

AGENDA
BRIDGEWATER TOWN COUNCIL

April 14, 2025

Times are estimates and may not reflect the actual progress of the meeting.

7:00 p.m.

Public Hearings:

1. Virginia Erosion and Sediment Control Program Fees
2. Proposed Lease of Property at Generations Park
3. Detached Structure as a Short-Term Rental at 408 North West View Street
4. Public Hearing with Planning Commission – Title Six Amendments

7:15 p.m.

Call to Order and Invocation: Mr. James M. Tongue

7:16 p.m.

Visitors _____

7:21 p.m.

Minutes of previous meeting: Ms. Morgan Shirkey

7:22 p.m.

Finance and Ordinance Committees:

1. Finance: Mr. Steven Schofield
 - a. Treasurer’s Report for the month of March
 - b. Bills for the month of March
 - c. Tax Rate Ordinance (O-192-5)
2. Ordinance Committee: Dr. William Miracle

7:26 p.m.

Administrative Report: Mr. J. Jay Litten

1. VESMA Ordinance (O-192-3)
2. Title Six Amendment Decision (O-192-4)
3. 408 North West View Street Short-Term Rental Decision (O-192-6)
4. Proposed Lease of Property at Generations Park (O-192-7)

7:38 p.m.

Public Works and Recreation Commission:

1. Public Works: Mr. Fontaine Canada & Ms. Megan Byler
2. Recreation Commission: Ms. Stephanie L. Curtis & Ms. Megan Byler

7:39 p.m.

Community Relations and Economic Development:

1. Community Relations: Mr. Travis Bowman
 - a. Arbor Day Events
2. Economic Development: Mr. Jim Tongue

7:41 p.m.

Mayor’s Report

1. Arbor Day Proclamation 2026

7:44 p.m.

Adjournment

All persons may speak at this time, and all persons are asked to refrain from interjecting at other times.

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Remember that this is a time for your views to be heard. Don’t expect a lot of dialogue but know that the Council is listening.

It is the policy of the Town of Bridgewater, Virginia, that persons in attendance may elect to sit or stand during invocations, as they see fit, and that they may take part in the invocation or refrain from doing so, as they choose. Prayers offered by council members reflect their personal beliefs. All persons are counseled that disruptive behavior is not allowed during the invocation or any other time.

MINUTES

BRIDGEWATER TOWN COUNCIL

March 10, 2026

Present: Mayor Ted W. Flory Council: Steven A. Schofield, William D. Miracle, Travis L. Bowman, A. Fontaine Canada, James M. Tongue, Stephanie L. Curtis.

Absent: None.

The Bridgewater Town Council met in regular session on Tuesday, March 10, 2026, at Sipe Center, 100 North Main Street, Bridgewater, Virginia.

Call to Order: Mayor Flory called the Council to order at 7:00 p.m.

Invocation: Mr. Travis Bowman gave the invocation.

Visitors:

1. Jocelyn Hinegardner for the Rockingham County Republican Party spoke about the special election for redistricting in April and provided charts to those interested.
2. Bryn King (101 Round Hill Drive) spoke again about Flock cameras and her concerns about privacy and reliability.
3. Anthony Smith (207 West View Street) raised the same complaints as in months past, praised the ABLE Award recipients, and brought up concerns about management of the town.

Minutes: Ms. Morgan Shirkey

February minutes were approved as presented.

Finance: Mr. Steven Schofield

1. February Treasurer's Report (Attached).

Mr. Schofield moved that the February 2026 Treasurer's Report be accepted for submission to audit. Seconded by Ms. Curtis. The motion carried unanimously as follows: Those voting aye: Schofield, Miracle, Bowman, Flory, Canada, Tongue, Curtis. Those voting nay: None. Absent: None.

2. February Bills (Attached).

Mr. Schofield moved to appropriate and authorize the payment of February bills in the amount of \$380,282.36 and to ratify the earlier payment of bills totaling \$265,983.09, all as reviewed and approved by Town staff and the Finance Committee Chairman. Seconded by Dr. Miracle. The motion carried unanimously as follows: Those voting aye: Schofield, Miracle, Bowman, Flory, Canada, Tongue, Curtis. Those voting nay: None. Absent: None.

Ordinance: Dr. William Miracle

No report was submitted.

Administrative Report: Mr. J. Jay Litten

1. Budget First Look. Mr. Litten presented a first look at the fiscal 2027 budget before its public hearing in April. Notable items include no tax increases; utility service fees up by the usual inflation rate except for sewer rates only going up by half the inflation rate; health insurance premium costs increased drastically; and the completion of several large projects such as Wellness Quarter,

Fountainhead, and Riverwalk III. Key principles of the budget include living wages for all employees, making our police the best paid around, scaling back inflationary increases when possible, and our fines & forfeitures approximately equaling donations.

2. Possible Zoning Amendments. This was prompted by an email from Mr. Tongue. The context is that when marijuana legislation was first enacted in Virginia, we saw a large number of vape and smoke shops opening statewide. Presumably these are profitable but it has occurred that if the sale of marijuana is legalized those would be good places to sell it. After the second vape store opened in Bridgewater, Council passed an ordinance requiring a Special Use Permit to open any further vape shops. This resolution would allow us to start a process where Council instructs the Planning Commission to look at the current special use permit ordinance applying to vape stores and apply it also to stores selling marijuana. The resolution includes the possible ordinance amendment but only allows the Planning Commission to move forward looking into the possible changes and making recommendations.

Mr. Tongue moved to approve "A Resolution Instituting Potential Amendments to Title Six" (R-192-3), as presented. Seconded by Mr. Schofield. The motion carried unanimously as follows: Those voting aye: Schofield, Miracle, Bowman, Flory, Canada, Tongue, Curtis. Those voting nay: None. Absent: None.

Public Works: Mr. A. Fontaine Canada and Ms. Megan S. Byler

1. C3PO. As a reminder, this is our backflow protection ordinance for our water distribution system. We've finally gotten it off the ground with software in place to help with recordkeeping and the administrative process. Some of you have probably received a letter and questionnaire in the mail asking some basic questions about some hazardous backflow scenarios that could be present at a resident's home. We've started slowly and sent out a few hundred mailings so far, mostly to our residents that we suspect are likely low hazard situations and are getting feedback and using this to adjust the information for clarity. Our water treatment supervisor went to a week-long class this last week for a class on the backflow assembly devices put in place in hazard situations to prevent the backflow into our distribution center.

2. Jeopardy. A quick public works Jeopardy was played with questions relating to salt usage and crew hours during the January snow and ice storm cleanup, as well as cost of overall storm cleanup.

Recreation Commission: Ms. Stephanie L. Curtis and Ms. Megan S. Byler

1. Ice Skating Season Recap. Katie Newman, Recreation Coordinator, gave the report for Ms. Byler. Ms. Newman said that while skate session numbers were down some this year, the B-Rec skate sessions were up and overall, we attribute the decrease in total numbers to the extreme cold for periods of the season. It was a successful season with public skate sessions, the Ice Academy, field trips, private parties, and the like.

2. Sandy Bottom Opening. We're currently preparing to get Sandy Bottom Par 3 and Mini-Golf ready for the season, with the opening being on April 4. We're also hosting our 5th Annual Easter Egg Hunt at Wildwood on April 4.

Community Relations: Mr. Travis Bowman

No report was submitted.

Economic Development Committee: Mr. Jim Tongue

No report was submitted.

Mayor's Report: Mayor Ted W. Flory

1. **Proclamation Honoring Patrick “Red” Haile.** Mayor Flory read a proclamation in honor of the former Council, IDA, and Planning Commission member who passed on February 13, 2026.
2. **Proclamation Honoring Ronald E. Shirkey.** Mayor Flory read a proclamation in honor of former longtime Town employee, Ron Shirkey, who held many positions during his employment and passed on March 1, 2026.
3. **Monthly Police Report.**
4. **Central Otago, New Zealand.** We received a delightful letter from Mayor Alley in New Zealand, and the Mayor will be writing back in the coming months. Mayor Alley included a recipe, and we'd love to hear ideas for a recipe to send back. The current consideration is barbecue chicken, as that is a staple in the area.

Closed Session – 7:58 p.m.

Mr. Canada moved to recess into a closed session in order to

1. *Consult with legal counsel regarding specific legal matters requiring the provision of legal advice by our attorney, as authorized by section 2.2-3711(A)(8) of the state code.*

The subject matter of the meeting is a law enforcement matter.

Proof of Closed Session – 8:17 p.m.

Adjournment – 8:19 p.m.

Ted W. Flory, Mayor


Morgan Shirkey, Clerk

MOTION FOR RECESS INTO CLOSED SESSION

This simple guide covers most, but not all, situations in which closed sessions are permitted. If the facts do not fit this guide, consult the Town Attorney before making the motion.

I move to recess into a closed meeting in order to:

1. Consult with **legal counsel** regarding specific legal matters requiring the provision of legal advice by our attorney, as authorized by section 2.2-3711(A)(8) of the state code.

 The subject matter of the meeting is: a law enforcement matter.

2. Consult with legal counsel and be briefed by staff members or consultants about actual or probable **litigation**, where such consultation or briefing in open meeting would adversely affect the local government's negotiating or litigating posture, as authorized by section 2.2-3711(A)(7) of the state code.

The subject matter of the meeting—and the litigation—is:

3. Discuss the performance and employment of specific local government **personnel**, as authorized by section 2.2-3711(A)(1) of the state code.

The subject matter of the meeting is a specific local government employee.

4. Discuss the **hiring or appointment** of specific public officers, appointees, or employees, as authorized by section 2.2-3711(A)(1) of the state code.

The subject matter is the hiring of a specific employee.

The subject matter is the appointment of a specific public official.

5. Discuss the **acquisition of real property** for a public purpose, as authorized by section 2.2-3711(A)(3) of the state code.

The subject matter is the possible acquisition of real property for _____.

6. Discuss the **disposition of real property**, where discussion in an open meeting would adversely affect the negotiating strategy of the public body, as authorized by section 2.2-3711(A)(3).

The subject matter of the meeting is real estate owned by the local government.

7. Discuss the **relocation or expansion of business** or industry where no previous announcement has been made, as authorized by section 2.2-3711(A)(5) of the state code.

The subject matter is a business which has indicated an interest in relocating or expanding operations within this locality.

8. Discussion of the **award of a public contract** involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, as authorized by section 2.2-3711(A)(29) of the state code. The subject matter of the **meeting is**

[state purpose].

CLERK: PLEASE CERTIFY THIS MOTION ON ATTACHMENT AND APPEND TO MINUTES.

I certify that I am the Clerk of the Town of Bridgewater, Virginia, and that the foregoing is a true copy of a motion adopted by the Council of the Town of Bridgewater, Virginia on this date, upon the following vote:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>NOT PRESENT</u>	<u>MEMBER</u>	<u>MADE MOTION</u>	<u>SECOND</u>
✓	—	—	—	Mr. Schofield	—	—
✓	—	—	—	Dr. Miracle	—	—
✓	—	—	—	Mr. Bowman	—	—
✓	—	—	—	Mayor Flory	—	—
✓	—	—	—	Mr. Canada	✓	—
✓	—	—	—	Mr. Tongue	—	—
✓	—	—	—	Ms. Curtis	—	—

March 10, 2026
Date

Morgan Shuckey
Clerk

CERTIFICATION RESOLUTION

With respect to the just-concluded closed session, and to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under The Virginia Freedom of Information Act and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Council.

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>NOT PRESENT</u>	<u>MEMBER</u>
✓	—	—	—	Mr. Schofield
✓	—	—	—	Dr. Miracle
✓	—	—	—	Mr. Bowman
✓	—	—	—	Mayor Flory
✓	—	—	—	Mr. Canada
✓	—	—	—	Mr. Tongue
✓	—	—	—	Ms. Curtis

March 10, 2026
Date

Morgan Shuckey
Clerk

Note: Any member *who does* not intend to vote “aye” must so state prior to vote and indicate the substance of the departure that, in his judgment, has taken place. This statement must be recorded in the minutes.

TOWN OF BRIDGEWATER- CUMULATIVE MONTHLY FINANCE SUMMARY

(\$000)

2025-2026	ESTIMATED			ACTUAL			CASH IN BANK	NOTES
	REVENUE	EXPENSES	DIFFERENCES	REVENUE	EXPENSES	DIFFERENCES		
1 Month (Jul 31)	934	835	99	905	788	117	4253	
2 Months (Aug 31)	1715	1951	(236)	1781	1924	(143)	4030	
3 Months (Sep 30)	2756	2743	13	2745	2874	(129)	4086	
4 Months (Oct 31)	3542	3660	(118)	3504	3681	(177)	4069	
5 Months (Nov 30)	4572	4483	89	4854	4542	312	4620	
6 Months (Dec 31)	5870	5525	345	6141	5620	521	4850	
7 Months (Jan 31)	6714	6635	79	8274	7774	500	4844	
8 Months (Feb 28)	7582	7559	23	9201	9029	172	4598	
9 Months (Mar 31)	8830	8369	461	10271	9935	336	4795	
10 Months (Apr 30)	9581	9233	348					
11 Months (May 31)	10493	10123	370					
12 Months (Jun 30)	11636	11636	0					

TOWN OF BRIDGEWATER

Revenues and Expenditures
For the Month Ended March 31, 2026

	<u>Budget</u> <u>For Year</u>	<u>Estimated</u> <u>for 9 Months</u>	<u>Actual</u> <u>for 9 Months</u>
<u>Revenues and Other Sources</u>			
General Property Taxes	488,000.00	485,000.00	501,521.11
Other Local Taxes	2,919,650.00	2,089,800.00	2,038,581.70
Local Fees	131,800.00	123,850.00	122,244.74
Permits	5,600.00	4,200.00	4,347.92
Fines & Forfeitures	14,000.00	10,500.00	45,702.49
Revenue from Services	167,200.00	146,200.00	129,146.58
Revenue from the Use of Money & Property	257,800.00	200,150.00	219,573.37
Sipe Center	212,900.00	175,250.00	174,872.05
Miscellaneous	100,900.00	72,175.00	131,368.69
Categorical Aid	1,891,520.00	1,385,970.00	982,928.92
Proceeds from Financing	0.00	0.00	1,772,522.11
Funds Carried Forward(General Fund)	202,000.00	202,000.00	202,000.00
Stormwater Management	202,900.00	152,150.00	158,107.17
Sanitation	725,200.00	543,900.00	553,394.94
Water	1,549,884.00	1,165,384.00	1,208,614.46
Sewer	2,766,519.00	2,073,450.00	2,026,179.72
Totals:	<u>11,635,873.00</u>	<u>8,829,979.00</u>	<u>10,271,105.97</u>
<u>Expenditures</u>			
Town Council	48,800.00	24,875.00	24,119.15
Manager's Office	742,248.00	574,498.00	539,479.31
Legal Services	35,000.00	26,225.00	27,821.32
Independent Auditor	55,700.00	40,000.00	50,900.00
Treasurer's Office	333,600.00	261,675.00	245,303.25
Police Department	1,343,000.00	1,071,225.00	978,969.70
Public Works Department	240,600.00	178,275.00	207,822.59
Highways, Streets, Sidewalks	1,391,108.00	642,747.00	460,709.58
Street Lights	98,327.00	73,725.00	78,368.55
General Properties	524,380.00	368,525.00	2,692,386.04
Parks	1,005,603.00	632,625.00	448,382.71
Recreation	454,800.00	358,800.00	395,024.22
Community Development	272,800.00	200,700.00	198,252.10
Sipe Center	450,212.00	366,600.00	310,703.87
Economic Development	75,000.00	59,250.00	19,842.29
Insurance	140,000.00	105,000.00	99,870.00
Fund Balance/WQ	411,100.00	239,750.00	325,421.11
Bad Debts	0.00	0.00	-30.00
Debt Service	274,235.00	153,942.00	152,798.59
Storm Water Management	193,966.00	155,741.00	144,894.89
Sanitation & Waste Removal	773,300.00	591,075.00	528,072.86
Water Treatment	718,300.00	558,175.00	524,201.94
Water Distribution	604,367.00	497,042.00	353,102.38
Sewer Department	1,449,427.00	1,120,053.00	1,128,288.35
Totals:	<u>11,635,873.00</u>	<u>8,300,523.00</u>	<u>9,934,704.80</u>
Excesses (Deficiency of Revenue Over Expenditures)	<u>0.00</u>	<u>529,456.00</u>	<u>336,401.17</u>

