CITY OF CHARLES TOWN
CITY COUNCIL
AGENDA • MAY 4, 2026

Regular Session **COUNCIL CHAMBERS** **7:00 PM**
101 E Washington Street, Charles Town, WV 25414

CALL TO ORDER

1. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

: **2026-1432:** City Council Meeting Minutes - April 21, 2026
City Council Meeting Minutes - April 21, 2026 - draft.pdf

3. PUBLIC COMMENT

4. WARD REPORTS

5. MAYOR'S REPORT

: **2026-1433:** Mayor's Report - May 4, 2026

6. COMMITTEE REPORTS

: **2026-1434:** Infrastructure Committee Report - April 27, 2026
Report_ Infrastructure Committee April 2026.pdf

7. CITY MANAGER REPORT

: **2026-1435:** City Manager's Report - May 4, 2026
CMR 04 May 2026.pdf

8. POLICE CHIEF REPORT

9. UNFINISHED BUSINESS

: **2026-1436:** Charles Town Tree Board Budget

: **2026-1437:** TIF Discussion and Retainer of Bond Counsel to Assist with the TIF.

10. NEW BUSINESS

: **2026-1309:** ZMA2026-01 - Langlet Properties - First Read of an Ordinance to Rezone three properties from Neighborhood Residential to General Commercial.
1. Staff Report.pdf
2. Application.pdf
Re-Zoning Ordinance.pdf

: **2026-1438:** Draft Public Comment Letters to the Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) on the WV 9 Bike Path Connectivity Plan,

Unified Work Plan, and the Transportation Improvement Plan (TIP)

: **2026-1419:** A Resolution Expressing Challenges with the Current WV School Funding Formula and the Impacts to the Eastern Panhandle

: **2026-1444:** Region 9 Reappointment

: **2026-1445:** Charles Town Now Quarterly Update

: **2026-1446:** First Reading and Consideration of an Amendment to the Codified Ordinances of the City of Charles Town, West Virginia with Regard to Part Seventeen Building and Housing Code, Chapter Three Local Provisions, Article 1759 Vacant Buildings
1759 Final Redline Council.pdf
1759 Final Clean Council.pdf

11. REFERRALS TO COMMITTEES/COMMISSIONS

12. APPROVAL OF BILLS

: **2026-1440:** Payment of Bills - May 4, 2026
GEN FUND COUNCIL REPORT 2026-05-04.pdf
CAPITAL RESERVE COUNCIL REPORT 2026-05-04.pdf
PARKS N REC COUNCIL REPORT 2026-05-04.pdf

13. ADJOURNMENT

14. INFORMATION ONLY - NEXT MEETING, Monday, May 18, 2026, at 7:00PM

: **2026-1441:** Charles Town Utility Board Meeting Minutes - March 23rd, 24th and 25th, and April 1, 2026
2026.03.23 UB MINUTES .pdf
2026.03.24 UB MINUTES .pdf
2026.03.25 UB MINUTES .pdf
2026.04.01 UB MINUTES .pdf

: **2026-1442:** Ordinance Committee Report - April 16, 2026
City of Charles Town Ordinance Committee Report - April 16 2026.pdf

: **2026-1443:** Charles Town Police Department March Statistical Report
March 2026 CTPD Stats.pdf

: **2026-1447:** HEPMPO Public Comment Letter on Their Long-Range Plan
HEPMPO Public Comment Long Range Plan.pdf

: **2026-1448:** 2026 Arbor Day Proclamation
2026 Arbor Day Proclamation - signed.pdf

15. NOTICE: The Public May View the Meeting Live by Clicking on the Event Link at: https://www.charlestownwv.us/government/agendas_minutes.php

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1432: City Council Meeting Minutes - April 21, 2026

ATTACHMENTS:

- City Council Meeting Minutes - April 21, 2026 - draft.pdf

CITY OF CHARLES TOWN

CITY COUNCIL

MINUTES • April 21, 2026

Regular Meeting **Council Chambers** **7:00 PM**

101 East Washington Street, Charles Town, WV 25414

CALL TO ORDER

Attendee Name	Title	Status	Arrived
Micheal George	Mayor	Present	
James Kratovil	Councilmember	Present	
Elizabeth Ricketts	Councilmember	Present	
Jeff Hynes	Councilmember	Present	
Kevin Tester	Councilmember	Present	
Nate Hartman	Councilmember	Absent	
Alden Roth	Councilmember	Present	
Julie Smith	Councilmember	Present	
Andie Sugrue	Councilmember	Present	

Mr. Brent Manuel, City Manager; Ms. Alissa Meeks, Assistant City Manager; Ms. Stephanie Grove, City Attorney; Ms. Lori Nice, Finance Director; and Chief Chris Kutcher, Charles Town Police Department (CTPD) were also in attendance.

1. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

2026-1397: City Council Meeting Minutes - April 6, 2026

There being no corrections, additions, or changes to the minutes, Mayor George declared the minutes approved.

3. PUBLIC COMMENT

Four people signed up for public comment.

Ms. Angela Kable Johnson spoke of the issues that she has had with the street preacher and the hostile environment she feels he is creating in the downtown.

Ms. Diane Blust, Chairwoman of the Jefferson G.A.P. Coalition, thanked the council for the grant money to conduct a study on developing a food hub in Jefferson County. The study has been completed, and she hopes to bring a presentation back to the council in the near future.

Mr. Graham Scott and Ms. Diana Walsh both spoke of the unpleasant order outside of their homes from the Charles Town Utility wastewater treatment plant. Ms. Walsh also mentioned speeding on S. Samuel Street and the bright lights at the Charles Town Police Department.

DRAFT

4. WARD REPORTS

Ward 1

Mr. Kratovil had nothing to report.

Ms. Ricketts reported that she attended the Phase I Augustine Avenue Trail ribbon cutting and the Hagerstown/Eastern Panhandle Metropolitan Planning Organization will hold a public meeting at the Charles Town library at 5:30PM on April 22, 2026, to receive public comments on their long-range transportation plan. She also congratulated Councilmember James Kratovil for practicing law in West Virginia since 1976.

Ward 2

Mr. Hynes reported that he attended Blooms and Blossoms on Saturday, April 18, 2026, as well as the two ribbon cuttings, pub crawl, and the Y2K party at Charles Washington Hall. He also requested that Mayor George not sign the National Small Business Week Proclamation and write one that is more specific to Charles Town.

Mr. Tester reported that he attended Blooms and Blossoms and had some issues with the street preacher and feels like the subject needs to be revisited. He also attended the Jefferson County Tourism Summit.

Ward 3

Mr. Roth reported that he presented at the Jefferson County Tourism Summit.

Ward 4

Ms. Smith reported that she attended the opening of the Charles Town Farmer's Market, the two ribbon cuttings, Blooms and Blossoms, pub crawl, and the Y2K party at Charles Washington Hall. The Old Opera House's production of "She Loves Me" is opening the weekend of April 24, 2026.

Ms. Sugrue reported she attended Blooms and Blossoms, the two ribbon cuttings, pub crawl, and the Y2K party at Charles Washington Hall and thanked Liz Cook, Ann Paonessa, and Charles Town Now for all their hard work to make the weekend a success. This Friday, April 24, 2026, the first "Hip After Six" will take place on Charles Street at 6:00PM and the memorial for Todd Coyle can be viewed at the Charles Town Library for one more week.

5. MAYOR'S REPORT

2026-1398: Mayor's Report - April 21, 2026

Mayor George reported that he met with WV Senator Capito to show her the police equipment that was purchased with the Congressional Earmark money. He attended both ribbon cuttings and Blooms and Blossoms, had a meeting at Happy Retreat, and met with WV Department of Highways (DOH) and Secretary of Tourism Chelsea Ruby.

He also reported that Infrastructure Committee and Planning Commission both have meetings on April 27, 2026.

6. COMMITTEE REPORTS

2026-1399: Charles Town Board of Parks and Recreation Minutes - March 12, 2026

Ms. Ricketts reviewed the Charles Town Board of Parks and Recreation Report.

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2026-1400: Personnel Committee Report - April 13, 2026

Ms. Sugrue reviewed the Personnel Committee Report.

2026-1401: Finance Committee Report - April 14, 2026

Mr. Hynes reviewed the Finance Committee Report.

2026-1402: Ordinance Committee Report - April 16, 2026

Mr. Tester reviewed the Ordinance Committee Report.

7. CITY MANAGER REPORT

2026-1403: City Manager Report - April 21, 2026

Mr. Manuel reviewed the City Manager's Report.

8. POLICE CHIEF REPORT

Chief Kutcher reviewed the March Statistical Report. He reported that Patrolman Wilberger has graduated from the police academy and has begun his field officer training and with the addition of two new hires the department is fully staffed. The department had its CALEA onsite assessment and is waiting for the final report.

9. UNFINISHED BUSINESS

2026-1404: Request for Support - Leadership Jefferson Project

Mr. Tester moved to remove this agenda item from the Table. Mr. Hynes seconded the motion, and it passed by a 7-1 vote.

RESULT:	**APPROVED [7-1]**
MOVER:	Kevin Tester
SECONDER:	Jeff Hynes
AYES:	George, Ricketts, Hynes, Tester, Roth, Smith, Sugrue
NAYS:	Kratovil
ABSENT:	Hartman

Mr. Hynes moved to allocate $2,000.00 from the Community Grant funds to be sent directly to CASA of the Eastern Panhandle for their scholarship fund. Mr. Tester seconded the motion, and it passed by a 6-2 vote.

RESULT:	**APPROVED [6-2]**
MOVER:	Jeff Hynes
SECONDER:	Kevin Tester
AYES:	George, Ricketts, Hynes, Tester, Roth, Smith
NAYS:	Kratovil, Sugrue
ABSENT:	Hartman

2026-1414: Legal Updates - Possible Executive Session

Mr. Hynes moved to go into Executive Session. Ms. Smith seconded the motion, and it passed by unanimous vote.

Mayor George declared the council in Executive Session.

RESULT:	**APPROVED [Executive Session]**
MOVER:	Jeff Hynes
SECONDER:	Julie Smith
AYES:	George, Kratovil, Ricketts, Hynes, Tester, Roth, Smith, Sugrue
ABSENT:	Hartman

Mayor George declared the council out of Executive Session. No action was taken on this agenda item.

2026-1415: WV Legislative Update

Ms. Grove updated the council on the 2026 completed legislation that affects municipalities.

10. NEW BUSINESS

2026-1405: National Small Business Week Proclamation

Mayor George will work on a Proclamation that highlights the downtown businesses and bring it back to council.

2026-1406: Approval of FY2027 Levy Rate

Mr. Kratovil moved to approve the FY2027 Levy Rate of $11.25/$100. Ms. Sugrue seconded the motion, and it passed by unanimous vote.

RESULT:	**APPROVED**
MOVER:	James Kratovil
SECONDER:	Andie Sugrue
AYES:	George, Kratovil, Ricketts, Hynes, Tester, Roth, Smith, Sugrue
ABSENT:	Hartman

2026-1407: Traffic Calming Curb and Pavement Painting on S. George Street.

Mr. Roth moved to authorize the mayor to work with the WV Department of Highways (DOH) regarding placement of curb extensions on S. George Street and have the city's maintenance department paint parking spaces on S. George Street. Mr. Tester seconded the motion, and it passed by a 7-1 vote.

RESULT:	**APPROVED [7-1]**
MOVER:	Alden Roth
SECONDER:	Kevin Tester
AYES:	George, Kratovil, Ricketts, Tester, Roth, Smith, Sugrue
NAY:	Hynes
ABSENT:	Hartman

2026-1408: Increase to the City's Medical Percentage Coverage

Ms. Sugrue moved to Table this agenda item. Mr. Tester seconded the motion, and it passed by unanimous vote.

DRAFT

RESULT:	**APPROVED [TABLED]**
MOVER:	Andie Sugrue
SECONDER:	Kevin Tester
AYES:	George, Kratovil, Ricketts, Hynes, Tester, Roth, Smith, Sugrue
ABSENT:	Hartman

2026-1410: Charles Town Tree Board Budget

Mayor George moved to Table this agenda item. Mr. Hynes seconded the motion, and it passed by unanimous vote.

RESULT:	**APPROVED [TABLED]**
MOVER:	Micheal George
SECONDER:	Jeff Hynes
AYES:	George, Kratovil, Ricketts, Hynes, Tester, Roth, Smith, Sugrue
ABSENT:	Hartman

2026-1416: FY2026 General Fund Revision #5

Mr. Hynes moved to adopt the FY2026 General Fund Revision #5 as presented. Mr. Kratovil seconded the motion, and it passed by unanimous vote.

RESULT:	**APPROVED**
MOVER:	Jeff Hynes
SECONDER:	James Kratovil
AYES:	George, Kratovil, Ricketts, Hynes, Tester, Roth, Smith, Sugrue
ABSENT:	Hartman

2026-1417: FY2026 Capital Budget Revision #9

Mr. Hynes moved to adopt FY2026 Capital Fund Budget Revision #9 as presented. Mr. Kratovil seconded the motion, and it passed by unanimous vote.

RESULT:	**APPROVED**
MOVER:	Jeff Hynes
SECONDER:	James Kratovil
AYES:	George, Kratovil, Ricketts, Hynes, Tester, Roth, Smith, Sugrue
ABSENT:	Hartman

2026-1418: JCDA Childcare Study Presentation

Mr. Daryl Crowles, Executive Director of the Jefferson County Development Authority, presented on the childcare challenges facing Jefferson County.

2026-1419: A Resolution Expressing Support for the Continuation of all Middle School Athletic and Band Programs Within Jefferson County Schools

Mr. Hynes moved to approve the Resolution Expressing Support for the Continuation of all Middle School Athletic and Band Programs Within

Jefferson County Schools. Mr. Tester seconded the motion, and it passed by unanimous vote.

RESULT:	**APPROVED**
MOVER:	Jeff Hynes
SECONDER:	Kevin Tester
AYES:	George, Kratovil, Ricketts, Hynes, Tester, Roth, Smith, Sugrue
ABSENT:	Hartman

2026-1422: Draft Public Comment Letters to the Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) on Their Long-Range Transportation Plan (LRTP)

Mr. Hynes moved to empower Ms. Ricketts to work with the mayor and city staff to write a public comment letter to HEPMPO on their long-range transportation plan. Mr. Kratovil seconded the motion, and it passed by unanimous vote.

RESULT:	**APPROVED**
MOVER:	Jeff Hynes
SECONDER:	James Kratovil
AYES:	George, Kratovil, Ricketts, Hynes, Tester, Roth, Smith, Sugrue
ABSENT:	Hartman

2026-1423: TIF Discussion and Retainer of Bond Counsel to Assist with the TIF.

Mr. Hynes moved to direct staff to obtain a bond counsel to begin moving forward with the TIF process. Mr. Tester seconded the motion, and it passed by unanimous vote.

RESULT:	**APPROVED**
MOVER:	Jeff Hynes
SECONDER:	Kevin Tester
AYES:	George, Kratovil, Ricketts, Hynes, Tester, Roth, Smith, Sugrue
ABSENT:	Hartman

11. REFERRALS TO COMMITTEES/COMMISSIONS

2026-1420: Referral to Ordinance Committee - Expansion of PODA District to Include the Depot Park

Mr. Kratovil moved to refer Article 522 Private Outdoor Designated Areas to the Ordinance Committee. Ms. Sugrue seconded the motion, and it passed by a 7-1 vote.

RESULT:	**APPROVED [7-1]**
MOVER:	James Kratovil
SECONDER:	Andie Sugrue
AYES:	George, Kratovil, Hynes, Tester, Roth, Smith, Sugrue
NAYS:	Ricketts
ABSENT:	Hartman

12. APPROVAL OF BILLS

2026-1411: Payment of Bills - April 21, 2026

Mr. Kratovil moved to approve the bills for payment. Hearing no objections, Mayor George approved the bills for payment.

13. ADJOURNMENT

Mayor George asked if there was any other business to come before the council. Hearing none, he adjourned the meeting.

14. INFORMATION ONLY - NEXT MEETING, Monday, May 4, 2026, at 7:00PM

2026-1412: Article 741 - Municipal License Tax - signed

2026-1312: Augustine Avenue Phase 3 Agreement - signed

2026-1421: Historic Landmark Commission Oath of Office - Matthew Printz

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DRAFT

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1433: Mayor's Report - May 4, 2026

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1434: Infrastructure Committee Report - April 27, 2026

ATTACHMENTS:

- Report_ Infrastructure Committee April 2026.pdf

City of Charles Town

Infrastructure Committee

Report from April 27, 2026

I. CALL TO ORDER: Monday, April 27, 2026 at 4:30 PM - City Hall

Councilmembers Present: Elizabeth Ricketts and Alden Roth
Staff: Alissa Meeks, Jim Wysong, Brent Manuel
Guest: Diane Walch (resident on South Samuel)

II. PUBLIC COMMENT

The Committee allowed for Public Comment and heard from Diane Walch (resident on South Samuel). Mrs. Walch gave follow up to her public comment at the City Council meeting on April 21st regarding issues with the lighting at 661 S. George Street and its impacts on surrounding homes.

III. UNFINISHED BUSINESS

2026-1424: Stormwater Issues and Updates

The Committee discussed the *Drainage Evaluation and Storm Sewer Inventory Report (Part 1)* completed by Greenway Engineering and next steps. The City capital budget includes additional funding for further phases of study/analysis. Additional discussion revolved around ways to protect the suspected karst swales identified with the study, whether this be through updating zoning, ordinances, additional requirements for overlot grading plans, an "as built" survey, etc.

Recommendations to Council: Review the Infrastructure Committee meeting from March 23, 2026 [timestamp: 08:12] to hear the presentation by Greenway Engineering. A full presentation to the City Council was not included in the contract for this phase and would come at additional cost. Review the *Drainage Evaluation and Storm Sewer Inventory Report* document and maps. Consider moving forward with the next phase of this project.

2026-1425: Repaving Plan

The Committee reviewed documents including the *2020 Pavement Condition Assessment* and lists of municipal streets. The committee requested that staff work to update the documents with the streets that have already been repaved since the assessment was published. Next step will be to assess which streets still have below "satisfactory" Pavement Condition Index (PCI) for inclusion in the next repaving RFP. Ideally, additional repaving work could happen Fall 2026.

IV. NEW BUSINESS

2026-1426: Maintenance Director Report

This agenda item was taken up at the beginning of the meeting. Maintenance Director Jim Wysong gave a thorough report of activities in the department since March. Concerns raised in this report included:

- Should the Parks and Rec Commission request the new fence at Willingham Knolls be stained/painted?
- Can the City coordinate with Jefferson County Schools Facilities Department on the relocation of the school zone signs on Congress Street and include this in the redesign of the Congress/Lawrence intersection project?
- How will ongoing plumbing issues at 661 be handled?
- Is there more than one water shut off for Jefferson Memorial Park?

The Committee discussed with Mr. Wysong the Council's motion to have paint markings added to South George Street and will follow up to establish a plan.

2026-1427: City App Request

The Committee reviewed a request that was received by the City in writing regarding a request for turn signals to be incorporated into the traffic lights at the intersections of George and Washington Streets and George and Liberty Streets. The Committee and staff are going to look into the *Washington Street Corridor Study* completed by The HEPMPO in June 2025 to see if there were specific recommendations for the Washington Street intersection before drafting a letter to DOT and District 5 DOH.

The Committee reviewed a request through the app regarding the Train Horn Rule (49 CFR Part 222) establishing a Quiet Zone. However, the committee had not received this request ahead of the meeting and will include it for discussion at the next meeting.

2026-1428: Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) - Transportation Improvement Plan

Members of the Committee briefly reviewed the TIP ahead of the discussion with the full Council planned for the upcoming City Council meeting.

2026-1429: Resident Requests from City Council Public Comment

At the April 21, 2026 City Council meeting, residents expressed concerns about **speeding on South Samuel Street**. The Committee discussed the issue. *Data will soon be available from the pneumatic tubes that were placed.* The Committee discussed possibilities for traffic calming including the possibility of additional stop signs at Wall, Mason, and/or Shutter Streets and the inclusion of parking hash marks on the roadway. Speed bumps/humps were discussed but because these are not utilized anywhere in the City, the committee believes this would be a bigger discussion around their potential use and ensuring that the designs are appropriate to allow for plows to remove snow.

