that portion of the city's indebtedness that is proposed for transfer to the
1300 county and the purposes for which the debt has been incurred.
1301
- 1302 13. Estimates of the annual amount of tax and non-tax revenues to be collected by the county
1303 within the municipality subsequent to the proposed transition.
1304
- 1305 14. Estimates of the annual additional amount of intergovernmental aid to be received by the
1306 county as a result of the proposed transition.
1307
- 1308 15. An estimate of the net aggregate fiscal impact of the proposed transition on the county
1309 during the initial year subsequent to the transition and during each of the ensuing five years.
1310
- 1311 16. An estimate of the adjustment required in the county's real property tax rate, assuming that
1312 the net aggregate fiscal impact on the county resulting from the transition is addressed solely by
1313 an adjustment in the rate.
1314
- 1315 17. An estimate of the net aggregate fiscal impact of the proposed transition on the city during
1316 the initial year subsequent to the transition and during each of the ensuing five years.
1317
- 1318 18. An estimate of the adjustment required in the municipality's real property tax rate, assuming
1319 that the net aggregate fiscal impact on the city resulting from the transition is addressed solely by
1320 an adjustment in the rate.
1321
- 1322 19. The effect of the proposed transition on compliance with and the promotion of applicable
1323 state policies with respect to environmental protection, public planning, education, public
1324 transportation, housing, and other state service policies declared by the General Assembly.
1325
- 1326 20. Specification of the terms and conditions which should be established by the court to
1327 balance the equities between the city and the county; to protect the best interests of the affected
1328 localities, their residents, and the Commonwealth; and to ensure an orderly transition of the city
1329 to town status.
1330
- 1331 21. The commission's staff shall endeavor to assist the parties involved in proceedings for the
1332 transition of a city to town status by identifying additional data elements considered by the
1333 commission to be relevant in the disposition of city to town transition issues.
1334

1335 **1VAC50-20-605. County-city consolidations.**

1336
1337 In developing its findings of fact and recommendations with respect to a proposed consolidation
1338 of a county and a city that would establish an independent city the commission shall consider the
1339 information, data, and factors listed in this section. Local governments filing notice proposing
1340 the consolidation of a city and a county to establish an independent city shall, separately or
1341 jointly, submit to the commission data and other evidence responsive to each element listed in
1342 this section which they deem relevant to the proposed consolidation.

- 1343
- 1344 1. Copy of the consolidation agreement.
 - 1345
 - 1346 2. A map, or maps, showing: (i) the location of all municipalities situated within the proposed
1347 consolidated city; (ii) all adjoining and adjacent localities; (iii) identifiable unincorporated
1348 communities within the proposed consolidated city; (iv) major streets, highways, schools and
1349 other major public facilities; (vii) significant geographic features, including mountains and
1350 bodies of water; (v) existing uses of the land, including residential, commercial, industrial, and
1351 agricultural; and (vi) information deemed relevant as to the possible future use of the property
1352 within the proposed consolidated city and as to its future viability.
 - 1353
 - 1354 3. The past, the estimated current, and the projected population of each locality proposing to
1355 consolidate.
 - 1356
 - 1357 4. The population density of the proposed consolidated city based on the most recent U. S.
1358 census or as estimated by the Weldon Cooper Center for Public Service at the University of
1359 Virginia.
 - 1360
 - 1361 5. A land use table showing both the acreage and percentage of land currently devoted to the
1362 various categories of land use in the proposed consolidated city.
 - 1363
 - 1364 6. The estimated current, and a five year projection of the future number of public school
1365 students enrolled in the public schools in each locality proposing to consolidate and the number
1366 of school age children living in the proposed consolidated city.
 - 1367
 - 1368 7. The assessed values, by major classification for real property, personal property, machinery
1369 and tools, merchants' capital, and public service corporation property for the current year and the
1370 preceding ten years for the county and the city proposing to consolidate and the proposed
1371 consolidated city.
 - 1372
 - 1373 8. The estimated local property and non-property tax rates that will be applicable within the
1374 proposed consolidated city.
 - 1375
 - 1376 9. The estimated local revenue collections (including, but not limited to, tax receipts from real
1377 property, personal property, machinery and tools, merchants' capital, business and professional
1378 license, consumer utility and sales taxes and intergovernmental aid, such collections and aid for
1379 the preceding ten years, and projections of the collections and aid within each of the localities
1380 proposing to consolidate.