STATEMENT OF REVENUES
For the Month Ended March 31, 2026

	For the Month Ended 3/31/26		For the 9 Month Ended 3/31/26	
	<u>Estimated</u>	<u>Actual</u>	<u>Estimated</u>	<u>Actual</u>
<u>General Property Taxes</u>				
Personal Property Taxes	2,000.00	5,306.81	381,000.00	396,490.21
Personal Property Taxes(State Portion)	0.00	0.00	102,000.00	102,034.14
Penalties and Interest on Taxes	500.00	574.17	2,000.00	2,996.76
Total:	<u>2,500.00</u>	<u>5,880.98</u>	<u>485,000.00</u>	<u>501,521.11</u>
<u>Other Local Taxes</u>				
Local Sales & Use Taxes	34,250.00	30,795.70	308,300.00	325,440.70
Communications Tax	4,900.00	4,621.36	44,100.00	43,207.86
Consumption Tax	1,850.00	1,798.51	16,575.00	18,767.77
Consumer's Utility Taxes	65,350.00	21,520.60	588,000.00	539,781.06
Cigarette Tax	0.00	0.00	12,150.00	10,047.10
Business License Taxes	122,300.00	156,235.45	252,550.00	268,224.58
Transient Occupancy Tax	700.00	523.98	8,850.00	7,796.30
Bank Stock Taxes	0.00	0.00	0.00	0.00
Meals Tax	73,225.00	54,474.64	859,275.00	825,316.33
Total:	<u>302,575.00</u>	<u>269,970.24</u>	<u>2,089,800.00</u>	<u>2,038,581.70</u>
<u>Local Fees</u>				
Motor Vehicle License Fee	3,000.00	3,482.00	100,000.00	95,417.50
Right-of Way Fees	1,325.00	2,378.09	11,850.00	15,572.24
Passport Application Fees	1,350.00	1,595.00	12,000.00	11,255.00
Total:	<u>5,675.00</u>	<u>7,455.09</u>	<u>123,850.00</u>	<u>122,244.74</u>
<u>Permits</u>				
Zoning, Erosion Permits	Total: 475.00	404.83	4,200.00	4,347.92
<u>Fines & Forfeitures</u>				
Fines & Forfeitures	Total: 1,150.00	8,335.07	10,500.00	45,702.49
<u>Revenue from Services</u>				
Rental Fees - Generation Park	8,100.00	3,570.73	119,100.00	104,375.77
Rental Fees - Mini Golf & Par 3	0.00	300.00	27,100.00	24,770.81
Total:	<u>8,100.00</u>	<u>3,870.73</u>	<u>146,200.00</u>	<u>129,146.58</u>
<u>Sipe Center</u>				
Concessions	3,875.00	2,220.06	38,325.00	36,696.23
Live Performances	8,700.00	9,608.80	87,300.00	94,470.82
Sponsorships	0.00	0.00	15,800.00	20,500.00
Movies	3,375.00	1,240.00	30,375.00	19,310.00
Space Rental	1,150.00	360.00	3,450.00	3,895.00
Total:	<u>17,100.00</u>	<u>13,428.86</u>	<u>175,250.00</u>	<u>174,872.05</u>
<u>Revenue from use of Money & Property</u>				
Interest on Bank Deposits	8,325.00	12,869.56	75,000.00	114,318.23
Rental of General Property/Shelters	850.00	2,190.00	6,050.00	6,275.00
Rental of Tennis Facilities	2,125.00	0.00	19,200.00	4,121.20
Sale of Vehicles	0.00	0.00	0.00	0.00
Sale of Material & Supplies	1,000.00	100.00	8,000.00	3,000.00
Sale of Real Estate	0.00	0.00	0.00	0.00
Public Communication Service Rent	7,675.00	8,926.00	91,900.00	91,858.94
Total:	<u>19,975.00</u>	<u>24,085.56</u>	<u>200,150.00</u>	<u>219,573.37</u>
<u>Miscellaneous/Donations</u>				
Miscellaneous	1,100.00	1,132.18	9,750.00	57,636.69
Gifts & Donations from Private Sources	0.00	250.00	750.00	250.00
Cemetery Lots	0.00	0.00	0.00	1,000.00
Classes, Camps, Festivals	1,000.00	145.00	4,000.00	14,000.00
Brick Donations	0.00	97.50	0.00	292.50
Town of Mt. Crawford	19,225.00	0.00	57,675.00	58,189.50
Total:	<u>21,325.00</u>	<u>1,624.68</u>	<u>72,175.00</u>	<u>131,368.69</u>

STATEMENT OF REVENUES

For the Month Ended March 31, 2026

	For the Month Ended 3/31/26		For the 9 Month Ended 3/31/26	
	<u>Estimated</u>	<u>Actual</u>	<u>Estimated</u>	<u>Actual</u>
<u>Categorical Aid</u>				
VDOT Secondary Maintenance	199,675.00	198,045.32	599,025.00	594,135.96
VDOT Primary Maintenance	68,100.00	67,551.96	204,300.00	202,655.88
Overweight Permit Fee Revenue	0.00	103.70	0.00	311.10
Vehicle Rental Tax	250.00	0.00	750.00	0.00
Riverwalk Grant	100,000.00	0.00	135,000.00	0.00
Main St Crosswalk Grant	0.00	0.00	104,700.00	2,923.25
B-Safe Crosswalks Grant	0.00	0.00	78,300.00	2,795.75
Gen-Oak Connector Grant	0.00	0.00	34,820.00	6,263.52
Law Enforcement Assistance Funds	42,025.00	0.00	126,075.00	126,108.00
Misc. Grants	20,000.00	0.00	60,000.00	29,450.00
Police Grants	0.00	12,992.51	37,500.00	13,337.22
Litter Control Grant	0.00	0.00	5,500.00	4,948.24
Total:	<u>430,050.00</u>	<u>278,693.49</u>	<u>1,385,970.00</u>	<u>982,928.92</u>
<u>Proceeds from Financing</u>				
Short Term Financing	0.00	0.00	0.00	0.00
Capital Financing	0.00	0.00	0.00	1,772,522.11
Total:	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>1,772,522.11</u>
<u>Funds Carried Forward</u>				
Funds Carried Forward	0.00	0.00	202,000.00	202,000.00
Total:	<u>0.00</u>	<u>0.00</u>	<u>202,000.00</u>	<u>202,000.00</u>
Total Revenue General Fund:	<u>808,925.00</u>	<u>613,749.53</u>	<u>4,895,095.00</u>	<u>6,324,809.68</u>

STATEMENT OF REVENUES
For the Month Ended March 31, 2026

	For the Month Ended 3/31/26		For the 9 Month Ended 3/31/26	
	<u>Estimated</u>	<u>Actual</u>	<u>Estimated</u>	<u>Actual</u>
<u>Stormwater Management</u>				
Monthly Utility Fee	16,900.00	17,546.51	152,150.00	158,107.17
Total:	<u>16,900.00</u>	<u>17,546.51</u>	<u>152,150.00</u>	<u>158,107.17</u>
<u>Sanitation Revenue</u>				
Refuse Collection Charges	56,650.00	58,071.98	509,775.00	519,011.90
Recycling/Vegetation Recycling Fees	3,500.00	3,555.24	31,575.00	31,884.84
Recycle Reimbursement	275.00	379.00	2,550.00	2,498.20
Total:	<u>60,425.00</u>	<u>62,006.22</u>	<u>543,900.00</u>	<u>553,394.94</u>
<u>Water Revenue</u>				
Charges of Services	118,000.00	108,495.20	1,065,000.00	1,075,202.49
Connection Fees	8,975.00	21,605.00	80,809.00	95,885.00
Penalties	2,175.00	1,926.26	19,575.00	25,094.51
Bad Debt	0.00	0.00	0.00	0.00
Grants	0.00	0.00	0.00	12,432.46
Total:	<u>129,150.00</u>	<u>132,026.46</u>	<u>1,165,384.00</u>	<u>1,208,614.46</u>
<u>Sewer Revenue</u>				
Charges for Services	207,500.00	197,478.98	1,845,500.00	1,800,198.11
Connection Fees	23,300.00	45,370.00	209,550.00	201,356.00
Penalties	2,000.00	1,788.29	18,000.00	23,725.61
Proceeds from Capital Financing	0.00	0.00	0.00	0.00
Sewer Surcharge	0.00	0.00	0.00	0.00
HRRSA Board Contribution	0.00	200.00	400.00	900.00
Total:	<u>232,800.00</u>	<u>244,837.27</u>	<u>2,073,450.00</u>	<u>2,026,179.72</u>
Total Revenue Enterprise Funds:	<u>439,275.00</u>	<u>456,416.46</u>	<u>3,934,884.00</u>	<u>3,946,296.29</u>
TOTAL REVENUE:	1,248,200.00	1,070,165.99	8,829,979.00	10,271,105.97

Cash in the Bank

Feb 28, 2026

Mar 31, 2026

	<u>2,006,496.80</u>	LGIP -(Fund Balance)	<u>2,012,345.12</u>
	<u>456,785.24</u>	LGIP(ARPA)	<u>458,117.42</u>
	<u>631,649.92</u>	LGIP(Wellness Quarter)	<u>664,218.42</u>
	<u>1,502,625.33</u>	F & M Bank- Checking(Sweep Acct)	<u>1,659,927.65</u>
	<u>100.00</u>	Farmers & Merchants Payroll Acct.	<u>100.00</u>
Total:	4,597,657.29		4,794,708.61

Comparative Statement of Appropriations with Expenses
For the Month Ended March 31, 2026

	For the Month Ended 3/31/26		For the 9 Month Ended 3/31/26	
	Estimated	Actual	Estimated	Actual
<u>Town Council</u>				
Personal Services	0.00	49.87	21,750.00	21,898.45
Fringe Benefits	0.00	3.82	1,700.00	1,676.30
Other Charges	150.00	0.00	1,425.00	544.40
Total:	150.00	53.69	24,875.00	24,119.15
<u>Manager's Office</u>				
Personal Services	38,000.00	36,444.44	389,123.00	374,558.43
Fringe Benefits	15,000.00	13,842.41	151,125.00	126,475.14
Contractual Services	1,250.00	5,375.46	19,250.00	24,596.76
Other Charges	1,675.00	278.69	15,000.00	13,848.98
Capital Outlay	0.00	0.00	0.00	0.00
Total:	55,925.00	55,941.00	574,498.00	539,479.31
Total:	2,900.00	2,861.25	26,225.00	27,821.32
<u>Legal Services</u>				
Total:	0.00	0.00	40,000.00	50,900.00
<u>Independent Auditor</u>				
<u>Treasurer's Office</u>				
Personal Services	16,200.00	16,528.68	167,400.00	155,866.87
Fringe Benefits	6,450.00	6,932.33	65,250.00	59,717.94
Contractual Services	900.00	1,030.01	25,300.00	25,777.51
Other Charges	400.00	13.66	3,725.00	3,940.93
Capital Outlay	0.00	0.00	0.00	0.00
Total:	23,950.00	24,504.68	261,675.00	245,303.25
<u>Police Department</u>				
Personal Services	56,950.00	54,658.59	588,450.00	588,216.86
Personal Services (overtime)	2,300.00	579.74	26,600.00	20,728.27
Fringe Benefits	22,550.00	22,884.82	226,550.00	224,422.25
Auto Repair	450.00	163.65	4,100.00	5,954.35
Gas, Oil, Tires, etc.	2,175.00	1,214.14	19,500.00	19,118.30
Contractual Services	3,150.00	1,219.72	58,950.00	51,808.57
Other	3,025.00	1,844.49	27,075.00	24,473.10
Capital Outlay	0.00	0.00	120,000.00	44,248.00
Total:	90,600.00	82,565.15	1,071,225.00	978,969.70
<u>Public Works Department</u>				
Personal Service	11,425.00	12,078.40	117,725.00	125,822.53
Fringe Benefits	4,700.00	5,629.29	47,600.00	51,974.13
Contractual Services	850.00	1,427.16	11,525.00	19,765.49
Contractual - Consulting	0.00	765.00	0.00	5,482.50
Other	150.00	94.78	1,425.00	4,777.94
Capital Outlay	0.00	0.00	0.00	0.00
Total:	17,125.00	19,994.63	178,275.00	207,822.59

Comparative Statement of Appropriations with Expenses

For the Month Ended March 31, 2026

	For the Month Ended 3/31/26		For the 9 Month Ended 3/31/26	
	<u>Estimated</u>	<u>Actual</u>	<u>Estimated</u>	<u>Actual</u>
<u>Highways, Streets, Bridges & Sidewalks</u>				
Personal Services	12,000.00	9,660.86	126,800.00	154,710.22
Fringe Benefits	5,300.00	5,027.39	53,300.00	51,526.84
Contractual Services	8,850.00	48,752.12	139,650.00	158,333.25
Street Paving	0.00	0.00	0.00	4,421.69
Capital Outlay(Equipment)	0.00	0.00	0.00	0.00
Other Charges	4,150.00	3,289.80	37,475.00	79,493.83
Crosswalks B-Safe	0.00	0.00	78,332.00	2,715.25
Crosswalks Main Street	0.00	0.00	104,665.00	2,178.75
Gen Oak Connector Phase II	0.00	0.00	43,525.00	7,329.75
Capital Outlay	0.00	0.00	59,000.00	0.00
Total:	30,300.00	66,730.17	642,747.00	460,709.58
<u>Street Lights</u>				
Total:	8,175.00	8,957.33	73,725.00	78,368.55
<u>General Properties</u>				
Personal Services	16,800.00	10,201.32	178,300.00	137,459.64
Fringe Benefits	7,575.00	6,740.19	75,975.00	64,854.25
Contractual Services	9,175.00	6,198.76	82,500.00	67,307.59
Contractual Services - Consulting	0.00	0.00	0.00	2,020.22
Other Charges	2,750.00	1,334.31	24,750.00	11,354.23
Capital Outlay	7,000.00	179,785.20	7,000.00	2,409,390.11
Total:	43,300.00	204,259.78	368,525.00	2,692,386.04
<u>Parks</u>				
Personal Services	22,300.00	23,690.88	231,500.00	228,346.91
Fringe Benefits	8,400.00	8,873.87	84,900.00	80,184.77
Contractual Services	5,400.00	1,697.81	53,750.00	40,641.82
Other Charges	5,825.00	7,188.85	52,475.00	36,000.41
Capital Outlay - Riverwalk	0.00	252.00	166,000.00	7,618.00
Capital Outlay (or Contingency)	0.00	0.00	44,000.00	43,749.80
Capital Outlay/Equipment	0.00	0.00	0.00	11,841.00
Total:	41,925.00	41,703.41	632,625.00	448,382.71
<u>Recreation</u>				
Personal Services	16,750.00	15,164.51	171,550.00	139,991.23
Fringe Benefits	5,925.00	4,455.03	60,225.00	38,280.38
Contractual Services	10,675.00	5,933.43	76,025.00	56,866.91
Other Charges	2,650.00	3,409.47	42,000.00	35,458.14
Classes & Camps	0.00	0.00	4,000.00	12,834.56
Capital Outlay	0.00	0.00	5,000.00	111,593.00
Total:	36,000.00	28,962.44	358,800.00	395,024.22

Comparative Statement of Appropriations with Expenses

For the Month Ended March 31, 2026

	For the Month Ended 3/31/26		For the 9 Month Ended 3/31/26		
	<u>Estimated</u>	<u>Actual</u>	<u>Estimated</u>	<u>Actual</u>	
<u>Community Development</u>					
Personal Services	2,375.00	836.31	23,875.00	41,787.36	
Fringe Benefits	1,050.00	685.00	10,550.00	9,856.39	
Contractual Services	1,500.00	79.52	18,500.00	16,255.63	
Current Printing Expenses	1,675.00	1,869.17	15,000.00	17,623.92	
Other Charges	1,825.00	339.52	16,500.00	20,251.32	
Employee Relations	1,825.00	2,118.64	16,500.00	23,543.33	
Festivals	0.00	69.51	60,650.00	44,022.17	
Donations	4,400.00	1,000.00	29,600.00	13,024.30	
Entertainment	0.00	600.00	8,200.00	10,700.00	
Passport Processing Expense	150.00	180.79	1,325.00	1,187.68	
Capital	0.00	0.00	0.00	0.00	
Total:	14,800.00	7,778.46	200,700.00	198,252.10	
<u>Sipe Center</u>					
Personal Services	8,875.00	9,348.17	90,575.00	86,566.29	
Fringe Benefits	3,650.00	3,474.06	36,450.00	31,098.78	
Other Charges	1,950.00	2,069.50	17,600.00	17,148.02	
Contractual Services	3,175.00	1,274.32	38,225.00	34,855.22	
Concessions	1,650.00	603.16	15,000.00	9,198.91	
Movies	3,000.00	1,321.36	27,750.00	21,631.95	
Live Performances	11,000.00	13,917.23	141,000.00	95,062.73	
Capital	0.00	0.00	0.00	15,141.97	
Total:	33,300.00	32,007.80	366,600.00	310,703.87	
<u>Economic Development</u>					
Personal Services	2,775.00	1,104.23	27,775.00	10,249.82	
Fringe Benefits	1,250.00	529.17	12,550.00	4,609.07	
Contractual Services	750.00	0.00	11,750.00	3,638.00	
Other Charges	450.00	0.00	7,175.00	1,345.40	
Capital Improvement	0.00	0.00	0.00	0.00	
Total:	5,225.00	1,633.40	59,250.00	19,842.29	
<u>Insurance</u>	Total:	35,000.00	33,264.50	105,000.00	99,870.00
<u>Fund Balance</u>	Total:	0.00	0.00	239,750.00	222,559.60
<u>Wellness Quarter</u>	Total:	34,250.00	30,794.03	68,500.00	102,861.51
<u>Debt Service</u>					
Debt Retirement	0.00	0.00	105,800.00	108,313.73	
Interest Expense	0.00	0.00	48,142.00	44,484.86	
Total:	0.00	0.00	153,942.00	152,798.59	
<u>Bad Debt-General Fund</u>	Total:	0.00	0.00	0.00	(30.00)
<u>Total Expenditures General Fund:</u>	472,925.00	642,011.72	5,446,937.00	7,033,584.78	

