

TOWN OF HAYMARKET, VIRGINIA  
Chartered 1799  
County of Prince William

HAYMARKET TOWN COUNCIL  
PUBLIC HEARING - FEBRUARY 3, 1997

**Subject: Zoning text amendment to the Industrial-1 and Business-2 districts to permit a grocery store larger than 3,000 square feet**

**MAYOR**  
**John R. Kapp**  
**ATTORNEY**  
**Peter Steketee**  
**TOWN CLERK**  
**Jeannie Heflin**

**COUNCIL**  
**James Shepard, Vice Mayor**  
**Mary Lou Scarbrough**  
**Dottie Leonard**  
**Bob Seffinga**  
**Mark Branca**  
**Richard Bird**

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Mayor Kapp opened the public hearing at 7:00 p.m. All members of the Council were present.

Consultant Liz Via presented a staff report to allow a grocery store. Ms. Via states grocery stores average 30,000 - 45,000 square feet and the town's current zoning allows only 3,000 square feet. Ms. Via states the Council could amend Section 12-137, B-2 add paragraph 7 to allow grocery store, supermarket as a "by right" use and in the I-1 district allow a grocery store "by right." Ms. Via states Council has voiced a concern with the "by right" use therefore Ms. Via recommends the Council consider allowing a grocery by "special use permit" which would allow the town to have some control over noise, lights, traffic. If the Council desires to consider the new recommendation there will need to be an advertisement for another public hearing to consider the special use.

**For**

Mayor Kapp asked for all those who would like to speak in favor to change the use of 3,000 to 45,000 square feet retail space which would allow a grocery store to please speak. Mr. Bear approves of a grocery store 100%. Mrs. Turner is in favor of a grocery store.

**Second call for** - Mayor Kapp asked for a second time. No one spoke.

**Third call for** - No one spoke.

**Against**

Mayor Kapp asked for all those who would like to speak against to change the use of 3,000 to 45,000 square feet retail space which would allow a grocery store to please speak. Mr. King states it is not necessary as all we will get at 45,000 square feet is a Food Lion. Mr. Duckett states he is concerned with traffic and there will be grocery stores in Gainesville. He is also concerned about the impact on current stores.

**Second call against** - Mayor Kapp asked for a second time. No one spoke.

**Third call against** - No one spoke.

**Closed Public Hearing** - Mayor Kapp closed the public hearing at 7:10 p.m.

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**Executive Session**

Councilwoman Scarbrough moved to go into executive session, pursuant to Code of Virginia 2.1344A(1), at 7:10 p.m. to discuss legal matters, seconded by Councilwoman Leonard. Motion carried by unanimous vote.

Councilwoman Scarbrough moved to go out of executive session at 7:17 p.m., certifying only legal matters were discussed, seconded by Councilwoman Leonard. Motion carried by unanimous vote.

Mayor Kapp opened the regular meeting at 7:30 p.m. with the Pledge of Allegiance. Councilwoman Leonard led the Council in prayer. Roll call found all members present.

**Minutes of January 6 meeting**

Vice Mayor Shepard moved to dispense with the reading of approve the minutes with any corrections noted, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

**Treasurers Report**

The Treasurer reported a balance of \$43,565.69 in the general fund operating account.

**Unpaid Bills**

Councilwoman Scarbrough moved to approve, seconded by Councilwoman Leonard. Motion carried by unanimous roll call vote.

**Police Report**

Sgt Bockey submitted information on a new police cruiser for consideration by Council. He states Ford is the only one who makes a full size police are and that Sheehy Ford got the state bid. The cruiser price is \$19,378, standard unmarked vehicle. Sgt Bockey recommends an extended warranty, 4 year or 75,000 miles an additional \$3300. Marking is an additional \$400 plus labor.

Sgt Bockey states he has several people who want to bid on the old car. Also radios will have to be removed from both cars, the '89 to the '93 and the '93 to the '97. He will do an even swap for the '89 to install radios. The cage will just need an adaptor. There is an 8 channel radio in the old car and a 16 channel in the new car. The bottom line price of a new cruiser is \$23,880.