1381
1382 10. The amount of long-term indebtedness of each of the localities proposing to consolidate and
1383 the amount and purpose for which that debt has been incurred.

1384
1385
1386 11. Data regarding: (i) the urban-type services presently provided by each of the localities
1387 proposing to consolidate; (ii) the level of those services to be provided in the proposed
1388 consolidated city; (iii) the additional services to be provided and the additional cost to be borne
1389 by the proposed consolidated city; and (iv) the means by which the proposed consolidated city
1390 shall finance the additional services and costs.

1391
1392 13. The fiscal capacity of the proposed consolidated city to function as an independent city and
1393 to provide appropriate services.

1394
1395 14. The impact of the proposed consolidation on compliance with and the promotion of
1396 applicable state policies with respect to environmental protection, public planning, education,
1397 public transportation, housing, and other state service policies declared by the General
1398 Assembly.

1399
1400 15. The impact of the proposed consolidation on the interest of the Commonwealth in promoting
1401 strong and viable units of government in the area.

1402
1403 16. The commission’s staff shall endeavor to assist the parties involved in proceedings for the
1404 consolidation of a county and a city that would establish an independent city by identifying
1405 additional data elements considered by the commission to be relevant in the disposition of city –
1406 county consolidation issues.

1407
1408 **1VAC50-20-610. ~~Interlocal~~ Voluntary settlement agreements.**

1409
1410 In developing its findings of fact and recommendations with respect to a proposed voluntary
1411 settlement agreement developed under the authority of §15.2-3400 of the Code of Virginia, the
1412 commission shall consider the information, data, and factors listed in this ~~chapter~~ section. Local
1413 governments submitting ~~such~~ a proposed agreement for review shall, separately or jointly,
1414 submit to the commission data and other evidence responsive to each element listed ~~below~~ in this
1415 section that they deem relevant to the proposed voluntary settlement agreement.

- 1416
1417 1. If the agreement proposes a municipal boundary expansion, submissions should include data
1418 and evidence responsive to the relevant provisions of 1 VAC 50-20-540.
1419
1420 2. If the agreement proposes the immunization of areas of a county from annexation or the
1421 incorporation of new cities, submissions should include data and evidence responsive to the
1422 relevant provisions of 1 VAC 50-20-550.
1423
1424 3. If the agreement proposes the incorporation of a town, submissions should include data and
1425 evidence responsive to the relevant provisions of 1 VAC 50-20-570.
1426

- 1427 4. If the agreement proposes the transition of a town to city status, submissions should include
1428 data and evidence responsive to the relevant provisions of 1 VAC 50-20-580.
1429
- 1430 5. If the agreement proposes the transition of a county to city status, submissions should include
1431 data and evidence responsive to the relevant provisions of 1 VAC 50-20-590.
1432
- 1433 6. If the agreement proposes the transition of a city to town status, submissions should include
1434 data and evidence responsive to the relevant provisions of 1 VAC 50-20-601.
1435
- 1436 ~~6~~ 7. If the agreement proposes ~~an economic growth~~ a revenue-sharing plan or similar
1437 arrangement by which jurisdictions will share the tax or revenue sources of an area, submissions
1438 should include:
- 1439
- 1440 a. A description of the plan;
- 1441
- 1442 b. Calculations indicating for each locality the projected future contributions to the plan for the
1443 next five-year period;
- 1444
- 1445 c. Each locality's projected net annual receipts or net annual contributions to the plan for the
1446 next five-year period;
- 1447
- 1448 d. Each locality's annual expenditures for the past five years and its projected annual
1449 expenditures for the next five years by general operating, school, and debt service categories;
- 1450
- 1451 e. Each locality's real estate and public service corporation property assessed values for the past
1452 five years and projected for the next five-year period;
- 1453
- 1454 f. Each locality's annual revenue for the past five years and projected for the next five-year
1455 period (exclusive of receipts from or payments to the economic growth sharing plan) by source
1456 and type;
- 1457
- 1458 g. Each locality's anticipated major capital needs for the next five-year period; and
- 1459
- 1460 h. Other information indicating the general equity of the proposed plan for each participating
1461 locality.
- 1462
- 1463 ~~7~~ 8. The commission's staff shall endeavor to assist localities contemplating or involved in the
1464 development of ~~interlocal~~ voluntary settlement agreements under the authority of ~~§ 15.1-1167.1~~
1465 ~~15.2-3400~~ of the Code of Virginia by identifying additional data elements considered by the
1466 commission to be relevant to the commission's review of such ~~agreement~~ agreements.
1467
- 1468 **1VAC50-20-612. Voluntary economic growth-sharing agreements.**
- 1469
- 1470 In developing its findings of fact and recommendations with respect to a proposed voluntary
1471 economic growth-sharing agreement developed under the authority of §15.2-1301 of the Code of
1472 Virginia, the commission shall consider the information, data, and factors listed in this section.