Comparative Statement of Appropriations with Expenses

For the Month Ended March 31, 2026

	For the Month Ended 3/31/26		For the 9 Month Ended 3/31/26	
	<u>Estimated</u>	<u>Actual</u>	<u>Estimated</u>	<u>Actual</u>
<u>Storm Water Management</u>				
Personal Services	6,500.00	5,681.43	66,700.00	61,662.36
Fringe Benefits	2,625.00	3,516.36	26,725.00	32,640.99
Contractual Services	7,250.00	2,156.43	30,750.00	18,223.83
Other Charges	550.00	34.90	4,900.00	5,701.71
Capital Outlay	0.00	0.00	26,666.00	26,666.00
Total:	16,925.00	11,389.12	155,741.00	144,894.89
<u>Water Treatment</u>				
Personal Services	26,550.00	22,049.17	274,350.00	248,700.64
Fringe Benefits	11,300.00	10,006.20	113,400.00	92,701.76
Contractual Services	11,525.00	13,315.98	110,925.00	140,954.13
Other Charges	2,500.00	1,295.93	22,500.00	9,419.68
Capital Outlay	0.00	0.00	37,000.00	32,425.73
Total:	51,875.00	46,667.28	558,175.00	524,201.94
<u>Water Distribution</u>				
Personal Services	11,425.00	8,163.75	121,125.00	77,181.76
Fringe Benefits	4,700.00	4,324.30	47,700.00	38,694.86
Contractual Services	57,975.00	7,687.31	194,275.00	117,037.73
Contractual Services - Consulting	0.00	0.00	0.00	2,097.50
Other Charges	7,100.00	6,941.50	63,775.00	27,724.47
Debt Service/Int Expense	0.00	0.00	0.00	0.00
Capital Outlay	0.00	0.00	70,167.00	90,444.30
Bad Debt-Water	0.00	0.00	0.00	(78.24)
Total:	81,200.00	27,116.86	497,042.00	353,102.38
<u>Sanitation & Waste Removal</u>				
Personal Services	12,350.00	9,486.69	128,750.00	77,842.02
Fringe Benefits	5,625.00	5,177.40	56,825.00	45,242.82
Contractual Services	2,025.00	1,165.78	18,275.00	16,643.43
Contractual/Waste Management	27,125.00	28,128.67	239,900.00	247,964.74
Other Services	1,750.00	2,449.44	15,750.00	12,970.56
Landfill Fees	11,825.00	10,610.70	106,575.00	127,409.29
Capital Outlay	25,000.00	0.00	25,000.00	0.00
Total:	85,700.00	57,018.68	591,075.00	528,072.86
<u>Sewer Department</u>				
Personal Services	7,150.00	5,007.90	75,150.00	66,122.82
Fringe Benefits	2,700.00	2,525.73	27,600.00	24,227.31
Contractual Services	2,900.00	22,625.62	26,225.00	67,613.05
Sewer Authority	86,500.00	82,405.46	778,200.00	744,367.15
Other Charges	1,750.00	2,337.52	15,750.00	30,654.75
Debt Service/Int Expense	0.00	0.00	113,961.00	113,214.72
Capital Outlay	0.00	6,510.00	83,167.00	82,088.55
Total:	101,000.00	121,412.23	1,120,053.00	1,128,288.35
Total Expenditures Enterprise Funds	336,700.00	263,604.17	2,922,086.00	2,678,560.42
TOTAL EXPENDITURES:	809,625.00	905,615.89	8,369,023.00	9,934,704.80
Excess Revenue Over Expenses:	438,575.00	164,550.10	460,956.00	336,401.17

BRIDGEWATER INDUSTRIAL DEVELOPMENT AUTHORITY

STATEMENT OF REVENUES

For the Month ended March 31, 2026

	<u>Budget</u> FY'26	<u>Current Month</u> 3/31/2026	<u>Year to Date</u> 7/1/2025 -6/30/2026
IDA Fees	3,000.00	3,000.00	3,000.00
Interest on Bank Deposits	0.00	0.00	0.00
Lease Proceeds/IDA Property	53,000.00	4,500.00	34,424.16
Bond /Principal & Interest	0.00	0.00	0.00
Miscellaneous Revenue	0.00	0.00	0.00
Transfer from Reserves	0.00	0.00	0.00
Total:	<u>56,000.00</u>	<u>7,500.00</u>	<u>37,424.16</u>

STATEMENT OF EXPENSES

For the Month ended March 31, 2026

	<u>Budget</u> FY'26	<u>Current Month</u> 3/31/2026	<u>Year to Date</u> 7/1/2025 -6/30/2026
Personal Service	1,000.00	0.00	300.00
Fringe Benefits	0.00	0.00	22.95
Other	0.00	0.00	0.00
Contractual Services	2,000.00	0.00	3,727.37
Capital	0.00	0.00	0.00
Legal Service	1,000.00	0.00	0.00
Insurance & Bonding	0.00	0.00	0.00
Debt Retirement	18,000.00	0.00	9,558.84
Interest Expense	21,000.00	0.00	8,520.22
Add to IDA Reserve	13,000.00	0.00	0.00
Total:	<u>56,000.00</u>	<u>0.00</u>	<u>22,129.38</u>

Excess Revenue over Expense	7,500.00	15,294.78
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Cash in the Bank- IDA	<u>Feb 28, 2026</u>	<u>Mar 31, 2026</u>
United Bank - IDA Checking	22,260.18	29,760.18
Total:	<u>22,260.18</u>	<u>29,760.18</u>



TO: Town Council
FROM: J. Jay Litten, Town Manager
DATE: April 10, 2026
RE: April Staff Report

Treasurer’s Report

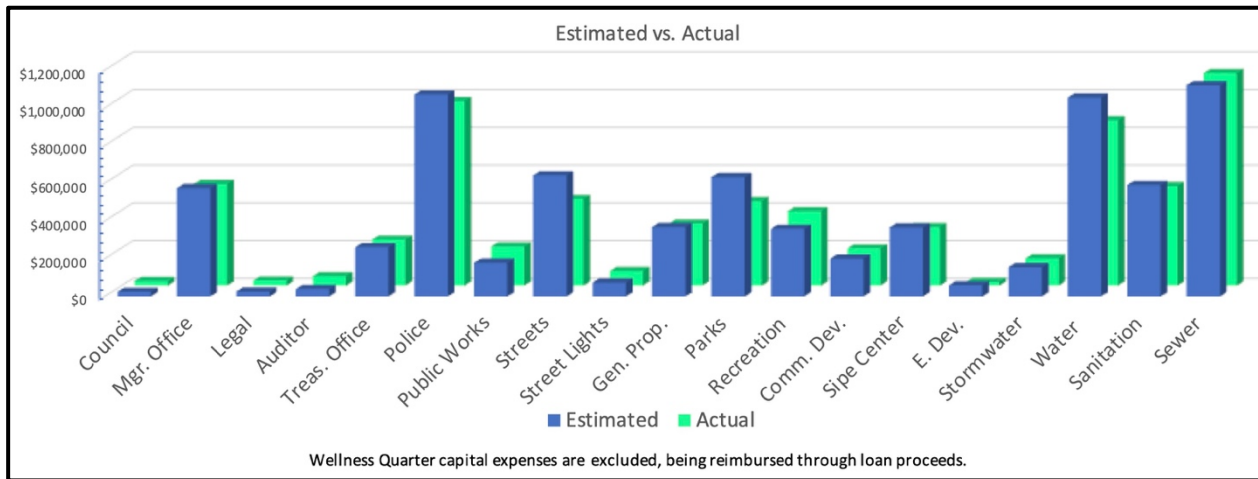
[Council Action? Yes.]

The key metrics below are fine, with the usual headaches. A large utility transmitted less than we expected in CUT payments, though, as always, we expect to catch up next month.¹ A prospective restaurant still hasn’t quite opened, so the meals tax is starting to fall behind. Though, as always, I have abounding hope that it will commence operations in April.

KEY REVENUE METRICS			KEY EXPENSE METRICS		
	<u>Month</u>	<u>Year</u>		<u>EOM Mar</u>	<u>EOM Feb</u>
CUT	32.9%	91.8%	Ops. Spending (Excludes Cap.)	93.97%	94.14%
MEALS	74.4%	96.0%			
CUT+M	54.8%	94.3%	Fully-Loaded Cost of Labor	91.60%	91.70%
WATER	91.9%	101.0%			
SEWER	95.2%	97.5%			
W+S	94.0%	98.8%			
OVERALL	82.3%	97.3%			

¹ The utility has now supplied Robyn with a tool which we hope will allow her to predict whether a month will be a heavy month, a light month, or just a plain-old, regular calendar month.

Turning to individual departments, expenses are just about where we expected them to be. Street expenditures still trail projections because of delays with the VDOT crosswalk projects. Water department expenditures are a little light, largely because we had fewer water line breaks than expected last winter.



As always, there are a couple of items in the spreadsheets warranting a little explanation. In the Sewer department, “Contractual Services” exceeded projections as we continue to work on a stainless-steel sewer line coming from Perdue. We are happy to make the repairs, of course, but stainless steel rarely fails, so we are also investigating the cause. Additionally, in the Sanitation department, you’ll see an unspent \$25,000 for “Capital Outlay.” The funds were for a forklift at the recycle center, but we won’t be purchasing it. The forklift was one of the casualties of our need to put a new roof on the Doug Will Tennis Center last fall.

Skating revenues came in just under budget at Gen Park this season. Unrelatedly, we are planning a small rate increase for non-residents next year. Katie has also found a ticketing option which will cost us much less. Previously, we had been absorbing \$1.25 for every skate session. The new fee will be a fraction of that figure.

Lastly, we note that while construction of Wellness Quarter continues apace, we have set aside about \$664,000 for debt service. Building up these funds will provide a nice safety blanket for us down the road.

Public Hearings

[Council Action? Yes.]

We have four public hearings scheduled for Tuesday night. For more info, you can read the ordinance shells (or the ordinances in their entirety). But for a quick recap:

- (1) The first public hearing concerns our adoption of a Virginia Erosion & Sediment Control Program – “VESMP.” Specifically, a public hearing is required for the fee schedule that’s part of our VESMP. The program has been reviewed and approved by DEQ.
- (2) Next up is a proposed lease of real estate at Generations Park to Wells Fargo for the installation of an ATM. The ordinance allows us to continue negotiating the lease agreement terms with Wells Fargo.
- (3) Third is a public hearing to consider a proposal from the owner of 408 North West View Street to use a detached structure as a short-term rental.
- (4) Finally, we have a joint public hearing with the Planning Commission for the proposed amendments to Title 6 of the Town Code. Specifically, this would update the definition of vape stores and smoke shops to include marijuana, marijuana products and paraphernalia. It also sets an expiration date of one year for zoning permits issued by the Town.

We’ve not received any calls or comments about any of these items.

Procurement Policy

[Council Action? Yes.]

I’d like to correct a typo in the procurement policy.

- Section 3.2(B) should read “*When Procuring Anything Else*. The RFP may request binding or non-binding pricing.”

The typist erred and proofreader missed it. Alas, I was both typist and proofreader. Under your ordinance of January 13, I will place this in the record of this meeting, and it will become effective in 30 days unless you block it. (It’s not a huge deal, but getting binding pricing up front just helps us get to heart of the matter more quickly.)

Arbor Day

[Council Action? No.]

Staff looks forward to the upcoming Arbor Day celebrations. A tree dedication ceremony will be held April 22 at 10:00 a.m. at Whitelaw Park for the new tulip poplar grove. The Town will also

host an Arbor Day/Earth Day event at the Sandy Bottom Recycle Center from April 22–25, offering free seedlings (while supplies last) and recycling information. We hope you will join us!

Shiverwood

[Council Action? No.]

We should have a new play structure in place in Shiverwood Park before your next meeting. The park is really beginning to fulfill its three-part purpose:

- To be a place of respite for the people of Bridgewater Fields subdivision,
- To be a welcoming sight for people entering town, and
- To accommodate crowds at Smiley’s Ice Cream, thus helping the business thrive, and, coincidentally, generating some meals-tax revenue, too.



Color of the structure will be different.



ORDINANCE SHELL

NUMBER: O-192-3

PROPOSED DATE OF CONSIDERATION: April 14, 2026

PURPOSE: The ordinance would establish a Virginia Erosion and Stormwater Management Program.

SUMMARY: Currently, Rockingham County enforces VESMA in Bridgewater. In plain terms, that means that the County is responsible for approving and inspecting land-disturbing activities in town. We are most grateful for their efforts in doing so.

The status quo isn't perfect, however, because as the operators of the MS4, we are responsible for the stormwater structures put in place as well as any sediment which washes downstream. Because we are responsible for the end-product, it makes sense that we have a hand in design and construction.

The ordinance borrows heavily from DEQ's model ordinance, but we have tried to use plainer language and insert explanations of difficult concepts. But to be fair, it is still a technical beast.

IMPORTANCE: The ordinance would eliminate the confusion that arises when the County (understandably) makes an evaluation based on short-term VESMA criteria, and we make a stricter evaluation based on longer-term MS4 criteria.

ORIGIN: Staff.

CONTROVERSIAL ASPECTS: We asked the County to take over erosion and sedimentation duties in 2021 because we couldn't develop the expertise to perform the duties ourselves. A fair question would be, "*If you couldn't do it then, why do you think you can do it now?*" The answer is twofold. First, we have different personnel now, and secondly, we have been hitting the books hard. Greg Dustin has become certified in both stormwater and erosion as administrator, plan reviewer, and inspector. Jay has become certified in both stormwater and erosion as administrator.

Anytime there is a fee, there is a potential controversy. Hopefully, any controversy will be both mooted and muted by our decision to adopt the DEQ fee schedule. We had hoped to adopt a schedule tailored to Bridgewater, without creating too much logistical complexity—for the citizens, for us, and for you.

FYI...

"MS4" = Municipal Separate Storm Sewer System

"VESMA" = "Virginia Erosion and Stormwater Management Act"

"VESMP" = "Virginia Erosion and Stormwater Management Program"

**AN ORDINANCE CREATING
A VIRGINIA EROSION AND STORMWATER MANAGEMENT PROGRAM**

O-192-3

Whereas, this Council gratefully recognizes the assistance of Rockingham County in enforcing the state's erosion and stormwater laws over the last five years, but

Whereas, because Bridgewater operates its own Municipal Separate Storm Sewer System, and thereby assumes certain responsibilities for storm-sewer systems created by developers, the Town would be well served to regulate the design and construction of such private systems, and

Whereas, the Town staff has developed an ordinance implementing the Virginia Erosion and Stormwater Management Act, and the Department of Environmental Quality has approved it,

Now, therefore, be it ordained by the Council of the Town of Bridgewater, Virginia, that

1. The provisions of Exhibit A are enacted and adopted into the Town Code.
2. The Town Manager may develop and publish regulations explaining and clarifying the enacted provisions, provided that such regulations shall be subject to being overridden by this Council.
3. All references to the Code of Virginia or the Virginia Administrative Code in Exhibit A shall be construed as extending to any amendments, recodifications, or reenactments of the same.
4. The Town Manager shall make arrangements with Rockingham County for an orderly transfer of responsibilities.
5. The Town Manager shall develop such elements of the Town's Virginia Erosion and Stormwater Management Program as he finds to be necessary and proper.
6. This ordinance shall take effect on June 1, 2026, but the Town Manager may delay its implementation with respect to individual properties in accord with the arrangements made under paragraph four above.

7. This Council's Administrative Appeals Committee shall consist of Mayor Flory, Mr. Canada, and Mr. Schofield, all of whose terms shall expire on December 31, 2026, or such later time as their replacements may be appointed by the Mayor.

Ordained this 14th day of April, 2026.

Mayor

.....

I certify that I am the Clerk of the Bridgewater Town Council, and that the foregoing is a true copy of an ordinance considered by the Council on April 14, 2026, such consideration being expressed by the following vote:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>NOT PRESENT</u>	<u>MEMBER</u>
_____	_____	_____	_____	Mr. Bowman
_____	_____	_____	_____	Mr. Canada
_____	_____	_____	_____	Ms. Curtis
_____	_____	_____	_____	Mr. Flory
_____	_____	_____	_____	Dr. Miracle
_____	_____	_____	_____	Mr. Schofield
_____	_____	_____	_____	Mr. Tongue

Date

Clerk

DRAFT 20**CHAPTER 1. EROSION & STORMWATER**

[Article 1](#)...General Matters.

[Article 2](#)...Scope of Regulation; Requirements & Exemptions.

[Article 3](#)...Plans & Plan Review.

[Article 4](#)...Administration & Procedures.

Article 1. General

§ 15-100. Preamble. Pursuant to [§ 62.1-44.15:27](#) of the Code of Virginia, this ordinance is adopted as part of an initiative to integrate stormwater management requirements with the erosion and sediment control, flood insurance, and flood plain management into a consolidated erosion and stormwater management program. This erosion and stormwater management program is intended to facilitate the submission and approval of plans, issuance of permits, payment of fees, and coordination of inspection and enforcement activities for land-disturbing activities into a more convenient and efficient manner for both the Town and those responsible for compliance with these programs.