We could also do a lease purchase. We could lease the vehicle and at the end of three years buy the vehicle for \$1.00. Monthly lease price \$593.26 - three years \$21,357, quarterly payments @ \$1770 equals \$21,249. The purchase contract has to be in by May 31. The '93 cruiser has 90,000 miles on it currently. Tabled.

**Business License**

Bean's Trash Service, '94, '95 & '96 renewals - Councilwoman Leonard moved to approve, seconded by Councilman Seffinga. Motion carried by unanimous vote.

Carl Carey, Selected Auto Brokers, 15161 Washington Street (Precision Engineering property) - Councilwoman Leonard moved to approve, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

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**Sign Permit**

Selected Auto Brokers, 15161 Washington Street - Councilwoman Scarbrough moved to approve, seconded by Councilwoman Leonard. Motion carried by unanimous vote.

**Building Permit**

Cellular One, 15175 Washington Street - 12 x 26 equipment shed for antenna located on new Bell Atlantic pole. Mayor Kapp states they need a business license also. Councilwoman Leonard moved to send to the Planning Commission and Building Official pre-approved, seconded by Vice Mayor Shepard. Motion carried by unanimous vote.

Donald Costello, Century Stair, 15175 Washington Street - rebuild two sheds with foundations on Lot 5 on north and west sides. Councilwoman Leonard moved to send to PC & Building Official pre-approved, seconded by Councilwoman Scarbrough. Councilman Branca states complete construction plans must be submitted to the PC for review. Motion carried by unanimous vote.

Ryan Homes, Section 2, Lot 50, 6952 Jockey Club Lane, Tuscany (new model) - Councilwoman Leonard moved to send to PC, ARB & Building Official pre-approved, seconded by Councilman Branca. Motion carried by unanimous vote.

Ryan Homes, Section 2, Lot 18, 6896 Jockey Club Lane, Windsor (new model) - Councilwoman Leonard moved to send to PC, ARB & Building Official, pre-approved, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

Ryan Homes, Section 2, Lot 59, 6917 Jockey Club Lane, Bainbridge (new model) - Councilwoman Leonard moved to send to the PC, ARB & Building Official pre-approved, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

18th Century Haymarket, request to extend the subdivision plan period- Mayor Kapp states Bolt submitted to VDOT after approval on the plan and it took 12 months for them to respond. Attorney Steketee states the Council could say due to circumstances beyond applicants control the recording was delayed. Application went in late 1992, Council approved August 1993. VDOT final approval was October 1995, recorded February 1995. Attorney Steketee states Code Section 11-113 allows us to extend.

Councilman Branca read a request from Bolt's to extend the period due to unavoidable circumstances with the desire to bring public water to the property. Councilwoman Leonard moved pursuant to Code of Virginia Section 11-113 in regard to required reviews needed for 18th Century Haymarket and the applicants request for additional time for approvals delaying recording to 17 month period, those reviews VDOT & public water Councilwoman Leonard moved to re-approve, seconded by Councilman Branca. Councilman Branca recommended amendment that bond be posted within 30 days. Mr. Bolt asked for 60 days. Councilwoman Leonard amended motion to require bond be posted within 60 days, seconded by Councilman Branca. Motion carried by unanimous vote.

Mayor Kapp asked Attorney Steketee if they have to post bond for the full amount. Mike Gordon of BD&E says E&S is full amount infrastructure is 10% bond but can not pull building permit without full amount bond.

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Councilman Branca states the cost estimate is lacking a site stabilizing cost for seeding. E & S control is typically \$.40 per square yard. That figure must be added into the estimate \$7744 additional. Motion carried by unanimous vote.

18th Century Haymarket, Lanwood Development - request to permit him to begin work on Lot 1 prior to bond being posted. Attorney Steketee recommends we do not permit that.