1473 Local governments submitting such a proposed agreement for review shall, separately or jointly,
1474 submit to the commission data and other evidence responsive to each element listed in this
1475 section that they deem relevant to the proposed agreement.

- 1476
1477
1478 1. A copy of the proposed agreement and a description of the economic growth-sharing plan;
1479
1480 2. A description of the financial investment or other contributions which each participating
1481 locality will make to the project(s) envisaged under the agreement;
1482
1483 3. Projections of each participating locality's net annual receipts or net annual contributions to
1484 the project(s) specified in the agreement for the next 10-year period, or for a lesser or greater
1485 period as deemed appropriate;
1486
1487 4. A description of any dedication or restriction on the use of funds generated by the project(s)
1488 specified in the agreement for the participating localities;
1489
1490 5. Calculations indicating the estimated impact of the project(s) proposed in the agreement on
1491 the annual operating expenditures of each participating jurisdiction for the next 10 year period,
1492 or for a lesser or greater period as deemed appropriate;
1493
1494 6. Calculations indicating the estimated impact of the project(s) proposed in the agreement on
1495 the current and prospective capital expenditures of each participating jurisdiction over the course
1496 of the next 10 year period, or over a lesser or greater period as deemed appropriate;
1497
1498 7. Calculations indicating the estimated impact of the project(s) proposed in the agreement on
1499 the debt and annual debt service of each participating jurisdiction over the course of the next ten
1500 10 year period, or over the course of a lesser or greater period as deemed appropriate;
1501
1502 8. Information indicating the general equity of the proposed plan for each participating locality;
1503 and
1504
1505 9. Other information which would assist the Commission in analyzing the “probable effect on
1506 the people” in the participating jurisdictions of the proposed agreement.
1507
1508 10. The commission’s staff shall endeavor to assist localities contemplating or involved in the
1509 development of voluntary economic growth-sharing agreements under the authority of §15.2-
1510 1301 of the Code of Virginia by identifying additional data elements considered by the
1511 commission to be relevant to the commission's review of such agreements.

1512
1513 **1VAC50-20-614. Determination of continued eligibility for city status.**
1514

1515 In undertaking its investigation with respect to whether a city continues to meet the requirements
1516 for city status as prescribed by Article VII, Section 1 of the Constitution of Virginia, the
1517 commission shall consider the information and data listed in this section. Any city subject to
1518 investigation as prescribed by Chapter 40 (§15.2-4000 et seq.) of Title 15.2 of the Code of

1519 Virginia shall be requested to submit information and data responsive to each element listed in
1520 this section and any other information and data as the city deems relevant to the continued
1521 eligibility for city status.

1522
1523
1524 1. Any official correspondence with the United States Bureau of the Census regarding the
1525 accuracy of the most recent United States decennial census of the population of the city under
1526 investigation.

1527
1528 2. Any data or other evidence produced by the city under investigation or any other entity
1529 bearing on the accuracy of the most recent United States decennial census of the population of
1530 the city under investigation.