§ 15-101. Title, Purpose, and Authority.

(a) This Chapter shall be known as the "Erosion and Stormwater Management Ordinance of the Town of Bridgewater."

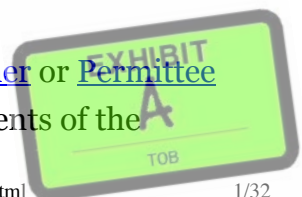
(b) The purpose of this ordinance is to ensure the general health, safety, and welfare of the citizens of Town, protect the quality and quantity of state waters from the potential harm of unmanaged stormwater and soil erosion, including protection from a land disturbing activity causing unreasonable degradation of properties, water quality, stream channels, and other natural resources, and to establish procedures whereby stormwater requirements related to water quality and quantity shall be administered and enforced.

(c) This ordinance is authorized by [§ 62.1-44.15:27](#) of the Code of Virginia.

DEQ Model Ordinance, [§ 1.1](#)

§ 15-102. Definitions. The following words and terms, when used in this Chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) "*Agreement In Lieu Of A Plan*": A contract between the [Town](#) and the [Owner](#) or [Permittee](#) that specifies methods that shall be implemented to comply with the requirements of the



[VESMA](#) and this Chapter for the construction of a (i) single-family detached residential structure or (ii) [Farm Building or Structure](#) on a parcel of land with a total [Impervious Cover](#) percentage, including the impervious cover from the Farm Building or Structure to be constructed, of less than five percent; such contract may be executed by the Town in lieu of an [ESC Plan](#) or an [E&SM Plan](#).

Legislative Intent: *This definition does some heavy lifting. It establishes the principle that, for single-family residences and some farm structures, the Town may waive the requirement of an ESC Plan or an E&SM Plan, accepting only an agreement in an approved form from the Owner.*

(2) "Application": As used in this Chapter, the term means [E&SM Plan](#) and other documents necessary for the issuance of a [Construction General Permit](#) by the [Department](#). It may constitute part of a [Request](#), but Requests are creatures of local law, and Applications are focused on state law. An Applicant is a [Person](#) who files an Application.

(3) "Best Management Practice" or "BMP": Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices, including both structural and nonstructural practices, to prevent or reduce the [Pollution](#) of [State Waters](#).

(i) "Nonproprietary Best Management Practice" means both structural and nonstructural practices to prevent or reduce the pollution of State Waters that are in the public domain and are not protected by trademark or patent or copyright.

(ii) "Proprietary Best Management Practice" means both structural and nonstructural practices to prevent or reduce the pollution of State Waters that are privately owned and controlled and may be protected by trademark or patent or copyright.

(4) "Board": The State Water Control Board.

(5) "Channel": A natural stream or manmade waterway.

(6) "Clean Water Act" or "CWA": The federal Clean Water Act ([33 USC § 1251 et seq.](#)), formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto.

(7) "Common Plan of Development or Sale" or "CPDS": A contiguous area where separate and distinct [Construction Activities](#) may be taking place at different times on different schedules.

Legislative Intent: *A common example would be a residential subdivision, even if lots are sold and houses are built at different times without a preset schedule, the subdivision would still constitute a Common Plan of Development or Sale.*

- (8) "Construction Activity":** Any clearing, grading, or excavation associated with [Large Construction Activity](#) or associated with [Small Construction Activity](#).
- (9) "Control Measure":** Any [BMP](#), [Stormwater Facility](#), or other method used to minimize the discharge of [Pollutants](#) to [State Waters](#).
- (10) "CWA And Regulations":** The [Clean Water Act](#) and applicable regulations published in the Code of Federal Regulations promulgated thereunder. For the purposes of this Chapter, it includes state program requirements.
- (11) "Denuded":** A term applied to land that has been physically disturbed and no longer supports vegetative cover.
- (12) "Department":** The Virginia Department of Environmental Quality.
- (13) "Development":** [Land Disturbance](#) and the resulting landform associated with the construction of residential, commercial, industrial, institutional, recreation, transportation, or utility facilities or structures or the clearing of land for nonagricultural or nonsilvicultural purposes. The regulation of discharges from Development, for purposes of stormwater management, does not include the exclusions found in [9VAC25-875-860](#).
- Practice Note:*** *The cited regulation contains exceptions for a variety of discharges, from maritime sewage to irrigation return-flow. This definition, from the DEQ model, provides that such exemptions have no application to this Chapter.*
- (14) "Dike":** An earthen embankment constructed to confine or control water, especially one built along the banks of a river to prevent overflow of lowlands; levee.
- (15) "Discharge":** When used without qualification, means the [Discharge of a Pollutant](#).
- (16) "Discharge Of A Pollutant":**

(i) Any addition of any [Pollutant](#) or combination of Pollutants to [State Waters](#) from any [Point Source](#); or

(ii) Any addition of any Pollutant or combination of Pollutants to the waters of the contiguous zone or the ocean from any Point Source other than a vessel or other floating craft which is being used as a means of transportation.

This definition includes additions of Pollutants into [Surface Waters](#) from: [Surface Runoff](#) that is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a state, municipality, or other [Person](#) that do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately

owned treatment works. This term does not include an addition of Pollutants by any indirect discharger.

(17) "Drainage Area": A land area, water area, or both from which runoff flows to a common point.

(18) "Energy Dissipator": A [Nonerodible](#) structure that reduces the velocity of concentrated flow to reduce its erosive effects.

(19) "Engineering Expert": An engineer, architect, surveyor, or landscape architect registered under Article 1, Chapter 4, Title 54.1 of the Code of Virginia ([§.54.1-400 et seq.](#)).

(20) "Environmental Protection Agency" or "EPA": The United States Environmental Protection Agency.

(21) "Erosion And Sediment Control Plan" or "ESC Plan": A document containing material for the conservation of soil and water resources of a unit or group of units of land. It may include appropriate maps, an appropriate soil and water plan inventory and management information with needed interpretations, and a record of decisions contributing to conservation treatment. The plan shall contain all major conservation decisions to ensure that the entire unit or units of land will be so treated to achieve the conservation objectives.

Practice Note: *The ESC Plan is one element of the [E&SM Plan](#), with another other major unit being the [Stormwater Management Plan](#).*

(22) "Erosion Impact Area": An area of land that is not associated with a current [Land-Disturbing Activity](#) but is subject to persistent [Soil Erosion](#) resulting in the delivery of sediment onto neighboring properties or into [State Waters](#). This definition shall not apply to any lot or parcel of land of 10,000 square feet or less used for residential purposes or to shorelines where the erosion results from wave action or other coastal processes.

(23) "ESC": Erosion and sediment control.

(24) "Farm Building Or Structure": The same as that term is defined in Va. Code, [§.36-97](#) and also includes any building or structure used for agritourism activity, as defined in Va. Code, [§.3.2-6400](#) and any related [Impervious Surfaces](#), including roads, driveways, and parking areas.

(25) "Flood Fringe": The portion of the [Floodplain](#) outside the [Floodway](#) that is usually covered with water from the 100-year flood or storm event, including the flood or floodway fringe designated by the Federal Emergency Management Agency.

(26) "Flooding": A volume of water that is too great to be confined within the banks or walls of the stream, water body, or conveyance system and that overflows onto adjacent lands, thereby causing or threatening damage.

(27) "Floodplain": The area adjacent to a [Channel](#), river, stream, or other water body that is susceptible to being inundated by water normally associated with the 100-year flood or storm event, including the floodplain designated by the Federal Emergency Management Agency.

(28) "Flood-Prone Area": The component of a natural or restored [Stormwater Conveyance System](#) that is outside the [Main Channel](#). Flood-Prone Areas may include the [Floodplain](#), the [Floodway](#), the [Flood Fringe](#), [Wetlands](#), riparian buffers, or other areas adjacent to the Main Channel.

(29) "Floodway": The [Channel](#) of a river or other watercourse and the adjacent land areas, usually associated with flowing water, that must be reserved in order to discharge the 100-year flood or storm event without cumulatively increasing the water surface elevation more than one foot, including the floodway designated by the Federal Emergency Management Agency.

(30) "Construction General Permit" or "Permit": A permit, issued by the [Department](#), authorizing certain discharges from [Construction Activity](#) under the [CWA](#) and [VESMA](#) within a geographical area.

***Legislative Intent:** In this Chapter, a "Permit" is issued by the Department. [Land-Disturbance Approval](#) is issued by the Town and may refer to a Permit.*

(31) "Impervious Cover": A surface composed of material that significantly impedes or prevents natural infiltration of water into soil.

(32) "Inspection": An on-site review of a project's compliance with any applicable design criteria, or an on-site review to obtain information or conduct surveys or investigations necessary in the implementation or enforcement of [VESMA](#) and applicable regulations.

(33) "Karst Area": Any land area predominantly underlain at the surface or shallow subsurface by limestone, dolomite, or other soluble bedrock regardless of any obvious surface karst features.

(34) "Karst Features": Sinkholes, sinking and losing streams, caves, large-flow springs, and other such landscape features found in karst areas.

(35) "Land Disturbance" or "Land-Disturbing Activity": A manmade change to the land surface that may result in [Soil Erosion](#) or has the potential to change its [Runoff Characteristics](#), including [Construction Activity](#) such as the clearing, grading, excavating, or filling of land.

(36) "Land-Disturbance Approval" or "LD Approval": An approval allowing a [Land-Disturbing Activity](#) to commence, issued by the Town, after all prerequisites have been satisfied.

Legislative Intent: *The Town's LD Approval is a form of permission, but it is not referred to as a "permit" in this Chapter, so as to avoid confusion with the Construction General Permit issued by the Department. Likewise, the person requesting LD Approval is referred to as a "Requester," rather than an "Applicant."*

(37) "Large Construction Activity:" Construction Activity including clearing, grading, and excavation, except operations that result in the disturbance of less than five acres of total land area. It also includes the disturbance of less than five acres, if it is part of a Common Plan of Development or Sale which will ultimately disturb five acres or more. Routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility is excluded.

(38) "Linear Development Project": A Land-Disturbing Activity that is linear in nature such as, but not limited to, (i) construction of electric and telephone utility lines and natural gas pipelines; (ii) construction of tracks, rights-of-way, bridges, communication facilities and related railroad structures; (iii) highway construction projects; (iv) construction of Stormwater Channels and stream restoration activities; and (v) water and sewer lines. Private subdivision roads or streets are not considered linear development projects.

(39) "Locality": A County, City, or Town, including the Town of Bridgewater.

(40) "Localized Flooding": Smaller-scale flooding that may occur outside of a Stormwater Conveyance System, including high water, ponding, or standing water from Stormwater Runoff, which is likely to cause property damage or unsafe conditions.

(41) "Main Channel": The portion of the Stormwater Conveyance System that contains the base flow and small frequent storm events.

(42) "Manmade": Constructed by man.

(43) "Minimize": To reduce or eliminate the discharge of Pollutants to the extent achievable using Stormwater controls that are technologically available and economically practicable.

(44) "Minor Modification": Modifications and amendments not requiring extensive review and evaluation, including changes in EPA-promulgated test protocols, increased monitoring frequency, changes in sampling locations, and changes to compliance dates within overall compliance schedules, provided they do not substantially alter Permit conditions, substantially change Surface Water impacts, increase the size of the operation, or reduce the capacity of the facility to protect human health or the environment.

(45) "Natural Channel Design Concepts": The utilization of engineering analysis and fluvial geomorphic processes to create, rehabilitate, restore, or stabilize an open conveyance system

for the purpose of creating or recreating a stream that conveys its bankfull storm event within its banks and allows larger flows to access its bankfull bench and its [Floodplain](#).

(46) "Natural Stream": A tidal or nontidal watercourse that is part of the natural topography, usually maintaining a continuous or seasonal flow during the year and characterized by an irregular cross-section with a meandering course. Constructed channels such as drainage ditches or swales are not considered natural streams; however, channels designed using [Natural Channel Design Concepts](#) may be considered natural streams.

(47) "Nonerodible": A material (e.g., riprap, concrete, plastic) that will not experience surface wear due to natural forces.

(48) "Nonpoint Source Pollution": Pollution such as Sediment, nitrogen, phosphorus, hydrocarbons, heavy metals, and toxics whose sources cannot be pinpointed but rather are washed from the land surface in a diffuse manner by [Stormwater](#).

(49) "Operator": Any [Person](#) who either (i) has direct operational control over construction plans and specifications, including the ability to make modifications, or (ii) has day-to-day operational control of site activities necessary to ensure compliance with a [SWPPP](#) or other [Permit](#) or [VESMP](#) authority conditions (i.e., they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other Permit conditions).

(50) "Owner": The same as defined in Va. Code, [§ 62.1-44.3](#), *provided that*, for a regulated [Land-Disturbing Activity](#) that does not require a [Permit](#), "Owner" also means the owner or owners of the freehold of the premises or lesser estate therein, mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, or other [Person](#) in control of a property.

(51) "Peak Flow Rate": The maximum instantaneous flow from a prescribed design storm at a particular location.

(52) "Percent Impervious": The impervious area within the site divided by the total area of the site multiplied by 100.

(53) "Permittee": The [Person](#) to whom a [Permit](#) is issued.

(54) "Person": Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town, or other political subdivision of the Commonwealth, governmental body (including a federal or state entity as applicable), any interstate body, or any other legal entity.

(55) "Point Of Discharge": A location at which concentrated stormwater runoff is released.

(56) "Point Source": Any discernible, confined, and discrete conveyance including any pipe, ditch, [Channel](#), tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which [Pollutants](#) are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

(57) "Pollutant Discharge": The average amount of a particular [Pollutant](#) measured in pounds per year or other appropriate reportable unit, delivered by [Stormwater](#) runoff.

(58) "Pollution": Such alteration of the physical, chemical, or biological properties of any [State Waters](#) as will or is likely to create a nuisance or render such waters harmful, detrimental, or injurious to public health, safety, or welfare; to the health of animals, fish, or aquatic life; unsuitable with reasonable treatment for present or possible future public water supply; or unsuitable for recreational, commercial, industrial, agricultural, or other reasonable uses, including conditions set forth by the [Board](#).

(59) "Post-development": Conditions that reasonably may be expected or anticipated to exist after completion of the land development activity on a specific [Site](#) or tract of land.

(60) "Predevelopment": Conditions that exist at the time that plans for the [Land-Disturbing Activity](#) are submitted to the [VESMP Authority](#). Where phased development or plan approval occurs, conditions prior to the commencement of Land-Disturbing Activity establish predevelopment conditions.

(61) "(The) Regulation": The Virginia Erosion and Stormwater Management Regulation, [25VAC25-875](#).

(62) "Request": A petition, in a form approved by the [Local Administrator](#), for [LD Approval](#). The petitioner is the "Requester."

(63) "Responsible Land Disturber" or "RLD": "Responsible land disturber" or "RLD" means an individual holding a certificate issued by the [Department](#) who is responsible for carrying out the [Land-Disturbing Activity](#) in accordance with the approved [ESC Plan](#) or [ESM Plan](#). The RLD may be the [Owner](#), applicant, [Requester](#), [Permittee](#), designer, superintendent, project manager, contractor, or any other project or development team member. The RLD must be designated on the ESC Plan, ESM Plan, or permit as defined in this Chapter as a prerequisite for engaging in land disturbance.

(64) "Runoff" or "Stormwater Runoff": That portion of precipitation that is discharged across the land surface or through conveyances to one or more waterways.

(65) "Runoff Characteristics": Include maximum velocity, peak flow rate, volume, and flow duration.

(66) "Sediment Basin": A temporary impoundment built to retain sediment and debris with a controlled [Stormwater](#) release structure.

(67) "Site": The land or water area where any facility or [Land-Disturbing Activity](#) is physically located or conducted, including adjacent land used or preserved in connection with such facility or Land-Disturbing Activity.

(68) "Small Construction Activity": Either of the following:

(i) Construction activities including clearing, grading, and excavating that results in land disturbance of equal to or greater than one acre and less than five acres. Small Construction Activity also includes the disturbance of less than one acre of total land area that is part of a larger [Common Plan of Development or Sale](#) if the larger common plan will ultimately disturb equal to or greater than one and less than five acres. Small Construction Activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility.

DEQ Note: *The following provision is enforced by DEQ and is included here for reference. The [Department](#) may waive the otherwise applicable requirements in a general permit for a stormwater discharge from construction activities that disturb less than five acres where stormwater controls are not needed based on an approved [TMDL](#) that addresses the pollutants of concern or, for nonimpaired waters that do not require TMDLs, an equivalent analysis that determines allocations for small construction sites for the pollutants of concern or that determines that such allocations are not needed to protect water quality based on consideration of existing in-stream concentrations, expected growth in pollutant contributions from all sources, and a margin of safety. For the purpose of this note, the pollutants of concern include sediment or a parameter that addresses sediment (such as total suspended solids, turbidity, or siltation) and any other pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the Construction Activity. The [Operator](#) shall certify to the department that the Construction Activity will take place, and stormwater discharges will occur, within the [Drainage Area](#) addressed by the TMDL or provide an equivalent analysis.*

As of the start date in Table 1 of [9VAC25-31-1020](#), all certifications submitted in support of the waiver shall be submitted electronically by the [Owner](#) or operator to the Department in compliance with this note and [40 CFR Part 3](#) (including, in all cases, [40 CFR Part 3 Subpart D](#)), [9VAC25-875-940](#), and Part XI ([9VAC25-31-950](#) et seq.) of the [VPDES Permit](#) regulation. Part XI of [9VAC25-31](#) is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of Part XI of [9VAC25-31](#), [Permittees](#) may be required to report electronically if specified by a particular permit.

