

**ORDINANCE NO. - ORD 2023-01**

**AN ORDINANCE ESTABLISHING A BUDGET FOR THE CITY OF LEXINGTON, VIRGINIA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023, APPROPRIATING FUNDS FOR PUBLIC PURPOSES FOR SUCH FISCAL YEAR; ESTABLISHING A TAX RATE ON TAXABLE PERSONAL PROPERTY, REAL ESTATE, AND PROPERTY OF PUBLIC SERVICE CORPORATIONS; AND CONTINUING IN EFFECT ALL ORDINANCES OF THE CITY OF LEXINGTON, VIRGINIA, RELATING TO TAXES, LICENSES, FEES, SERVICE CHARGES, COSTS AND OTHER CHARGES AND ALL ORDINANCES RELATING TO THE TIME OF PAYMENT THEREOF AND COLLECTION THEREOF, EXCEPT AS HEREIN SPECIFICALLY MODIFIED**

**BE IT ORDAINED** by the Council of the City of Lexington, Virginia, as follows:

**SECTION 1.** The following budget annexed and incorporated by reference, totaling \$48,517,292 for the City of Lexington, Virginia for the fiscal year beginning July 1, 2022 and ending June 30, 2023 is hereby proposed, approved and adopted:

**(SEE ATTACHED BUDGET, incorporated by reference)**

**SECTION 2.** Public revenues of the City of Lexington, Virginia are hereby appropriated for public purposes for the fiscal year beginning July 1, 2022, and ending June 30, 2023, as set forth in the appropriate Section of such budget.

**SECTION 3.** The tax rate for all real estate, including real estate owned by public service corporations, subject to tax for the fiscal year beginning July 1, 2022, shall be and is fixed at \$0.92 per \$100.00 of assessed value of such property per year, with assessed values being established through reassessments pursuant to Section 58.1-3253 of the Code of Virginia, as amended.

**SECTION 4.** Personal property tax rates shall be \$4.25 per \$100 valuation from July 1, 2022 through June 30, 2023. Tax relief shall be provided in accordance with Section 366-3D of the City Code. The Personal Property Tax Relief Act (PPTRA) shall be calculated at 60% of the first \$20,000 in value of each such qualifying vehicle in order to use all available state PPTRA relief for January 1, 2022 through December 31, 2022.

**SECTION 5.** Fees, licenses, and service charges are established in accordance with the Schedule of Fees and Charges in the attached schedule and are incorporated by reference.

**SECTION 6.** The bank stock tax shall be the maximum allowed by law.

**SECTION 7.** The annual salary for each member of the Council of the City of Lexington, Virginia, is hereby established as follows and shall remain in effect until formal action is taken to amend this ordinance:


Mayor	\$ 4,800
Vice-Mayor	\$ 3,600
Council Member	\$ 3,600

**SECTION 8.**

- 8.1 The City Manager is hereby authorized to transfer funds from one line item to another line item within each Fund of such budget, with the exception of the general contingency account.
- 8.2 Authorization is hereby given to the City Manager to withhold or postpone the expenditure of any funds appropriated by and in this ordinance when it appears to the City Manager that it would be in the best interests of the City for such expenditure to be withheld; but, this provision shall not in any way limit or restrict the right of the Council of the City of Lexington, Virginia, in its sole discretion to the fullest extent permitted by law, to direct immediate disbursement of any appropriated funds when the Council of the City of Lexington, Virginia, is of the opinion that the funds should be expended regardless of the position or action or inaction of the City Manager.

**SECTION 9.** Any ordinance in conflict with this ordinance is hereby repealed to the extent and only to the extent that such conflict exists. However, all ordinances not in conflict with this ordinance shall continue in effect, including specifically all ordinances of the City of Lexington, Virginia, relating to taxes, licenses, fees, service charges, costs and payment and collection thereof continuing in effect except as herein specifically modified.

**SECTION 10.** If any part of this ordinance is found to be invalid by competent authority, the remaining portions of this ordinance shall continue in effect to the fullest extent permitted by law.