1531
1532 3. Any data or other evidence produced by the city under investigation or any other entity
1533 indicating the current population and projected future population of the city under investigation.

1534
1535 4. Contingent upon the commission's findings with respect to the population of the city under
1536 investigation, a listing of all of the city's assets, liabilities, rights and obligations.

1537
1538 5. The commission's staff shall endeavor to assist the city under investigation by identifying
1539 additional data elements considered by the commission to be relevant to the continued eligibility
1540 for city status.

1541
1542 **1VAC50-20-616. Order defining a town's future annexation rights.**

1543
1544 In developing its order defining the future annexation rights of a town pursuant to §15.2-3234 of
1545 the Code of Virginia the commission shall consider the information, data, and factors listed in
1546 this section. Any petition referred to the commission requesting an order establishing a town's
1547 future annexation rights should be accompanied by data and other evidence responsive to each
1548 element listed below which the town deems relevant to the issue.

1549
1550 1. Information regarding the inability of the town and the county to reach a voluntary agreement
1551 as to the future annexation rights of the town.

1552
1553 2. Terms and conditions of a proposed order establishing the town's future annexation rights.

1554
1555 3. Data and evidence responsive to the relevant provisions of 1 VAC 50-20-540.

1556
1557 4. The commission's staff shall endeavor to assist localities involved in proceedings concerning
1558 an order defining a town's future annexation rights by identifying additional data elements
1559 considered by the commission to be relevant in the disposition of such issues.

1560
1561 **1VAC50-20-620. Oral presentations by parties.**

1562
1563 A. In the course of its analysis of any issue the commission may schedule oral presentations for
1564 purposes of permitting the parties to amplify their submissions, to critique and to offer comment

1565 upon the submissions and evidence offered by other parties, and to respond to questions relative
1566 to the issue from the commission. ~~Such~~ The presentations, if scheduled, shall extend for ~~such a~~
1567 period of time as the commission may ~~determine~~ deem appropriate.

1568
1569
1570 B. If oral presentations are scheduled by the commission, the chairman shall select, subsequent
1571 to the receipt of recommendations from the parties, an appropriate site for ~~such the~~ presentations.
1572 Recommendations by the parties regarding ~~such the~~ sites should be based upon the adequacy of
1573 space for the display and movement of exhibits; the adequacy of seating arrangements for the
1574 commission, its staff, representatives of the parties, a court reporter, and the public; the adequacy
1575 of security at the site to permit materials to be left unattended ~~for periods of time~~ during the
1576 presentations recesses; and the adequacy of the acoustical characteristics of the site to facilitate
1577 communications or the availability of a public address system.

1578
1579 C. Local governments or other parties desiring to present exhibits or data requiring special
1580 equipment should be prepared to provide such.

1581
1582 D. The commission may, ~~at its discretion~~ where it deems appropriate, consolidate two or more
1583 interlocal issues before it for purpose of oral presentations.

1584
1585 E. The commission shall, within the requirements of law, conduct the oral presentations in the
1586 manner it considers best suited for reaching a decision in the best interest of the parties and in the
1587 best interest of the Commonwealth.

1588
1589 F. The chairman, or other member the commission designated to preside during any oral
1590 presentations, may allocate time to the various parties as the chairman or presiding member
1591 deems appropriate. ~~Such The~~ allocation of time shall be based upon the needs of the commission
1592 to review data, to examine witnesses, and to obtain an understanding of the relevant factors
1593 affecting the issue under review.

1594
1595 G. The sequence in which testimony will be received by the commission during any oral
1596 presentations shall be established by the chairman or presiding member but shall generally be as
1597 follows:

- 1598
1599 1. A brief opening statement by each party, if desired;
1600
1601 2. Presentation by the ~~jurisdiction~~ party initiating the issue before the commission;
1602
1603 3. Presentations by the local governments immediately affected by the action proposed by the
1604 initiating ~~jurisdiction~~ party, in an order established by the chairman or presiding member;
1605
1606 4. Presentations by other parties, in an order established by the chairman or presiding member;
1607
1608 5. Rebuttal where requested by a party and agreed to by the chairman or presiding member.