Sheetz, 15315 Washington Street, Mike Gordon, BDE, submitted a request on behalf of Sheetz for a drive thru window on the rear of the building. Charlie Robinson, representing Sheetz, states the building was built with this capability. They would like to know the process to get approval. Mayor Kapp states the I-1 permits any use as in B-1, which includes a restaurant, but not a drive in or fast food provision. Councilwoman Leonard states a special use permit is required. She says the intent was drive through would not go with our historic town. Attorney Steketee states the ordinance does not allow even in special use. Councilman Branca states the ordinance would have to be amended to allow that in special use. Attorney Steketee states it would require an amendment to the ordinance with a public hearing. Councilwoman Leonard states she would like to see the ordinance stay as it is.

Councilwoman Scarbrough moved to send to the Planning Commission to review and make recommendation, seconded by Councilman Seffinga. Motion carried by unanimous vote.

**Citizens Time**

Mr. Bear says people should not turn their back to the public during their presentations.

Paul Serbu, President of Woodbridge Farms Homeowners Association in Buckland spoke to Council in regard to the railroad alignment. He states they are in the same boat as Haymarket with all the proposed transportation issues. He offers to support the town in the transportation issues. He states they have petitions with up to 3300 names to defeat these proposals. They are willing to help us find a solution.

John Duckett thanked Council for helping with the lighting problem in Longstreet Commons. Mayor Kapp states it is up to the Homeowners Association now.

Ms. Bailey states it is nice to have a full Council present.

Mrs. Turner thanked the Mayor for his letter to the Governor in regard to the train alignment. She feels other council members should write letters and make public statements in support of the Mayor.

Councilwoman Leonard states the Council is in support of the Mayor in his efforts keeping out undesirable impacts, encroachments. Mrs. Turner states the council should make a resolution supporting the Mayor. Councilwoman Leonard restated the above for a resolution.

Mayor Kapp states Colgan & Parrish (co-chairmen of the study group) met with Secretary of Transportation Martinez and Chairwoman Seefeldt with others without the knowledge of the full committee and in discussion Martinez decided to further the study of option 14. The Mayor responded to this information with a letter to Governor Allen.

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Councilwoman Leonard reiterates it is nice to have the whole council back, Vice Mayor Shepard back from illness and Councilman Bird has returned. Councilwoman Leonard states Richard Bird has spent his entire adult life volunteering for the citizens, and he sometimes has meetings that conflict with Town Council, and she is honored to serve on the council with him.

**Planning Commission**

Councilman Branca reports the PC review 18th Century Haymarket and discussed the zoning text amendment to permit a grocery store. He states the PC vote was to leave the ordinance as it is.

**Architectural Review Board**

Park Benches - Councilwoman Leonard states they considered the park benches sent by Council and voted they were not colonial in design. The ARB would like to look further. Also they discussed a number of members have had complaints of properties, the unsightly fence, debris and equipment in residential zoned areas (Washington Street & Madison Street.) The ARB moved to request the Council send letters to go out with some degree, strong encouragement to clean up the properties. It is important and has gone on too long. Council requested Councilwoman Leonard to draft a letter and the Mayor will review.

Street Scope - Chris Foley is working on the conceptual development plan.

**Historical Commission**

Historic Designation

Mrs. Turner states the House of Representatives has passed a resolution to designate the town of Haymarket be designated as a historic town. Bob Marshall drew up a bill, the Historic Resources people said Marshall should write a resolution. Bob Marshall wrote a resolution and Senator Colgan did not accept it in the Senate.

Lafayette Day - Mrs. Turner reports the commission met on Saturday. Mrs. Price agreed to serve as the manager of the gift shop. Also the Lafayette Day celebration will be a picnic, hopefully at the Gainesville School. The Historical Commission will sell lunch for \$5.00. Possibly Mrs. Price's sons band will play.