Public Comment also included concerns about the **lighting at the 661 S. George Street** Police Department building. The resident expanded upon her previous comments to explain that the main issue is with one lighting fixture that is on a utility pole at the intersection of Mordington and George street facing towards the PD building. The majority of lighting on the premise is focused downwards, but there are two lights mounted on utility poles. The

Committee discussed the possibility of changing the angle of this light or having a shield placed on it. *Maintenance Director Wysong stated he will put in a request to Potomac Edison as this is their utility pole.*

Additionally, a member of the public approached the committee chair before the meeting to share concerns about **South Charles Street** and a number of incidents they observed of vehicles turning the wrong way onto the one-way street. She expressed a desire to see improved signage or pavement markings to make drivers better aware of the one-way. The Committee discussed and may look to include a request for new signage to DOT/DOH.

At the previous committee meeting, there was discussion around a resident concern at the intersection of **Congress and West Streets**. The Committee plans to make some site visits and gather street level images for future discussion of the issues at Charles Street and the Congress/West intersection.

2026-1430: Pneumatic Tube and Speed Radar Data and Future Placement

The Committee previously requested the placement of the pneumatic tubes on South Samuel and is awaiting that data. The next location will be near the Wastewater Treatment Plant on South George Street. Maintenance Director Wysong explained to the committee that the tubes need to be placed near a fixture that allows for the box to be chained up.

2026-1431: Other Project Updates

The Committee received brief updates from staff on the following projects:

- Congress/Lawrence intersection
- Liberty Street stormwater
- North Charles Street
- Augustine Avenue Phases 2 and 3

V. ADJOURNMENT

Adjourned: 5:51PM

Next meeting: TBD June 2026 - please note, NO MEETING IN MAY

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1435: City Manager's Report - May 4, 2026

ATTACHMENTS:

- CMR 04 May 2026.pdf

City of Charles Town

101 East Washington Street, P.O. Box 14, Charles Town, WV 25414
Phone: (304) 725-2311 ♦ Web: www.charlestownwv.us

Memorandum to Mayor and City Council

From: Brent T. Manuel, City Manager
Subject: City Manager's Report
Date: 04 May 2026

Administration:

- Participation in Liberty Street progress meeting on upcoming project items.
    - Submittal of pay applications eight and nine to finance for processing.
    - On-site meeting to review upcoming change order to increase pavement areas to encompass entire area of necessary utility work.
- Meeting with Sustainable Strategies DC on various city projects
- Attendance at HIP After Six on George Street
- Participation in Infrastructure Committee meeting
- Participation in CTUB regular meeting
    - Discussion to provide sewer in the area of Hite Road Park
    - Received an inquiry regarding a data center development in the area of Summit Point Motorsports Park
    - Utility will republish the RFP for a PER for Summit Point Motorsports Park
- Participation in staff discussions on pending city council items
- Publishing of Operations Director advertisement
- Various other human resource functions, permissions, etc.
- Communications with PayPoint HR on classification and compensation study
- Meeting with staff on future CIP discussion with City Council
- Registration for online seminar on grant opportunity for railroad crossings
-

Community Development:

- Corey passed his Dept of Transportation Unmanned Aircraft General (Small, UAG) drone exam.
- President of Main Street America, Erin Barnes, will be joining on our Walks about Nothing on Tuesday, May 12th at 6PM. She'll be visiting City Hall at 5PM and if Council would like to meet her, plan to attend the Meet & Greet at 5:30PM.
- Augustine Trail Phase 2 construction is expected to begin in 6-10 weeks by Lakecrest Construction LLC. They have a completion date of 9/25/26.

- Three (3) responses were received for the Charles Street Engineering Study. Staff will be working with Charles Town Now to select the engineering firm for the project.

Finance:

- Auditor on-site records review



2026-1436: Charles Town Tree Board Budget

This agenda item was Tabled at the April 21, 2026, meeting.

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1437: TIF Discussion and Retainer of Bond Counsel to Assist with the TIF.

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

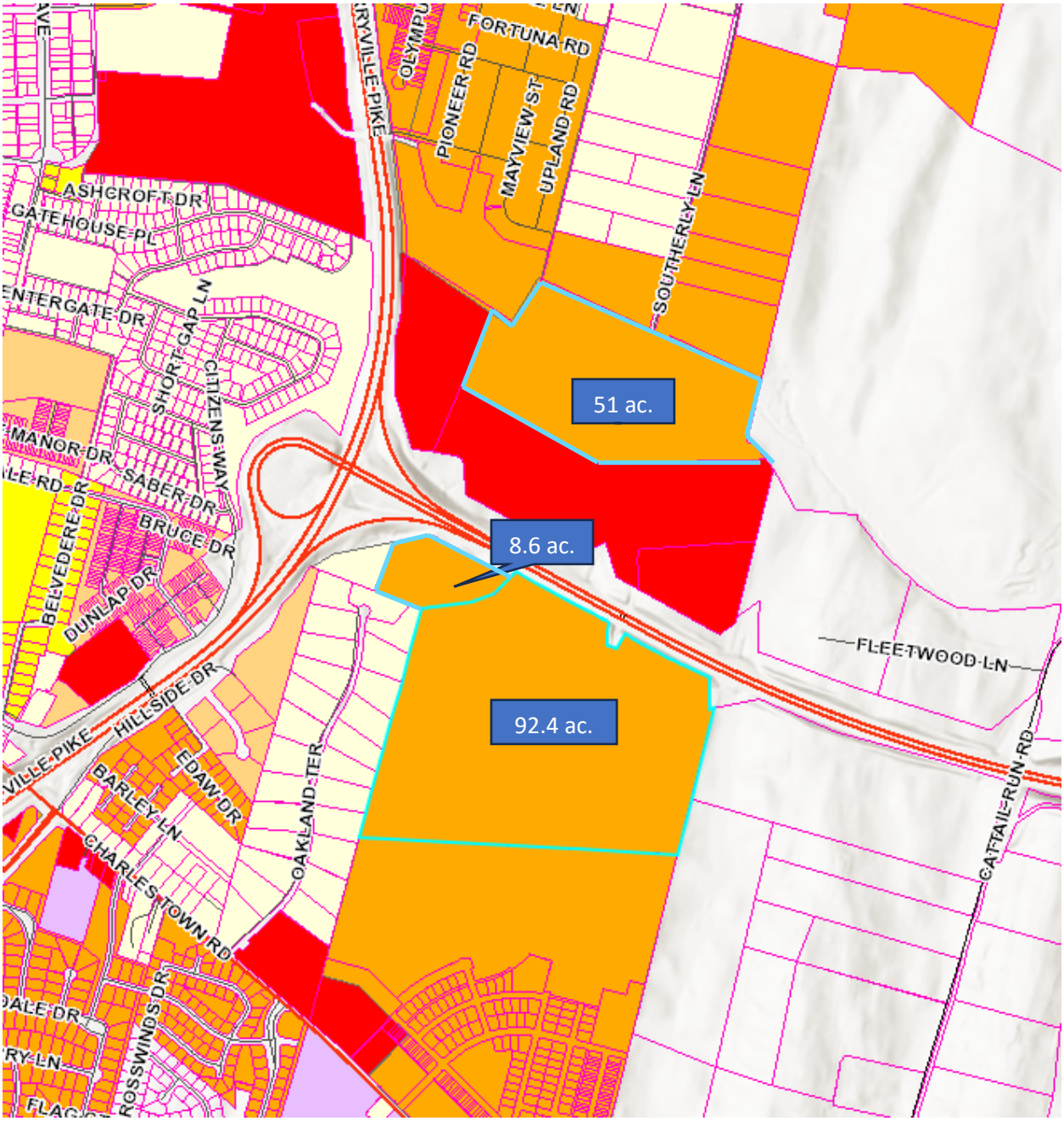
2026-1309: ZMA2026-01 - Langlet Properties - First Read of an Ordinance to Rezone three properties from Neighborhood Residential to General Commercial.

ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Application.pdf
- Re-Zoning Ordinance.pdf

ZMA2026-01

Date: For the May 4, 2026 City Council meeting
Report by: James Newman, City Planner, Zoning/Subdivision Administrator
Proposal: Rezoning from Neighborhood Residential to General Commercial



PROJECT OVERVIEW

A City initiated rezoning for approximately 152 acres of land spread over four properties, from Neighborhood Residential to General Commercial.

PURPOSE

The purpose of the initiative is rezone these properties for commercial uses in accordance with the Comprehensive Plan.

The City is aware of interest in developing the 92.4 acre properties for predominantly residential uses. Residential uses are allowed by right under the current Zoning but are not in keeping with the Comprehensive Plan and the City's need to have a strong commercial base.

PROPERTIES

The properties are unaddressed, vacant lots. Their tax parcel deification and lot size in acres are:

Tax District 3, Map 15, Parcel 7.4 – 51 acres
Tax District 3, Map 15, Parcel 8.1 – 8.6 acres
Tax District 3, Map 15, Parcel 7 – 92.4 acres

City Council also initiated are zoning for Tax District 3, Map 15, Parcel 4.8 – 9.5 acres. Due to a delay in updating the County's parcel ownership data, the owner of that property was not sent certified notice for the Planning Commission meeting. That parcel has been removed from the rezoning request.

CURRENT ZONING

The properties are currently zoned Neighborhood Residential, the purpose of which is:

> *The purpose of the NR District is to provide for a mix of housing types and related services and Uses, including Commercial Uses and office services. It is the intent of the zoning classification to allow mixed development on undeveloped land and, where applicable as may be further described in this Ordinance, the Redevelopment of specific parcels within the City.*
>
> *The NR District applies to parcels or tracts larger than five (5) acres. The intent is to create a cohesive pattern of primarily residential development that allows a mix of Uses, including neighborhood servicing Commercial and office Uses and/or Commercial and office Uses that complement the primarily residential character of the neighborhood;*

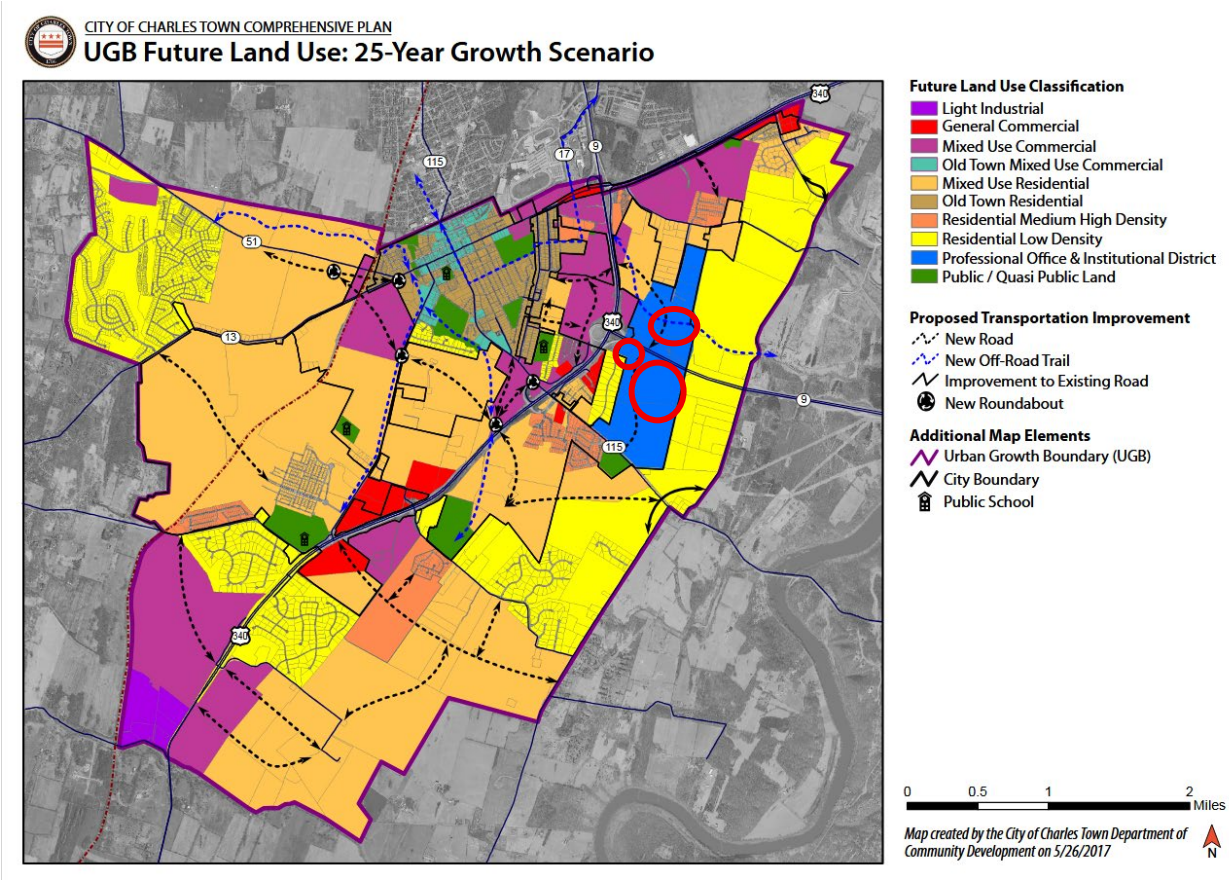
PROPOSED REZONING

This initiative would result in the properties being rezoned to General Commercial, the purpose of which is:

To provide locations for businesses of a more general nature that may not be found in a neighborhood and can be served with adequate water and sewer service. The businesses proposed include retail, wholesale, and some light processing operations.

COMPREHENSIVE PLAN

The 2040 Comprehensive Plan designates this property as Professional Office and Institutional District. Both the 10 and 25 year growth scenarios designate the properties as such. The properties are marked in red circles below:



The purpose of the Professional Office and Institutional District is to:

*Enhance the work place environment by providing for the **establishment of offices, medical and other institutional uses**, limited accessory services for workers' convenience and public space. It is intended to **promote attractive office development projects** which are compatible with one another, as well as with adjoining residential areas. A medium to high density residential option is available when such can be achieved through innovative design and include significant natural resource protection. **This future land use district is specifically designated to incentivize economic development opportunities** and **diversify the City's economy** and **strengthen its tax base** to support its critical infrastructure and public service needs.* – Comp. Plan pg. 75.

REZONING CRITERIA

Authority

Per *Section 1321.12.A.1. Authority*, Pursuant to and in accordance with West Virginia Code Chapters 8A-7- 8, 8A-7-8a, and 8A-7-9, City Council upon recommendation by the Planning Commission may, by ordinance, amend, supplement, change, modify or repeal this Ordinance and the Zoning District boundaries as reflected on the Zoning Map.

Per *Section 1321.12.A.2. Proposal of Amendments*, **Amendments may be initiated by City Council**, upon petition of the Planning Commission, or upon petition by the Owners of 50 percent or more of the real property in the area to which the petition relates.

Timeline

Per *Section 1321.12.D.4.A. Recommendations, "Within 45 days of the public hearing, the Planning Commission shall prepare and adopt its recommendations and shall submit the same in writing, together with a record of the hearing thereon, to City Council."*

Per *Section 1321.12.E.1. Public Hearing, "Within thirty (30) days of the receipt of the Planning Commission's recommendations and record, City Council shall hold a public hearing on the subject proposed amendment. City Council shall select a reasonable hour and place for such public hearing."*

The First Read on May 4th is within the required 45 day period, and the proposed Second Read and public hearing to be held on June 1st falls within the required 30 day period.

Criteria

No Zoning Map Amendment shall be adopted by City Council unless and until:

(a) City Council, with the advice of the Planning Commission, finds either that the amendment is consistent with the City's Comprehensive Plan, or that the amendment is not consistent with the Comprehensive Plan but that there have been major changes of an economic, physical, or social nature within the area involved that were not anticipated when the Comprehensive Plan was adopted and that such major changes have substantially altered the basic characteristics of the area;

> The proposed rezoning is in conformance with the Comprehensive Plan. It will take vacant parcels and have them rezoned to support commercial, office, and institutional uses.

(b) the Planning Commission has held a public hearing (after public notice) regarding the amendment and submitted its findings and recommendation relative thereto to City Council; and

The Planning Commission held a public hearing on March 23, 2026 to debate and make a recommendation vote on this request. This report satisfies the Zoning Ordinance requirement that *"the Planning Commission shall prepare and adopt its recommendations and shall submit the same in writing, together with a record of the hearing thereon, to City Council*". The record of the hearing can be found in the meeting video and minutes.

At the Commission meeting seven members of the public spoke against the rezoning, with concerns about access and potential uses, especially along Southerly Lane.

Following executive session the Commission unanimously voted to recommend to Council that the proposed rezoning is in keeping with the Comprehensive Plan.

(c) if the proposed amendment involves a change in the Zoning Map classification of any parcel of land, or a change to the allowed Dwelling Unit density of any parcel of land, City Council has, at least thirty (30) days prior to enactment of the adopting ordinance, given written notice of the proposed amendment by certified mail to Landowners whose property is directly involved in the proposed amendment, and published notice of the proposed amendment in the area affected as a Class II-0 legal advertisement in compliance with the provisions of West Virginia Code Chapter 59-3-1 et seq.

Such notice has been sent out in anticipation of a second read and public hearing on June 1st.

PLANNING COMMISSION

The Planning Commission held a public hearing for this item at their March 23, 2026 meeting. There were seven members of the public who spoke, all opposed to the rezoning. Concerns were about traffic, access, proper notification, and potential uses. Following discussion and am executive session, the Commission voted to recommend approval of the rezoning for:

Tax District 3, Map 15, Parcel 7.4 – 51 acres
Tax District 3, Map 15, Parcel 8.1 – 8.6 acres
Tax District 3, Map 15, Parcel 7 – 92.4 acres

while recommending that no action be taken on Tax District 3, Map 15, Parcel 4.8 due to lack of proper notice for the property owner. The Commission found that the proposed rezoning was consistent with the Comprehensive Plan.

CONCLUSION

City Council initiated the rezoning process at their February 26, 2026 meeting. The Planning Commission voted to recommend approval of the rezoning for three of the four parcels that Council initiated the rezoning for.

RECOMMENDATION

Approval of the rezoning first read for these three parcels, with a second read and public hearing set for June 1st.

Petition No._____

ENTERED

FEB 26 2026

BY:_____

PETITION FOR ZONING AMENDMENT

REZONING FEE: $835

TEXT AMENDMENT FEE: $450

This application is for rezoning and text amendment requests. Amendments may be initiated by City Council, upon petition of the Planning Commission, or upon petition by the Owners of 50 percent or more of the real property in the area to which the petition relates.

1. Date_____

2. APPLICANT'S NAME* City of Charles Town

Address: 101 E Washington St

Telephone Number (304-725-2311

Email Address _____

3. PROPERTY OWNER'S NAME Mark Langlet Trust

Address: 544 Lego Drive, Charlottesville VA

Telephone Number ( )

Email Address _____

4. LEGAL DESCRIPTION OF THE SUBJECT PROPERTY (list all parcels that apply)

Property Address: _____

Tax Map # and Parcel(s): 3-15-7.4; 3-15-4.8; 3-15-8.1; 3-15-7

Property Area in Acres or Square Feet: 51 ac; 9.5 ac; 8.6 ac; 92 ac

*Applicants include: Property owner(s), Engineer(s), Surveyor(s), or Consultant(s)

5. PROVIDE SCALED MAP, TO BE ATTACHED, of the Property clearly showing the property's location and Property Area in square feet and/or acres

6. Description of the Existing (or former) Use(s) of the property and Current Zoning:

Existing: Neighborhood Residential. All vacant lots.

7. Description of the proposed Use(s) of the property and requested Zoning District:

General Commercial

8. Describe how the proposal is consistent wit the Comprehensive Plan:

Properties are identified as being for Professional Office and Institutional District.

General Commerical zoning provides for commercial, office, and institutional uses, which the current zoning lacks full support of

9. Time schedule for development:

None

10. PARCEL HISTORY (List all pending or previously approved applications on the subject parcels inventoried above, including previous site plan applications if this application is a site plan amendment)

Application No.	Project Name and Phase	Status	Approval Date

11. TEXT AMENDMENTS – Provide a written narrative specifying the Code Section you seek to amend, the proposed amendments, and answer the following questions:

(1) Whether such change is consistent with the intent and purpose of this Ordinance;

(2) Whether such change is consistent with the Charles Town Comprehensive Plan;

(3) The areas which are most likely to be directly affected by such change and in what way they will be affected; and

(4) Whether the proposed amendment is made necessary because of changed or changing social values, new planning concepts or other socio-economic conditions in the areas and Zoning Districts affected.

NOTES

Additional exhibits may be required by the Zoning Administrator such as a lot location survey or site plan showing existing and if applicable, proposed structures, easements, watercourses, curb cuts and description of the uses of adjacent property that are necessary to describe existing or proposed conditions.

Any desire to amend or withdraw this petition must be submitted in writing to the Zoning Administrator. Also, if ownership of any part of or all of the real property subject to the petition shall change during the pendency of the petition, the Petitioner shall immediately notify the Zoning Administrator in writing.