  
\_\_\_\_\_  
Frank W. Friedman, Mayor  
March 2, 2023  
\_\_\_\_\_  
Date Adopted

ATTEST:

  
\_\_\_\_\_  
Jani L. Hostetter, Clerk of Council

**City of Lexington, Virginia  
Budget for Fiscal Year Ending June 30, 2023**

**General Fund**

**Anticipated Revenue**

	<u><b>Budget</b></u>	<u><b>Change</b></u>	<u><b>Amended Budget</b></u>
General Property Taxes	\$7,702,943	\$0	\$7,702,943
Other Local Taxes	4,811,860	0	4,811,860
Permits and Licenses	80,000	0	80,000
Fines and Forfeitures	51,800	0	51,800
Revenues from the Use of Money and Property	329,440	0	329,440
Charges for Service	669,900	0	669,900
Miscellaneous	2,850,790	0	2,850,790
Recovered Costs	891,449	0	891,449
State Non-Categorical Aid	1,229,279	0	1,229,279
State Categorical Aid	1,317,350	55,496	1,372,846
Federal Categorical Aid	1,000	0	1,000
Transfer in From Utility Fund	0	0	0
Appropriated Fund Balance	1,557,022	0	1,557,022
<b>Total General Fund Revenue</b>	<b>\$21,492,833</b>	<b>\$55,496</b>	<b>\$21,548,329</b>

**Appropriations**

	<u><b>Budget</b></u>	<u><b>Change</b></u>	<u><b>Amended Budget</b></u>
General Government Administration	\$1,911,051	\$9,004	\$1,920,055
Judicial Administration	467,972	0	467,972
Public Safety	5,210,068	0	5,210,068
Public Works	4,395,752	0	4,395,752
Health, Education & Welfare	964,402	0	964,402
Leisure Services	526,835	0	526,835
Community Development	774,367	55,496	829,863
Non-departmental	2,124,725	0	2,124,725
Transfer to School Fund	3,461,583	0	3,461,583
Transfer to Utility Fund	300,000	0	300,000
Transfer to Cemetery Fund	20,000	0	20,000
Transfer to Capital Fund	747,500	250,000	997,500
Transfer to Equipment Replacement Fund	567,800	0	567,800
Transfer to Fund Balance	0	0	0
<b>Total General Fund Appropriations</b>	<b>\$21,472,055</b>	<b>\$314,500</b>	<b>\$21,786,555</b>

**School Fund**

**Anticipated Revenue**

	<b><u>Budget</u></b>	<b><u>Change</u></b>	<b><u>Amended Budget</u></b>
Commonwealth of Virginia	\$5,552,724	\$0	\$5,552,724
Transfer from General Fund	3,461,583	0	3,461,583
Federal Government	433,502	0	433,502
Charges for Services	192,500	0	192,500
General Revenues	2,350	0	2,350
<b>Total School Fund Revenue</b>	<b>\$9,642,659</b>	<b>\$0</b>	<b>\$9,642,659</b>

**Appropriations**

	<b><u>Budget</u></b>	<b><u>Change</u></b>	<b><u>Amended Budget</u></b>
Instruction	\$6,097,444	\$0	\$6,097,444
Administration, Attendance & Health	623,532	0	623,532
Operations & Maintenance	798,293	86,000	884,293
Cafeteria	301,743	0	301,743
Federal Programs	239,157	0	239,157
Technology	361,619	0	361,619
Non-departmental	1,220,873	0	1,220,873
<b>Total School Fund Appropriations</b>	<b>\$9,642,660</b>	<b>\$86,000</b>	<b>\$9,728,660</b>

**Utility Fund**

**Anticipated Revenue**

	<b><u>Budget</u></b>	<b><u>Change</u></b>	<b><u>Amended Budget</u></b>
Charges for Services	\$6,912,801	\$0	\$6,912,801
Miscellaneous	23,690	0	\$23,690
Transfer from General Fund	300,000	0	\$300,000
<b>Total Utility Fund Revenue</b>	<b>\$7,236,491</b>	<b>\$0</b>	<b>\$7,236,491</b>

**Appropriations**

	<b><u>Budget</u></b>	<b><u>Change</u></b>	<b><u>Amended Budget</u></b>
Administration	\$405,558	\$0	\$405,558
Water Operations	1,648,501	0	\$1,648,501
Wastewater Operations	3,006,660	0	\$3,006,660
Capital Projects	4,898,495	0	\$4,898,495
Non-departmental	1,281,859	0	\$1,281,859
<b>Total Utility Fund Appropriations</b>	<b>\$11,241,073</b>	<b>\$0</b>	<b>\$11,241,073</b>

