

The regular meeting of the City Council was held in the Municipal Court room on February 18, 1969, at 7:30 p.m. with Vice Mayor Hunnicutt presiding.

Present: G. E. Hunnicutt, S. H. Neeley, and W. G. Stallard

Absent: V. O. Flanary, R. L. Collins

Also Present: Evan Norton, City Manager, and Robert Stump, Attorney.

Minutes of the previous meeting were read and approved.

Council discussed briefly the 75th anniversary celebration. Attorney Stump advised that the Norton Area Diamond Jubilee Corporation was in effect now.

Council spoke briefly on trip to North Carolina & Tennessee.

On motion by S. H. Neeley, seconded by W. G. Stallard and carried by unanimous vote the following Building Code Ordinance was passed as amended:

BE IT ORDAINED By the Council of the City of Norton, Virginia, that:

Part III. The Building Codes. Chapter I. The Building Code, Sec. 52, is hereby deleted, repealed and of no effect:

BE IT ORDAINED BY the Council of the City of Norton, Virginia, that:

Part III. The Building Codes, Chapter II, Electrical code of the City of Norton, Virginia, subsection (10) and (11) be amended as follows:

Sec. (10). When the Electrical Inspector condemns all or parts of any electrical installations, the owner may within five days after receiving written notice from the Electrical Inspector, file a petition in writing for the review of said action of the Electrical Inspector with the City Manager, upon receipt of which the City Manager shall proceed to determine whether said electrical installation complies with this ordinance and shall make a decision in accordance with his findings.

Sec. (11). There is hereby created a Board of Examiners to consist of three members, which shall be appointed by the City Council. The members of the Board of Examiners shall serve from date of appointment until their successors are appointed by the City Council. Said Board shall thoroughly and carefully examine all applicants and if found qualified shall issue a certificate to the applicant to be issued in securing privilege license to practice electrical contracting in the City of Norton. The Chairman of said Board will notify all applicants of time and place for examinations. Such examination shall be in writing and each member of the Examining Board shall be furnished a copy.

BE IT ORDAINED by the Council of the City of Norton, Virginia, that:

Part III. The Building Codes. Chapter 3, Plumbing Code of the City of Norton, Virginia, Article 1, Sec. 8. Same Powers and Duties, be amended as follows:

Sec. 8. Same * Powers and Duties.

There is hereby created a Board of Plumber Examiners, which shall consist of three members, who shall be appointed by the City Council. The members of the Board of Plumbers Examiners shall serve from date of appointment until their successors are appointed by the City Council. The said Board of Plumber Examiners shall issue plumbers' certificates of qualification to such persons as may be entitled thereto, and conduct examinations for the purpose of determining the competency and knowledge of plumbing and drainage work of persons who are required by this Code to possess such certificates.

The Board shall file with the City Manager an accurate record of all examinations and certificates issued. The Board shall adopt such rules and regulations as it sees fit for the proper and efficient discharge of its official duties. It shall determine the character of the examination to be given any applicant, and, by majority vote, pass or reject such applicant upon his showing as the case may be.

BE IT ORDAINED by the Council of the City of Norton, Virginia, that:

PART III. The Building Codes. Chapter 4. The Housing Code, Sec. H-141.0 - Right of Appeal - is hereby deleted, repealed and of no effect.

BE IT ORDAINED by the Council of the City of Norton, Virginia, that:

Part III. The Building Codes. Chapter I. The Building Code Section 107. Board of Appeal is hereby deleted, repealed and of no effect.

BE IT ORDAINED by the Council of the City of Norton, Virginia, that:

Part IV. Chapter 1, Appeal Board of all Building and Housing Codes of the City of Norton - Adoption.

Sec. 1. Purpose

The purpose of Part IV, Chapter I of the Building Codes of the City of Norton is to provide for an all encompassing Appeal Board from the decisions of the City Manager, Building Inspector, Plumbing Inspector, Electrical Inspector, and Housing Inspector or officers. Any owner or person who is aggrieved with the ruling or decision of the enforcing officer or inspector of the electrical, plumbing, building and/or housing codes, in any matter relative to the interpretation or enforcement of any of the provisions of said codes, may appeal the decision or interpretation as hereinafter provided.

Sec. 2 Appointment.

There is hereby established in the municipality a Board to be called the Appeal Board of all building and housing codes of the City of Norton, which shall consist of five

members who are qualified by experience and training to pass upon matters pertaining to building and construction and housing and who shall be appointed by the City Council, which shall designate one of the members to serve as Chairman. The City Manager shall not recommend for appointment nor appoint any members on said Board.

Sec. 3. Term of Office.

The City Council shall appoint one member of the Appeal Board of all building and housing codes of the City of Norton for a term of one year, one member for a term of two years, one member for a term of three years, one member for a term of four years, and one member for a term of five years. Upon expiration of the term of office of a member of the Board, his successor shall be appointed for a term of five years. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Any member of this Appeal Board shall serve at the discretion of the City Council and may be removed at the will of the City Council.

Sec. 4. Quorum.

Four members of the Board shall constitute a quorum. In varying the application of any provision of this code or in modifying an order of the building, electrical plumbing, and/or housing official, affirmative votes of three members shall be required. No member of the Board shall pass upon any question which he, or any corporation in which he is a shareholder, is interested. In the case of any conflicts of interest the city Council shall have the authority to appoint the number of alternates necessary to serve on this Board of Appeals.

Sec. 5. Meetings and Records

Meetings of the Board shall be held at the call of the Chairman, and at such other times as the Board may determine. All hearings before the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such facts, and shall also keep records of its examinations and other official action. Such minutes and such records shall be public records.

Sec. 6. Procedure.

The Board shall establish rules and regulations for its own procedure not inconsistent with the provisions of the City Code.