1609
1610 H. The chairman or presiding member may, to the extent he deems ~~such~~ appropriate, permit

1611 parties to question witnesses regarding submissions, their testimony, or other facts relevant to the
1612 issues before the commission. Where a party is represented by counsel, such questioning may be
1613 conducted by counsel.

1614
1615 Where the parties have pre-filed testimony at the commission's request pursuant to 1 VAC 50-
1616 20-390 R, the questioning of individuals whose testimony has been prefiled shall be limited to a
1617 cross-examination of such testimony. The commission may accept additional oral testimony
1618 from individuals whose testimony has been prefiled during the presentations where good cause is
1619 shown. Where additional oral testimony is accepted by the commission, the commission shall
1620 provide an opportunity for other parties to respond to the testimony and to cross-examine the
1621 individual offering such testimony.

1622
1623 I. The chairman or presiding member may, during or at the conclusion of the oral presentations,
1624 permit or request oral argument on the issues before the commission.

1625
1626 J. The commission, and its staff, may question any witness or representative of any party during
1627 the oral presentations regarding any submission, testimony, or other fact which the commission
1628 considers relevant to the issues before it. The chairman or presiding member shall endeavor to
1629 call for commission questioning in a manner designed to expedite the presentations.

1630
1631 K. The commission may accept depositions from persons unable to attend an oral presentation.
1632 Depositions shall only be accepted under conditions deemed acceptable by the commission,
1633 including conditions assuring an opportunity for all affected local governments to be present and
1634 to examine adequately the witness during the taking of ~~such deposition~~ depositions.

1635
1636 L. The parties or their counsel shall be expected to confer in advance of the time and date set for
1637 presentations in order to inform one another of their prospective witnesses and the order of their
1638 anticipated appearance. All material, data, or exhibits proposed for presentation to the
1639 commission during the oral presentations and not previously made available to the other parties
1640 shall be exchanged or made available to ~~such~~ the parties prior to presentation to the commission,
1641 subject to the qualifications in subsection M of this section.

1642
1643 M. The commission desires that all materials, data, and exhibits be presented to it and made
1644 available to other parties in advance of the commencement of the oral presentations. The
1645 commission may accept additional materials, data, and exhibits during the presentations where
1646 good cause is shown for ~~such~~ late submission. Where ~~such~~ late submissions are accepted by the
1647 commission, the commission shall provide an opportunity for other parties to respond to ~~such~~ the
1648 filings.

1649
1650 N. The commission may record by mechanical device, unless other recording arrangements are
1651 made by the parties, all testimony given during the oral presentations but shall prepare a
1652 transcript of ~~such testimony~~ the recording only where when it deems deemed such appropriate.
1653 The commission shall provide, upon request, any party a duplicate copy of ~~such~~ the transcript or
1654 recording, if made, at a price sufficient to cover the expense incurred. In lieu of ~~such~~ recording
1655 by the commission, the parties may arrange to provide a court reporter at their expense ~~if such is~~
1656 ~~desired~~. Where a court reporter is utilized, the commission shall ~~request~~ receive one copy of the

1657 transcript.

1658

1659

1660 **1VAC50-20-630. Public hearing.**

1661

1662 A. In all cases where ~~it receives a notice or referral of an issue pursuant to Part III (1 VAC 50-~~
1663 ~~20-180 et seq.)~~ a public hearing is required by law, the commission shall conduct ~~a the~~ public
1664 hearing at which any interested person or party may testify. The commission shall generally
1665 schedule ~~such the~~ public hearing in conjunction with the oral presentations held, ~~if any,~~ with
1666 respect to ~~such the~~ issue; however, public hearings regarding proposed town incorporations
1667 required pursuant to ~~§15.1-966.1~~ 15.2-3601 of the Code of Virginia shall be held no ~~less~~ sooner
1668 than 30 days after receipt of the court request for commission review.