**Equipment Replacement Fund ("ERF")**

**Anticipated Revenue**

	<b><u>Budget</u></b>	<b><u>Change</u></b>	<b><u>Amended Budget</u></b>
Transfer from General Fund	\$567,800	\$0	\$567,800
Transfer from Utility Fund	65,000	0	\$65,000
From Rockbridge County	37,447	0	\$37,447
Sale of Salvaged Equipment	241,883	0	\$241,883
<b>Total Equipment Replacement Fund Revenue</b>	<b>\$912,130</b>	<b>\$0</b>	<b>\$912,130</b>

**Appropriations**

	<b><u>Budget</u></b>	<b><u>Change</u></b>	<b><u>Amended Budget</u></b>
Capital Outlay for Equipment	\$765,871	\$0	\$765,871
<b>Total ERF Appropriations</b>	<b>\$765,871</b>	<b>\$0</b>	<b>\$765,871</b>

**Capital Projects Fund**

**Anticipated Revenue**

	<b><u>Budget</u></b>	<b><u>Change</u></b>	<b><u>Amended Budget</u></b>
Commonwealth of Virginia	\$0	\$0	\$0
Federal	0	0	0
Transfer from School Fund	1,193,400	0	1193400
Transfer from General Fund	747,500	250,000	997,500
Appropriated Fund Balance	2,138,924	-	2,138,924
<b>Total Capital Projects Fund Revenue</b>	<b>\$4,079,824</b>	<b>\$250,000</b>	<b>\$4,329,824</b>

**Appropriations**

	<b><u>Budget</u></b>	<b><u>Change</u></b>	<b><u>Amended Budget</u></b>
Technology	\$140,000	\$0	\$140,000
Municipal Facilities	1,346,445	0	\$1,346,445
Regional Jail	42,302	0	\$42,302
Storm Water Management	326,822	0	\$326,822
Parks & Cemeteries	96,463	0	\$96,463
Streets, Parking, & Sidewalks	2,793,101	250,000	\$3,043,101
<b>Total Capital Projects Fund Appropriations</b>	<b>\$4,745,133</b>	<b>\$250,000</b>	<b>\$4,995,133</b>

**City of Lexington, Virginia**  
**Fees and Charges Fiscal Year Ending June 30, 2023**

1. Fines relating to parking on public streets and in public lots shall be as follows:

<u>Offense</u>	<u>Fine</u>
Motor Vehicle Offenses - Parked	
Overtime in a public lot or public street will be allowed under Section 394-87A	
• First offense within a 12-month period	\$ 20.00
• Second offense within a 12-month period	40.00
• Third offense within a 12-month period	80.00
• Fourth and subsequent offenses within a 12-month period (Also, vehicle will be towed on fifth offense)	120.00
• Facing wrong way	20.00
• Too far from curb	20.00
• In restricted/reserved zone (tow)	20.00
• Too close to intersection	20.00
• In same space more than five (5) days	20.00
• Blocking driveway or sidewalk (tow)	20.00
• Improperly	20.00
• Within 15' of fire hydrant (tow)	25.00
• So as to obstruct traffic (tow)	25.00
• Without decal in handicap space (tow)	100.00
• Abandoned vehicle	25.00
• Expired inspection	20.00
• Expired or no State license	20.00
• Additional fine for late payment	
After 7 days	10.00
After 30 days (and summons to court)	10.00
Boot Removal Fee	50.00
Failure to wear protective helmet at Skateboard Park while using facility	50.00

2. The following charges shall be established:

<u>Service</u>	<u>Fee</u>
Accident Reports	\$ 10.00
Dangerous Dog License Fee	150.00
Dog License Fee (unsexed, male, & female)(additional \$10 late fee)	10.00
Finger Print Service	10.00
Banner installation (each)	178.00
Commercial refuse fees (per month)	
Class I	28.00
Class II	43.00
Class III	60.00
Class IV	86.00
Class V	70.00
Class VI	no longer in use
Class VII	104.00
Class VIII	206.00
Class IX	310.00
Class X	410.00
Class XI	513.00
Non-resident refuse (per month)	38.00
Right of Way Occupancy/Street Excavation Permit	71.00
Snow plowing minimum (or actual cost)	82.00
All other Public Works services	Actual Cost + 20%
Youth Program	
City Resident	
First Child	198.00
Each additional sibling	180.00
Non-City Resident	
First Child	250.00
Each additional sibling	235.00
Youth After School Program	
Annual Fee - City Child	79.00
Monthly Fee (for each county child, with exception for county tuition students that are in the City schools)	50.00
Early Drop Off or Late Pick Up	23.00/child
Early Drop Off and Late Pick Up	40.00/child