Sec. 7. Appeals.

Any person aggrieved or the head of any agency of the municipality may take an appeal to the appeal Board of all building and housing codes of the City of Norton from any decision of the building or housing inspector or official.

An appeal may be taken within thirty days from the date of the decision appealed, by filing with the Building official and with the Appeal Board of all building and housing codes of the City of Norton a notice of appeal, specifying the grounds thereof, except that in the case of a building or structure which is in the opinion of the building or housing official or inspector, is unsafe or dangerous, the Building or Housing official or inspector may in his order limit the time for such appeal to a shorter period. The building or housing official shall forthwith transmit to the Appeal Board all the papers upon which the action appealed from was taken.

Sec. 8. Modifications and Variations by the Appeal Board of All Building and Housing Codes of the City of Norton.

The Appeal Board, when so appealed to and after a public hearing, may vary the application of any provisions of these codes to any particular case when, in its opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of these codes or the public interest, or when, in its opinion, the interpretation of the building and/or housing officials or inspectors should be modified or reversed.

A decision of the Appeals Board to vary the application of any provision of these codes, or to modify an order of the building or housing officials or inspectors, shall specify in what manner such variation or modification is made, the conditions upon which it is made, the reasons therefor.

Sec. 9. Decision of the Appeal Board.

The Appeal Board shall in every case reach a decision without unreasonable or unnecessary delay. Every decision of the Appeal Board shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the Office of the building and/or housing official or inspector and shall be open to public inspection. A certified copy shall be sent by mail or other wise to the appellant and a copy shall be kept publicly posted in the office of the building and/or housing official or inspector for two weeks after filing.

If a decision of the Appeal Board reverses or modified a refusal, order, or disallowances of the building or housing official or inspector, or varies the application of any provision of these codes, the building and/or housing official or inspector shall take action immediately in accordance with such decision.

Sec. 10. Appeals from Decisions of the Appeal Board.

A person aggrieved by a decision of said Appeal Board, whether previously a party to the proceeding or not, or an officer or board, any, within fifteen days after the filing of the decision in the office of the building or housing official or inspector, apply to the appropriate court to correct errors of law in said decisions.

An emergency existing, these ordinances shall be enforced from the date of its passage.

The foregoing ordinances were submitted to a vote of the Council with the following results:

- G. E. Hunnicutt - Aye
- Sam H. Neeley, Jr. - Aye
- William Stallard - Aye
- R. L. Collins - Absent
- V. O. Flanary - Absent

The mayor declared the ordinance duly adopted.

On motion by S. H. Neeley, seconded by W. G. Stallard, and carried by unanimous vote, council moved the following recommendations of the Chairman of the Code Committee be approved:

- Plumbing Board of Examiners - J. Cliff Daniels, Earle Brown, Evan Norton
- Electrical Board of Examiners - John Harman, William Oakes, Earle Brown.
- The Appeal Board for Plumbing, Electrical and Housing - David Ball - 1 Year;
- E. O. Breeding, Jr. - 2 years; John Harman - 3 years; Jim Daniels - 4 years;
- William Oakes - 5 years.

4755

On motion by S. H. Neeley, seconded by W. G. Stallard and carried by unanimous vote, council moved that the city manager be authorized to cooperate with County in two weeks dog quarantine.

4756

On motion by W. G. Stallard, seconded by S. H. Neeley and carried by unanimous vote, council moved that Charles Litton be appointed as member of Norton Industrial Development Authority to fill the unexpired term of R. A. Sult, said term to expire Jan. 1, 1970; that W. P. Kanon be appointed as member of Duffield Industrial Authority.

4757

Mr. Norton advised council of his finding regarding policing at High School Basketball games.

4758

On motion by S. H. Neeley, seconded by W. G. Stallard and carried by unanimous vote, the following resolution regarding Cumberland Airport Commission was passed:

BE IT RESOLVED by the Council of the City of Norton, Virginia, that the City of Norton will indemnify any lending institution designated by the Cumberland Airport Commission for the purpose of guaranteeing to that lending institution the repayment of working capital funds advanced for the purpose of extending and improving the airport facilities, such indemnity agreement to be limited by such amount as the City of Norton would normally appropriate for the operation of the Cumberland Airport Commission.

The foregoing resolution was submitted to a vote of the Council with the following results:

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| V. O. Flanary | - Absent | William Stallard | - Aye |
| G. E. Hunnicutt | - Aye | R. L. Collins | - Absent |
| Sam H. Neeley, Jr. | - Aye | | |

The Vice Mayor declared the resolution duly adopted.

4759

Mr. Norton presented letter from Virginia Municipal League regarding Constitutional Revision. Council discussed this matter briefly.

4760

Mr. Norton advised council that the Water Control Board had extended deadline for submission of report on Secondary treatment for sewage disposal plant.

4761

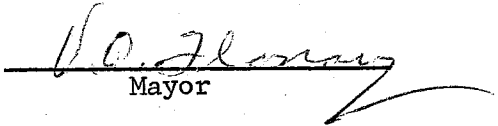
Mr. Norton recommended to council that a study should be made on annexation. On motion by S. H. Neeley, seconded by W. G. Stallard and carried by unanimous vote, council moved that city manager go ahead and see what he can come up with in regard to a proposal for annexation.

4762

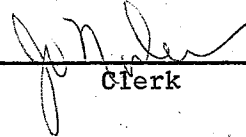
On motion by S. H. Neeley, seconded by W. G. Stallard and carried by unanimous vote, council authorized the mayor to sign an agreement with interstate railroad Co. granting City of Norton permission to install 3/4" water line under the track.

4763

There being no further business to come before the council same adjourned.



Mayor



Clerk