(ii) Any other [Construction Activity](#) designated by either the [Department](#) or the EPA regional administrator, based on the potential for contribution to a violation of a water quality standard or for significant contribution of [Pollutants](#) to [Surface Waters](#).

(69) *"Soil Erosion"*: The movement of soil by wind or water into [State Waters](#) or onto lands in the Commonwealth.

(70) *"Soil Erosion Control and Stormwater Management Plan," or "E&SM Plan"*: A document describing methods for controlling soil erosion and managing stormwater in accordance with the requirements adopted pursuant to [VESMA](#). The E&SM plan includes material aspects of the [ESC Plan](#) and the [SWM Plan](#), as each is described in this Chapter.

(71) *"Soil Expert"*: A soil scientist or wetland professional licensed under Chapter 22, Title 54.1 of the Code of Virginia ([§ 54.1-2200 et seq.](#)).

(72) *"Stabilized"*: Land that has been treated to withstand normal exposure to natural forces without incurring erosion damage.

(73) *"State"*: The Commonwealth of Virginia.

(74) *"State Water Control Law"*: Chapter 3.1 ([§ 62.1-44.2 et seq.](#)) of Title 62.1 of the Code of Virginia.

(75) *"State Waters"*: All water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including [Wetlands](#).

(76) *"Stormwater"*: Precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

(77) *"Stormwater Conveyance System"*: A combination of drainage components that are used to convey stormwater discharge, either within or downstream of the [Land-Disturbing Activity](#). This includes:

(i) *"Manmade stormwater conveyance system,"* A pipe, ditch, vegetated swale, or other stormwater conveyance system constructed by man except for restored stormwater conveyance systems;

(ii) *"Natural stormwater conveyance system,"* The [Main Channel](#) of a [Natural Stream](#) and the [Flood-Prone Area](#) adjacent to the Main Channel; or

(iii) *"Restored stormwater conveyance system,"* A stormwater conveyance system that has been designed and constructed using [Natural Channel Design Concepts](#) . Restored

stormwater conveyance systems include the Main Channel and the [Flood-Prone Area](#) adjacent to the Main Channel.

(78) "*Stormwater Management Facility*": A control measure that controls stormwater runoff and changes the characteristics of that runoff including the quantity and quality, the period of release or the velocity of flow.

(79) "*Stormwater Management Plan*" or "*SWM Plan*": A document containing material describing methods for complying with the requirements of the [VESMP](#).

(80) "*Stormwater Pollution Prevention Plan*" or "*SWPPP*": A document that is prepared in accordance with good engineering practices and that identifies potential sources of [Pollutants](#) that may reasonably be expected to affect the quality of [Stormwater](#) discharges. A SWPPP required under the [VESMP](#) for [Construction Activities](#) shall identify and require the implementation of control measures and shall include or incorporate by reference an approved [ESC Plan](#), an approved [SWM Plan](#), and a pollution prevention plan.

(81) "*Subdivision*": As defined in Va. Code, [§ 15.2-2201](#).

(82) "*Surface Waters*":

(i) All waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters that are subject to the ebb and flow of the tide;

(ii) All interstate waters, including interstate [Wetlands](#);

(iii) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, Wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

• That are or could be used by interstate or foreign travelers for recreational or other purposes;

• From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

• That are used or could be used for industrial purposes by industries in interstate commerce;

(iv) All impoundments of waters otherwise defined as surface waters under this definition;

(v) Tributaries of waters identified in paragraphs (i) through (iv) of this definition;

(vi) The territorial sea; and

(vii) Wetlands adjacent to waters (other than waters that are themselves Wetlands) identified in paragraphs (i) through (vi) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the [CWA](#) and the law, are not surface waters. Surface waters do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other agency, for the purposes of the CWA, the final authority regarding the CWA jurisdiction remains with the [EPA](#).

(83) *"Total maximum daily load" or "TMDL"* : The sum of the individual [Wasteload Allocations](#) for [Point Sources](#), load allocations for [Nonpoint Sources](#), natural background loading, and a margin of safety. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure. The TMDL process provides for [Point](#) versus [Nonpoint Source](#) trade-offs.

(84) *"Town" or "VESMP Authority"* : The Town of Bridgewater, Virginia.

(85) *"Virginia Erosion and Stormwater Management Act" or "VESMA"* : Article 2.3 ([§ 62.1-44.15:24 et seq.](#)) of Chapter 3.1, Title 62.1 of the Code of Virginia.

(86) *"Virginia Erosion and Stormwater Management Program" or "VESMP"* : A program established by the [VESMP Authority](#) for the effective control of [Soil Erosion](#) and sediment deposition and the management of the quality and quantity of [Runoff](#) resulting from [Land-Disturbing Activities](#) to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources. The program shall include such items as local ordinances, rules, requirements for permits and [Land-Disturbance Approvals](#), policies and guidelines, technical materials, and requirements for plan review, inspection, and enforcement consistent with the requirements of [VESMA](#).

(87) *"Virginia Pollutant Discharge Elimination System Permit" or "VPDES permit"*: A document issued by the department pursuant to the [State Water Control Law](#) authorizing, under prescribed conditions, the potential or actual [Discharge of Pollutants](#) from a [Point Source](#) to [Surface Waters](#).

(88) *"Wasteload Allocation" or "Wasteload"*: The portion of a receiving surface water's loading or assimilative capacity allocated to one of its existing or future [Point Sources](#) of [Pollution](#). Wasteload allocations are a type of water quality-based effluent limitation.

(89) *"Water Quality Technical Criteria"*: Standards set forth in regulations adopted pursuant to [VESMA](#) that establish minimum design criteria for measures to control [Nonpoint Source Pollution](#).

(90) "Water Quantity Technical Criteria": Standards set forth in regulations adopted pursuant to [VESMA](#) that establish minimum design criteria for measures to control [Localized Flooding](#) and stream channel erosion.

(91) "Watershed": A defined land area drained by a river or stream, karst system, or system of connecting rivers or streams such that all surface water within the area flows through a single outlet. In [Karst Areas](#), the [Karst Feature](#) to which water drains may be considered the single outlet for the watershed.

(92) "Wetlands": Those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

DEQ Model Ordinance, [§ 1.2](#)

§ 15-103. Virginia Erosion and Stormwater Management Program Established. Pursuant to [§ 62.1-44.15:27](#) of the Code of Virginia, the Town hereby establishes a Virginia Erosion and Stormwater Management Program for [Land-Disturbing Activities](#) and adopts the Virginia Erosion and Stormwater Management Regulation that specify standards and specifications for VESMPs promulgated by the State Water Control Board for the purposes set out in [§ 15-101](#) of this Chapter.

The Town hereby designates the Town Manager as the Local Administrator of the Virginia Erosion and Stormwater Management Program established by this Chapter, though he may act through such other employees as he deems appropriate.

DEQ Model Ordinance, [§ 2.1](#)

Article 2. Scope of Regulation; Requirements & Exemptions.

§ 15-104. Classification of Land Disturbing Activities.

For purposes of this section, the extent of a [Land-Disturbing Activity](#) which is part of a [Common Plan of Development or Sale](#) includes the entire development subject to the common plan.

Practice Note: *When applying this section, start with the first sentence, immediately above. If you don't, you'll get things wrong.*

Legislative Intent: *For example, 3,000 square feet of Land-Disturbing Activity within a development of 0.70 acres would be treated as 0.70 acres.*

(a) Land-Disturbing Activity that disturbs less than 10,000 square feet is not regulated by this Chapter but still requires the issuance of [LD Approval](#). In these situations, the [Local Administrator](#) will issue LD Approval upon a simple showing that the Land-Disturbing Activity is, in fact, exempt.

(b) Land-Disturbing Activity that disturbs at least 10,000 square feet but less than one acre is subject to criteria defined in Article 2 ([9VAC25-875-540 et seq.](#)) of Part V of the Virginia Erosion and Stormwater Management Regulation. In these situations, the Local Administrator will issue LD Approval upon the Town's approval of a [Request](#) including an [ESC Plan](#) and the Requester's execution of the attendant documents.

An [Agreement in Lieu of a Plan](#) may be substituted for an ESC Plan in certain circumstances. See [§15-102\(1\)](#).

***Practice Note:** In Bridgewater, [Agreements in Lieu of a Plan](#) will most often be used for single-family residential construction.*

(c) Land-Disturbing Activity that disturbs one acre or more is subject to criteria defined in Article 2 ([9VAC25-875-540 et seq.](#)) **and** Article 3 ([9VAC25-875-570 et seq.](#)) of Part V. In these situations, the Local Administrator will issue LD Approval upon (i) his approval of an [E&SM Plan](#), (ii) the approval of a [SWPPP](#), (iii) the [Department's](#) issuance of the [Construction General Permit](#), and (iv) Requester's execution of the attendant documents.

An [Agreement in Lieu of a Plan](#) may be substituted for the requirements of clauses (i)-(iv) above in certain circumstances. See [§15-102\(1\)](#).

This paragraph (c) is also subject to the "grandfathering" provisions in [9VAC25-875-670 et seq.](#), [9VAC25-875-480](#), and [9VAC25-875-490](#).

***Legislative Intent:** For this paragraph and paragraph (b) above, such "attendant documents" might include an [Agreement in Lieu of a Plan](#) or a bond under [§ 15-120](#).*

DEQ Model Ordinance, [§ 2.2](#)

§ 15-105. VESMA Exemptions.

(a) Notwithstanding any other provisions of this Chapter, the following activities are not required to comply with the requirements of this Chapter unless otherwise required by federal law:

- (1)** Minor Land-Disturbing Activities, including home gardens and individual home landscaping, repairs, and maintenance work;
- (2)** Installation, maintenance, or repair of any individual service connection;
- (3)** Installation, maintenance, or repair of any underground utility line when such activity occurs on an existing hard surfaced road, street, or sidewalk, provided the Land-Disturbing Activity is confined to the area of the road, street, or sidewalk that is hard surfaced;

- (4)** Installation, maintenance, or repair of any septic tank line or drainage field unless included in an overall plan for Land-Disturbing Activity relating to construction of the building to be served by the septic tank system;
- (5)** Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted pursuant to [Title 45.2](#) of the Code of Virginia;
- (6)** Clearing of lands specifically for bona fide agricultural purposes; the management, tilling, planting, or harvesting of agricultural, horticultural, or forest crops; livestock feedlot operations; agricultural engineering operations, including construction of terraces, terrace outlets, check dams, desilting basins, [Dikes](#), ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; or as additionally set forth by the Board in regulations. However, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Title 10, Chapter 11 ([§ 10.1-1100 et seq.](#)) of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in subsection (B) of Va. Code [§ 10.1-1163](#);
- (7)** Installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles;
- (8)** *Reserved.*
- (9)** Repair or rebuilding of the tracks, rights-of-way, bridges, communication facilities, and other related structures and facilities of a railroad company;
- (10)** Land-Disturbing Activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, the Town shall be advised of the disturbance within seven days of commencing the Land-Disturbing Activity, and compliance with the administrative requirements of § 15-106 below is required within 30 days of commencing the Land-Disturbing Activity; and
- (11)** Discharges to a sanitary sewer or a combined sewer system; that are not from a Land-Disturbing Activity.
- (b)** Notwithstanding anything to the contrary in this Chapter, and in accordance with [VESMA](#), the following activities, are required to comply with the soil erosion control requirements **but** are not required to comply with the [Water Quantity](#) and [Water Quality Technical Criteria](#), unless otherwise required by federal law:
- (1)** Activities under a state or federal reclamation program to return an abandoned property to an agricultural or open land use;

(2) Routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original construction of the project. The paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders shall be deemed routine maintenance if performed in accordance with this paragraph (b)(2); and

(3) Discharges from a Land-Disturbing Activity to a sanitary sewer or a combined sewer system.

DEQ Model Ordinance, §3.3

§ 15-106. General Prohibition; Requests.

(a) No [Person](#) shall conduct any [Land-Disturbing Activity](#) subject to this Chapter until the [Local Administrator](#) has issued [LD Approval](#) for it. This prohibition applies equally to the entity performing the construction and any landowner or tenant of the property authorizing construction.

(b) The plans to be submitted as part of a [Request](#) for LD Approval are controlled by [§ 15-104](#), *provided that*, to the extent allowed by [§ 15-102\(1\)](#), for single-family residences or certain farm structures, the Town may allow an [Agreement in Lieu of a Plan](#), instead of the plans which would otherwise be required.

(c) In the Request, the Requester must provide the name of the certified [Responsible Land Disturber](#) who will be assisting the landowner with respect to the Land-Disturbing Activity.

DEQ Model Ordinance, §3.1

Article 3. Plans & Plan Review

§ 15-107. Review of Requests.

Legislative Intent: In the DEQ Model ordinance, this section applies to [E&SM Plans and Applications](#). We broaden the scope to include all parts of [Requests](#).

(a) The [Local Administrator](#) shall approve or disapprove [Requests](#) according to the following:

(1) The Local Administrator shall determine the completeness of any Request within 15 days after receipt, and shall act on any Request within 60 days after it has been determined to be complete.

(2) The Town shall issue either [LD Approval](#) or denial and provide written rationale for any denial.

(3) Prior to issuing a LD Approval, the Local Administrator shall be required to obtain verification of the [Construction General Permit](#), when such coverage is required.

(4) The Local Administrator also shall determine whether any resubmittal of a previously disapproved Request is complete within 15 days after receipt and shall act on the resubmitted Request within 45 days after receipt.

(b) *Reserved.*

DEQ Model Ordinance, § 3.2

Practice Note: *The Town may coordinate E&SM Plan review with the Department under [9VAC25-875-120](#).*

§ 15-108. Stormwater Pollution Prevention Plan; Contents of Plans.

(a) A [SWPPP](#) shall include, but not be limited to, an approved [ESC Plan](#), an approved [SWM Plan](#), a pollution prevention plan for regulated [Land-Disturbing Activities](#), and a description of any additional control measures necessary to address a [TMDL](#) pursuant to paragraph (d) of this section.

(b) An [E&SM Plan](#) consistent with [VESMA](#) and regulations must be designed and implemented during construction activities. Prior to Land-Disturbance, this plan must be approved by the Town in accordance with VESMA, this Chapter, and attendant regulations.

(c) A pollution prevention plan (*see [§ 15-110](#)*) that identifies potential sources of Pollutants that may reasonably be expected to affect the quality of [Stormwater](#) discharges from the construction site and describe control measures that will be used to minimize [Pollutants](#) in Stormwater discharges from the construction site must be developed before Land-Disturbance commences.

(d) In addition to the requirements of paragraphs (a) through (c) above, if a specific [Wasteload Allocation](#) for a [Pollutant](#) has been established in an approved TMDL and is assigned to stormwater discharges from a [Construction Activity](#), additional [Control Measures](#) must be identified and implemented by the operator so that [Discharges](#) are consistent with the assumptions and requirements of the Wasteload Allocation.

(e) The SWPPP must address the following requirements as specified in [40 CFR 450.21](#), to the extent otherwise required by state law or regulations and any applicable requirements of a state permit:

(1) Control Stormwater volume and velocity within the site to minimize soil erosion;

- (2) Control stormwater discharges, including both peak flow rates and total stormwater volume, to minimize erosion at outlets and to minimize downstream [Channel](#) and stream bank erosion;
 - (3) Minimize the amount of soil exposed during [Construction Activity](#);
 - (4) Minimize the disturbance of steep slopes;
 - (5) Minimize [Sediment](#) discharges from the [Site](#). The design, installation and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting [Stormwater Runoff](#), and soil characteristics, including the range of soil particle sizes expected to be present on the site;
 - (6) Provide and maintain natural buffers around surface waters, direct Stormwater to vegetated areas to increase sediment removal and maximize stormwater infiltration, unless infeasible;
 - (7) Minimize soil compaction and, unless infeasible, preserve topsoil;
 - (8) [Stabilization](#) of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating, or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. Stabilization must be completed within a period of time determined by the Town. In arid, semiarid, and drought-stricken areas where initiating vegetative Stabilization measures immediately is infeasible, alternative Stabilization measures must be employed as specified by the Town; and
 - (9) Utilize outlet structures that withdraw water from the surface, unless infeasible, when discharging from basins and impoundments.
- (f) The [SWPPP](#) shall be amended whenever there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to state waters and that has not been previously addressed in the SWPPP. The SWPPP must be maintained at a central location onsite. If an onsite location is unavailable, notice of the SWPPP's location must be posted near the main entrance at the construction site.

DEQ Model Ordinance, § 4.1

§ 15-109. Stormwater Management Plan; Contents of Plan.

- (a) An [SWM Plan](#) shall be developed and submitted to the [Local Administrator](#). The SWM Plan shall be implemented as approved or modified by the Local Administrator and shall be developed in accordance with the following:

(1) An SWM Plan for a [Land-Disturbing Activity](#) shall apply the stormwater management technical criteria set forth in this ordinance and Article 4 ([9VAC25-875-670 et seq.](#)) of Part V of the [Regulation](#) to the entire Land-Disturbing Activity. Individual lots in new residential, commercial, or industrial developments, including those developed under subsequent owners, shall not be considered separate Land-Disturbing Activities.