1669

1670 B. Prior to holding ~~such the~~ public hearing the commission shall publish notice of the pending
1671 hearing ~~once a week for two successive weeks in a newspaper of general circulation in the~~
1672 ~~affected jurisdictions as required by law.~~ The second published notice shall appear not less than
1673 ~~six nor more than 21 calendar days prior to the date of such hearing.~~

1674

1675 1. In addition to the notice of public hearing required by subsection B of this section, a town that
1676 is a party to an agreement defining annexation rights negotiated pursuant to §15.2-3231 of the
1677 Code of Virginia shall give written notice of the commission’s hearing at least 10 days before the
1678 hearing to the owner, owners, or their agent of each parcel of land included in the area proposed
1679 for annexation under the terms of the agreement. One notice sent by first-class mail to the last
1680 known address of the owner, owners, or their agent as shown on the current county real estate tax
1681 assessment books or current county real estate tax assessment records shall be deemed adequate
1682 compliance with this requirement, provided that the clerk of the town shall make an affidavit that
1683 the mailings have been made and file the affidavit with the commission.

1684

1685 C. The commission shall request the ~~jurisdiction party~~ party initiating the issue before it and the other
1686 principally affected ~~locality or localities~~ parties to place on public display in or adjacent to the
1687 office of ~~their the~~ chief administrative officer of each principally affected local government
1688 copies of all materials which are available to them and which have been submitted to the
1689 commission for consideration with respect to the issue. ~~Such~~ The material should be made
1690 conveniently available to the public during normal working hours. The commission also
1691 encourages the parties to make available to the public other copies of such material at libraries,
1692 educational facilities, or other public places in order that the public might have ample
1693 opportunity to study ~~such the~~ material prior to the public hearing. The commission's
1694 advertisements published under subsection B of this section shall announce the availability of
1695 ~~such the~~ material at the offices of the administrators and at ~~such~~ other facilities as may be
1696 selected by the parties for display purposes.

1697

1698 D. The commission shall request the chief administrative officer (or other official) of ~~the~~
1699 ~~jurisdiction initiating the issue before it and the chief administrative officer (or other official) of~~
1700 ~~the each~~ principally affected jurisdiction or jurisdictions principally affected by the issue before
1701 the commission to make suitable arrangements in or adjacent to their offices for the registration
1702 of speakers at the public hearing. The commission shall furnish appropriate registration forms

1703 for ~~such~~ that purpose. The commission's advertisements under subsection B of this section shall
1704 advise the public that registration to speak at the public hearing may be accomplished at the
1705 offices of the local administrators or, alternatively, through the offices of the commission in
1706 Richmond. The commission may also permit speakers to register at the site and at the time of
1707 the public hearing and shall request the assistance of the local administrative officers in making
1708 suitable arrangements for such registration.

1709
1710 E. The chairman or other member of the commission designated to preside over the proceedings
1711 shall select the site for the public hearing subsequent to the receipt of recommendations from the
1712 parties. Recommendations from the parties should be based upon a site's accessibility to
1713 residents of the areas and jurisdictions principally affected, its seating capacity, the adequacy of
1714 parking facilities, the availability of a public address system, and seating arrangements
1715 permitting the commission to have proper visual contact with the public.

1716
1717 F. The commission shall request the parties to cooperate in the preparation of the site for the
1718 public hearing and shall request that a minimum number of maps and exhibits be placed on
1719 display at the site in order that persons testifying may identify their residences, property,
1720 businesses, or other concerns in relation to the proposed issue.

1721
1722 G. The commission shall request the local jurisdiction within which the site for the public
1723 hearing is situated to make appropriate arrangements in order to assure the security and the
1724 orderliness of the proceedings.

1725
1726 H. The chairman or the presiding member shall determine the sequence of speakers at a public
1727 hearing, but ~~such~~ the sequence shall ordinarily conform to the sequence of their registration. The
1728 chairman or presiding member may, however, vary the sequence of speakers in order that
1729 persons from all affected jurisdictions and areas, and those representing different perspectives,
1730 might have equal opportunity for the timely presentation of their comments.