Caboose

The Commission bought two sets of track lights for the caboose, they need two more sets. GTE has not taken the Christmas decorations off the tree yet. The Commission plans a special sale for the May Festival.

Historical Commission book

The Commission wants to put their book in the computer. They got five census's from the library.

Bicentennial - Warrenton has indicated they would like to work with us.

Tourism - Mayor Kapp is on the tourism council and will keep Haymarket's information on the quarterly calendar.

Mr. Contrucci states Century Stair would like to acknowledge the great work the Historical

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Commission does by donating the two sets of track lights for the caboose.

**Subdivision Plan**

Greenhill Crossing, Section 9 - Pam Stutz presented site plans and subdivision easement. Councilman Branca moved to send the subdivision plan and plats for Section 9 to the Planning Commission and Town Engineer (BD&E) for review and recommendations, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

**Old Business**

Termites/Floor restoration - Councilman Branca states 2x8 mill cut timbers show no evidence in the one opening and everything looks in good condition. (1) we could do several more holes around the perimeter and have it sprayed for a warranty, or (2) remove and replace the entire floor.

Councilman Branca recommends to proceed and open up more holes. Councilman Seffinga states the floor is tongue and groove back under the knee walls. They would destroy the boards they pull up, new wood would have to be put in and if we ever take up the carpeting the floor will not match.

Councilwoman Leonard states if this building is ever used as a museum we would need the floor restored.

Councilman Bird states there is tongue and groove behind the knee wall. He states the lower wall came out at the bottom, the sill was replaced when the paneling went in.

Councilwoman Leonard asked if it is possible to save the old flooring and re-use and match to it. The proposal from Reed's Construction was for solid oak flooring. Mayor Kapp state the estimates range from \$11,834 to \$21,800. Councilman Bird states PWCSA has a camera that would enable us to look under the building.

Mayor Kapp will contact the contractors who put in a bid and he and Councilman Branca will write up an RFP for the work the Council wants done. Attorney Steketeer states we can re-submit with specifications. Councilman Branca asked about drainage when the dirt is dug out.

Tabled to the next meeting.

Zoning Text Amendment - up to 45,000 square feet to permit a grocery store. Councilman Branca states a special use is a problem because they could be denied at a later date. Attorney Steketeer says we can treat the renewal of this special use at a long period, i.e., ten years. Council scheduled a public hearing on March 3 at 7:00 p.m. Councilwoman Leonard remarks in regard to the PC vote on this issue that the surveys in the past have voiced a strong need for a grocery store.

ISTEA grant, Phase II - Application was in Richmond by the 29th of January. The new photos were done for the ISTEA grant by Lightwaves free of charge.

The Mayor states we will be selling bricks, planters, lights, benches and bike racks. He states Glen Gary will probably produce the bricks.

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All the basic information has been gathered for the street enhancement. They are close to schedule. Councilman Branca spoke with Art of BD&E on Friday. He states Steve Hicks of VDOT needs program award date. VDOT needs more information on waiver for the bike path from 5' to 4'. He has been lobbying for us to get the storm drain to be considered in the ISTEAG grant.

Water - Tabled.

Railroad Alignment - Mayor Kapp states in regard to the option of the line in the middle of Route I-66, if there were a derailment the road would have to be closed. If they use Rt. 66, VDOT has already slated to widen 66 to 15 with HOV lanes, further use of 66 would encroach more on the Town.

Mayor Kapp states Drees has been contacted to work with us. Mayor Kapp also clarifies we are not hiring Attorney Steve Kalish to sue the railroad, as was reported in the newspaper. The fund will have to be handled through the town budget with separate accounting by the treasurer. Accounting will have to designate receipts from outside sources also. Attorney Steketee states the town should employ the attorney so that the town's interest will be pursued. It will be important to know the top dollar so we are not liable for tremendous sums of money. Also private funds would be a donation to the town, states Atty. Steketee.