(2) An SWM Plan shall consider all sources of surface [Runoff](#) and all sources of subsurface and groundwater flows converted to surface Runoff.

(b) A complete SWM Plan shall include the following elements:

(1) Information on the type of and location of [Stormwater](#) discharges, information on the features to which Stormwater is being discharged including surface waters or [Karst Features](#) if present, and [Predevelopment](#) and [Post-Development Drainage Areas](#);

(2) Contact information including the name, address, telephone number, and email address of the [Owner](#) and the tax reference number and parcel number of the property or properties affected;

(3) A narrative that includes a description of current [Site](#) conditions and final Site conditions or if allowed by the Town, the information provided and documented during the review process that addresses the current and final Site conditions;

(4) A general description of the proposed [Stormwater Management Facilities](#) and the mechanism through which the facilities will be operated and maintained after construction is complete;

(5) Information on the proposed Stormwater Management Facilities, including (i) detailed narrative on the conversion to a long-term Stormwater Management Facility if the facility was used as a temporary [ESC](#) measure; (ii) the type of facilities; (iii) location, including geographic coordinates; (iv) acres treated; and (v) the [Surface Waters](#) or Karst features into which the facility will discharge;

(6) Hydrologic and hydraulic computations, including runoff characteristics;

(7) Documentation and calculations verifying compliance with the water quality and water quantity requirements of these regulations;

(8) A map of the site that depicts the topography of the Site and includes:

(i) All contributing Drainage Areas;

(ii) Existing streams, ponds, culverts, ditches, wetlands, other water bodies, and [Floodplains](#);

- (iii) Soil types, geologic formations if Karst Features are present in the area, forest cover, and other vegetative areas;
 - (iv) Current land use including existing structures, roads, and locations of known utilities and easements;
 - (v) Sufficient information on adjoining parcels to assess the impacts of Stormwater from the Site on these parcels;
 - (vi) The limits of clearing and grading, and the proposed drainage patterns on the Site;
 - (vii) Proposed buildings, roads, parking areas, utilities, and Stormwater Management Facilities; and
 - (viii) Proposed land use with tabulation of the percentage of surface area to be adapted to various uses, including planned locations of utilities, roads, and easements;
- (9) If an operator intends to meet the requirements established in [9VAC25-875-580](#) (Water Quality Criteria) or [9VAC25-875-600](#) (Water Quantity) through the use of off-site compliance options, where applicable, then a letter of availability from the off-site provider must be included; and
- (10) The fee and the required fee form in accordance with Title 21 of this Code must have been submitted.

(c) All final plan elements, specifications, or calculations of the SWM Plans whose preparation requires an [Engineering Expert](#) or a [Soil Expert](#) shall be appropriately signed and sealed by a professional who is licensed to engage in practice in the Commonwealth of Virginia. Nothing in this paragraph shall authorize any person to engage in practice outside his area of professional competence.

DEQ Model Ordinance, § 4.2

§ 15-110. Pollution Prevention Plan; Contents of Plans.

(a) A plan for implementing [Pollution](#) prevention measures during [Construction Activities](#) shall be developed, implemented, and updated as necessary. The Pollution prevention plan shall detail the design, installation, implementation, and maintenance of effective Pollution prevention measures as specified in [40 CFR 450.21](#)(d) to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to:

- (1) Minimize the discharge of Pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a [Sediment Basin](#) or alternative control that provides equivalent or better treatment prior to discharge;

(2) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to [Stormwater](#); and

(3) Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.

(b) The pollution prevention plan shall include effective best management practices to prohibit the following discharges in accordance with 40 CFR 450.21(e):

(1) Wastewater from washout of concrete, unless managed by an appropriate control;

(2) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;

(3) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and

(4) Soaps or solvents used in vehicle and equipment washing.

(c) Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited unless managed by appropriate controls in accordance with 40 CFR 450.21(c).

DEQ Model Ordinance, §4.3.

§ 15-111. Erosion and Sediment Control Plan; Contents of Plans.

(a) When an [ESC Plan](#) is required, it shall be filed for an entire development and the buildings constructed within, regardless of the phasing of construction. The Erosion and Sediment Control Plan shall contain all major conservation decisions to ensure that the entire unit or units of land will be so treated to achieve the conservation objectives in [9VAC25-875-560](#). The ESC Plan may include

(1) Appropriate maps;

(2) An appropriate soil and water plan inventory and management information with needed interpretations; and

(3) A record of decisions contributing to conservation treatment.

(b) The Requester shall also identify the [Responsible Land Disturber](#) for the project.

(c) If individual lots or sections in a residential development are being developed by different landowners, all [Land-Disturbing Activities](#) related to the building construction shall be covered

by an Erosion and Sediment Control Plan or an Agreement in Lieu of a Plan signed by the property owner.

Practice Note: *The tension between paragraph (a) and paragraph (c) rests on the identity of the Requester. If one Requester is building the entire development, paragraph (a) applies to everything in the development. If multiple Requesters will be constructing structures in the development, paragraph (c) requires those Requesters to submit Requests for their individual lots.*

DEQ Model Ordinance, §4.4

§ 15-112. Technical Criteria for Regulated Land-Disturbing Activities.

(a) To protect the quality and quantity of [State Water](#) from the potential harm of unmanaged stormwater runoff resulting from [Land-Disturbing Activities](#), the Town hereby adopts the technical criteria for regulated Land-Disturbing Activities set forth in Part V of 9VAC25-875 expressly to include

- [9VAC25-875-580](#) [water quality design criteria requirements];
- [9VAC25-875-590](#) [water quality compliance];
- [9VAC25-875-600](#) [water quantity];
- [9VAC25-875-610](#) [offsite compliance options];
- [9VAC25-875-620](#) [design storms and hydrologic methods];
- [9VAC25-875-640](#) [linear development project];
- [9VAC25-875-650](#) [stormwater management impoundment structures or facilities];

which shall apply to all Land-Disturbing Activities regulated pursuant to this Chapter, except as expressly set forth in paragraph (b) of this section.

(b) Any Land-Disturbing Activity shall be considered grandfathered and be subject to Article 4 ([9VAC25-875-670 et seq.](#)) of Part V of the Regulation if:

- (1)** A proffered or conditional zoning plan, zoning with a plan of development, preliminary or final subdivision plat, preliminary or final site plan, or any document determined by the Town to be equivalent thereto (i) was approved by the Town prior to July 1, 2012, (ii) provided a layout as defined in [9VAC25-875-670](#), (iii) will comply with the technical criteria of Article 4 of Part V of 9VAC25-875, and (iv) has not been subsequently modified or amended in a manner resulting in an increase in the amount of phosphorus leaving each [Point of Discharge](#), and such that there is no increase in the volume or rate of runoff;

(2) A permit was not issued prior to July 1, 2014; and

(3) Land-Disturbance did not commence prior to July 1, 2014.

(c) Town, state, and federal projects shall be considered grandfathered by the Town and shall be subject to the technical criteria of Article 4 of Part V of 9VAC25-875 provided:

(1) There has been an obligation of locality, state, or federal funding, in whole or in part, prior to July 1, 2012, or the Department has approved an SWM Plan prior to July 1, 2012;

(2) A permit has not been issued prior to July 1, 2014; and

(3) Land-Disturbance did not commence prior to July 1, 2014.

(d) Land-Disturbing Activities grandfathered under paragraphs (a) and (b) of this section shall remain subject to the technical criteria of Article 4 of Part V of 9VAC25-875 for one additional permit cycle. After such time, portions of the project not under construction shall become subject to any new technical criteria adopted by the [Board](#).

(e) In cases where governmental bonding or public debt financing has been issued for a project prior to July 1, 2012, such project shall be subject to the technical criteria of Article 4 of Part V of 9VAC25-875.

(f) Nothing in this section shall preclude an [Operator](#) from constructing to a more stringent standard at his discretion.

DEQ Model Ordinance, §.5.1

§ 15-113. Changes to Plans. The Town may require changes to a plan approved under this Chapter in the following cases:

(i) Where [Inspection](#) has revealed that the plan is inadequate to satisfy applicable regulations or ordinances; or

(ii) Where the Owner finds that because of changed circumstances or for other reasons the plan cannot be effectively carried out, and proposed amendments to the plan, consistent with the requirements of [VESMA](#), and the objectives of this Chapter, and are agreed to by the Town and the Owner.

DEQ Model Ordinance, §.3.1

§ 15-114. Multijurisdictional Projects. The Town may enter into an agreement with an adjacent VESMP authority regarding the administration of multijurisdictional projects, specifying who shall be responsible for all or part of the administrative procedures. Should adjacent VESMP authorities fail to

reach such an agreement, each shall be responsible for administering the area of the multijurisdictional project that lies within its jurisdiction.

DEQ Model Ordinance, § 3.1

§ 15-115. Post-Development Nonpoint Nutrient Runoff. No exception to, or waiver of, [Post-Development](#) nonpoint nutrient runoff compliance requirements shall be granted unless offsite options have been considered and found not available in accordance with subsection (D) of [§ 62.1-44.15:35](#) of the Code of Virginia.

DEQ Model Ordinance, § 3.1

§ 15-116. Erosion Impact Areas. In order to prevent further erosion, the Town may require approval of an [ESC Plan](#) and an [SWM Plan](#) for any land it identifies as an [Erosion Impact Area](#). ([§ 62.1-44.15:34](#).)

Article 4. Administration & Procedures

§ 15-117. Long-Term Maintenance of Permanent Stormwater Facilities.

(a) The [Operator](#) shall submit a construction record drawing for permanent [Stormwater Management Facilities](#) to the Town in accordance with [9VAC25-875-535](#). The record drawing shall contain a statement signed by an [Engineering Expert](#), stating that to the best of their knowledge, the construction record drawing shows all adjustments and revisions to the [SWM Plan](#) made during construction and serve as a permanent record of the actual location of all constructed elements.

(b) The Town shall require the provision of long-term responsibility for and maintenance of Stormwater Management Facilities and other techniques specified to manage the quality and quantity of runoff. Such requirements shall be set forth in an instrument recorded in the local land records prior to general permit termination or earlier as required by the Town and shall at a minimum:

- (1) Be submitted to the Town for review and approval prior to the approval of the Stormwater Management Plan;
- (2) Be stated to run with the land;
- (3) Provide for all necessary access to the property for purposes of maintenance and regulatory inspections;
- (4) Provide for inspections and maintenance and the submission of inspection and maintenance reports to the Town; and
- (5) Be enforceable by all appropriate governmental parties.

(c) At the discretion of the Town Manager, such recorded instruments need not be required for Stormwater Management Facilities designed to treat stormwater runoff primarily from an individual residential lot on which they are located, provided it is demonstrated to the satisfaction of the Town that future maintenance for those facilities will be addressed through an enforceable mechanism at the discretion of the Town.

(d) If a recorded instrument is not required pursuant to paragraph (c) above, the Town shall develop a strategy for addressing maintenance of Stormwater Management Facilities designed to treat stormwater runoff primarily from an individual residential lot on which they are located. Such a strategy may include periodic [Inspections](#), homeowner outreach and education, or other method targeted at promoting the long-term maintenance of such facilities. Such facilities shall not be subject to the requirement for an Inspection to be conducted by the Town or its duly authorized agent.

DEQ Model Ordinance, §.5.2

§ 15-118. Monitoring and Inspections.

(a) The Town shall inspect the [Land-Disturbing Activity](#) during construction for:

- (1)** Compliance with the approved [ESC Plan](#);
- (2)** Compliance with the approved [SWM Plan](#);
- (3)** Development, updating, and implementation of a pollution prevention plan; and
- (4)** Development and implementation of any additional control measures necessary to address a [TMDL](#).

(b) The Town shall conduct periodic [Inspections](#) on all projects during construction. The Town shall either:

- (1)** Provide for an Inspection during or immediately following initial installation of erosion and sediment controls, at least once in every two-week period, within 48 hours following any runoff producing storm event, and at the completion of the project prior to the release of any performance bonds; or
- (2)** Establish an alternative inspection program which ensures compliance with the approved [ESC Plan](#). Any alternative inspection program shall be:
 - (i)** Approved by the [Department](#) prior to implementation;
 - (ii)** Established in writing;

(iii) Based on a system of priorities that, at a minimum, address the amount of disturbed project area, site conditions and stage of construction; and

(iv) Documented by Inspection records.

(c) The Town shall establish an Inspection program that ensures that permanent [Stormwater Management Facilities](#) are being adequately maintained as designed after completion of Land-Disturbing Activities. Inspection programs shall:

(1) Be approved by the Department;

(2) Ensure that each Stormwater Management Facility is inspected by the Town, or its designee, (not to include the [Owner](#), except as provided in paragraphs (d) and (e) below) at least once every five years; and

(3) Be documented by records.

(d) The Town may utilize the Inspection reports of the Owner of a Stormwater Management Facility as part of an Inspection program established in paragraph (b) above if the Inspection is conducted by a person who is licensed as an [Engineering Expert](#); a person who works under the direction and oversight of an Engineering Expert; or a person who holds an appropriate certificate of competence from the Department.

(e) If a recorded instrument is not required pursuant to [9VAC25-875-130](#), the Town shall develop a strategy for addressing maintenance of stormwater Management Facilities designed to treat [Stormwater](#) runoff primarily from an individual residential lot on which they are located. Such a strategy may include periodic Inspections, homeowner outreach and education, or other method targeted at promoting the long-term maintenance of such facilities. Such facilities shall not be subject to the requirement for an inspection to be conducted by the Town.

DEQ Model Ordinance, §5.3

§ 15-119. Governmental Cooperation. The Town may cooperate and enter into agreements with any federal or state agency in connection with the requirements for Land-Disturbing Activities in accordance with [§ 62.1-44.15:50](#) of the Code of Virginia.

DEQ Model Ordinance, §3.1

§ 15-120. Hearings.

(a) Any Requester or [Person](#) subject to the requirements of this Chapter, aggrieved by any action of the Town taken without a formal hearing, or by inaction of the Town, may demand in writing a formal hearing by the Town Council's Administrative Appeals Committee ("AAC")

causing such grievance, provided a petition requesting such hearing is filed with the [Local Administrator](#) within 30 days after notice of such action is given by the Local Administrator.

(b) The hearings held under this section shall be conducted by a single member of the AAC designated by the AAC to conduct such hearings on the Committee's behalf (the "Hearing Officer") at any other time and place authorized by the AAC. The Hearing Officer shall make a decision based solely on the record presented.

(c) A verbatim record of the proceedings of such hearings shall be taken and filed with the Hearing Officer. Depositions may be taken and read as in actions at law.

(d) The Hearing Officer shall have power to issue subpoenas and subpoenas duces tecum, and at the request of any party shall issue such subpoenas. The failure of a witness without legal excuse to appear or to testify or to produce documents shall be acted upon by the Town, whose action may include the procurement of an order of enforcement from the circuit court. Witnesses who are subpoenaed shall receive the same fees and reimbursement for mileage as in civil actions.

(e) The Hearing Officer's written decision shall constitute a final decision.

DEQ Model Ordinance, §5.4

§ 15-121. Appeals.

Parties to the [§ 15-120](#) hearing and any persons filing written comments to the Hearing Officer, may seek judicial review of the decision, provided that an appeal is filed in the appropriate court within 30 days from the date of the written decision. With respect to matters of law, the burden shall be on the party seeking review to designate and demonstrate an error of law subject to review by the court. With respect to issues of fact, the duty of the court shall be limited to ascertaining whether there was substantial evidence in the record to reasonably support such findings.

DEQ Model Ordinance, §5.5. See also, Va. Code, §15.2-2122(c).

§ 15-122. Right of Entry.

(a) The [Local Administrator](#) or any duly authorized agent thereof may, at reasonable times and under reasonable circumstances, enter any establishment or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this Chapter.

(b) In accordance with a performance bond with surety, cash escrow, letter of credit, any combination thereof, or other legal arrangement, the Local Administrator, or any duly authorized agent thereof, may also enter any establishment or upon any property, public or

private, for the purpose of initiating or maintaining appropriate actions that are required by conditions imposed by the Town on a [Land-Disturbing Activity](#) when an [Owner](#), after proper notice, has failed to take acceptable action within the time specified.

DEQ Model Ordinance, § 5.6

§ 15-123. Enforcement.

(a) If the [Local Administrator](#) determines that there is a failure to comply with the conditions of the [Land Disturbance Approval](#) or a [Construction General Permit](#) or there is an unauthorized [Discharge](#), notice shall be served upon the [Requester](#), [Permittee](#), or other [Person](#) responsible for carrying out such conditions by any of the following:

- (i) Verbal warnings and inspection reports,
- (ii) Notices of corrective action,
- (iii) Consent special orders, and
- (iv) Notices to comply.

Written notices shall be served by registered or certified mail to the address specified in the [Request](#) or by delivery at the [Site](#) of the development activities to the agent or employee supervising such activities.

(1) The notice shall specify the measures needed to comply with the conditions of the [Permit](#) or [LD Approval](#) and shall specify the time within which such measures shall be completed. Upon failure to comply within the time specified, a stop work order may be issued in accordance with paragraph (a)(2) below, or the LD Approval may be revoked by the Local Administrator (along with any Permit included in the LD Approval).