1731
1732 I. The commission shall endeavor to allow any person or party wishing to speak at a public
1733 hearing an opportunity to do so. The chairman or presiding member may establish time limits
1734 for the presentation of testimony as he ~~or she~~ deems appropriate. The chairman or presiding
1735 member may also rule testimony irrelevant, immaterial, or unduly repetitious. Proponents and
1736 opponents of a proposed action are encouraged to designate chief spokesman for economy of
1737 time and for the avoidance of repetitious comment.

1738
1739 J. Any person or party testifying before the commission at the public hearing may extend their
1740 remarks in written form for subsequent submission. During the course of the public hearing the
1741 commission shall establish a date by which ~~such~~ the extended written comment must be received
1742 for consideration.

1743
1744 K. The commission may record by mechanical device, unless other arrangements are made, all
1745 testimony given during the public hearing but shall prepare a transcript of ~~such~~ the recording
1746 only when it deems ~~such necessary~~ appropriate. The commission shall provide any person or
1747 party with a copy of ~~such~~ the transcript or recording, if made, at a price sufficient to cover the
1748 expense incurred. The parties may arrange to provide a court reporter, at their expense, ~~if such is~~

1749 ~~desired~~. Where a court reporter is utilized, the commission shall ~~request~~ receive one copy of the
1750 transcript.

1751
1752 L. The commission may, where it deems ~~such~~ appropriate, consolidate two or more interlocal
1753 issues for purposes of a public hearing.

1754
1755 **1VAC50-20-640. Conclusion of mandatory reviews.**

1756
1757 A. The commission may request or authorize the parties to an issue to submit, at a time
1758 established by the commission, a written concluding argument with proposed findings and
1759 recommendations.

1760
1761 B. The commission shall not accept for consideration or for inclusion in the record of a case any
1762 document, exhibit, or other material submitted after the date established by it for the close of the
1763 record. This regulation shall not preclude the commission's acceptance of data or information
1764 from any party at any time which has been solicited by the commission or its staff.

1765
1766 C. The commission shall prepare an official record of all proceedings before it of such a nature
1767 and in such a manner as it deems appropriate.

1768
1769 D. The commission shall submit a written report on the issues presented to it in the manner and
1770 at such time as provided by law. ~~Such~~ The reports shall set forth findings of fact and
1771 recommendations on both the merits of a proposed action and, where appropriate and feasible,
1772 the financial aspects thereof. Copies of reports shall be made available to the parties and to
1773 members of the public requesting such. The commission may charge a fee for copies of its
1774 reports in an amount sufficient to cover the cost of ~~providing such~~ duplication, shipping, and
1775 handling.

1776
1777 E. Subsequent to its review of a petition submitted by a town under the authority of ~~§15.1-~~
1778 ~~1058.4~~ 15.2-3234 of the Code of Virginia, and based upon the applicable statutory standards, the
1779 commission shall enter an order granting ~~such~~ town annexation rights. ~~Such~~ The order may
1780 grant the town annexation rights upon the terms proposed by the town in its petition or upon
1781 some other basis as the commission deems appropriate and consistent with law. ~~Such~~ The order
1782 shall in no event grant the town the right to annex county territory by ordinance more frequently
1783 than once every five years.

1784
1785 **1VAC50-20-650. Statutorily invoked mediation in annexation immunity issues.**

1786
1787 When any county, city, or town seeks to negotiate an agreement with one or more ~~political~~
1788 ~~subdivisions~~ localities relative to annexation or partial immunity under the authority granted by
1789 ~~§15.1-945.7(E)~~ 15.2-2907 E of the Code of Virginia, it shall notify the commission, and copies
1790 of ~~such~~ the notice shall be served on all adjacent ~~political-subdivision~~ localities. ~~Such~~ The notice
1791 to the commission shall be accompanied by satisfactory evidence that the governing body of the
1792 locality giving notice supports ~~such~~ the negotiation. Local governments negotiating under the
1793 above referenced provision of law shall keep the commission advised of progress in ~~such~~ the
1794 negotiations. If, after a hearing, the commission finds that none of the parties is willing to