3. The following charges shall apply to services rendered by the Department of Planning and Development:

<u>Planning &amp; Zoning Services</u>		<u>Fee</u>
Planned Unit Development		\$450 + \$25/acre
Site Plan Review		\$350 + \$25/acre
Site Plan Resubmittal		
1st Resubmittal		\$0
Thereafter		200.00
Conditional Use Permit		450.00
Rezoning		\$350 + \$25/acre
Mater Plans & Master Plan Amendments		\$300 + \$25/acre
Zoning Ordinance Amendment		400.00
Comprehensive Plan Amendment		400.00
Variance/Zoning Administrator Appeal		350.00
Zoning Permit		75.00
Subdivision - Preliminary Plat		\$500 + \$50 per lot
Subdivision - Final Plat		No additional fee
Boundary Line Adjustment/Vacation		125.00
Sign Permit		60.00
Sign Permit for Sign Already Installed		120.00
Certificate of Appropriateness (non-sign)		120.00
Certificate of Appropriateness (non-sign) for Improvements Already Made/Installed		240.00
Amendment to Approved Plan/Application		Original Review Fee minus any lot/acreage amounts
Abandonment of Right of Way		500.00
Document Recordation		50.00
Food Truck Inspection Fee		75.00
Short Term Residential Rental Registration Fee		50.00
Short Term Residential Rental Registration Late Fee (After January 31st)		50.00
Historic District Certificate of Appropriateness Appeal Fee		125.00
Chicken Application Fee		35.00
 <u>Civil Penalty for Violation</u>		
Initial summons for any one (1) violation	\$	200.00
Each additional summons		500.00
Summons for any violation of the short term rental regulations		500.00



<u>Building Permit Fees</u>	<u>Fee</u>
Permit/Review Type	
Building, Electrical, Mechanical, Plumbing, and Demolition Permits	\$60 minimum + zoning permit
Residential	0.50% of construction costs
Commercial	0.80% of construction costs
Other Construction Permits	
Moving Building	75.00
Land Disturbing Permit Plan Review Fee	\$150 + costs of outside plan reviewer/consultant
Land Disturbing Permits	
Residential	0.50% of construction costs
Commercial	0.80% of construction costs
Minimum Fee	60.00
Re-inspection Fee	25.00
Work without a Permit fine	Double permit fee up to \$250
Building Code Appeals Fee	200.00

4. The following charges will be charged for cemetery services:

<u>Service</u>	<u>Normal Work Hours</u>	<u>Outside Normal Work Hours</u>
Opening & Closing	1,000.00	1,385.00
Cremation Burial	660.00	825.00
Infant Burial	245.00	325.00
Installation		
Markers	80.00	95.00
Corner Post	45.00	55.00
Flower Base	80.00	95.00
Foundation	Actual Cost + 20%	Actual Cost + 20%
Tents and Chairs	260.00	300.00

<u>Lot Sales</u>	<u>City Resident</u>	<u>Non-Resident</u>
Either Cemetery:		
Single Space	1,500.00	3,200.00

5. The Utility Consumers' Tax shall be in accordance with ordinance 2000-10 as follows:

**Residential Consumers:**

Electric Utility	\$1.40 plus the rate of \$0.01509 on each kWh delivered to consumer not to exceed \$3.00 per month
Gas Utility Delivered	\$2.45 plus the rate of \$0.183 on each CCF delivered monthly to consumer not to exceed \$3.00 per month

**Non-Residential Consumers:**

Electric Utility	\$1.15 plus the rate of \$0.006739 on each kWh delivered to consumer not to exceed \$100.00 per month
Gas Utility Delivered	\$2.45 plus the rate of \$0.05 on each CCF delivered monthly to consumer not to exceed \$100.00 per month

6. The rescue service billing rates for the transport of patients to the hospital shall be as follows:

Basic Life Support	\$	588.00
Advanced Life Support I		771.75
Advanced Life Support II		1,013.25
Mileage		\$20/load mile

7. Utility rates for water and sewer based on cubic feet of water metered shall be charged as allowed under Section 403-27 and 403-42 of City Code as follows:

**CITY OF LEXINGTON VA**  
**UTILITY RATES, FEES, & CHARGES**

Effective: 07/01/22 through 06/30/23

City Code Sections 403-27 and 403-42.