(2) If the Person served with such a notice fails to comply fully within the time specified, the Local Administrator may issue an order requiring the [Owner](#), [Permittee](#), other Person responsible for carrying out an approved plan (or a person conducting the [Land-Disturbing Activity](#) without an approved plan or required Permit) to cease all Land-Disturbing Activity until the violation of the LD Approval or Permit has ceased, or an approved plan and required permits are obtained, and specified corrective measures have been completed.

Such orders shall become effective upon service on the Person by certified mail, return receipt requested, sent to his address specified in the land records of the Town, or by personal delivery by the Local Administrator.

Additionally, if the Local Administrator finds that any such violation is grossly affecting or presents an imminent and substantial danger of causing harmful erosion of lands or

sediment deposition in waters within the watersheds of the Commonwealth or otherwise substantially impacting water quality, he may issue, without advance notice or hearing, an emergency order directing such Person to cease immediately all Land-Disturbing Activity on the site and shall provide an opportunity for a hearing, after reasonable notice as to the time and place thereof, to such person, to affirm, modify, amend, or cancel such emergency order. If a Person who has been issued an order is not Complying with the terms thereof, the Local Administrator may institute a proceeding for an injunction, mandamus, or other appropriate remedy in accordance with paragraph (c) below.

(b) In addition to any other remedy provided by this Chapter, if the Local Administrator determines that there is a failure to comply with the provisions of this Chapter, he may initiate such informal and/or formal administrative enforcement procedures in a manner that is consistent with the Bridgewater Utility Reference Manual.

(c) Any person violating or failing, neglecting, or refusing to obey any rule, regulation, ordinance, order, approved standard or specification, or any permit condition issued by the Local Administrator may be compelled in a proceeding instituted in Rockingham County Circuit Court to obey same and to comply therewith by injunction, mandamus or other appropriate remedy.

(d) Any person who violates any applicable provision of this Chapter, or any condition of a Land Disturbance Approval, or who fails, neglects, or refuses to comply with any order of the Town or a court, issued as herein provided, shall be subject to a civil penalty not to exceed

• \$32,500 for each violation, where the Land Disturbing Activity disturbs one acre or more of land or is part of a [Common Plan of Development or Sale](#) that disturbs one acre or more of land, or

• \$5,000 for each violation--with a maximum of \$50,000 for multiple violations arising from the same set of operative facts--where Land Disturbing Activity disturbs at least 10,000 square feet but less than one acre (and is not part of a Common Plan of Development or Sale disturbing at least one acre).

Each day of violation of each requirement shall constitute a separate offense.

The actual amount of any penalty assessed shall be within the sound discretion of the Court and shall be based upon the severity of the violations, the extent of any potential or actual environmental harm or facility damage, the compliance history of the alleged violator, any economic benefit realized from the noncompliance, and the ability of the alleged violator to pay the penalty. In addition to civil penalties, the order may include a monetary assessment for actual damages to sewers, treatment works and appurtenances and for costs, attorney fees and other expenses resulting from the violation.

(1) Violations for which a penalty may be imposed under this section shall include but not be limited to the following:

- (i)** No state permit registration;
- (ii)** No [SWPPP](#);
- (iii)** Incomplete SWPPP;
- (iv)** SWPPP not available for review;
- (v)** No approved [Erosion and Sediment Control Plan](#);
- (vi)** Failure to install [Stormwater BMP's](#) or erosion and sediment controls;
- (vii)** Stormwater BMPs or erosion and sediment controls improperly installed or maintained;
- (viii)** Operational deficiencies;
- (ix)** Failure to conduct required inspections;
- (x)** Incomplete, improper, or missed inspections; and
- (xi)** Discharges not in compliance with the requirements of [9VAC25-880-70](#).

(2) The Local Administrator may issue a summons for collection of the civil penalty and the action may be prosecuted in the appropriate court.

(3) In imposing a civil penalty pursuant to this Subsection, the court may consider the degree of harm caused by the violation and also the economic benefit to the violator from noncompliance.

(4) Any civil penalties assessed by a court as a result of a summons issued by the Town shall be paid into the treasury of the Town to be used solely for [Stormwater](#) management capital projects, including (i) new Stormwater [Best Management Practices](#); (ii) Best Management Practice maintenance, inspection, or retrofitting; (iii) stream restoration; (iv) low-impact development projects; (v) buffer restoration; (vi) pond retrofitting; and (vii) wetlands restoration.

(5) No order assessing a civil penalty for a violation shall be issued until after the alleged violator has been provided an opportunity for a hearing under [§ 15-120\(b\) - \(e\)](#), except with the consent of the alleged violator. The notice of the hearing shall be served personally or by registered or certified mail, return receipt requested, on any authorized representative of the user at least 30 days prior to the hearing. The notice shall specify the time and place for

the hearing, facts and legal requirements related to the alleged violation, and the amount of any proposed penalty. At the hearing the alleged violator may present evidence including witnesses regarding the occurrence of the alleged violation and the amount of the penalty and may examine any witnesses for the Town. Within 30 days after the conclusion of the hearing, the Hearing Officer shall make findings of fact and conclusions of law and issue the order.

(e) Notwithstanding any other civil or equitable remedy provided by this ordinance or by law, any person who willfully or negligently violates any provision of this ordinance, any order of the Administrator, any condition of a permit, or any order of a court shall, be guilty of a misdemeanor punishable by confinement in jail for not more than 12 months or a fine of not less than \$2,500 nor more than \$32,500, or both.

(f) Notwithstanding any other provision of this section, the actual receipt of a document by the intended recipient, by any means, satisfies any requirement for service by a particular method.

DEQ Model Ordinance, § 5.7. See also, Va. Code, §§ 15.2-2122(c); 62.1-44.15:48.

§ 15-124. Fees. Fees relating to [Request](#) for [LD Approval](#), [Construction General Permit](#) coverage, modification, transfer, or maintenance, or any other action covered by this Chapter shall be as set forth in [25VAC875-1400](#), as it may be amended from time to time, **provided** that any [Land-Disturbing Activity](#) of at least 10,000 square feet but less than one acre, not within a [CPDS](#), shall require a fee equal to that shown for "*Areas within common plans of development or sale with land-disturbance acreage less than one acre.*"

§ 15-125. Performance Bond.

(a) Prior to issuance of any permit, the [Requester](#) shall be required to submit a reasonable performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement acceptable to the [Local Administrator](#), to ensure that measures could be taken by the Town at the Requester's expense should he fail, after proper notice, within the time specified to initiate or maintain appropriate actions which may be required of him by the permit conditions as a result of his [Land-Disturbing Activity](#). If the Town takes such action upon such failure by the Requester, it may collect from the Requester for the difference should the amount of the reasonable cost of such action exceed the amount of the security held, if any. Within 60 days of the completion of the requirements of the permit conditions, such bond, cash escrow, letter of credit or other legal arrangement, or the unexpended or unobligated portion thereof, shall be refunded to the Requester or terminated.

(b) The standard amount of the bond and surety required by paragraph (a) above shall be \$2,500 per acre of disturbance, or portion thereof. (Beginning January 1, 2027, this standard amount shall be automatically increased by the annual increase in the U.S. Department of Labor's Consumer Price Index—All Urban Consumers, based on the most recent 12 month-

period for which data is available.) A Requester may file a petition for a reduction in the amount of the bond, and the Local Administrator shall grant the petition if he finds by clear and convincing evidence that a reduced bond is sufficient to fund the work required by the Permit.

(c) The bond and surety required by paragraph (a) may be combined with other bonds and surety required by the Town, provided that the provisions of paragraph (a) above are satisfied with respect to the portion of the bond applicable to this Chapter.

DEQ Model Ordinance, §.5.9



ORDINANCE SHELL

NUMBER: O-192-4

PROPOSED DATE OF CONSIDERATION: April 14, 2026

PURPOSE: Given the reasonable prospect that Virginia law will be changed at some point to allow the retail sale of marijuana, this ordinance would classify marijuana sellers under the Town's zoning ordinance.

SUMMARY: Staff's sense is that marijuana dispensaries would bear resemblance to vape stores and other retailers which sell smoking products other than tobacco. Therefore, the proposed classification would revise this class of "Alternative Smoke Shops" to include marijuana sellers. The classification would allow marijuana sales in B-1 and B-2 zones, with a special use permit.

(The ordinance also contains a technical amendment sunsetting the lifespan of a zoning permit. It would just serve everyone well to have more certainty as to when a permit remains effective.)

IMPORTANCE: If the Council is of the view that—when considering the character of a neighborhood—marijuana sellers and vape stores present similar issues, it would seem wise to classify them accordingly. Note that even if the pending legislation to legalize the sale of marijuana fails, you might want to enact the ordinance as a precautionary measure.

ORIGIN: Mr. Tongue.

CONTROVERSIAL ASPECTS: Citizens surely have diverse, strong opinions on marijuana legalization, and those opinions could spill over into this ordinance. We have heard no public discussion about it, however.

The ordinance itself walks a fine line to nestle itself alongside the proposed new state law. Under the proposed Va. Code, § 4.1-629(A), we may not regulate or prohibit the sale of marijuana. But paragraph (C) of the provision acknowledges that zoning regulations will still apply to marijuana sellers:

"Except as provided in this section, nothing in this subtitle shall be construed to supersede the authority of a locality to adopt and enforce local ordinances to regulate businesses licensed pursuant to this subtitle, including local zoning and land use requirements[.]"

And if zoning is to have any effect at all on marijuana sellers, the ability to classify such businesses must exist. Accordingly, the proposal is strictly limited to making the classification. These boundaries between state and local law are obviously untested at present.

AN ORDINANCE AMENDING TITLE SIX OF THE TOWN CODE BY PROVIDING PROVISIONS FOR VAPE/CANNABIS/ALTERNATIVE SMOKE SHOPS AND BY SETTING AN EXPIRATION ON ZONING PERMITS

Ordinance Number (O-192-4)

Whereas, after a duly advertised public hearing, this Council has determined that certain amendments to Title Six would constitute good zoning practice and would further the general welfare of the Town, and

Now, therefore, be it ordained by the Council of the Town of Bridgewater, Virginia, that

1. Section 6-401(79) of the Town Code is amended to read as follows:

Vape/Cannabis/Alternative Smoke Shop: A Retail Store offering for sale any ~~(i) Alternative Nicotine Product, Nicotine Vapor Product, Bidi, Hemp Product, or Wrappings, all as defined in § 18.2-371.2 of the Code of Virginia, (ii) Hemp Product, as defined in § 3.2-4112 of the Code of Virginia, or (iii) Marijuana Paraphernalia, as defined in § 4.1-600 of the Code of Virginia; (i) Marijuana, Marijuana Products, or Marijuana Paraphernalia, as those terms are defined in § 4.1-600 of the Code of Virginia, (ii) Nicotine Vapor Product, Heated Tobacco Product, or Alternative Nicotine Product, as those terms are defined in § 58.1-1021.1, (iii) Electronic Smoking Device or Wrappings, as that terms is defined in § 18.2-371.2 of the Code of Virginia, or (iv) Hemp Product Intended for Smoking as defined in § 3.2-4112 of the Code of Virginia,~~

Provided that, the term “Vape/Cannabis/Alternative Smoke Shop” does not include Retail Stores offering the goods described above as less than ~~10%~~ 5% of their inventory, when measured by the greatest of (i) share of shelf space, (ii) share of goods actually sold, or (iii) share of total value of all inventory onsite.

Legislative Intent: The references to the state code in this definition shall continue to apply after the amendment or recodification by the General Assembly.

2. Sections 6-803(i) and 6-903(c) are amended to read as follows:

Vape/Cannabis/Alternative Smoke Shops

3. Some retailers within the class defined in paragraph (1) may operate lawfully under existing law. They may continue to do so, provided they do not expand their scope to include marijuana. The sale of Marijuana and Marijuana Products is currently unlawful, so no nonconforming-use rights can apply to such sales. Accordingly, a special use permit would be required for such sales.
4. Nothing in this ordinance shall be construed to regulate or prohibit the sale of marijuana, its object instead being to reasonably classify marijuana sellers under

the Town's zoning ordinance, just as all other businesses are classified. Nothing herein is intended to affect the legality of marijuana sales; instead the ordinance establishes how the zoning ordinance would apply to marijuana sellers, should such sales become legal.

5. Section 6-302 is amended to read as follows:

§ 6-302. Zoning Permit. No Person shall commence any of the following activities without first obtaining a zoning permit from the Zoning Administrator:

(a) The erection, construction, enlargement, alteration, repair, or improvement of any Building or Structure, if such activities require a building permit under the Uniform Statewide Building Code;

(b) The installation of any Ground Sign or Roof Sign, other than Temporary Signs;

(c) The operation of a business in a fixed location;

(d) The leasing of space to another Person for the operation of a business.

(e) Changing the use of a Lot so that a different parking classification under § 6-180.1 applies to it.

(f) The construction, enlargement, alteration, repair or improvement of any Building or Structure in Special Hazard Flood Area as defined in § 6-1408(1).

(g) The erection of unattached buildings of accessory use on any residentially zoned property.

Practice Note: Short-Term Rentals raise questions with respect to § 6-302 (c). A March 3, 2020, staff opinion is that a short-term-rental property which does not require a business license under § 19-302 is not a "business" requiring a zoning permit.

The Zoning Administrator shall develop a form for the application for a zoning permit. He may require that the form be used for all applications. He may require such supporting documentation as he deems reasonable in addition to the form. Without limiting the foregoing, if proposed construction involves significant questions of land disturbance, public infrastructure, or stormwater drainage, the Zoning Administrator may require a site plan as described in § 5-201(b) of the Town Code. If a site plan is required, the fees prescribed in § 5-201(b) shall apply in addition to those prescribed for a zoning permit.

The legal effect of a zoning permit is to declare that, at the time of issuance, the proposed use or structure is permissible under this Title. It does not guarantee such permissibility into the future except to the extent required by Va. Code § 15.2-2307. *Without limiting the foregoing, a zoning permit shall expire one year after issuance.*

Notwithstanding the foregoing, the Zoning Administrator may issue blanket permits which authorize all occurrences of a specified set of circumstances. A blanket permit may be withdrawn, but any Structures or uses authorized by the permit while it was in force shall remain permitted.

In reviewing a permit application in a Special Hazard Flood Zone (as defined in § 6-1408) the Zoning Administrator shall review subdivision proposals and other proposed new development, including Manufactured Home Parks or subdivisions, to determine whether such proposals will be reasonably safe from Flooding. If a subdivision proposal or other proposed new development

is in a Flood-Prone Area, any such proposals shall be reviewed to assure that (i) all such proposals are consistent with the need to minimize flood damage within the flood-prone area, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided to reduce exposure to flood hazards. The Zoning Administrator shall also review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all New Construction and Substantial Improvements shall (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, (ii) be constructed with materials resistant to flood damage, (iii) be constructed by methods and practices that minimize flood damages, and (iv) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

6. This ordinance shall take effect immediately.

Ordained this 14th day of April, 2026.

Mayor

I certify that I am the Clerk of the Town of Bridgewater, Virginia, and that the foregoing is a true copy of Ordinance O-192-4 considered by the Council of the Town of Bridgewater, Virginia on April 14, 2026, such consideration being expressed by the following vote:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>NOT PRESENT</u>	<u>MEMBER</u>
_____	_____	_____	_____	Mr. Bowman
_____	_____	_____	_____	Mr. Canada
_____	_____	_____	_____	Ms. Curtis
_____	_____	_____	_____	Mr. Flory
_____	_____	_____	_____	Dr. Miracle
_____	_____	_____	_____	Mr. Schofield
_____	_____	_____	_____	Mr. Tongue

Date

Clerk

PROPERTY TAX RATE ORDINANCE

(O-192-5)

Whereas, under § 15.2-2503 of the Code of Virginia, the Town must adopt property tax rates no later than July 1, 2026,

Whereas, this council is of the opinion that the tax rates shown below should be adopted, and

Now, therefore, be it ordained by the council of the Town of Bridgewater, Virginia, that

- 1. The property tax rates for calendar-year 2026 shall be as follows:

Real Property	Zero
Personal Property	\$0.75
Machinery and Tools	Zero,

all per \$100 of assessed valuation.

- 2. This ordinance shall take effect immediately.

Ordained this 14th day of April, 2026.

Mayor

.....
I certify that this is a true copy of an ordinance adopted on the 14th day of April, 2026, by the Council of the Town of Bridgewater, Virginia, upon the following vote:

<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Not Present</u>	
_____	_____	_____	_____	Mr. Bowman
_____	_____	_____	_____	Mr. Canada
_____	_____	_____	_____	Mr. Flory
_____	_____	_____	_____	Dr. Miracle
_____	_____	_____	_____	Mr. Schofield
_____	_____	_____	_____	Ms. Curtis
_____	_____	_____	_____	Mr. Tongue

Date

Clerk



ORDINANCE SHELL

NUMBER: O-192-6

PROPOSED DATE OF CONSIDERATION: April 14, 2026

PURPOSE: Consideration of a Special Use Permit (SUP) to allow an existing detached structure at 408 North West View Street to be used as a Short-Term Rental.