APPLICANT'S CERTIFICATION

I certify that, to the best of my knowledge, the submitted information and statements are true and correct. I also certify that I have received and read Section 1321.12 and relevant provisions of the Charles Town Zoning Ordinance outlining the Zoning Amendment procedures.

Signature of Applicant

Alissa J. Meeks, Assistant City Manager Date 2-27-24

Signature of Owner(s) (If different than Applicant)

_____ Date _____

Please submit an original completed application to the following:

At City Hall:	Or	Via Mail:
Zoning Administrator City of Charles Town 101 E. Washington Street Charles Town, WV 25414		Zoning Administrator City of Charles Town PO BOX 14 Charles Town, WV 25414

FOR CITY USE ONLY

Application Number:_____ Date Petition Received:_____

Fee: $_____ Check No._____ Receipt No._____

City Council Approval or Denial:_____ Date:_____

Comments:_____

_____

_____

_____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLES TOWN, WEST VIRGINIA, AND THE ZONING MAP ATTACHED THERETO AS A PART THEREOF, BY ZONING TO GC GENERAL COMMERCIAL DISTRICT FROM NR NEIGHBORHOOD RESIDENTIAL DISTRICT, THE PROPERTY IS LOCATED AT JEFFERSON COUNTY, WV TAX DISTRICT 3 MAP 15, PARCELS 4.8, 7.4, 8.1, AND 7.

WHEREAS, West Virginia Code 8A-7-8 permits amendments to the zoning ordinance to be initiated by the governing body; and

WHEREAS, The City of Charles Town Planning Commission voted at its regularly scheduled meeting on March 23, 20265, that the requested amendment to the zoning map is in conformance with the City of Charles Town Comprehensive Plan; and

WHEREAS, pursuant to West Virginia Code 8A-7-8 and 8-11-4 and City of Charles Town Zoning Ordinance 1321.12, proper public notice and public hearings have been provided; and

WHEREAS, the City Council of Charles Town finds that the rezoning of the subject parcels is consisted with the Charles Town Comprehensive Plan, which designates the properties to be zoned as Professional Office and Institutional Districts. The General Commercial District allows commercial, office, and institutional uses.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLES TOWN, WEST VIRGINIA, AS FOLLOWS:

Section 1. The Zoning Ordinance of the City Charles Town, West Virginia, be and is hereby further amended to zone the following described land in the City of Charles Town, Jefferson County, West Virginia to GC General Commercial from NR Neighborhood Residential:

> The property is located at Jefferson County, WV Tax District 3; Map 15; Parcels 4.8, 7.4, 8.1, and 7

Section 2. The Zoning Map, annexed to and made a part of said Zoning Ordinance, be and is hereby further amended and revised to show the zoning changes effected by Section 1 of this Ordinance.

Section 3. All prior Ordinances or parts of Ordinances, inconsistent herewith are hereby expressly repealed.

This ordinance shall become effective immediately upon passage.

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1438: Draft Public Comment Letters to the Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO) on the WV 9 Bike Path Connectivity Plan, Unified Work Plan, and the Transportation Improvement Plan (TIP)

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Category: Resolution
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1419: A Resolution Expressing Challenges with the Current WV School Funding Formula and the Impacts to the Eastern Panhandle

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Category: Appointment
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1444: Region 9 Reappointment

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1445: Charles Town Now Quarterly Update

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Category: Ordinance
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1446: First Reading and Consideration of an Amendment to the Codified Ordinances of the City of Charles Town, West Virginia with Regard to Part Seventeen Building and Housing Code, Chapter Three Local Provisions, Article 1759 Vacant Buildings

ATTACHMENTS:

- 1759 Final Redline Council.pdf
- 1759 Final Clean Council.pdf

ARTICLE 1759
Vacant Buildings

1759.01 Purpose and scope.

(1) 1759.02 Definitions.

1759.03 Registration of vacant buildings; enforcement.

1759.04 Maintenance of vacant buildings.

1759.05 Appeals.

1759.06 Schedule of registry fees.

1759.07 Severability.

1759.08 Transition provisions.

1759.01 PURPOSE AND SCOPE.

(a) This Article is enacted pursuant to W. V. Code Chapter 8, Article 12, Section 16c for the purpose of ensuring that each Vacant Building in the City is properly monitored and maintained so as to provide for public health, safety, and welfare, ~~including being safe for entry by police officers, fire fighters, and other emergency personnel in times of emergency.~~ This article provides for registration and inspection of Vacant Buildings.

~~(a)~~(b) The City finds and determines that vacant structures within the City can create dangerous conditions when left unmonitored and contribute to additional expenditures of public funds due to responses to complaints occurring at such properties, inspection of such properties in response to service calls and to ensure safety of entrants including building officials; fire protection officers; and law enforcement officers; and that a regular program of registration, inspection, and monitoring of vacant structures is essential to limit harm and expense to the public from such vacant structures.

(c) The City estimates its annual costs of administering a registration program for vacant structures, excluding inspections, at $100.00 per structure due to staff time involved in processing and reviewing applications and addressing property owner questions

(d) The City estimates that its annual cost of monitoring property that is not well-maintained exceeds the cost associated with well-maintained or occupied structures due to increased dangers to entrants, increased need to issue notices of violation or citations to address issues at the property, increased likelihood of the need to obtain entry and inspection of the property, increased likelihood of the need to take direct action at the expense of public funds to correct dangerous conditions at the property or to demolish the structure if it cannot be rehabilitated, and that such costs increase each year the structure remains vacant and unmaintained or poorly maintained.

(e) It is the intent of this article that, through a registration, inspection, and monitoring process, and other improved public safety efforts, vacant buildings will be kept weather tight and secure from trespassers, will provide safe entry to police officers and firefighters in times of emergency, will not impede private and/or public efforts to rehabilitate or maintain surrounding properties, and will not otherwise present a public hazard.

(f) It is the city's further intent for the provisions of this article to streamline and consolidate the existing procedure (that is, complaint, research, notification, inspection, orders, fines, liens, appeals and lien enforcement) by placing the responsibility to register and maintain a vacant structure on the owner of a building before a condition of the building falls into disrepair or otherwise necessarily warrants a complaint.

~~(Ord. 2024-004. Passed 5-6-24.)~~

1759.02 DEFINITIONS.

When used in this article, the following capitalized words and phrases shall have the meanings indicated:

(a) "Alternative Means of Service" means, when service of notice or process under this Article is required to be made by Certified Mail but cannot be obtained, service of the notice or process by all of the following: (i) regular U.S. mail addressed as specified in subsections (i) or (ii) of the definition of Certified Mail; (ii) publication as a Class II legal advertisement (as defined in W. Va. Code § 59-3-2); and (iii) posting on the front door or other conspicuous location on the subject Building. Service of notice or process by Alternative Means of Service shall be deemed made on the third (3rd) day following the earliest date on which such mailing, publishing, and posting have all occurred.

(b) "Building" means a structure having a roof supported by walls or columns that stands more or less permanently in one place and is utilized or intended for the shelter, housing, or enclosure of persons, animals, or personal property.

(c) "Building Code" means, collectively, the West Virginia State Fire Code, as adopted by the City under Article 1511 of the Codified Ordinances, and the West Virginia State Building Code, as adopted and amended by the City under Article 1705 of the Codified Ordinances.

(d) "Certified Mail" means U.S. certified mail, return receipt requested, addressed to: (i) in all cases except where a Non-resident Owner has designated a Local Agent pursuant to Section 1759.03(c) of this Article, the name and last known address of the Owner according to the records of the Jefferson County Tax Office; and (ii) in the case where a Non-resident Owner has designated a Local Agent pursuant to Section 1759.03(c) of this Article, the name and address of the designated Local Agent. Service of notice or process by Certified Mail shall be deemed made upon delivery, as evidenced by the return receipt.

(e) "Commercial Building" means Any structure used or intended to be used in whole or in part for purposes other than residential purposes on which the property user or employees are engaged in work for which it is intended that compensation be received for goods or services. Examples include, but are not limited to, offices, retail shops, restaurants, service establishments, wholesales, warehousing, and production of goods. In order to be a commercial building for the purposes of this ordinance, the business use or activity must be at a scale greater than a home occupation. In the event of any discrepancy concerning a building's particular use, the zoning classification and zoning certificate shall determine the building's classification.

(f) "Non-resident Owner" means an Owner of a Vacant Building whose legal residence is outside the State of West Virginia.

(g) "Occupied" means any building or structure in which one or more persons conduct business in compliance with all applicable laws and regulations, or using the building as their residence on a permanent, non-transient basis, or a combination of these. For purposes of this article, evidence evaluated For purposes of this article, evidence evaluated to prove that a building is occupied may include, but shall not be limited to, the regular receipt of delivery of regular mail through the U.S. Postal Service; proof of continual telephone, electric, gas, heating, water and sewer services; a valid City business license, and/or the most recent, federal, state or City income tax statements indicating that the subject property is the official business or residence address of the person or business claiming occupancy; or proof of bona fide pre-rental inspection, pursuant to Article 136 of the City of Charles Town's Codified Ordinances. No portion of this definition shall exempt a building from the registration, fee, or other requirements of this article when it meets the definition of a *Vacant building.*

(h) "Owner" means a person who individually or jointly with others:

(1) Has legal title to the property, with or without actual possession of the property;

(2) Has charge, care or control of the property as owner or agent of the owner;

(3) Is an executor, administrator, trustee, or guardian of the estate of the owner;

(4) Is the agent of the owner for the purpose of managing, controlling, or collecting rents; or

(5) Is entitled to control or direct the management or disposition of the property.

(i) "Staff" means the ~~Vacant Buildings Official~~ City's Code Official and any of his or her staff or other City employees to which the ~~Vacant~~ Code ~~Buildings~~ Official delegates duties.

(j) "Vacant Building" means any ~~residential Building that has not been occupied lawfully as a residence, or any non-residential Building that has not been occupied lawfully for its ordinary expected use, during the immediately preceding six (6) consecutive months or, in the case of seasonal Buildings, such as vacation homes, one (1) year.~~ Any building on a parcel of real property that:

(1) Is unoccupied

(2) Is unsecured and occupied by one or more unauthorized persons; or

(3) Any unoccupied first floor commercial space in a mixed use building

~~(1)~~(4) Is without continuous utility service evidencing actual use of water, sewer, electric, and/or gas service to the building for a period exceeding 30 days for commercial buildings and exceeding 90 days for residential structures;

(5) Is a commercial building at which substantially all lawful business operations have ceased for at least 90 days. ~~(1) Occupancy will be determined by the status and use of the utilities, property condition, and similar factors, including, but not limited to, the following:~~

(5)

~~A. A Building shall not be considered occupied merely due to entry for purposes not consistent with its ordinary expected use.~~

~~B. A Building that is unsecured and occupied by one or more unauthorized persons shall not be considered occupied lawfully for purposes of the above definition.~~

~~(2)~~ (6) Notwithstanding anything to the contrary above, ~~the following shall not be considered a Vacant Building:~~ the term vacant building does not include any new building under construction with a valid building permit in which the work is proceeding on schedule with the appropriate inspection requests, and prior to the issuance of a certificate of occupancy for that building.

~~A. A new Building under construction while a building permit for the construction is issued, the work is proceeding on schedule with appropriate inspection requests, and the permit is unexpired.~~

~~(3)~~ When this Article refers to a Vacant Building with respect to filing a lien thereon, or registering the same in the Vacant Buildings Registry, or otherwise as the context requires, such reference shall include the real property upon which the Vacant Building is located.

(k) "Vacant Buildings Official" means the City Building Official designated under Article 1705 of the Codified Ordinances.

1759.03 REGISTRATION OF VACANT BUILDINGS~~; ENFORCEMENT.~~

(a) Registry. There shall be established and maintained a Vacant Buildings Registry, in which all Vacant Buildings in the City shall be registered.

(b) All owners of realty within the City that contains a vacant building shall register each vacant building with the City's Building Official or designee within 30 days after the building meets the definition of a vacant building and on each subsequent July 1 when a vacant building is present on the owner(s)' property.

(c) Registration is required no less than annually, and at the time the vacant building is registered, the registration form must meet all requirements of this article in order to be processed. The registration form shall require information from the registrant deemed necessary by the Building Official, Fire ~~Chief,~~ and City Police Chief ~~of the City~~, to ensure that the purpose of this article is met. The contents of the form shall enable City officers to determine the structural integrity of the building, any repairs necessary to ensure its structural integrity, that it will be safe for entry, and that the building and its contents do not present a hazard to the public. The above-named officers, or their designees, shall have the authority to issue orders to the owner or owner's local agent for corrective action deemed necessary. The Building Official ~~and Fire Chief~~ shall rely upon the West Virginia State Building Code and Fire Codes, as adopted by the City, as well as other applicable law, for guidance during any structural review. A building will remain on the vacant registry until it meets the definition of occupied.

(d) Registration statement and fees; local agent.

(1) A registration statement in the form prescribed by the City must be filed by the owner or owner's local agent for all vacant buildings. Registration and payment of fees does not exonerate the owner, agent or responsible party from penalties for failure to comply with any building, housing, or fire code requirement. One registration statement may be filed to include all vacant buildings of an owner, but a separate fee is assessed for each vacant building.

(2) The owner(s) of the property on which a vacant building exists at the time registration is required shall be responsible, jointly and severally, for payment of the non-refundable registration fee; provided, that the City may not collect any amount exceeding the total prescribed fee. The fee shall be due upon delivery of an invoice by the City, in the following amount for each vacant building:

(A) No fee for properties that are vacant for less than one year;

(B) One hundred dollars ~~per~~ for each year ~~for properties~~the property ~~that are~~ is vacant more than one year and ~~that~~ has~~ve~~ been inspected by the Building Official and determined to be in compliance with all applicable safety and property maintenance codes and to not to constitute a hazard to entrants or the surrounding area. The determination by the Building Official will consider exterior maintenance and major systems along with the vacant building and be made in their discretion and pursuant to applicable law, will be issued to a property owner in writing stating the date or dates for which the determination is valid, and is referred to in this article as a "compliance determination."

(C) After the first year, ~~F~~five hundred dollars per each year for properties that are (i) vacant and (ii) do not have a valid compliance determination for a time period of at least one year but less than two years; and

~~(D) One thousand dollars for properties that are (i) vacant and (ii) do not have a valid compliance determination for a time period of at least two years but less than three years;~~

~~(E) Two thousand dollars for properties that are (i) vacant and (ii) do not have a valid compliance determination for a time period of at least three years but less than four years;~~

~~(F) Three thousand five hundred dollars for properties that are (i) vacant and (ii) do not have a valid compliance determination for a time period of at least four years but less than five years; and~~

(D~~G~~) Four thousand dollars for properties that are (i) vacant and (ii) do not have a valid compliance determination for a time period of at least five years, plus an additional $1,000.00 for each year in excess of five years.

(E~~H~~) For all vacant~~te~~ properties located in the business district as defined in the City of Charles Town Zoning Ordinance codified at Article 1321 of the City Code~~herein~~, the above fees shall be doubled.

(F) For purposes of this section, a year shall be measured from the date that Staff determines that the property is vacant and requires registration.

(3) If the owner of property on which a vacant building exists does not certify on the registration form that the owner is a resident of the state and capable of accepting service of process related to the vacant building, the registration statement also shall provide the name and address of a person who resides within the state and who is authorized to accept service of process on behalf of the property owners and who shall be designated as a responsible local agent for purposes of notification in the event of an emergency affecting the public health, safety or welfare and for purposes of service of any and all notices or registration statements related to the vacant building.

(e) Change In Ownership. A change in ownership of a vacant structure shall not remove the vacant structure from the vacant properties registry or from the requirements of this article. Fees arising under this article shall continue to accrue at the applicable rate until the structure either no longer constitutes a vacant structure or qualifies for an exemption, all transfers of ownership notwithstanding. All fees arising under this article shall run with the property and failure to pay such fees may result in the city filing a lien that attaches upon the property.

(f) Removal from Registry. In the event a Building in the Vacant Buildings Registry becomes lawfully occupied or is removed from the subject real property, the Owner of the Building is required to provide to the Vacant Buildings Official a written notice explaining the situation, together with evidence thereof (such as a copy of a lease of the property, photographs of demolition, etc.), and requesting removal of the Building from the Vacant Buildings Registry. Upon Staff's verification of lawful occupation or removal of the Building, the Building shall be removed from the Vacant Buildings Registry. In the event Staff is unable to verify lawful occupation or removal of the Building, the Vacant Buildings Official shall notify the Owner of the Building in writing by Certified Mail or Alternative Means that Staff has determined that it is unable to verify lawful occupation or removal of the Building and that the Building shall continue to be considered a Vacant Building and remain registered in the Vacant Buildings Registry.

1709.04 ENFORCEMENT –

~~(b) Notice of Requirement to Register. Prior to the last day of April in each year, the Vacant Buildings Official shall cause a Notice of Requirement to Register to be published as a Class II legal advertisement (as defined in W. Va. Code § 59-3-2) and mailed by regular U.S. mail to: the name and address of the Owner, as appearing in the Vacant Buildings Registry, of each Vacant Building then registered in such registry; and the name and last known address of the Owner, according to the records of the Jefferson County Tax Office, of each Building that Staff has determined to be, or reasonably suspects to be, a Vacant Building. The Notice of Requirement to Register shall provide notice that: (i) the Owner of any Vacant Building within the City is required to register that Vacant Building in the Vacant Buildings Registry by submission of a completed Vacant Building Registration no later than the first day of July in the subject year; (ii) upon the initial registration of a Vacant Building in such registry, or in the event of re-registration of a Vacant Building that previously was registered but later removed from the registry, payment of a registry fee in the specified applicable amount must accompany submission of the Vacant Building Registration; (iii) in the event that a Vacant Building Registration is not timely submitted with respect to a Building then or subsequently determined to be a Vacant Building pursuant to Section 1759.03(e), such Vacant Building shall be involuntary registered pursuant to Section 1759.03(e) and the Owner of the Vacant Building shall be charged a registry fee in the specified applicable amount whether or not the subject Vacant Building~~

~~is then registered in the Vacant Buildings Registry pursuant to registration in a prior year; (iv) if any applicable registry fee is not timely paid, the City may bring a civil action against the Owner to collect such registry fee and/or file a lien against the subject real property for the amount of such registry fee; and (v) a Non-resident Owner of a Vacant Building is required to designate a Local Agent to accept service of process and certain notices on behalf of the Non-Resident Owner. Publication of the Notice of Requirement to Register shall state where a person may obtain a blank Vacant Building Registration, and a blank Vacant Building Registration shall be sent with any mailed Notice of Requirement to Register.~~

~~(1) Neither the failure of the Vacant Buildings Official to mail a Notice of Requirement to Register to any Owner of a Vacant Building nor the non-receipt of a Notice of Requirement to Register by any Owner of a Vacant Building will relieve the Owner of the requirements under this Article.~~

~~(c) Non-resident Owners. Each Non-resident Owner is required to provide to the Vacant Buildings Official signed and notarized document designating the name and address of a person who resides within the State of West Virginia and who the Non-resident Owner authorizes to accept service of process and notices of fees due under this section on behalf of the Non-resident Owner and who is designated as the Non-resident Owner's responsible agent for the purposes of receipt of notification in the event of an emergency affecting the public health, safety, or welfare (a "Local Agent"). Once provided, such document shall remain in effect until cancelled in writing by the Owner; provided that, the Owner shall be responsible for notifying the Vacant Buildings Official of any changes in the name or address of a Local Agent. Failure to provide such document by July 1 of the first year following enactment of this Article in which a Non-resident Owner owns a Vacant Building is a violation of this Ordinance subject to the General Penalty fine specified in Section 101.99 of the Codified Ordinances. Any provision herein requiring notice to or service upon an Owner shall be satisfied by notice to or service upon the Owner's designated Local Agent.~~

~~(d) Voluntary Registration. By July 1 of each year, the Owner of any Vacant Building within the City is required to register the Vacant Building in the Vacant Building Registry by submitting a completed Vacant Building Registration to the Vacant Buildings Official. A Vacant Building Registration will not be considered effective unless and until any registry fees required under Section 1759.03(g) are received by the Vacant Buildings Official.~~

~~(e) Involuntary Registration. Staff shall investigate any Building that is suspected to be a Vacant Building and determine whether it shall be considered a Vacant Building. Upon Staff's determination that a Building is a Vacant Building, Staff shall: (i) set forth in a written statement its findings supporting the determination; (ii) place the Owner of such Vacant Building on the list of persons to receive Notice of Requirement to Register pursuant to Section 1759.03(b); (iii) notify the Owner of the Vacant Building in writing by Certified Mail or Alternative Means of Service of Staff's determination that the Building is a Vacant Building that the Owner must register in the City's Vacant Buildings Registry by submission of a completed Vacant Building Registration by the following July 1, after which the City will involuntarily register the Vacant Building, with all applicable fees due; and (iv)~~

in the event the Owner fails to register the Vacant Building by timely submitting a completed Vacant Building Registration, involuntarily register the Vacant Building in the Vacant Building Registry and assess against the Owner any registry fees required under Section 1759.03(g) whether or not the subject Vacant Building is then registered in the Vacant Buildings Registry pursuant to voluntary or involuntary registration in a prior year.