1795 continue to negotiate, or if it finds that three months have elapsed with no substantial progress, it
1796 shall declare the negotiations to be terminated. Unless the parties agree otherwise, negotiations
1797 shall in any event terminate 12 months from the date notice was first given to the commission of
1798 the desire to negotiate. Once the commission has declared negotiations terminated, or upon the
1799 expiration of the 12-month negotiating term or any agreed extension thereof, no new notice to
1800 negotiate shall be filed by any party. Upon the request of the local governments negotiating
1801 under the authority of ~~§15.1-945.7(E)~~ 15.2-2907 E of the Code of Virginia, the commission, or
1802 its designee, may be requested to serve as mediator, and, in addition, the commission's staff and
1803 resources shall be available to assist the negotiating local governments. All expenses incurred by
1804 the commission and its staff in assisting with ~~such~~ negotiations shall be borne by the parties
1805 initiating the negotiations unless otherwise agreed.

1806

1807 **1VAC50-20-660. Mediation of other interlocal issues.**

1808

1809 The commission shall, at its discretion, accept for mediation interlocal issues presented to it by
1810 mutual agreement of the affected ~~political subdivisions~~ localities. Requests for commission
1811 mediation under this section should be made to the commission's offices in Richmond and
1812 should be accompanied by satisfactory evidence that the governing bodies of the affected
1813 ~~political subdivision~~ localities agree to the request for mediation assistance. ~~Such~~ The requests
1814 should include a statement indicating the issue for which mediation is sought and ~~such~~ any other
1815 information as would enable the commission to determine whether its mediation effort would be
1816 timely and appropriate. Where ~~such~~ the requests for mediation are presented to the commission
1817 prior to the submission of formal notice of pending action as required by ~~§15.1-945.7~~ 15.2-2907
1818 of the Code of Virginia, ~~such~~ the requests need not be accompanied by any of the statistical data
1819 or material required under ~~Part IV (1 VAC 50-20-540 et seq.)~~ through 1 VAC 50-20-616.
1820 However, if the commission agrees to mediate interlocal issues under this section, the local
1821 governments requesting ~~such~~ the mediation shall assist the commission by providing ~~such~~ data,
1822 material, and other information as ~~may be deemed~~ the commission or the parties deem necessary.

1823

1824 **1VAC50-20-670. Requested investigations and analyses.**

1825

1826 The commission may, if it deems ~~such~~ appropriate and within the capability of its resources,
1827 accept requests from local governments for the undertaking of investigations and analyses.
1828 Requests for ~~such~~ investigations and analyses should be addressed to the commission's offices in
1829 Richmond and should include satisfactory evidence that the governing body of the locality
1830 initiating the request supports the proposed study. The request should also include a detailed
1831 statement of the issue giving rise to the request for the study, a statement of the extent to which
1832 the issue is of general interest to local governments in Virginia, a statement concerning the
1833 prospective benefits of ~~such~~ a study, and ~~such~~ other information as would aid the commission in
1834 its determination as to whether or not to undertake the requested study. Where the commission
1835 agrees to undertake a study under this section, the locality or localities requesting ~~such~~ the study
1836 shall assist the commission and provide, to the extent possible, the data and material ~~deemed~~ the
1837 commission or the parties deem necessary for ~~such~~ the study. The commission shall render
1838 reports on ~~such~~ studies at such a time and in such a manner as it deems appropriate.

1839

1840 **1VAC50-20-680. (Repealed) Proposal of amendments.**

1841
1842 ~~The commission may, by majority vote of its membership, announce a decision to propose~~
1843 ~~amendments to its regulations of procedure at any regular or special meeting. The commission,~~
1844 ~~however, shall develop and adopt amendments to its regulations only in accordance with the~~
1845 ~~public participation process; 1 VAC 50-10-10 et seq.~~

1846
1847 **1VAC50-20-690. (Repealed) ~~Effective date of amendments.~~**

1848
1849 ~~Amendments adopted to the commission's regulations shall have an effective date which shall be~~
1850 ~~established in accordance with the requirements of law.~~

1851
1852
1853 **1VAC50-20-700. (Repealed) ~~Emergency and nonsubstantive regulations.~~**

1854
1855 ~~Notwithstanding any other provision of this chapter the commission may adopt emergency or~~
1856 ~~nonsubstantive amendments in the manner provided by law.~~