SUMMARY: The existing detached structure meets all applicable requirements for accessory buildings in R-3 Districts under Town Code § 6-712. The structure is not located in the front yard, is set back at least seven feet from the side property line and more than five feet from the rear property line. The building is not within a utility easement.

IMPORTANCE: Allowing detached structures to be used as Short-Term Rentals can support more efficient use of residential property. At the same time, such uses may raise concerns about neighborhood impacts. In this case, staff has reviewed the request and identified no issues with granting the SUP.

ORIGIN: The request has been submitted by the property owners, Dustin and Natalie Hibbard, for 408 North West View Street.

CONTROVERSIAL ASPECTS: No known controversy. The required public hearing notice was published in the *Daily News-Record* on March 31 and April 7, in accordance with state law. Adjacent property owners were notified by mail on March 30. To date, no inquiries or comments have been received.

**AN ORDINANCE GRANTING A
SPECIAL USE PERMIT FOR A DETACHED STRUCTURE
TO BE USED AS A SHORT-TERM RENTAL**

Ordinance Number (O-192-6)

Whereas, as set forth in Exhibit A, Dustin and Natalie Hibbard (the “Applicants”) have applied for a Special Use Permit for their property at 408 North West View Street to allow an existing detached structure to be used as a Short-Term Rental, and

Whereas, after a properly advertised public hearing, and based on the standard of review set out in § 6-2303, this Council is of the opinion that the permit should be granted, subject to the conditions set out in Exhibit B,

Now therefore, be it ordained by the Council of the Town of Bridgewater that

1. A Special Use Permit as requested in Exhibit A is approved, subject to the conditions in Exhibit B.
2. This ordinance shall take effect immediately, though the permit does not take effect until acceptance by the applicant below.

Ordained this 14th day of April, 2026.

Mayor

ACCEPTANCE

The undersigned accepts this special use permit along with the conditions as laid out in Exhibit B.

Date

Special Use Permit Applicant




.....
I certify that I am the Clerk of the Town of Bridgewater, Virginia, and that the foregoing is a true copy of Ordinance 0-192-6 considered by the Council of the Town of Bridgewater, Virginia on April 14, 2026, such consideration being expressed by the following vote:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>NOT PRESENT</u>	<u>MEMBER</u>
_____	_____	_____	_____	Mr. Bowman
_____	_____	_____	_____	Mr. Canada
_____	_____	_____	_____	Ms. Curtis
_____	_____	_____	_____	Mr. Flory
_____	_____	_____	_____	Dr. Miracle
_____	_____	_____	_____	Mr. Schofield
_____	_____	_____	_____	Mr. Tongue

Date

Clerk

File Designation: 408 West View Street

TOWN OF BRIDGEWATER		<table border="1" style="width: 100%;"> <tr> <td>Administrative Fee:</td> <td style="text-align: right;">\$125.00</td> <td rowspan="2" style="text-align: center;">Processing Number: SUP-5811</td> </tr> <tr> <td>Publications Fee:</td> <td style="text-align: right;">\$302.60</td> </tr> <tr> <td>Mailing of Req. Notices Fee:</td> <td style="text-align: right;">\$5.92</td> <td rowspan="3" style="text-align: center;">Application Date: 2/22/2026</td> </tr> <tr> <td>VSMP Fee:</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>TOTAL FEE DUE:</td> <td style="text-align: right;">\$433.52</td> </tr> </table>		Administrative Fee:	\$125.00	Processing Number: SUP-5811	Publications Fee:	\$302.60	Mailing of Req. Notices Fee:	\$5.92	Application Date: 2/22/2026	VSMP Fee:	\$0.00	TOTAL FEE DUE:	\$433.52
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VSMP Fee:	\$0.00														
TOTAL FEE DUE:	\$433.52														
201 Green Street; Post Office Box 72 Bridgewater, Virginia 22812 Office: (540) 908-3397 Fax: (540) 713-2597 LAND DEVELOPMENT APPLICATION		OFFICE USE													
PROJECT APPLICANT	Name of Project Applicant: Dustin & Natalie Hibbard		PROJECT DESIGNATION												
	Business Name of Project Applicant:														
	Mailing Address of Project Applicant: 408 NW View Street														
	City/State/Zip Code: Bridgewater, VA 22812														
	Primary Telephone Number: 719-749-8406	Secondary Telephone Number:													
PROPERTY OWNER	Name of Property Owner: Dustin & Natalie Hibbard		PROPERTY OCCUPANT												
	Business Name of Property Owner:														
	Mailing Address of Property Owner: 408 NW View Street														
	City/State/Zip Code: Bridgewater, VA 22812														
	Primary Telephone Number: 719-749-8406	Secondary Telephone Number: 719-505-6901													
Type of Permit: Special Use Permit		After Application Approval: Call the Project Applicant													
Type of Application (check all that apply): <input checked="" type="checkbox"/> Property Improvements <input type="checkbox"/> Off-street Parking Provisions <input type="checkbox"/> Utility Installations <input type="checkbox"/> Signage Structures <input type="checkbox"/> Transportation Enhancements <input type="checkbox"/> Property Boundary Adjustments															
Project Location (check all that apply): <input type="checkbox"/> Other <input checked="" type="checkbox"/> Private Property <input type="checkbox"/> Street Right-of-way <input type="checkbox"/> Public Property <input type="checkbox"/> Federal State Property		Project Type (check all that apply): <input type="checkbox"/> Not Applicable <input type="checkbox"/> New <input checked="" type="checkbox"/> Alteration <input type="checkbox"/> Addition <input type="checkbox"/> Change of Use													
Project Description: Existing Accessory Dwelling Unit used as a Short-Term Rental															
Pro. Building Sq. Ft.: 0	Pro. Parking Lot Sq. Ft.: 0	Pro. Sign Sq. Ft.: 0	Pro. Number of Properties: 0 Estimated Project Cost: \$2,000.00												
Current Zoning Use Classification (per Town Code of Ordinances): Single-family Dwelling		Proposed Zoning Use Classification (per Town Code of Ordinances): Single-family Dwelling/STR													
Current Parking Classification (per Town Code of Ordinances): General residential		Proposed Parking Classification (per Town Code of Ordinances): General residential													
This application is hereby made for permission to develop the above referenced property in accordance with the description and for the purpose herein described. This application is made subject to all Town, County and State Laws and ordinances, and which are hereby agreed to by the undersigned. If a public hearing is required for the approval of this application, the hearing will be advertised according to Virginia State Law, twice in the Daily News-Record, one week apart. The public hearing will be scheduled at the earliest possible date, usually three to four weeks from receipt of application. I, the undersigned, hereby certify that I have the authority to make the foregoing application; that the information and attachments given are true and accurate; and that construction will conform to Bridgewater's Charter and Code of Ordinances, VDOT Standards and Specifications, and any deed restrictions.			Treasurer's Office Use: <div style="text-align: center;">  TOWN OF BRIDGEWATER </div>												
Applicant's Name (Print): Dustin or Natalie Hibbard		Signature Date: 4/8/26	Applicant's Signature: 												
Zoning Officer's Name (Print): Alexander Wilmer		Approval Date: 4/7/26	Zoning Officer's Approval Signature: 												

SPECIAL USE PERMIT

Town of Bridgewater, Virginia

201 Green Street; Post Office Box 72; Bridgewater, Virginia 22812

Processing Date **4/7/2026**

Processing Number: **SUP-5811**

Project Designation

Project Description: **Existing Accessory Dwelling Unit used as a Short-Term Rental**

Zoning Classification: **Single-family Dwelling/STR**

Total Fees: **\$433.52**

Parking Classification: **General residential**

Estimated Cost: **\$2,000.00**

Property Designation

Parcel Address: **408 West View Street**

Tax Map Number: **122A1-A-10**

Zoning District: **R-3**

Subdivision Name:

Floodplain District: **Zone X (shaded)**

Special Zoning: **None**

Specific Property Location:

Floodplain Map: **Panel 51165C0388E**

Contact Information

Project Applicant's Name and Address:

Property Owner's Name and Address:

Property Occupant's Name and Address:

Dustin & Natalie Hibbard

Dustin & Natalie Hibbard

Same as owner

408 NW View Street

408 NW View Street

Bridgewater, VA 22812

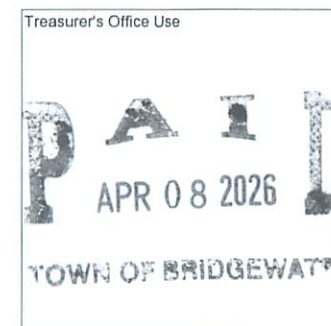
Bridgewater, VA 22812

Town Agent

REQUEST PENDING

201 Green Street
Bridgewater, Virginia 22812
908-4212

Authorized Signature



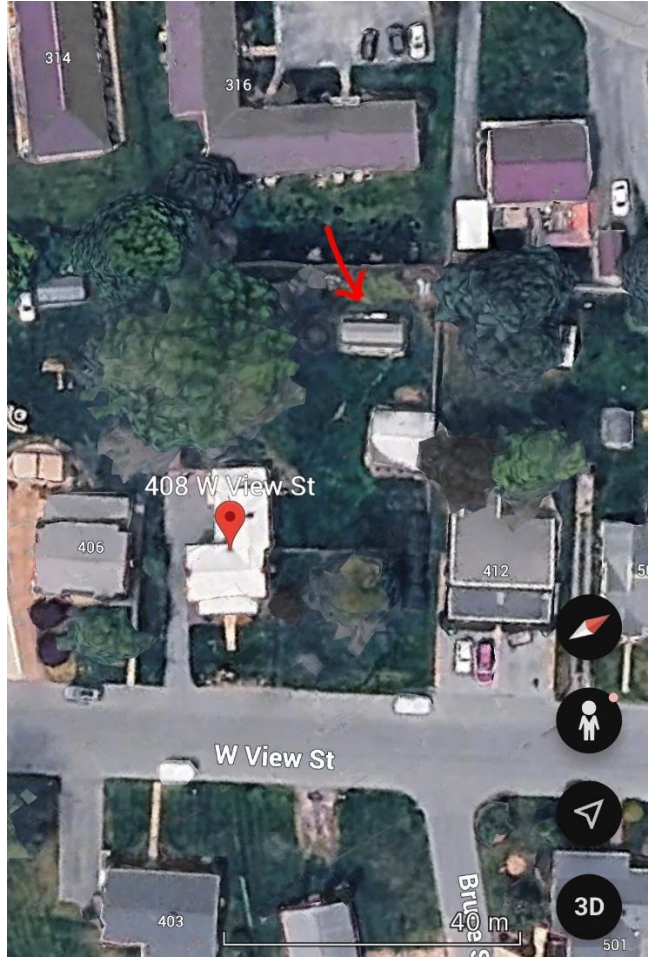


EXHIBIT B
CONDITIONS

Staff shall inquire of the Rockingham County Building Official as to whether the structure complies with the USBC with respect to its proposed use. This permit shall not take effect until

- (1) The Building Official reports that the structure is compliant or
- (2) 30 days have elapsed from staff's request and the Building Official has not provided a substantive response,
- (3) Within 90 days of the staff's request, (i) the Building Official has opined negatively on compliance, (ii) but applicants have made alterations, and (iii) leading to a positive opinion.

Staff shall not issue the permit until one of these three conditions are satisfied, and in no circumstance shall staff issue the permit more than 90 days after its request.

Applicants must provide and maintain adequate off-street parking on the Site, for any and all residents, guests, employees, delivery trucks, and contractors for the detached dwelling unit.

The Applicants shall follow all regulations for R-3 accessory buildings in accordance with § 6-712 of the Town Code.

The Applicants shall follow all regulations for Short-Term Rentals in accord with § 17-301 of the Town Code.



ORDINANCE SHELL

NUMBER: O-192-7

PROPOSED DATE OF CONSIDERATION: April 14, 2026

PURPOSE: To consider a proposed lease received from Wells Fargo Bank to install an ATM on Town property at Generations Park.

SUMMARY: Last May, the local branch of Wells Fargo closed its doors. We heard from several residents who inquired if a Wells Fargo ATM could be located in Town. We reached out to Wells Fargo, and they expressed interest, ultimately proposing an ATM at Generations Park. After much discussion between us and Wells Fargo, we signed a Letter of Intent (LOI) with Wells Fargo in December. The



ATM would be located near the entrance to Generations Park as shown in the image at right. Wells Fargo would incur all costs for installation, including the concrete pad, ATM equipment, lighting and electrical connections.

During our initial conversations with Wells Fargo, we had expressed a willingness to execute a simple, straightforward lease for the ATM site. However, Wells Fargo provided a five-page LOI and a 30-page lease. We've since submitted multiple revisions to their proposed lease. We hope the bank can agree to a simple lease befitting a 153 square foot concrete slab.

The proposed lease includes annual rent of \$7,500.

IMPORTANCE: Staff believes the Wells Fargo ATM would be a net positive for the Town, as it provides a service residents have asked for. Finalizing the lease may take several additional weeks. Approving the ordinance with a 90-day authorization allows staff to complete negotiations without requiring an additional public hearing.

ORIGIN: Mr. Canada.

CONTROVERSIAL ASPECTS: The public hearing for a proposed lease with Wells Fargo has been advertised, and no comments have been received to date. The installation would result in the loss of one parking space at Generations Park, as three standard spaces would be reconfigured into one standard space and one ADA-accessible space.

AN ORDINANCE AUTHORIZING TOWN STAFF TO EXECUTE A LEASE AGREEMENT WITH WELLS FARGO BANK, N.A. FOR THE INSTALLATION AND OPERATION OF AN ATM AT GENERATIONS PARK

Ordinance Number (O-192-7)

Whereas, the Town has received a proposal from Wells Fargo Bank, N.A. (“Wells Fargo”) to lease a portion of Generations Park for the installation and operation of an automated teller machine (ATM), and

Whereas, the proposed ATM would be located on a concrete pad near the entrance to Generations Park and would require the creation of an adjoining public handicap-accessible parking space, and

Whereas, Wells Fargo has proposed a multi-year lease with annual rent of \$7,500, and

Whereas, Wells Fargo will be responsible for all costs associated with the installation and operation of the ATM, including but not limited to construction of the concrete pad, installation of the ATM, lighting and associated infrastructure, and all electrical connections, and

Whereas, the Council of the Town of Bridgewater has conducted a duly advertised public hearing and finds that the proposed Wells Fargo ATM would provide a public benefit to residents and visitors,

Now, therefore, be it ordained by the Council of the Town of Bridgewater, Virginia, that

1. **Approval of Lease.** The Council hereby approves the lease of a portion of Generations Park to Wells Fargo for the purpose of installing and operating an ATM, upon terms substantially consistent with those described herein, including Wells Fargo’s responsibility for all installation and related costs.
2. **Authorization to Execute.** Town staff are authorized to execute a lease agreement with Wells Fargo with any non-substantive modifications as Town staff deems necessary or appropriate.
3. **Term of Authorization.** This authorization to execute the lease will expire after ninety (90) days from the date of adoption of this Ordinance.

Ordained this 14th day of April, 2026.

Mayor

.....
I certify that I am the Clerk of the Town of Bridgewater, Virginia, and that the foregoing is a true copy of Ordinance 0-192-7 considered by the Council of the Town of Bridgewater, Virginia on April 14, 2026, such consideration being expressed by the following vote:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>NOT PRESENT</u>	<u>MEMBER</u>
_____	_____	_____	_____	Mr. Bowman
_____	_____	_____	_____	Mr. Canada
_____	_____	_____	_____	Ms. Curtis
_____	_____	_____	_____	Mr. Flory
_____	_____	_____	_____	Dr. Miracle
_____	_____	_____	_____	Mr. Schofield
_____	_____	_____	_____	Mr. Tongue

Date

Clerk



March 2026 Police Report- Bridgewater

Police Calls for service: 376 (96 Extra Patrols)

Case Reports: 14

Incident Reports: 71

Total Traffic Crashes: 7

DMV Crash Reports: 2

Arrests: 2

Summons: 21

Notable BPD activity:

You should start seeing more activity in the parks, we are patrolling more frequently with the warmer weather.

BPD accreditation update -- this is approximately 50% completed, mock assessment will be scheduled for summer/early fall. Accreditation for the department brings stronger accountability and transparency for the community. Accreditation requires the department to follow a set of proven, up-to-date state standards for policies, procedures, and operations. This acts like an independent "audit" that ensures consistent, fair practices—giving town leaders and residents objective proof that the police department is well-managed and not operating in a vacuum.

May 2nd Bridgewater College Graduation

May 2nd Coffee w/ a cop (Café au Lait - cancelled due to coffee trailer relocation)

Thank you, Chief Phillip Read



2026 ARBOR DAY PROCLAMATION

WHEREAS in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, *and*

WHEREAS Arbor Day is now observed throughout the nation and the world, *and*

WHEREAS trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, *and*

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, *and*

WHEREAS trees in our Town increase property values, enhance the economic vitality of business areas, and beautify our community, *and*

WHEREAS trees — wherever they are planted — are a source of joy and spiritual renewal

THEREFORE, I, the Vice Mayor of the Town of Bridgewater, Virginia, proclaim and declare the last Friday in April as Arbor Day to support efforts to protect our trees and woodlands, *and* I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Mayor