(e) Exemption from Registration. The Owner of a Vacant Building may submit in writing to the Vacant Buildings Official, for presentation to and consideration by City Council, a request for exemption from registration of such Vacant Building in the Vacant Buildings Registry due to inability to occupy the Building for a period stated determinate period of time and for reasons stated in the request.,stating the reasons and time period for which the building cannot be occupied. Upon a finding of good cause shown, City Council may exempt the Building from registration for a time specified in City Council's decision. Examples of circumstances when good cause for an exemption may exist include when the Vacant Building is being actively marketed for sale following the Owner's move to other property, or when the Vacant Building is being offered for lease following a prior tenant's vacation of the property, or when the property is actively moving through the probate process. Any request for exemption must be submitted within 30 days of the date the Owner is notified that a Vacant Building must be registered or the date annual registration fee is due to be paid pursuant to the provisions of this Article. An owner may only seek an exemption a maximum of

(g) Registry Fees.

(1) The voluntary registry fee set forth in Section 1759.06(a) for the applicable type of Building shall be assessed to the Owner of a Vacant Building upon its initial voluntary registration by the Owner and also in the instance that the Vacant Building is voluntarily re-registered in the Vacant Buildings Registry after previously having been registered and later removed from such registry. Thereafter, the voluntary registry fee shall not be further assessed for so long as the Owner continues to voluntarily register the Vacant Building annually. The voluntary registry fee shall be submitted with the Owner's submission of the Vacant Building Registration by which the Vacant Building is first registered (or first re-registered in the case of a prior registration and removal from the registry) and due at that time.

(2) The involuntary registry fee set forth in Section 1759.06(b) for the applicable type of Building shall be assessed to the Owner of a Vacant Building in each year that it is involuntarily registered pursuant to Section 1759.03(e). In addition to the involuntary registry fee, the Owner shall reimburse the City for all its costs incurred in notifying the Owner of Staff's determination of Vacant Building status and of the registry fee due. The Owner shall be notified in writing of the involuntary registry fee due, together with all costs reimbursable to the City hereunder, by Certified Mail or Alternative Means of Service, which amounts are due when service of the notice is deemed made under Section 1759.02(a) or Section 1759.02(d), as the case may be.

(a3) The City may take the following actions in order to collect any registry fees and costs reimbursable to the City that are not paid in full within thirty (30) days of when due:

~~(1) A.~~ After providing the Owner the notice specified below, file in the Office of the Clerk of the County Commission of Jefferson County a lien against the Vacant Building for the full amount of the delinquent registry fees and reimbursable costs, plus filing fees. Prior to filing such lien, the Vacant Buildings Official shall notify the Owner of the Vacant Building in writing by Certified Mail or Alternative Means of Service that the City may file said lien unless all delinquent amounts are paid by a date stated in the notice, which stated date shall be no less than thirty (30) days following the date on which service of the notice is deemed made under Section 1759.02(a) or Section 1759.02(d), as the case may be.

(1)

~~(2) B.~~ Institute a civil action in the Circuit Court of Jefferson County against the Owner for the delinquent registry fees, reimbursable costs, and reasonable attorney fees and court costs incurred relative to the civil action.

(2)

~~(b) (4)~~ A registry fee paid shall be refunded if, on timely appeal, Staff's determination requiring registration as a Vacant Building is reversed.

~~(c)f)~~ Publication. The city may, from time to time and in its reasonable discretion, publish or disclose certain information contained in the vacant property registry, including, but not limited to:

(1) General demographic information about vacant structures registered on the vacant property registry;

(2) The address of vacant structures on the vacant property registry;

(3) The owners of each vacant structure;

(4) The amount of time any vacant structure has been on the vacant property registry; and

(5) The amount of any delinquent fees due under this article, or otherwise due city (e.g. refuse or fire fees) for any vacant structure.

~~(g) A change in ownership of a vacant structure shall not remove the vacant structure from the vacant properties registry or from the requirements of this article. Fees arising under this article shall continue to accrue at the applicable rate until the structure either no longer constitutes a vacant structure or qualifies for an exemption, all transfers of ownership notwithstanding. All fees arising under this article shall run with the property and failure to pay such fees may result in the city filing a lien that attaches upon the property.~~

~~(h) Removal from Registry. In the event a Building in the Vacant Buildings Registry becomes lawfully occupied or is removed from the subject real property, the Owner of the Building is required to provide to the Vacant Buildings Official a written notice explaining the situation, together with evidence thereof (such as a copy of a lease of the property, photographs of demolition, etc.), and requesting removal of the Building from the Vacant Buildings Registry. Upon Staff's verification of lawful occupation or removal of the Building, the Building shall be removed from the Vacant Buildings Registry. In the event Staff is unable to verify lawful occupation or removal of the Building, the Vacant Buildings Official shall notify the Owner of the Building in writing by Certified Mail or Alternative Means that Staff has determined that it is unable to verify lawful occupation or removal of the Building and that the Building shall continue to be considered a Vacant Building and remain registered in the Vacant Buildings Registry.~~

~~(Ord. 2024-004. Passed 5-6-24.)~~

1759.05~~4~~ MAINTENANCE OF VACANT BUILDINGS.

(a) Required Maintenance. The Owner of a Vacant Building is required to maintain the Vacant Building in accordance with all applicable provisions of the Building Code and so as not to constitute a public nuisance prohibited by Article 1101 of the Codified Ordinances.

(b) Enforcement. In the event an Owner fails to maintain a Vacant Building as required by Section 1759.04(a) as determined by the Vacant Buildings Official, the Vacant Buildings Official may notify the Owner of the Vacant Building in writing by Certified Mail or Alternative Means of Service of such determination and the specifics of the identified failure and that the City may elect to take specified actions, which may include repairs, maintenance, and/or demolition, at the Owner's cost to bring the Vacant Building into compliance with the Building Code and/or eliminate the public nuisance, as the case may be, if the Owner does not take and complete the specified actions within a specified number of days following the date on which service of the notice is deemed made under Section 1759.02(a) or Section 1759.02(d), as the case may be, which number of days shall be determined by the Vacant Buildings Official considering the urgency for the action in light of the potential harm to public health, safety, and welfare due to the condition of the Vacant Building. If the Owner fails to take and complete the specified actions within the number of days specified in such notice, the City may, in its discretion and notwithstanding any provision of Article 1101 or Article 1705 of the Codified Ordinances to the contrary, thereafter take such actions and the Owner shall be responsible for the costs of such actions, as well as all related legal and administrative costs incurred by the City. The City may bring a civil action against the Owner to collect all such costs.

(c) Alternative Enforcement. Nothing in this Section 1759.05~~4~~ shall be considered to affect or limit the City's authority or actions to enforce any other provisions of the Codified Ordinances pertaining to a Vacant Building or its condition, including without limitation provisions of Articles 1101 and 1705.

1759.06~~5~~ RIGHT OF APPEAL; WAIVERS~~APPEALS~~.

(a) Appeal. A property owner may challenge any determination made as to the property owner's vacant building or vacant property pursuant to this article by filing an administrative appeal with the City Council on forms to be prescribed by the City.

The appeal must be filed within ten days of delivery of notice of the determination challenged and shall describe with particularity all objections thereto. The burden of proof shall be on the property owner to show objective proof of occupancy as defined in this article specifically~~.~~ that the determination was incorrect and contrary to law, in whole or in part. The City Council or its designee shall review the appeal and provide for any necessary hearing, which will be conducted in conformance with the Section 7 of the Waiver Procedures adopted pursuant to this ordinance. The Council shall~~,~~ render a decision on the appeal and notify the property owner within 30 days of the hearing of such decision in writing. During the pendency of the administrative appeal, any time period given to the property owner to take corrective action shall be tolled, and the City shall not take any action to enforce the determination subject of the appeal except to address an emergency condition presenting an imminent danger to the life, health, or safety of the public. The City Manager may prescribe regulations and forms as necessary to implement the provisions of this section. Any property owner whose appeal is denied, in whole or in part, may file an appeal to the Jefferson County Circuit Court within 30 days of the date the decision on the appeal is issued.

(b) Waiver of Fees. The Owner of a Vacant Building may submit in writing to the Vacant Buildings Official, for presentation to and consideration by City Council, a request for exemption from payment of fees of such Vacant Building on the Vacant Buildings Registry due to inability to occupy the Building for a determinate period of time ,stating the reasons and time period for which the building cannot be occupied. City Council shall consider the request in accordance with the rules and regulations adopted pursuant to this Ordinance. After being granted such a waiver pursuant to the provisions of this section, a property may not seek another exemption until the passage of three (3) years.

~~An Owner adversely affected by a determination made pursuant to this Article (excepting a determination regarding a request for exemption from registration made pursuant to Section 1759.03(f)) may appeal such determination to City Council by filing with the City Clerk a written notice of appeal within thirty (30) days of the date on which service of the notice of the subject determination is deemed made under Section 1759.02(a) or Section 1759.02(d), as the case may be, after which 30 day period the right to an appeal shall expire. The decision of City Council on any such appeal, as well as a determination by City Council regarding a request for exemption from registration made pursuant to Section 1759.03(f), may be appealed by an Owner to the Circuit Court of Jefferson County within thirty (30) days of the Owner's receipt of the subject decision or determination, after which thirty (30)-day period the right to an appeal shall expire.~~

~~(Ord. 2024-004. Passed 5-6-24.)~~

1759.076 ~~SCHEDULE OF REGISTRY FEES~~EXPENDITURE OF FEES.

~~(a) Voluntary Registry Fee. The following voluntary registry fee, as specified for the type of Building at issue based upon its use when last occupied, shall be charged upon the voluntary registration of a Vacant Building pursuant to Section 1759.03(d) as provided in Section 1759.03(g)(1):~~

~~(1) Less than one year: $250~~

~~(2) At least one year but less than two years: $500~~

~~(3) At least two years but less than three years: $1,000~~

~~(4) Plus an additional $1,000 per year for each year thereafter.~~

~~(b) Involuntary Registry Fee. Any vacant property existing upon the registry, and not voluntarily registered pursuant to Section 1759.03(b), will be subject to registration fees each year in accordance with the schedule above, with the exception of the initial fee, which shall be assessed at twice the rate."~~

~~(c)~~ ~~Use of Registry Fees.~~ All registry fees assessed under this Article shall, when collected, be deposited in a separate account and be used for only the following purposes, as City Council shall determine from time to time:

(a~~1~~) To improve public safety efforts, especially for police and fire personnel, who most often contend with dangerous situations manifested in Vacant Buildings; ~~and~~

(b~~2~~) To monitor and administer this Article; and.

(c~~3~~) To repair, close, or demolish a vacant structure as authorized by 1759.054 of this Article.

~~(Ord. 2024-004. Passed 5-6-24.)~~

1759.087 PENALTY

(a) Any person who fails to comply with the provisions of this article, or fails to take the corrective action required by this article, shall be guilty of a misdemeanor, punishable by a fine of no more than $500.00. Each day that a violation continues shall be deemed a separate offense.

(b) Any person who interferes with or fails to allow inspection of a property subject to inspection under this article shall be guilty of a misdemeanor, punishable by a fine of no more than $500.00. Each day that a violation continues shall be deemed a separate offense.

(c) Any person who fails to comply with an order issued by an official having authority to make such order under this article shall be guilty of a misdemeanor, punishable by a fine of no more than $500.00. Each day that a violation continues shall be deemed a separate offense.

(d) Any person found guilty of a second violation of this article within any 12-month period shall be subject to a fine of no less than $250.00 nor more than $500.00 for such offense.

(e) Any person found guilty of a third violation of this article within any 12-month period shall be subject to a fine of $500.00 for such offense.

1759.09 -SEVERABILITY.

—If any provision of this Article is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not otherwise affect or invalidate the other provisions hereto, all of which are hereby declared, and shall be construed, to be separate and severable. (Ord. 2024-004. Passed 5-6-24.)

1759.10~~08~~ RELATION TO CODES AND OTHER LAWS

It is understood that the intent and purpose of this Article are separate and distinct from other parts and sections of the Codified Ordinances of the City of Charles Town and the general laws of the State of West Virginia which may be applicable. The provisions of this section are applicable to the owners of such vacant buildings as set forth herein and are in additional to and not in lieu of any and all other applicable provisions of this chapter, health and sanitation code, and any other applicable provisions to the City of Charles Town Municipal Code.

1759.11~~09~~ TRANSITION PROVISIONS.

—All registry fees, fines, penalties, liens, notices, letters, communications, orders, remedies, or other enforcement actions assessed, charged, imposed, placed, filed, issued, or otherwise instituted or taken under any prior version of this Article shall remain fully effective and enforceable notwithstanding the revision of this Article and nothing herein shall be deemed to modify, negate, limit, or otherwise affect such items.

~~(Ord. 2024-004. Passed 5-6-24.)~~

ARTICLE 1759
Vacant Buildings

1759.01 PURPOSE AND SCOPE.

(a) This Article is enacted pursuant to W. V. Code Chapter 8, Article 12, Section 16c for the purpose of ensuring that each Vacant Building in the City is properly monitored and maintained so as to provide for public health, safety, and welfare, This article provides for registration and inspection of Vacant Buildings.

(b) The City finds and determines that vacant structures within the City can create dangerous conditions when left unmonitored and contribute to additional expenditures of public funds due to responses to complaints occurring at such properties, inspection of such properties in response to service calls and to ensure safety of entrants including building officials; fire protection officers; and law enforcement officers; and that a regular program of registration, inspection, and monitoring of vacant structures is essential to limit harm and expense to the public from such vacant structures.

(c) The City estimates its annual costs of administering a registration program for vacant structures, excluding inspections, at $100.00 per structure due to staff time involved in processing and reviewing applications and addressing property owner questions

(d) The City estimates that its annual cost of monitoring property that is not well-maintained exceeds the cost associated with well-maintained or occupied structures due to increased dangers to entrants, increased need to issue notices of violation or citations to address issues at the property, increased likelihood of the need to obtain entry and inspection of the property, increased likelihood of the need to take direct action at the expense of public funds to correct dangerous conditions at the property or to demolish the structure if it cannot be rehabilitated, and that such costs increase each year the structure remains vacant and unmaintained or poorly maintained.

(e) It is the intent of this article that, through a registration, inspection, and monitoring process, and other improved public safety efforts, vacant buildings will be kept weather tight and secure from trespassers, will provide safe entry to police officers and firefighters in times of emergency, will not impede private and/or public efforts to rehabilitate or maintain surrounding properties, and will not otherwise present a public hazard.

(f) It is the city's further intent for the provisions of this article to streamline and consolidate the existing procedure (that is, complaint, research, notification, inspection, orders, fines, liens, appeals and lien enforcement) by placing the responsibility to register and maintain a vacant structure on the owner of a building

before a condition of the building falls into disrepair or otherwise necessarily warrants a complaint.

1759.02 DEFINITIONS.

When used in this article, the following capitalized words and phrases shall have the meanings indicated:

(a) "Alternative Means of Service" means, when service of notice or process under this Article is required to be made by Certified Mail but cannot be obtained, service of the notice or process by all of the following: (i) regular U.S. mail addressed as specified in subsections (i) or (ii) of the definition of Certified Mail; (ii) publication as a Class II legal advertisement (as defined in W. Va. Code § 59-3-2); and (iii) posting on the front door or other conspicuous location on the subject Building. Service of notice or process by Alternative Means of Service shall be deemed made on the third (3rd) day following the earliest date on which such mailing, publishing, and posting have all occurred.

(b) "Building" means a structure having a roof supported by walls or columns that stands more or less permanently in one place and is utilized or intended for the shelter, housing, or enclosure of persons, animals, or personal property.

(c) "Building Code" means, collectively, the West Virginia State Fire Code, as adopted by the City under Article 1511 of the Codified Ordinances, and the West Virginia State Building Code, as adopted and amended by the City under Article 1705 of the Codified Ordinances.

(d) "Certified Mail" means U.S. certified mail, return receipt requested, addressed to: (i) in all cases except where a Non-resident Owner has designated a Local Agent pursuant to Section 1759.03(c) of this Article, the name and last known address of the Owner according to the records of the Jefferson County Tax Office; and (ii) in the case where a Non-resident Owner has designated a Local Agent pursuant to Section 1759.03(c) of this Article, the name and address of the designated Local Agent. Service of notice or process by Certified Mail shall be deemed made upon delivery, as evidenced by the return receipt.

(e) “Commercial Building” means Any structure used or intended to be used in whole or in part for purposes other than residential purposes on which the property user or employees are engaged in work for which it is intended that compensation be received for goods or services. Examples include, but are not limited to, offices, retail shops, restaurants, service establishments, wholesales, warehousing, and production of goods. In order to be a commercial building for the purposes of this ordinance, the business use or activity must be at a scale greater than a home occupation. In the event of any discrepancy concerning a building’s particular use, the zoning classification and zoning certificate shall determine the building’s classification.

(f) "Non-resident Owner" means an Owner of a Vacant Building whose legal residence is outside the State of West Virginia.

(g) “Occupied” means any building or structure in which one or more persons conduct business in compliance with all applicable laws and regulations, or using the building as their residence on a permanent, non-transient basis, or a combination of these. For

purposes of this article, evidence evaluated For purposes of this article, evidence evaluated to prove that a building is occupied may include, but shall not be limited to, the regular receipt of delivery of regular mail through the U.S. Postal Service; proof of continual telephone, electric, gas, heating, water and sewer services; a valid City business license, and/or the most recent, federal, state or City income tax statements indicating that the subject property is the official business or residence address of the person or business claiming occupancy; or proof of bona fide pre-rental inspection, pursuant to Article 136 of the City of Charles Town's Codified Ordinances. No portion of this definition shall exempt a building from the registration, fee, or other requirements of this article when it meets the definition of a *Vacant building.*

(h) "Owner" means a person who individually or jointly with others:

(1) Has legal title to the property, with or without actual possession of the property;

(2) Has charge, care or control of the property as owner or agent of the owner;

(3) Is an executor, administrator, trustee, or guardian of the estate of the owner;

(4) Is the agent of the owner for the purpose of managing, controlling, or collecting rents; or

(5) Is entitled to control or direct the management or disposition of the property.

(i) "Staff" means the City's Code Official and any of his or her staff or other City employees to which the Code Official delegates duties.

(j) "Vacant Building" means any building on a parcel of real property that:

(1) Is unoccupied

(2) Is unsecured and occupied by one or more unauthorized persons; or

(3) Any unoccupied first floor commercial space in a mixed use building

(4) Is without continuous utility service evidencing actual use of water, sewer, electric, and/or gas service to the building for a period exceeding 30 days for commercial buildings and exceeding 90 days for residential structures;

(5) (5) Is a commercial building at which substantially all lawful business operations have ceased for at least 90 days.

(6) Notwithstanding anything to the contrary above, the term vacant building does not include any new building under construction with a valid building permit in which the work is proceeding on schedule with the appropriate inspection requests, and prior to the issuance of a certificate of occupancy for that building. When this Article refers to a Vacant Building with respect to filing a lien thereon, or registering the same in the Vacant Buildings Registry, or otherwise as the context requires, such reference shall include the real property upon which the Vacant Building is located.

(k) "Vacant Buildings Official" means the City Building Official designated under Article 1705 of the Codified Ordinances.

1759.03 REGISTRATION OF VACANT BUILDINGS

(a) Registry. There shall be established and maintained a Vacant Buildings Registry, in which all Vacant Buildings in the City shall be registered.

(b) All owners of realty within the City that contains a vacant building shall register each vacant building with the City's Building Official or designee within 30 days after the building meets the definition of a vacant building and on each subsequent July 1 when a vacant building is present on the owner(s)' property.

(c) Registration is required no less than annually, and at the time the vacant building is registered, the registration form must meet all requirements of this article in order to be processed. The registration form shall require information from the registrant deemed necessary by the Building Official, Fire and City Police Chief, to ensure that the purpose of this article is met. The contents of the form shall enable City officers to determine the structural integrity of the building, any repairs necessary to ensure its structural integrity, that it will be safe for entry, and that the building and its contents do not present a hazard to the public. The above-named officers, or their designees, shall have the authority to issue orders to the owner or owner's local agent for corrective action deemed necessary. The Building Official shall rely upon the West Virginia State Building Code and Fire Codes, as adopted by the City, as well as other applicable law, for guidance during any structural review. A building will remain on the vacant registry until it meets the definition of occupied.