(per c.f.)

**Inside City Limits**

<u>Tiers</u>	<u>Water</u>	<u>Sewer</u>	<u>Combined</u>
201 - 1,100	0.0639	0.1271	0.1910
1,101 - 12,000	0.1017	0.2027	0.3044
12,001 - & over	0.1398	0.2782	0.4180

**Outside City Limits**

<u>Tiers</u>	<u>Water</u>	<u>Sewer</u>	<u>Combined</u>
201 - 1,100	0.0863	0.1717	0.2580
1,101 - 12,000	0.1373	0.2736	0.4109
12,001 - & over	0.1888	0.3755	0.5643

**Minimum Charges for Water & Sewer Services.**

Regardless of the amount of water passing through the water meter, customers will be charged with a minimum of 200 cubic feet per billing period for both water and sewer service.

**Water & Wastewater Customers Outside City Limits.**

All consumers outside City limits shall pay 35% more than city rates for both water and wastewater.

**Customers without City Water.**

<b>Inside City Limits</b>	\$95.33
<b>Outside City Limits</b>	\$128.78

A sewer service charge equal to a consumption of 750 cubic feet per billing period shall be made on all premises having a sewer connection with the City system and not using City water.

**Water & Sewer Service Connection Charges (Minimum)**

<u>Water</u>	<u>Sewer</u>
\$2,122	\$2,060

Code Section 403-13, service connection charges shall be above amount or actual cost for each, whichever is greater.

**Meter Setting Charges**

<u>Meter Size</u>	<u>Charge</u>
3/4" SENSUS IPEARL	\$983
1" SENSUS IPEARL	\$1,485
1 1/2" SENSUS OMNI	\$4,752
2" SENSUS OMNI	\$5,648

Charges include all labor, equipment and materials to install meter and radio transmitter appurtenances. Meters larger than 2" in size shall be priced on a case by case basis.

**System Development Charges**

<u>Meter Size</u>	<u>Water</u>	<u>Sewer</u>
3/4"	\$787	\$486
1"	\$1,305	\$817
1 1/2"	\$2,609	\$1,631
2"	\$4,179	\$2,609
3"	\$8,355	\$5,224
4"	\$13,044	\$8,158

Charges are nonapplicable to the Thompson Knoll and Weatherburn Phase I developments with physical connections installed prior to June 30, 2016.

**Deposit for Water and Sewer Service**

<u>Meter Size</u>	<u>Amount</u>
5/8" & 3/4"	\$290.00
1"	\$380.00
>1"	\$1,583.00

Code Section 403-12. A deposit in this amount is required of all tenants in residential or commercial properties.

**Utility Service Fee**

<u>Amount</u>	<u>Amount</u>
	\$42.00

Code Section 403-14. This fee is for establishing a new service account or if an existing service is being transferred to a new customer name.

**Penalty for Nonpayment of Utility Bill**

<u>Amount</u>	<u>Amount</u>
	\$12.00 or 1.5% of balance due, whichever is greater.

Code Section 403-16. Applies to bills unpaid at the close of business on the 25th day of the month in which payment is due.

**Discontinuance of Water Service for Nonpayment of Utility Bills**

**Amount** \$65.00

Code Section 403-17. Administrative service charge assessed to customers who are delinquent in payment of utility bills.

**Testing Meter**

**Amount** \$158.00

Code Section 403-26. A service charge assessed to ascertain the accuracy of a meter reading when requested by a customer. This amount to be refunded to the customer if the test determines the original reading to be incorrect.

**Water Leak Check**

**Amount** \$46.00

Charge to customer to perform onsite visual inspection of water meter register to determine if there is a leak on the private property. Performed at customer's request.

**Replacement of Transmitter (Meter) Cap**

**Amount** \$80.00

Charge to customer to replace Meter Cap.