(d) Registration statement. A registration statement in the form prescribed by the City must be filed by the owner or owner's local agent for all vacant buildings. Registration and payment of fees does not exonerate the owner, agent or responsible party from penalties for failure to comply with any building, housing, or fire code requirement. One registration statement may be filed to include all vacant buildings of an owner, but a separate fee is assessed for each vacant building. The owner(s) of the property on which a vacant building exists at the time registration is required shall be responsible, jointly and severally, for payment of the non-refundable registration fee; provided, that the City may not collect any amount exceeding the total prescribed fee.

(e) Fees. The fee shall be due upon delivery of an invoice by the City, in the following amount for each vacant building:

(1) No fee for properties that are vacant for less than one year;

(2) One hundred dollars for each year the property is vacant more than one year and has been inspected by the Building Official and determined to be in compliance with all applicable safety and property maintenance codes and to not to constitute a hazard to entrants or the surrounding area. The determination by the Building Official will consider exterior maintenance and major systems along with the vacant building and be made in their discretion and pursuant to applicable law,

will be issued to a property owner in writing stating the date or dates for which the determination is valid, and is referred to in this article as a "compliance determination."

(3) After the first year, five hundred dollars per each year for properties that are (i) vacant and (ii) do not have a valid compliance determination for a time period of at least one year but less than two years; and

(4) Four thousand dollars for properties that are (i) vacant and (ii) do not have a valid compliance determination for a time period of at least five years, plus an additional $1,000.00 for each year in excess of five years.

(5) For all vacant properties located in the business district as defined in the City of Charles Town Zoning Ordinance codified at Article 1321 of the City Code, the above fees shall be doubled.

(6)) For purposes of this section, a year shall be measured from the date that Staff determines that the property is vacant and requires registration.

(f) Local Agent. If the owner of property on which a vacant building exists does not certify on the registration form that the owner is a resident of the state and capable of accepting service of process related to the vacant building, the registration statement also shall provide the name and address of a person who resides within the state and who is authorized to accept service of process on behalf of the property owners and who shall be designated as a responsible local agent for purposes of notification in the event of an emergency affecting the public health, safety or welfare and for purposes of service of any and all notices or registration statements related to the vacant building.

(g) Change In Ownership. A change in ownership of a vacant structure shall not remove the vacant structure from the vacant properties registry or from the requirements of this article. Fees arising under this article shall continue to accrue at the applicable rate until the structure either no longer constitutes a vacant structure or qualifies for an exemption, all transfers of ownership notwithstanding. All fees arising under this article shall run with the property and failure to pay such fees may result in the city filing a lien that attaches upon the property

(h) Removal from Registry. In the event a Building in the Vacant Buildings Registry becomes lawfully occupied or is removed from the subject real property, the Owner of the Building is required to provide to the Vacant Buildings Official a written notice explaining the situation, together with evidence thereof (such as a copy of a lease of the property, photographs of demolition, etc.), and requesting removal of the Building from the Vacant Buildings Registry. Upon Staff's verification of lawful occupation or removal of the Building, the Building shall be removed from the Vacant Buildings Registry. In the event Staff is unable to verify lawful occupation or removal of the Building, the Vacant Buildings Official shall notify the Owner of the Building in writing by Certified Mail or Alternative Means that Staff has determined that it is unable to verify lawful occupation or removal of the Building and that the Building shall continue to be considered a Vacant Building and remain registered in the Vacant Buildings Registry.

1709.04 ENFORCEMENT

(a) The City may take the following actions in order to collect any registry fees and costs reimbursable to the City that are not paid in full within thirty (30) days of when due

(1) After providing the Owner the notice specified below, file in the Office of the Clerk of the County Commission of Jefferson County a lien against the Vacant Building for the full amount of the delinquent registry fees and reimbursable costs, plus filing fees. Prior to filing such lien, the Vacant Buildings Official shall notify the Owner of the Vacant Building in writing by Certified Mail or Alternative Means of Service that the City may file said lien unless all delinquent amounts are paid by a date stated in the notice, which stated date shall be no less than thirty (30) days following the date on which service of the notice is deemed made under Section 1759.02(a) or Section 1759.02(d), as the case may be.

(2) Institute a civil action in the Circuit Court of Jefferson County against the Owner for the delinquent registry fees, reimbursable costs, and reasonable attorney fees and court costs incurred relative to the civil action.

(b) A registry fee paid shall be refunded if, on timely appeal, Staff's determination requiring registration as a Vacant Building is reversed.

(c) Publication. The city may, from time to time and in its reasonable discretion, publish or disclose certain information contained in the vacant property registry, including, but not limited to:

(1) General demographic information about vacant structures registered on the vacant property registry;

(2) The address of vacant structures on the vacant property registry;

(3) The owners of each vacant structure;

(4) The amount of time any vacant structure has been on the vacant property registry; and

(5) The amount of any delinquent fees due under this article, or otherwise due city (e.g. refuse or fire fees) for any vacant structure.

1759.05 MAINTENANCE OF VACANT BUILDINGS.

(a) Required Maintenance. The Owner of a Vacant Building is required to maintain the Vacant Building in accordance with all applicable provisions of the Building Code and so as not to constitute a public nuisance prohibited by Article 1101 of the Codified Ordinances.

(b) Enforcement. In the event an Owner fails to maintain a Vacant Building as required by Section 1759.04(a) as determined by the Vacant Buildings Official, the Vacant Buildings Official may notify the Owner of the Vacant Building in writing by Certified Mail or Alternative Means of Service of such determination and the specifics of the identified failure and that the City may elect to take specified actions, which may include repairs,

maintenance, and/or demolition, at the Owner's cost to bring the Vacant Building into compliance with the Building Code and/or eliminate the public nuisance, as the case may be, if the Owner does not take and complete the specified actions within a specified number of days following the date on which service of the notice is deemed made under Section 1759.02(a) or Section 1759.02(d), as the case may be, which number of days shall be determined by the Vacant Buildings Official considering the urgency for the action in light of the potential harm to public health, safety, and welfare due to the condition of the Vacant Building. If the Owner fails to take and complete the specified actions within the number of days specified in such notice, the City may, in its discretion and notwithstanding any provision of Article 1101 or Article 1705 of the Codified Ordinances to the contrary, thereafter take such actions and the Owner shall be responsible for the costs of such actions, as well as all related legal and administrative costs incurred by the City. The City may bring a civil action against the Owner to collect all such costs.

(c) Alternative Enforcement. Nothing in this Section 1759.05 shall be considered to affect or limit the City's authority or actions to enforce any other provisions of the Codified Ordinances pertaining to a Vacant Building or its condition, including without limitation provisions of Articles 1101 and 1705.

1759.06 RIGHT OF APPEAL; WAIVERS.

(a) Appeal. A property owner may challenge any determination made as to the property owner's vacant building or vacant property pursuant to this article by filing an administrative appeal with the City Council on forms to be prescribed by the City.

The appeal must be filed within ten days of delivery of notice of the determination challenged and shall describe with particularity all objections thereto. The burden of proof shall be on the property owner to show objective proof of occupancy as defined in this article specifically that the determination was incorrect and contrary to law, in whole or in part. The City Council or its designee shall review the appeal and provide for any necessary hearing, which will be conducted in conformance with the Section 7 of the Waiver Procedures adopted pursuant to this ordinance. The Council shall render a decision on the appeal and notify the property owner within 30 days of the hearing of such decision in writing. During the pendency of the administrative appeal, any time period given to the property owner to take corrective action shall be tolled, and the City shall not take any action to enforce the determination subject of the appeal except to address an emergency condition presenting an imminent danger to the life, health, or safety of the public. The City Manager may prescribe regulations and forms as necessary to implement the provisions of this section. Any property owner whose appeal is denied, in whole or in part, may file an appeal to the Jefferson County Circuit Court within 30 days of the date the decision on the appeal is issued.

(b) Waiver of Fees. The Owner of a Vacant Building may submit in writing to the Vacant Buildings Official, for presentation to and consideration by City Council, a request for exemption from payment of fees of such Vacant Building on the Vacant Buildings Registry due to inability to occupy the Building for a determinate period of time ,stating the reasons and time period for which the building cannot be occupied. City Council shall consider the

request in accordance with the rules and regulations adopted pursuant to this Ordinance. After being granted such a waiver pursuant to the provisions of this section, a property may not seek another exemption until the passage of three (3) years.

1759.07 EXPENDITURE OF FEES.

All registry fees assessed under this Article shall, when collected, be deposited in a separate account and be used for only the following purposes, as City Council shall determine from time to time:

(a) To improve public safety efforts, especially for police and fire personnel, who most often contend with dangerous situations manifested in Vacant Buildings;

(b) To monitor and administer this Article; and

(c) To repair, close, or demolish a vacant structure as authorized by 1759.05 of this Article.

1759.08 PENALTY

(a) Any person who fails to comply with the provisions of this article, or fails to take the corrective action required by this article, shall be guilty of a misdemeanor, punishable by a fine of no more than $500.00. Each day that a violation continues shall be deemed a separate offense.

(b) Any person who interferes with or fails to allow inspection of a property subject to inspection under this article shall be guilty of a misdemeanor, punishable by a fine of no more than $500.00. Each day that a violation continues shall be deemed a separate offense.

(c) Any person who fails to comply with an order issued by an official having authority to make such order under this article shall be guilty of a misdemeanor, punishable by a fine of no more than $500.00. Each day that a violation continues shall be deemed a separate offense.

(d) Any person found guilty of a second violation of this article within any 12-month period shall be subject to a fine of no less than $250.00 nor more than $500.00 for such offense.

(e) Any person found guilty of a third violation of this article within any 12-month period shall be subject to a fine of $500.00 for such offense.

1759.09 SEVERABILITY.

If any provision of this Article is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not otherwise affect or

invalidate the other provisions hereto, all of which are hereby declared, and shall be construed, to be separate and severable. (Ord. 2024-004. Passed 5-6-24.)

1759.10 RELATION TO CODES AND OTHER LAWS

It is understood that the intent and purpose of this Article are separate and distinct from other parts and sections of the Codified Ordinances of the City of Charles Town and the general laws of the State of West Virginia which may be applicable. The provisions of this section are applicable to the owners of such vacant buildings as set forth herein and are in additional to and not in lieu of any and all other applicable provisions of this chapter, health and sanitation code, and any other applicable provisions to the City of Charles Town Municipal Code.

1759.11 TRANSITION PROVISIONS.

All registry fees, fines, penalties, liens, notices, letters, communications, orders, remedies, or other enforcement actions assessed, charged, imposed, placed, filed, issued, or otherwise instituted or taken under any prior version of this Article shall remain fully effective and enforceable notwithstanding the revision of this Article and nothing herein shall be deemed to modify, negate, limit, or otherwise affect such items.

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1440: Payment of Bills - May 4, 2026

ATTACHMENTS:

- GEN FUND COUNCIL REPORT 2026-05-04.pdf
- CAPITAL RESERVE COUNCIL REPORT 2026-05-04.pdf
- PARKS N REC COUNCIL REPORT 2026-05-04.pdf

Charles Town, WV

Expense Approval Report

By Fund

Payment Dates 5/1/2026 - 5/1/2026

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number		Amount
Fund: 001 - GENERAL FUND						
NVA	4478616	04/28/2026	May26 Employee Vision Insu...	001-225-010		140.48
						140.48
Department: 402 - ECONOMIC DEVELOPMENT						
NVA	4478616	04/28/2026	May26 ED Vision Insurance C...	001-402-105		7.97
T-MOBILE	INV0000905	04/28/2026	April26 ED Cell Service	001-402-211		33.38
					Department 402 - ECONOMIC DEVELOPMENT Total:	**41.35**
Department: 412 - CITY MANAGER'S OFFICE						
NVA	4478616	04/28/2026	May26 CMO Vision Insurance...	001-412-105		7.97
					Department 412 - CITY MANAGER'S OFFICE Total:	**7.97**
Department: 413 - TREASURER'S OFFICE						
NVA	4478616	04/28/2026	May26 TR Vision Insurance C...	001-413-105		31.88
TYLER TECHNOLOGIES, INC	ci100-00275605	04/28/2026	Tyler Subscription 5/01 to 6/...	001-413-230		5,671.67
					Department 413 - TREASURER'S OFFICE Total:	**5,703.55**
Department: 415 - CITY CLERK'S OFFICE						
NVA	4478616	04/28/2026	May26 CK Vision Insurance C...	001-415-105		7.97
					Department 415 - CITY CLERK'S OFFICE Total:	**7.97**
Department: 417 - CITY ATTORNEY						
NVA	4478616	04/28/2026	May26 CA Vision Insurance C...	001-417-105		7.97
T-MOBILE	INV0000905	04/28/2026	April26 CA Cell Service	001-417-211		19.24
					Department 417 - CITY ATTORNEY Total:	**27.21**
Department: 425 - ENFORCEMENT AGENCY						
NVA	4478616	04/28/2026	May26 CE Vision Insurance C...	001-425-105		7.97
T-MOBILE	INV0000905	04/28/2026	April26 CE Cell Service	001-425-211		19.24
					Department 425 - ENFORCEMENT AGENCY Total:	**27.21**
Department: 436 - BUILDING INSPECTION						
NVA	4478616	04/28/2026	May26 BI Vision Insurance C...	001-436-105		7.97
					Department 436 - BUILDING INSPECTION Total:	**7.97**
Department: 437 - PLANNING & ZONING						
NVA	4478616	04/28/2026	May26 PZ Vision Insurance C...	001-437-105		31.88
T-MOBILE	INV0000905	04/28/2026	April26 PZ Cell Service	001-437-211		110.54
					Department 437 - PLANNING & ZONING Total:	**142.42**
Department: 440 - CITY HALL						
NVA	4478616	04/28/2026	May26 CH Vision Insurance ...	001-440-105		7.97
T-MOBILE	INV0000905	04/28/2026	April26Mayor Cell Service	001-440-211		47.70

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
T-MOBILE	INV0000905	04/28/2026	April26 CH Cell Service	001-440-211	33.38
FIRST-CITIZENS BANK & TRU...	49013707	04/29/2026	May26 CH 2nd Floor Copier	001-440-219	506.12
FIRST-CITIZENS BANK & TRU...	49013708	04/29/2026	May26 CH 1st Floor Copier L...	001-440-219	239.68
ADT SECURITY SERVICES, INC.	INV0000934	04/29/2026	April 26 RH Alarm Service Ca...	001-440-230	5.41
FRONTIER, INC.	INV0000943	04/29/2026	April 26 CH Elevator Alarm Se...	001-440-211	71.39
FRONTIER COMMUNICATIO...	INV0000948	04/30/2026	CWH Fire Alarm #2	001-440-211	95.75
				Department 440 - CITY HALL Total:	**1,007.40**
Department: 444 - CONT/TRNSFR 2 OTHR FUNDS					
JEFFERSON COUNTY CHAMB...	10398	04/29/2026	Donation Leadership Jeffers...	001-444-568	2,000.00
One table LLC	INV0000939	04/29/2026	Revive Grant Reimbursement...	001-444-568	36,000.00
				Department 444 - CONT/TRNSFR 2 OTHR FUNDS Total:	**38,000.00**
Department: 700 - POLICE DEPARTMENT					
AUTOZONE, INC.	01114344591	04/28/2026	Car Freshner & Washing Supp...	001-700-217	47.02
MCKINNEY'S AUTO REPAIR &...	109981	04/28/2026	Car#14 Oil Service& Washer F...	001-700-217	34.99
MCKINNEY'S AUTO REPAIR &...	109981	04/28/2026	Car#14 Oil Service& Washer F...	001-700-343	121.54
NVA	4478616	04/28/2026	May26 PD Vision Insurance C...	001-700-105	111.58
DOCTOR ROBERT JONES	4826	04/28/2026	Francisco Physical	001-700-223	220.00
KENT PARSONS FORD, INC	77782	04/28/2026	Car#25 New Control Unit	001-700-217	974.00
DOUGLAS BOWMAN	9133	04/28/2026	Car#13 Body Repair	001-700-217	15,175.97
Braydon Gibbons	INV0000897	04/28/2026	Gibbons Academy Training P...	001-700-214	102.00
Braydon Gibbons	INV0000898	04/28/2026	Gibbons Academy Training P...	001-700-214	51.00
T-MOBILE	INV0000905	04/28/2026	April26 PD Cell Service	001-700-211	145.66
MARLIN LEASING CORPORAT...	41964107	04/29/2026	May26 PD Copier Lease	001-700-219	515.98
CHARLES TOWN UTILITY BO...	4212026	04/29/2026	4212026 PD Water Delivery	001-700-341	494.54
WITMER PUBLIC SAFETY GR...	878875	04/29/2026	PD Ammunition	001-700-341	1,495.00
CITY OF CHARLES TOWN PET...	INV0000935	04/29/2026	PD Petty Cash Replenishment	001-700-218	269.98
CITY OF CHARLES TOWN PET...	INV0000935	04/29/2026	PD Petty Cash Replenishment	001-700-341	34.96
FRONTIER COMMUNICATIO...	INV0000949	04/30/2026	May26 PD Fire Alarm	001-700-211	157.37
				Department 700 - POLICE DEPARTMENT Total:	**19,951.59**
Department: 750 - STREETS & HIGHWAYS					
SHENANDOAH SALES AND SE...	016661	04/28/2026	CH Sweeper New Fuel Pump...	001-750-216	2,248.30
NVA	4478616	04/28/2026	May26 MD Vision Insurance ...	001-750-105	23.91
T-MOBILE	INV0000905	04/28/2026	April26 MD Cell Service	001-750-211	110.73
				Department 750 - STREETS & HIGHWAYS Total:	**2,382.94**
				Fund 001 - GENERAL FUND Total:	**67,448.06**
				Grand Total:	**67,448.06**

Report Summary

Fund Summary

Fund		Payment Amount
001 - GENERAL FUND		67,448.06
	Grand Total:	**67,448.06**

Account Summary

Account Number	Account Name	Payment Amount
001-225-010	Dental & Vision Payable	140.48
001-402-105	ECONOMIC DEV - GROUP..	7.97
001-402-211	ECONOMIC DEV - TELEP…	33.38
001-412-105	CMO Group Insurance	7.97
001-413-105	TREAS Group Insurance	31.88
001-413-230	TREAS Contracted Servic…	5,671.67
001-415-105	CLERK Group Insurance	7.97
001-417-105	ATTORNEY INSURANCE	7.97
001-417-211	ATTORNEY TELEPHONE	19.24
001-425-105	ENFORCEMENT AG - GR…	7.97
001-425-211	ENFORCEMENT AG -	19.24
001-436-105	BI Group Insurance	7.97
001-437-105	P&Z Group Insurance	31.88
001-437-211	P&Z Telephone	110.54
001-440-105	CH Group Insurance	7.97
001-440-211	CH Telephone	248.22
001-440-219	CH Buildings & Equipme…	745.80
001-440-230	CH Contracted Services	5.41
001-444-568	COMMUNITY CONTRIBU…	38,000.00
001-700-105	PD GROUP INSURANCE	111.58
001-700-211	PD TELEPHONE	303.03
001-700-214	PD TRAVEL EXPENSE	153.00
001-700-217	PD R&M AUTO	16,231.98
001-700-218	PD POSTAGE	269.98
001-700-219	PD BLDG & EQUIPMENT …	515.98
001-700-223	PD PROFESSIONAL SERV…	220.00
001-700-341	PD DEPARTMENTAL SUP…	2,024.50
001-700-343	PD AUTO SUPPLIES (GAS…	121.54
001-750-105	STREETS GROUP INSUR…	23.91
001-750-211	STREETS TELEPHONE	110.73
001-750-216	STREETS R&M EQUIPME…	2,248.30
	Grand Total:	**67,448.06**

Project Account Summary

Project Account Key	Payment Amount
None	67,448.06
Grand Total:	**67,448.06**

Authorization Signatures

. COUNCIL MEMBER

. COUNCIL MEMBER

Charles Town, WV

Expense Approval Report

By Fund

Payment Dates 4/28/2026 - 5/1/2026

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number		Amount
Fund: 200 - CAPITAL RESERVE						
Department: 975 - GENERAL GOVERNMENT						
MICHAEL BAKER INTERNATI...	1272232	04/28/2026	11/23/25 Ordinance Update	200-975-223		4,901.64
WB MASON CO INC.	SF00376591	04/28/2026	Front Lobby 2 New Desks	200-975-459		3,205.33
TEK ADVISORS	3739	04/29/2026	Meeks & Ballou Planned Co...	200-975-459		9,378.22
MICHAEL BAKER INTERNATI...	1284199	04/30/2026	04-05 Zoning Ordinance Upd...	200-975-223		3,823.41
					Department 975 - GENERAL GOVERNMENT Total:	**21,308.60**
Department: 977 - STREETS & TRANSPORTATION						
GREENWAY ENGINEERING, I...	62184	04/28/2026	04/05 Downtown Stormwate...	200-977-461		16,047.50
TERRACON CONSULTANTS I...	TQ62190	04/28/2026	Belvedere Dr Sinkhole Remed..	200-977-458		7,600.00
GANTT'S EXCAVATING & CO...	INV0000945	04/29/2026	Feb 2026 Liberty St Drainage	200-977-461		110,757.83
GANTT'S EXCAVATING & CO...	INV0000946	04/29/2026	March 2026 Liberty St Draina...	200-977-461		216,553.65
					Department 977 - STREETS & TRANSPORTATION Total:	**350,958.98**
Department: 979 - CULTURE & RECREATION						
Millennium Pool Construction..	2294	04/30/2026	JMP Pool Cover	200-979-458		11,296.10
PALMER CONSTRUCTION C...	INV0000950	04/30/2026	3/2026 Pool Construction Gr...	200-979-458		99,043.20
PALMER CONSTRUCTION C...	INV0000951	04/30/2026	3/2026 Pool House Construct...	200-979-458		48,718.35
					Department 979 - CULTURE & RECREATION Total:	**159,057.65**
					Fund 200 - CAPITAL RESERVE Total:	**531,325.23**
					Grand Total:	**531,325.23**

Report Summary

Fund Summary

Fund	Payment Amount
200 - CAPITAL RESERVE	531,325.23
Grand Total:	**531,325.23**

Account Summary

Account Number	Account Name	Payment Amount
200-975-223	General Government Pro..	8,725.05
200-975-459	Gen Gov Capital Outlay-...	12,583.55
200-977-458	Streets CapOutlay Other ...	7,600.00
200-977-461	STREETS & TRANS. - SW ...	343,358.98
200-979-458	Culture & Rec Cap Outlay..	159,057.65
	Grand Total:	**531,325.23**

Project Account Summary

Project Account Key	Payment Amount
None	531,325.23
Grand Total:	**531,325.23**

Authorization Signatures

. COUNCIL MEMBER

. COUNCIL MEMBER

Charles Town, WV

Expense Approval Report

By Fund

Payment Dates 4/27/2026 - 5/1/2026

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Fund: 207 - PARKS & REC					
Department: 900 - PARKS & REC					
POTOMAC EDISON COMPAN...	INV0000895	04/28/2026	JMP Lights,& Pool & Bathro...	207-900-213	10.31
POTOMAC EDISON COMPAN...	INV0000895	04/28/2026	JMP Lights,& Pool & Bathro...	207-900-213	10.42
POTOMAC EDISON COMPAN...	INV0000895	04/28/2026	JMP Lights,& Pool & Bathro...	207-900-213	15.94
POTOMAC EDISON COMPAN...	INV0000895	04/28/2026	JMP Lights,& Pool & Bathro...	207-900-213	31.47
POTOMAC EDISON COMPAN...	INV0000895	04/28/2026	JMP Lights,& Pool & Bathro...	207-900-213	139.76
GRANT COUNTY MULCH INC	181830	04/29/2026	JMP Playground Mulch	207-900-215	2,707.35
				Department 900 - PARKS & REC Total:	**2,915.25**
				Fund 207 - PARKS & REC Total:	**2,915.25**
				Grand Total:	**2,915.25**

Report Summary

Fund Summary

Fund	Payment Amount
207 - PARKS & REC	2,915.25
Grand Total:	**2,915.25**

Account Summary

Account Number	Account Name	Payment Amount
207-900-213	UTILITIES	207.90
207-900-215	R & M - BUILDINGS & G...	2,707.35
	Grand Total:	**2,915.25**

Project Account Summary

Project Account Key	Payment Amount
None	2,915.25
Grand Total:	**2,915.25**

Authorization Signatures

. COUNCIL MEMBER

. COUNCIL MEMBER

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1441: Charles Town Utility Board Meeting Minutes - March 23rd, 24th and 25th, and April 1, 2026

ATTACHMENTS:

- 2026.03.23 UB MINUTES .pdf
- 2026.03.24 UB MINUTES .pdf
- 2026.03.25 UB MINUTES .pdf
- 2026.04.01 UB MINUTES .pdf

Charles Town Utility Board
Special Board Meeting
March 23, 2026

The Charles Town Utility Board held a special meeting on March 23, 2026 at 3:30 P.M. Members of the Board present were Brent Manuel, Chairman; John Maxey, Vice Chairman; Duke Pierson; Treasurer; Heidi Parker, Board Member (Zoom) and Patrick Kratovil, Board Member (Zoom). Also present were Ashley Stottlemyer, Secretary and Erin Webb, Legal Counsel (Zoom).

CALL TO ORDER
The Chairman called the meeting to order at 3:35 P.M.

NEW BUSINESS
Interviews for Utility General Manager Position – The Board anticipates going into Executive Session under the provision of WV State Code §6-9A- 4(b)(2)(A) to consider matters arising from the appointment, employment of an employee.

Action: **Motion made by Mr. Pierson, second by Mr. Maxey, the Board unanimously approved convening into Executive Session at 3:36 P.M. for interviews for the Utility General Manager Position under the provision of WV State Code §6-9A- 4(b)(2)(A) to consider matters arising from the appointment, employment of an employee.**

The Board convened back into public session at 6:22 P.M.

ADJOURNMENT
There being no further business at this time, the Board adjourned the meeting.

Action: **Motion made by Mr. Pierson, second by Mr. Maxey, the Board unanimously approved to adjourn the meeting at 6:23 P.M.**

INFORMATION ONLY
The next regular meeting is scheduled for Wednesday, March 25, 2026 at 4:00 P.M. at 661 S. George Street.

Brent Manuel
Chairman

Ashley Stottlemyer
Secretary

Charles Town Utility Board
Special Board Meeting
March 24, 2026

The Charles Town Utility Board held a special meeting on March 24, 2026 at 4:00 P.M. Members of the Board present were Brent Manuel, Chairman; John Maxey, Vice Chairman; Duke Pierson; Treasurer; Heidi Parker, Board Member and Patrick Kratovil, Board Member (Zoom). Also present were Ashley Stottlemyer, Secretary and Erin Webb, Legal Counsel (Zoom).

CALL TO ORDER

The Chairman called the meeting to order at 4:00 P.M.

NEW BUSINESS

Interviews for Utility General Manager Position – The Board anticipates going into Executive Session under the provision of WV State Code §6-9A- 4(b)(2)(A) to consider matters arising from the appointment, employment of an employee.

Action: **Motion made by Mr. Maxey, second by Mrs. Parker, the Board unanimously approved convening into Executive Session at 4:01 P.M. for interviews for the Utility General Manager Position under the provision of WV State Code §6-9A- 4(b)(2)(A) to consider matters arising from the appointment, employment of an employee.**

The Board convened back into public session at 6:20 P.M.

ADJOURNMENT

There being no further business at this time, the Board adjourned the meeting.

Action: **Motion made by Mr. Pierson, second by Mr. Maxey, the Board unanimously approved to adjourn the meeting at 6:21 P.M.**

INFORMATION ONLY

The next regular meeting is scheduled for Wednesday, March 25, 2026 at 4:00 P.M. at 661 S. George Street.

Brent Manuel
Chairman

Ashley Stottlemyer
Secretary

Charles Town Utility Board
Regular Board Meeting
March 25, 2026

The Charles Town Utility Board held a regular meeting on March 25, 2026 at 4:00 P.M. Members of the Board present were Brent Manuel, Chairman; John Maxey, Vice Chairman; Duke Pierson, Treasurer; Heidi Parker, Board Member and Patrick Kratovil, Board Member (late). Also present were April Shultz, Interim Utility Manager; Ashley Stottlemyer, Secretary; Cindy Wilson, Legal Counsel (Zoom), Erin Webb, Legal Counsel (Zoom) and Commissioner Mike Mood, County Commission Liaison.

CALL TO ORDER

The Chairman called the meeting to order at 4:00 P.M.

APPROVAL OF MINUTES

Approval of March 11, 2026 Regular Meeting Minutes

The Chairman called for changes or corrections to the March meeting minutes. Mrs. Parker suggested minor changes.

Action: **Motion made by Mr. Maxey, second by Mr. Pierson, the Board unanimously approved the March 11, 2026 regular meeting minutes as amended.**

PUBLIC COMMENT

No public comment was received.

UNFINISHED BUSINESS

Update on WV PSC Case 25-1000-LRR-WS-C - Possible Executive Session under the provision of W. VA Code §6-9a-4(b)(12) - To discuss any matter which, by express provision of federal law or state statute or rule of court is rendered confidential, or which is not considered a public record within the meaning of the freedom of information act as set forth in article one, chapter twenty-nine-b of the code.

This item was moved to the end of the meeting.

Action: **No action required by the Board.**

Utility Manager Recruitment and Selection Process - Possible Executive Session under the provision of W. VA Code §6-9A-4(b)(2)(A) to consider matters arising from the appointment, employment of an employee.

This item was moved to the end of the meeting.

Action: **No action required by the Board.**

Request for Proposals for a Preliminary Engineering Report for Summit Point Motorsports Park - Possible Executive Session under the provision of WV Code §6-9a-4(b)(9) To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision: Provided, That information relied on during the course of deliberations on matters involving commercial competition are exempt from disclosure under the open meetings requirements of this

article only until the commercial competition has been finalized and completed: Provided, however, That information not subject to release pursuant to the West Virginia freedom of information act does not become subject to disclosure as a result of executive session; (12) To discuss any matter which, by express provision of federal law or state statute or rule of court is rendered confidential, or which is not considered a public record within the meaning of the freedom of information act as set forth in article one, chapter twenty-nine-b of this code.

This item was moved to the end of the meeting.

Action: **No action required by the Board.**

Resolution 2026-01 - FY 2026 Budget Revisions

The Board left this item on the table from last meeting.

Action: **No action required by the Board.**

NEW BUSINESS

Collection System Project - Resolution No. 27 - CWSRF No. 9, Pay Application No. 12

Mrs. Shultz included the pay application for Resolution No. 27 in the amount of $640,063.35 for work completed.

Action: **Motion made by Mr. Maxey, second by Mr. Pierson, the Board unanimously approved Resolution No. 27 – CWSRF No. 9, Pay App No. 12 for $640,063.35.**

Collection System Project - Resolution No. 28 - CIF No. 20

Mrs. Shultz included the pay application for Resolution No. 28 in the amount of $31,485.72 for work completed.

Action: **Motion made by Mrs. Parker, second by Mr. Pierson, the Board unanimously approved Resolution No. 28 – CIF No. 20 for $31,485.72.**

Collection System Project - Change Order No. 04

Chris Eckenrode reviewed Change Order No. 04 which incorporated a number of items for the project totaling $43,988.74.

Action: **Motion made by Mrs. Parker, second by Mr. Maxey, the Board unanimously approved Change Order No. 04 for $43,988.74.**

Contract Renewal with Cooley Public Strategies

Mrs. Shultz provided the renewal contract with Cooley which expires March 31st. The Board requested a 30-day contract extension until the new General Manager is hired. Emily Bryan from Cooley agreed with that approach.

Action: **Motion made by Mr. Maxey, second by Mr. Pierson, for a 30-day extension of the current contract with Cooley. Motion made by Mr. Pierson, second by Mr. Maxey, the Board unanimously approved amending the original motion to propose a 90-day extension to the current contract with Cooley.**

Charles Town Wastewater Treatment Plant Centrifuge Rotating Assembly (Scroll) Quote

Mrs. Shultz provided a quote for a spare centrifuge scroll for the Charles Town wastewater treatment plant, including an installation site visit for a total of $224,000. Mr. Maxey noted the 15% inflation of the estimate that was included in the Capital Improvement Plan from last year.

Action: **Motion made by Mr. Pierson, second by Mr. Maxey, with discussions from the Board, the Board unanimously approved the centrifuge scroll quote totaling $224,000.**

Locust Hill Tank Cleaning & Repair Quotes

Mrs. Shultz included the tank cleaning and repair quotes for the Locust Hill tank to include Task 1, Option 1 plus the temporary storage tanks. She mentioned this is one of three tanks that need to be addressed. Mr. Eckenrode provided an overview on the tank cleaning. Mrs. Shultz also stressed the need to tackle water projects listed in the Capital Improvement Plan.

Action: **Motion made by Mr. Pierson, second by Mr. Maxey, the Board unanimously approved the tank cleaning and repair quotes for the Locust Hill tank totaling $183,529.**

Update on Evitts Run Line

Mr. Maxey requested Mr. Eckenrode draft a written report documenting the repair of the Evitts Run line for use relating to future investigations by WVDEP/EPA after being identified as an impaired waterway, which could lead to federal funding to remediate. He would like to see a clear cause analysis, capacity impact, corrective actions and investigate other mains of similar age at a later date. Mr. Eckenrode stated he will provide a task order at the next meeting.

Action: **Motion made by Mr. Maxey, second by Mr. Kratovil, with discussions from the Board, the Board unanimously approved requesting a report for the state of purpose on the failure of the Evitts Run main and the correction the Contractor and Engineer were able to implement.**

Cochran Properties - WV Infrastructure and Jobs Development Council Grant Sponsorship Request

Mr. James Cochran presented a proposed commercial project in Kearneysville and requested CTUB serve as the applicant sponsor to pursue IJDC and EEFG grants for the construction of a sewer forcemain extension from Northport pump station East along Rt 9 to the proposed property. The Board provided discussions.

Action: **Motion made by Mr. Maxey, second by Mr. Pierson, the Board unanimously authorized sponsorship IJDC and EEFG grant applications for the Northport-Route 9 Forcemain Extension, contingent on full grant funding, no financial obligation to CTUB, financial self-sufficiency and execution of final agreements approved by legal counsel.**

MANAGER REPORTS

Utility Manager Report

Mrs. Shultz provided her report on this month's sewer and water efforts and mentioned the great work from all staff. Mr. Eckenrode provided a brief review of the projects that GDF is currently working on, including the GAC program starting April 7th and the ammonia sensors scheduled to be installed April 1st – 2nd. He mentioned the need for a new blower at the Charles Town wastewater plant and will provide the Board with a quote at the next meeting. Mr. Eckenrode also provided the current plant site can be utilized for the expansion project and the maintenance building is ready to go out to bid. The Board provided discussions. Mrs. Shultz and Mr. Eckenrode also provided discussions on water projects, including the need for an alternate backup water source.

Action: **No action required by the Board.**

Chairman Report

The Chairman had no updates to report.

Action: **No action required by the Board.**

APPROVAL OF BILLS

March 11, 2026

Action: **Motion made by Mr. Pierson, second by Mr. Kratovil, the Board unanimously approved the payment of the bills.**

EXECUTIVE SESSION

Update on WV PSC Case 25-1000-LRR-WS-C - Possible Executive Session under the provision of W. VA Code 6-9a-4(b)(12) - To discuss any matter which, by express provision of federal law or state statute or rule of court is rendered confidential, or which is not considered a public record within the meaning of the freedom of information act as set forth in article one, chapter twenty-nine-b of the code.

Utility Manager Recruitment and Selection Process - Possible Executive Session under the provision of W. VA Code §6-9A-4(b)(2)(A) to consider matters arising from the appointment, employment of an employee.

Request for Proposals for a Preliminary Engineering Report for Summit Point Motorsports Park - Possible Executive Session under the provision of WV Code §6-9a-4(b)(9) To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision: Provided, That information relied on during the course of deliberations on matters involving commercial competition are exempt from disclosure under the open meetings requirements of this article only until the commercial competition has been finalized and completed: Provided, however, That information not subject to release pursuant to the West Virginia freedom of information act does not become subject to disclosure as a result of executive session; (12) To discuss any matter which, by express provision of federal law or state statute or rule of court is rendered confidential, or which is not considered a public record within the meaning of the freedom of information act as set forth in article one, chapter twenty-nine-b of this code.

Action: **Motion made by Mr. Pierson, second by Mrs. Parker, the Board unanimously approved convening into Executive Session at 5:17 P.M. to discuss the three items noted.**

The Board convened back into public session at 7:08 P.M.

Action: **Motion made by Mr. Maxey, second by Mr. Pierson, the Board unanimously approved directing staff to post the presented advertisement under section 5G of WV Code for a Preliminary Engineering Report to serve the Summit Point Raceway in the next edition of the Spirit of Jefferson.**

Action: **Motion made by Mr. Pierson, second by Mr. Maxey, the Board unanimously approved rescheduling the April 8th board meeting to April 15th.**

Action: **Motion made by Mr. Maxey, second by Mr. Kratovil, the Board unanimously approved directing Counsel to draft a letter to Summit Point Motorsports advising them that CTUB is available to provide service and moving forward with a Preliminary Engineering Report that is required by State law to receive funding from IJDC.**

ADJOURNMENT

There being no further business at this time, the Board adjourned the meeting.

Action: **Motion made by Mr. Pierson, second by Mrs. Parker, the Board unanimously approved to adjourn the meeting at 7:10 P.M.**

INFORMATION ONLY

The next regular meeting is scheduled for Wednesday, April 15, 2026 at 4:00 P.M. at 661 S. George Street.

Brent Manuel
Chairman

Ashley Stottlemyer
Secretary

Charles Town Utility Board
Special Board Meeting
April 1, 2026

The Charles Town Utility Board held a special meeting on April 1, 2026 at 4:00 P.M. Members of the Board present were Brent Manuel, Chairman; John Maxey, Vice Chairman; Duke Pierson; Treasurer; Heidi Parker, Board Member and Patrick Kratovil, Board Member. Also present were Ashley Stottlemyer, Secretary and Erin Webb, Legal Counsel (Zoom).

CALL TO ORDER

The Chairman called the meeting to order at 4:00 P.M.

NEW BUSINESS

Interviews for Utility General Manager Position – The Board anticipates going into Executive Session under the provision of WV State Code §6-9A- 4(b)(2)(A) to consider matters arising from the appointment, employment of an employee.

Action: **Motion made by Mrs. Parker, second by Mr. Maxey, the Board unanimously approved convening into Executive Session at 4:01 P.M. for interviews for the Utility General Manager Position under the provision of WV State Code §6-9A- 4(b)(2)(A) to consider matters arising from the appointment, employment of an employee.**

The Board convened back into public session at 5:46 P.M.

ADJOURNMENT

There being no further business at this time, the Board adjourned the meeting.

Action: **Motion made by Mrs. Parker, second by Mr. Maxey, the Board unanimously approved to adjourn the meeting at 5:46 P.M.**

INFORMATION ONLY

The next regular meeting is scheduled for Wednesday, April 15, 2026 at 4:00 P.M. at 661 S. George Street.

Brent Manuel
Chairman

Ashley Stottlemyer
Secretary

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1442: Ordinance Committee Report - April 16, 2026

ATTACHMENTS:

- City of Charles Town Ordinance Committee Report - April 16 2026.pdf

City of Charles Town Ordinance Committee Report

16 April, 2026 Meeting

Drafted by: Kevin Tester – Chairman

Call to Order 18:11

1. **Committee Members Present:** Ordinance Committee members Kevin Tester, Julie Smith, and Alden Roth, City Manager Brent Manuel and Staff Attorney Stephanie Grove. Not present, Nate Hartman

2. **Unfinished Business**

   a. 2026:1373: Art 1759 Vacant Structures

   Stephanie gave us the Final updates and changes that Ordinance made which we reviewed. The Committee, Motioned by Alden Roth, second by Julie Smith to move the final amended Ordinance forward to Council for consideration. Unanimous.

   Recommendations to City Council: To be placed on the soonest available Council agenda for 1st reading.

   b. 2026-1308: Art. 111 – Council

   General discussion on what we will be looking at for updates/changes which is to lay out how the newly created form for submitting agenda items will be used and submitted, general language clean up. We will review the entire Ordinance to make sure it is current as needed.

   Recommendations to City Council: None at this time

   Meeting Adjourned at 18:42

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1443: Charles Town Police Department March Statistical Report

ATTACHMENTS:

- March 2026 CTPD Stats.pdf

Charles Town Police Department
Monthly Stat Report

March 2026

911 Hangup	17
Abandoned Vehicle	7
Gaggressive Animal	1
Alarm	13
Animal Complaint	1
Assault	3
Breaking and Entering Vehicle	
Building Check	18
Business Engagement	13
Capias Recall by Court	13
Capias Service	15
Child Locked in Vehicle	
Community Engagement	4
Court/Bailiff Duty	2
Crossing Guard Duties	2
Destruction of Property	3
Directed Patrol	214
Disabled Vehicle	6
Disturbance	30
Dog Locked in Vehicle	
Domestic Battery	1
Drug Activity	3
DUI	4
EMS Assist	17
Fingerprinting	9
Fire Assist	4
Fireworks Complaint	
Follow Up	20
Foot Patrol	19
Found Property	3
Fraud	3
Gunshots Heard	
Harassment	
Hardcopy Check	2
Indecent Activity	1
Injured Animal	
Intoxicated Person	2
Juvenile Complaint	3

Loose Dog	
Motorist Assist	4
MVA Fluids Only	
MVA Hit and Run	1
MVA Hit and Run w/ Injury	
MVA No Injury	23
MVA Pedestrian Struck	
MVA w/ Injury	4
Open Door	2
Out of Car (Investigation/Mtg/Court)	7
Overdose	0
Overdose-Death	0
Panhandling	1
Parking Complaint	5
Public Assist (In Person Contact)	32
Public Service (Phone Contact)	90
Pursuit	
Reckless Driver	2
Road Patrol	8
Sexual Assault	
Shoplifting	4
Special Event/Detail	5
Suspicious Activity	7
Suspicious Person	7
Suspicious Vehicle	7
Theft	1
Threats	4
Traffic Hazzard	8
Transport	1
Trespassing	1
Unattended Death	1
VIN Verification	3
Wanted Person	1
Warrant Service	8
Welfare Check	25
Wildlife Complaint	1
Wires Down	
Total calls of service	**716**

Assists/Back-Ups:				
	Ranson	6	Sheriffs Dept.	22
	Harpers Ferry		State Police	3
	Shepherdstown		Other (not including CTPD)	4
			Total Assists	**35**

	Male	Female	Caucasian	African American	Hispanic	Asian	Other/ Unknown	Total
Defendants:	23	7	22	5	2	0	1	**30**
Total Charges	35	7	31	7	3	0	1	**42**
Citations:								**222**
- Moving								**104**
- Nonmoving								**101**
- Criminal								**15**
- S Ticket (Parking)								**2**
Stops	127	72	136	28	29	2	4	**199**
Warnings:								**133**
Stops	83	51	95	15	15	3	6	**134**
Total	233	130	**253**	**48**	**46**	**5**	**11**	
Incident Report								
Parking								
- Citations								**53**
-Warnings								**5**

Charles Town Police Department
Monthly Stat Report
Charges by Offense/Gender/Race

March 2026

	Male	Female	Caucasian	African American	Hispanic	Asian	Unknown
PART I OFFENSE							
Burglary (Daytime)							
Burglary (Nighttime)							
Entering without Breaking							
Grand Larceny							
Malicious Assault							
Malicious Wounding							
Attempted Murder 1st Degree							
Murder 1st Degree							
Petit Larceny							
Robbery - Attempted							
Robbery							
Robbery 2nd Degree							
Sexual Assault 1st Degree							
Shoplifting	1		1				
Shoplifting 2nd Offense							
Shoplifting 3rd Offense		1	1				
Strangulation							
TOTAL	**1**	**1**	**2**	**0**	**0**	**0**	**0**
PART II OFFENSE							
Assault	2		1	1			
Attempted Disarm of Police Officer							
Attempted Escape from Custody							
Battery	3		2	1			
Battery on Law Enforcement/EMS	1		1				
Bond Revocation							
Breaking and Entering							
Capias Served	4	5	7	1	1		
Child Abuse Resulting in Injury							
Child Neglect Creating Risk of Injury 2nd Offense							
Conspiracy							
Conspiracy to Deliver CDS	1			1			
Conspiracy to Distribute MDMA							
Criminal Invasion of Privacy							
Cultivation of Marijuana							
Deadly Weapon on School Property							
Delivery of Controlled Substance							
Destruction of Property	3		3				
Destruction of Property - Felony							
Disorderly Conduct							
Distribution of Crack Cocaine							
Disturbing the Peace							
Domestic Assault							
Domestic Battery	1		1				
Domestic Battery 2nd Offense							
Domestic Battery 3rd Offense							
Driving Revoked for DUI	1				1		
Driving Revoked for DUI 2nd	1			1			
Driving Revoked for DUI 3rd							
DUI	1	1	2				
DUI 2nd	1		1				
DUI 3rd							
DUI Aggravated	1		1				

Charles Town Police Department
Monthly Stat Report
Charges by Offense/Gender/Race

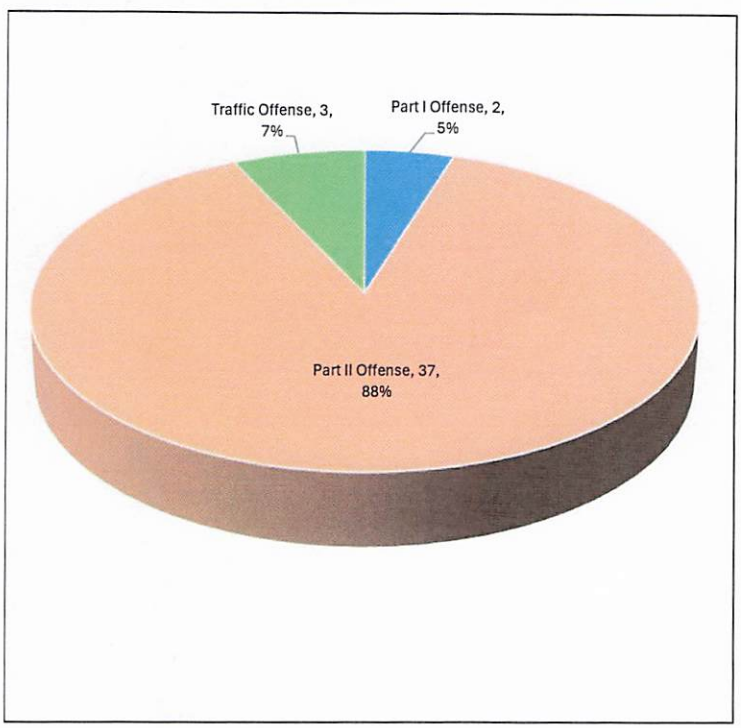
DUI Causing Bodily Injury							
DUI - Drugs							
DUI - Drugs 2nd Offense							
DUI w/ Minor							
Embezzlement							
Failure to Register for Child Abuse Registry							
False Alarm of Fire							
False Reporting of an Emergency							
Felon Concealing Firearm							
Felon in Possession of Firearm							
Fingerprint Refusal	1		1				
Fleeing in Vehicle							
Fleeing on Foot	1		1				
Fleeing with Reckless Indifference							
Fraudulent Registration							
Fraudulent MVI							
Fraudulent Use of Access Device							
Fugitive from Justice	1				1		
Interfering with Emergency Communication							
Keeping Vicious Dog							
Obscene, Harassing Telephone Calls							
Obstructing an Officer							
Obtain Money, Property, Services by False Pretense							
Open Container	1		1				
Open Container in Vehicle							
Persuading Minor to Film Sexually Explicit Conduct							
Phone Harassment							
Pimping							
Possession Deadly Weapon by Minor							
Possession of Acetaminophen Hydrocodone							
Possession of Amphetamine							
Possession of Cocaine							
Possession of Fentanyl							
Possession of Marijuana	2		1				1
Possession of Methamphetamine							
Possession of Oxycodone w/out Prescription							
Possession of Vape Product under 18							
Possession of Stolen Property							
Possession w/ Intent to Deliver CDS	1			1			
Possession w/ Intent to Deliver Cocaine							
Possession w/ Intent to Deliver Fentanyl							
Possession w/ Intent to Deliver MDMA (Molly)							
Probation Revocation							
Prohibited Person in Poss of Firearm							
Prostitution							
Prostitution 2nd Offense							
Providing Alcohol to Under 21							
Public Intoxication 2nd Offense	1		1				
Reckless Driving							
Resisting Arrest	1		1				
Sexual Abuse 1st Degree							
Terrorist Threats	1		1				
Trespassing into Structure							
Threats by Communication Device	1		1				
Willful Disruption of Government Process							
Worthless Check							
TOTAL	**31**	**6**	**27**	**6**	**3**	**0**	**1**

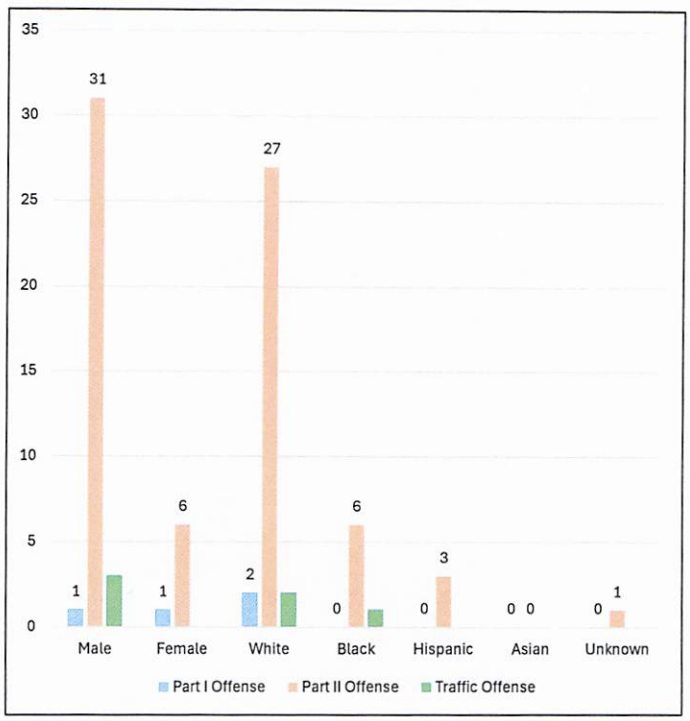
Charles Town Police Department

Monthly Stat Report

Charges by Offense/Gender/Race

TRAFFIC OFFENSE							
Cell Phone Violation							
Driving without Headlights							
Driving Suspended							
Driving Suspended 2nd Offense	1		1				
Driving Suspended 3rd Offense							
Driving Too Fast for Conditions							
Exp/No MVI							
Expired/No Operators							
Expired/No Registration	1			1			
Fail to Keep Right							
Fail to Maintain Control							
Fail to Obey Traffic Control Device	1		1				
Fail to Obtain WV Operators							
Fail to Report Accident							
Failure to Yield At Intersection							
Following to Closely							
Improper Passing on the Left							
Improper Registration							
Leaving the Scene of Accident							
Left of Center							
No Insurance/No Proof of Insurance							
No Seatbelt							
One Way Violation							
Passing on Right							
Red Light Violation							
Speeding							
Speeding 3rd Offense							
TOTAL	3	0	2	1	0	0	0
TOTAL CHARGES	**35**	**7**	**31**	**7**	**3**	**0**	**1**





Charles Town Police Department

SRO Monthly Report

Washington High School / Charles Town Middle School / 2025/2026 / March 2026

INVOLVEMENTS:					
Alcohol Related	0	Fire/Shelter Drills	0	SRO Use of Force	0
Battery on School Employee	0	Found Property	0	Suspensions	0
Citizen Assist	0	Incident Reports	1	Threats	1
Directed Patrols	0	Juvenile Petitions	1	Tobacco Related	3
Disturbance	2	Marijuana Possession	0	Trespassing	0
Evacuations	0	Parental Contacts	0	Vandalism/Theft	0
Extra Curricular Activities	3	Parking Complaints	0	Vehicle Accident	0
Fights	1	Reckless Driver	0	Welfare Check	1
Fire Department Assist	0	Social Media Related	0	***Total Involvements***	***13***

Officer Notes/Misc. Information:

YOUTH SERVICES:	
Total Classes Taught:	
Students in Class:	
Topics Taught:	
One on One Contacts:	
Total Students Served:	

Charles Town Police Department

Community Policing Monthly Report

Downtown Charles Town / Residential Developments / Parks

March 2026

INVOLVEMENTS:	NUMBER
Building Check	1
Directed Patrol	8
Downtown Foot Patrol*	6
Special Event/Detail (see specifics in Notes section)	1
Community Contact (talking with residents and visitors)	3
Business Contact (talking with business owners and employees)	13
Park patrol (Jefferson Memorial/Evitts Run/Skate Park, Willingham Knolls/Happy Retreat)	15
TOTAL INVOLVEMENTS	**47**

Officer Notes/Misc. Information:

Assisted in video production to promote spring Art Heist at Miss Willa's Bookshop.

*NOTE: Foot patrols always include multiple business contacts.

Charles Town Police Department

Police Social Worker Monthly Report

March 2026

INVOLVEMENTS:	NUMBER
Alcohol Related	0
Drug Related	0
Mental Health Related	0
Domestic Violence Related	3
Trainings attended	1
Meetings attended	10
Outreach completed	0
Events attended	1
Homeless Related	2
TOTAL INVOLVEMENTS	**17**

Police Social Worker Notes/Misc. Information:
Drug-free coalition meeting
Tri-State WE CARE meeting
Trainings Attended:
Hosted/trained an 8 hr CIT training
Community Connections Made:
WV Navigator Miss Eastern Panhandle
Community Against Violence

Charles Town Police Department

Total Traffic Citation Report, by Violation

Violation	Description	Total
17A-3-16	Expired Registration	53
17A-3-1a(a)	New Residence Reg-30 Days	1
17A-9-2	No Or Expired Registration	15
17B-2-1	No Operators	4
17B-2-12	Expired Operators	1
17B-4-3(a)	Driving Suspended/2nd/3rd	1
17B-4-3(b)	Driving Revoked For DUI/2nd/3rd	2
17B-4-3a	Driving Suspended or Revoked	4
17C-12-5	Stop Sign Violation	5
17C-14-15	Use Handheld Communication Device	2
17C-15-1	Unsafe-Improperly Equipped Vehicle	1
17C-15-49	Seatbelts Required	3
17C-16-9	No Or Expired MVI	27
17C-3-4	Fail To Obey Traffic Control Device	5
17C-3-5	Fail To Obey Traffic Light	10
17C-5-2(e)	Basic DUI <.15	2
17C-5-2(f)	Aggravated DUI >.15	1
17C-5D-3	Open container in vehicle	1
17C-6-1a	Failure To Maintain Control	3
17C-6-1b	Speeding	61
17C-7-3	Improper Passing/Audible Signal	1
17C-9-1	Fail Yield At Intersection	2
17D-2A-3	No Insurance	1
17D-2A-4	No Proof Of Insurance	4
CTPD171.07	Failure To Appear For Trial (CAPIAS)	9
CTPD333.03	Hazardous Driving	1
CTPD361.04(b)	Parking Time Limit (Non Business Dist)	1
CTPD361.08	Parking For Prohibited Purposes	1
CTPD531.03	Possession Of Marijuana <15gms	1
Report Totals		**223**

Report Includes:
All dates of issue between `00:00:00 03/01/26` and `23:59:59 03/31/26`, All agencies matching `CTPD`, All issuing officers, All areas, All courts, All offense codes, All dispositions, All citation/warning types

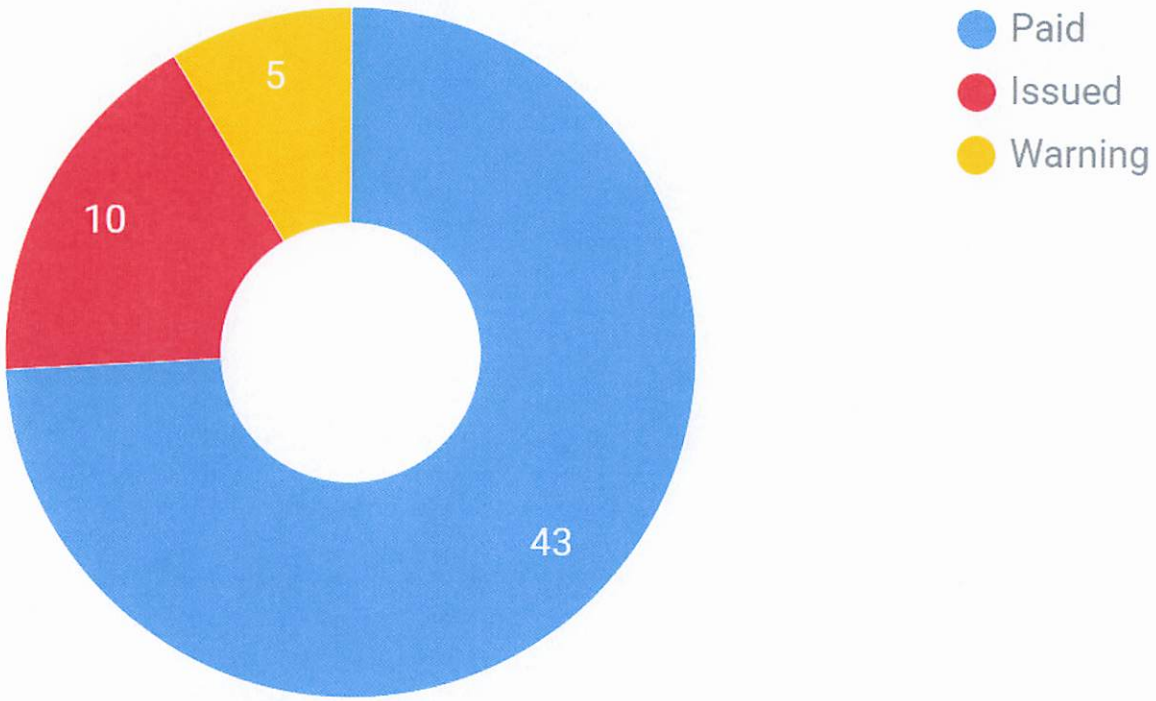
Charles Town Police Department

Total Traffic Warning Report, by Violation

Violation	Description	Total
17A-10-3a	Improper Use Of Antique Registration	1
17A-3-15	Improper Display Of Registration	6
17A-3-16	Expired Registration	16
17C-12-5	Stop Sign Violation	8
17C-12-6	Fail To Stop Exiting Private Drive	1
17C-14-15	Use Handheld Communication Device	3
17C-14-9a	Approaching Emergency Vehicle	1
17C-15-1	Unsafe-Improperly Equipped Vehicle	12
17C-15-18	Signal Lamps And Devices	1
17C-15-4	Head Lamp Requirements	1
17C-15-5	Tail Lamp Requirements	1
17C-16-9	No Or Expired MVI	2
17C-3-4	Fail To Obey Traffic Control Device	8
17C-3-5	Fail To Obey Traffic Light	10
17C-6-1a	Failure To Maintain Control	1
17C-6-1b	Speeding	45
17C-6-3a	Impeding Traffic	2
17C-7-1	Fail to Keep Right	1
17C-7-10	Following Too Closely	1
17C-7-3	Improper Passing/Audible Signal	1
17C-7-4	Passing On Right-Off Road	2
17C-8-8	Improper Stopping/Turning/Signaling	1
17C-9-1	Fail Yield At Intersection	1
17C-9-3	Fail To Yield-Thru Highway	4
CTPD333.03	Hazardous Driving	2
CTPD349.15	Shortcutting Traffic Control Device	1
	Report Totals:	**133**

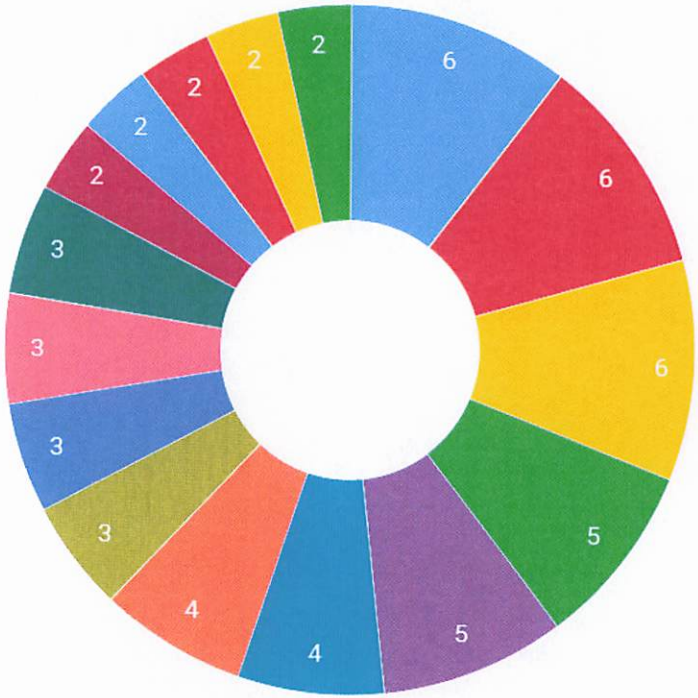
Report Includes:
All dates between `00:00:00 03/01/26` and `23:59:59 03/31/26`, All agencies matching `CTPD`, All issuing officers, All areas, All violations

City of Charles Town - Tickets By Status (Mar. 2026)



Data as of 4/21/2026, 12:00:00 AM

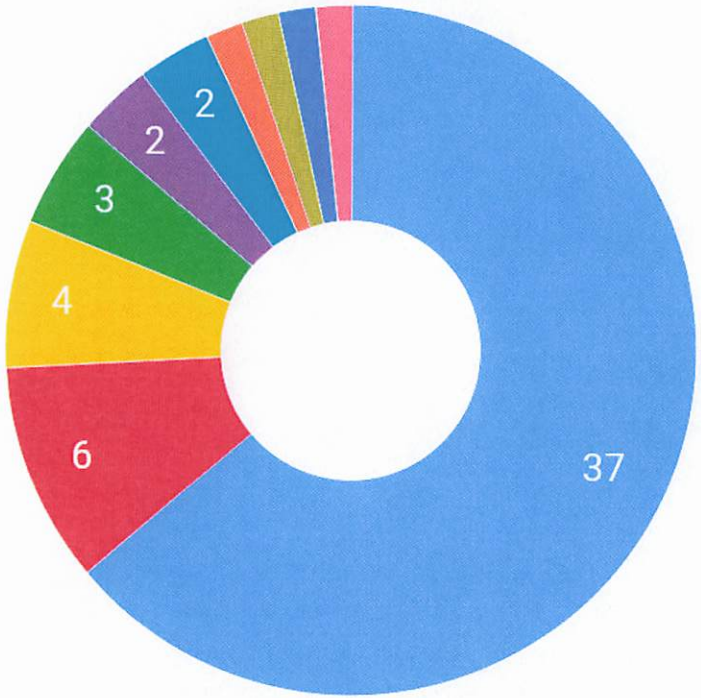
City of Charles Town - Tickets By Location (Mar. 2026)



- CHARLES STREET PARKING LOT
- 100 BLOCK SOUTH LAWRENCE STREET
- 200 BLOCK WEST LIBERTY STREET
- 200 BLOCK NORTH GEORGE STREET
- 100 BLOCK WEST CONGRESS STREET
- 100 BLOCK EAST CONGRESS STREET
- LIBERTY STREET PARKING LOT
- 100 BLOCK NORTH CHARLES STREET
- 100 BLOCK WEST WASHINGTON STREET
- 100 BLOCK NORTH LAWRENCE STREET
- 100 BLOCK NORTH SAMUEL STREET
- 200 BLOCK WEST CONGRESS STREET
- 300 BLOCK WEST WASHINGTON STREET
- 200 BLOCK WEST WASHINGTON STREET
- 100 BLOCK SOUTH CHARLES STREET
- 100 BLOCK WEST LIBERTY STREET

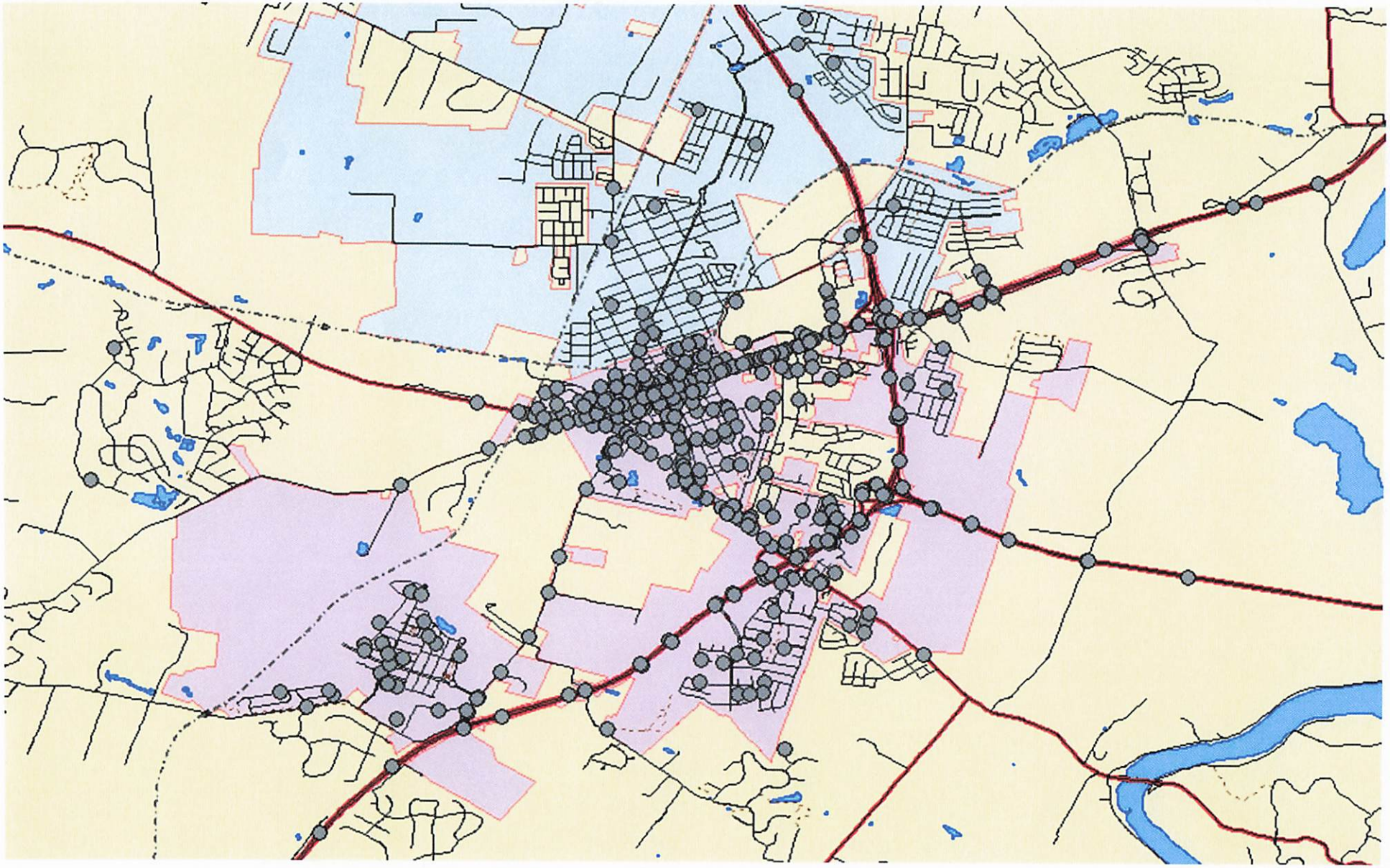
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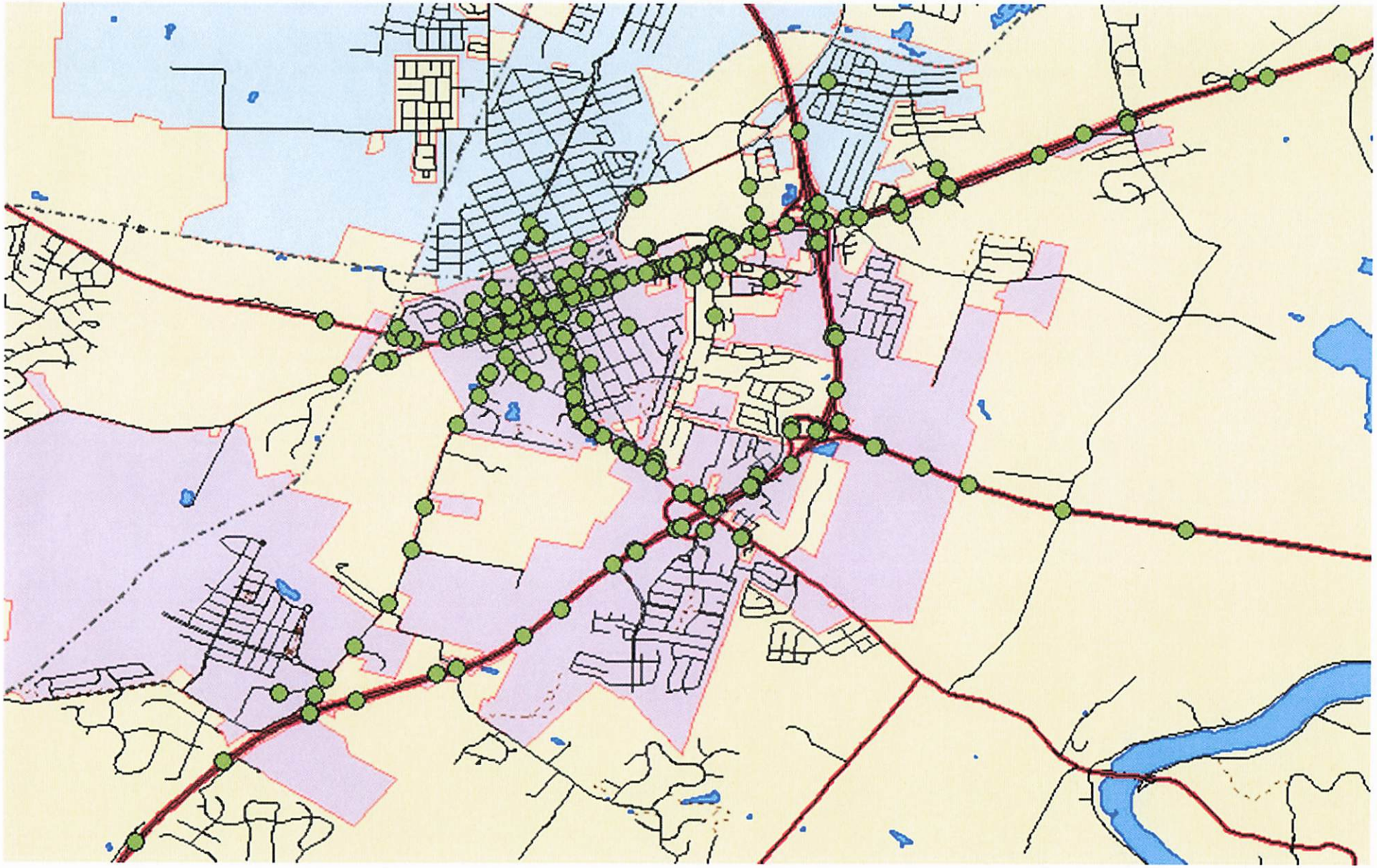
City of Charles Town - Tickets By Violation (Mar. 2026)



- Expired Meter
- Exceed 2 Hour Free Parking
- Permit Parking Only/Pay by App Violation (Liberty Street Lot)
- Right wheel more than 18" from ri...
- Parking Permit Violation
- Yellow/Red Painted Curbs or Stree...
- Ten Minute Take Away Parking
- Parking between sidewalk and curb
- Accessible Parking Violation
- Left wheel more than 18" from left...

Data as of 4/21/2026, 12:00:00 AM





City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1447: HEPMPO Public Comment Letter on Their Long-Range Plan

ATTACHMENTS:

- HEPMPO Public Comment Long Range Plan.pdf

City of Charles Town

101 East Washington Street, P.O. Box 14, Charles Town, WV 25414
Phone: (304) 725-2311 ♦ Web: www.charlestownwv.us

MAYOR
Micheal George

CITY COUNCIL
James Kratovil
Elizabeth Ricketts
Jeff Hynes
Kevin Tester
Nate Hartman
Alden Roth
Julie Smith
Andie Sugrue

CITY MANAGER
Brent Manuel

HEPMPO office
33 W. Washington Street – Suite 402
Hagerstown, MD 21740

April 28, 2026

City of Charles Town
101 E. Washington St.
Charles Town, WV 25414

RE: Public Comment from The City of Charles Town regarding updates to the Long Range Transportation Plan (LRTP) *Direction 2055*

Dear Mr. Matt Mullenax and HEPMPO Staff,

The Charles Town City Council on April 21, 2026 authorized Mayor Mike George and Councilmember Elizabeth Ricketts to work with City staff to prepare this document of comments on behalf of the City regarding the update to the *Direction 2055* LRTP plan. Thank you for pursuing public comment, holding public meetings, and providing an interactive survey in order to solicit a variety of feedback. Our hope is that the public and other municipalities took this opportunity to provide valuable insight into the lived experience of the people of Jefferson County and the region.

It is our understanding that the LRTP *Direction 2055* update…

- Identifies critical needs and challenges
- Establishes a framework for decision-making for future transportation investments
- Defines a prioritized project list based on anticipated financial constraints
- Incorporates a proactive public participation process
- Evaluates multimodal connectivity across the region

Identifies Critical needs and challenges

The City of Charles Town is currently operating under its *Historically Hip Charles Town 2040 Comprehensive Plan* published in 2018. The foundation of the Comprehensive Plan is promoting a strategic Downtown First focus for all areas of economic and community development over the next 25-year horizon, recognizing the historical importance of the Downtown district. At the time of the drafting of the plan, the City of Charles Town was home to approximately 5,723 residents. Since the drafting of the plan, population hit 6,534

at the 2020 census, and was estimated to be 8,869 in 2024, with more residents entering the city daily.

We know that the HEPMPO staff is well aware of the City's Comprehensive Plan and its contents. However, the City is currently undergoing a city-wide zoning and SALDO re-write with *Michael Baker International* which will impact future land use and development plans. During this process, it has become apparent that the next Comprehensive Plan process should begin sooner rather than waiting for the state required ten year update. The City of Charles Town and surrounding Jefferson County have changed dramatically in the years since the Comprehensive Plan was drafted and implemented.

Critical needs and challenges include…

- New connector roadways needed from Rt 51 to Augustine Ave to Rt 340
    - Shown in the Comprehensive Plan Future Roadway Network Improvements is a new roadway which would connect Route 51, Summit Point Road, Augustine Avenue, and Route 340 as a bypass to the west of the downtown of Charles Town. While developments in the county may have made a direct connection more difficult, the City maintains that a new connector road is essential as the City and County grow. There is a limited capacity for additional traffic in the downtown area and there is a particular need to alleviate commercial vehicle congestion in the downtown core as excessive freight traffic diminishes the walkability and commercial viability of our historic and economic hub.
    - The Rt 340 intersection with Augustine Avenue continues to be a dangerous intersection with frequent accidents. Further study and reconfiguration of this intersection is necessary for public safety.
    - Old Cave Road and Rt 340 need to be studied and improved for safety especially as traffic impact increases from surrounding development.
    - Additional development in the area includes the continued build-outs of *Huntfield* and *Washington Landing* (apartments) and the final planning phase for *Augustine Manor*, with a planned 289 Single-Family detached homes, 306 Townhomes, and 18 acres of commercial space
- Adam Link Bridge safety and pedestrian improvements
    - The section of Rt 51 where it intercepts Rt 340 and the Rt 9 interchange continues to be an extremely active and dangerous area of concern. Accidents include those between vehicles but also between vehicles and pedestrians. As development continues on all sides of the interchange, we fear that the load of additional vehicles and pedestrians will lead to more accidents and fatalities unless this interchange and pedestrian facilities are studied and improvements implemented as soon as possible. A study of this interchange was previously programmed but then cancelled by WVDOH and The City would like that decision to be reconsidered and for a study to move forward.
    - The Route 340 entrance to *Stone Spring* needs an extended and safer merge area for those entering the highway from the neighborhood.
    - Additional development in this area includes *Stone Spring* off of Rte 340 currently under construction and planned for 77 townhomes, 248 single-family detached homes, and 5.8 acres of commercial sites. There is also development technically in Ranson city-limits which will feed onto Rt 340 at Jefferson Terrace Road. In the early planning process is *Langlet Property South* with plans for 91 townhomes, 225 single-family detached homes, and 10 acres of commercial space.
- Route 115 new developments create need for complete streets

    - As both the County and City of Charles Town approve new developments to the south east, there is an increasing need for Complete Streets along Route 115/Old Charles Town Road. A roundabout at Hillside Drive has long been planned and the City hopes to see that moving forward imminently. However, the City insists that pedestrian accommodations be part of the design and we continue to be disappointed that this was not the case with the roundabout installed at Rt 115 and Citizens Way. With a mix of future land use for both residential and commercial purposes, walkability and pedestrian safety will be vital components to development in this area.
    - Additional development in the area includes *Avalon* with 102 single-family detached lots, 85 townhome lots, and 9 acres of commercial.
- Washington Street is a State Highway and our Mainstreet
    - In June 2025, HEPMPO published a *Safety Corridor Assessment* of Washington Street through Charles Town after this corridor was identified as a top safety concern in the region's *Safety Action Plan.* While the City is committed to its part in implementing safety improvements, the majority of upgrades and improvements cited in the plan fall to the state DOT and Division 5 of DOH to initiate. The City stands ready to work with these entities to ensure safety is a priority in the heart of our downtown.
- New roadway connections between existing neighborhood developments and regional arterials to expand the grid network
    - The Comprehensive Plan shows several areas where new roadway connectors are needed. While the location and extent of some of these may be altered by developments that have occurred in the interim, a focus on expanding the grid network of the City within the Urban Growth Boundary remains vital to managing current and future traffic patterns with a focus on connectivity.

Establishes a framework for decision-making

When it comes to establishing a framework for decision making for future transportation investments, the City of Charles Town stands as a willing and ready partner enthusiastic to collaborate at the Federal, State, and regional level. The City is currently advertising for a Long Range Planner staff position with the goal of better preparing the City for the current and future growth and the demands that will be placed on infrastructure planning. Once we fill this position, our expectation would be that this person becomes well versed in the work and plans of the HEPMPO.

Defines a prioritized project list based on anticipated financial constraints

The City of Charles Town has a proven track record for securing and successfully managing state and federal grant funding to implement a variety of projects including roadway and streetscape improvements. We stand ready to prioritize Charles Town in discussions around infrastructure improvements and are committed to working through and overcoming financial constraints in order to achieve the best quality of life for our residents and visitors.

Incorporates a proactive public participation process

As we all learned from projects such as the proposed changes to Route 51 at the Y-intersection, early and often engagement with the public, especially those most directly impacted by construction and traffic

changes is vital. The City of Charles Town is committed to working with the current Jefferson County Municipal representative to the HEPMPO Interstate Council, HEPMPO staff, and all partners to ensure that public participation is a proactive process. The City is more than happy to help facilitate future public meetings and can provide meeting space as needed.

Evaluates multimodal connectivity across the region

Charles Town is dedicated to evaluating multimodal connectivity across the region. The City has become a shining example of successfully working across Federal, State, and local levels to increase access to multimodal transportation. As our region grows, access to quality trails, sidewalks, and bicycling infrastructure will be the delineating factor for which areas become quality communities and which become engulfed in undesirable urban sprawl. The City of Charles Town was proud to initiate working with our partners at the MPO and the City of Ranson to apply for the BUILD grant in order to extend the Route 9 trail/bike path into the urban cores of our two cities and we stand committed to pursuing this project. Wherever feasible, pedestrian and bicycling features should be incorporated into the design for roadway updates and new builds to ensure these amenities are implemented upfront rather than requiring expensive retrofitting in the future.

The City of Charles Town is a proud partner of the Eastern Panhandle Transit Authority (EPTA) and supports expansion of public transit offerings. Particularly of interest to Charles Town is supporting EPTA service on weekends and expansion of circulator routes throughout the City and nearby Ranson.

Thank you again for the opportunity to engage with the HEPMPO during the update of the LRTP *Direction 2055*. If you have any follow up questions, please do not hesitate to contact us.

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/04/26
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2026-1448: 2026 Arbor Day Proclamation

ATTACHMENTS:

- 2026 Arbor Day Proclamation - signed.pdf

OFFICE OF THE MAYOR
MICHEAL GEORGE

The Golden Rule City

City of Charles Town Arbor Day Proclamation

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day 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 reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide 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 city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, the National Arbor Day Foundation, in cooperation with the National Association of State Foresters and the USDA Forest Service, has named the City of Charles Town as a **Tree City USA** for the 14th cumulative year; and

NOW, THEREFORE, I Micheal George, Mayor of the City of Charles Town, WV, do hereby proclaim April 24, 2026, as ARBOR DAY in the City of Charles Town, and urge all citizens to celebrate Arbor Day and support efforts to protect our trees and woodlands; and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the wellbeing of this and future generations.

Adopted this 24th day of April 2026.

Micheal George, Mayor
City of Charles Town