Mayor Kapp spoke with Mr. Kalish about fees, projected time. Mr. Contrucci presented Mr. Kalish's estimate of \$195 per hour. He will be sure efforts are as constrained as possible. Mr. Kalish would like to urge the parties that want to effect the merger to make sure the interest of the town people is represented.

Mayor Kapp states there are a number of individuals who would like to donate to this cause. Mayor Kapp recommends the town put in \$5,000. Councilman Seffinga thinks we should put some limitation. Mr. Contrucci says that was part of his discussion with Mr. Kalish. He says the town would be kept informed step by step and if the town wants to back out that is available. Mr. Contrucci envisions a retainer letter coming from the town to address limitations.

Councilman Seffinga moved to set up this fund to hire Steven Kalish and the town attorney to draft an agreement letter specifying the fee, with checks and balances, with \$5,000 contribution from the town and accept private donations, seconded by Councilwoman Leonard. Motion carried by unanimous roll call vote.

Rt 29 Bypass - Mayor Kapp reported VDOT had a meeting at Mt. View last week. Councilwoman Leonard personally is tired of her tax money going to save the Battlefield. There are a few people protecting their property and the west end of the county gets nothing. Mayor Kapp states he feels there should be a four lane highway through the Battlefield.

Silly String Ordinance - Mayor Kapp read the proposed ordinance. Councilman Seffinga moved to pass the ordinance, seconded by Councilwoman Leonard. Councilwoman Scarbrough asks how can you patrol this ordinance. Mayor Kapp states those that sell will be regulated and placed in a designated area. **For: Scarbrough, Leonard, Seffinga, Branca, Shepard, Bird.** Motion carried by unanimous vote.

Penalties - Tabled.

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Spring Festival - the list from Vice Mayor Shepard is needed. Councilwoman Leonard will copy the flyers (about 3,000).

Jeannie's requests - Tabled.

Kruse Corner Grate - Tabled.

Capital Improvements Plan - Mayor Kapp added slated improvements, new sign on the Town Hall, Town Hall addition. Priority II - new town hall or addition.

BPOL - Councilman Seffinga moved to pass ordinance amendment for BPOL, seconded by Councilwoman Leonard. **For: Scarbrough, Leonard, Seffinga, Branca, Shepard, Bird.** Motion carried by unanimous vote.

Century Stair BPOL tax refund - Mayor Kapp updated Council on the fact that Century Stair has been declared a manufacturer by Prince William County and therefore not taxable for gross receipts. Attorney Steketee recommends requesting Century Stair request a refund in writing.

Street Scape - new proposal, submitted by Mr. Foley, to write up the ordinance also \$1744 for drawings (old proposal) plan for site for street furniture and three perspective one from each end of town and the intersection of Jefferson & Washington Streets.

Councilwoman Leonard moved to approve both proposals submitted by Mr. Foley, street scape ordinance draft \$1000, design street scape \$1550 plus \$30 per hour presentation, consultation, seconded by Vice Mayor Shepard. **For: Scarbrough, Leonard, Seffinga, Branca, Shepard.** **Abstained: Bird.** Motion carried by 5/0 with 1 abstaining.

Answering Machine - Vice Mayor Shepard reported we could get a two line answering machine for \$120 at Office Depot. Councilman Branca moved to approve, with a cap of \$130, seconded by Councilwoman Leonard. Motion carried by unanimous roll call vote.

Public Utility Tax - Council scheduled a public hearing March 3 at 7:00 p.m. This ordinance is patterned after the City of Manassas. Utilities are electric, gas, water, telecommunications, telephone. Attorney Steketee states the utilities require sixty days notice and notice must be sent to the County.

Atty. Steketee to also look at Norfolk Southern Railroad personal property tax for next meeting.

Employee Handbook - Tabled.

Budget Meeting - Scheduled for February 17, 7:00 p.m.

**Citizens Time**

Ms. Bailey in response to Councilwoman Leonard's comment about Richard states she knows Richard is serving the community but he should have realized the time it takes to serve on the Council.

Mrs. Bailey states in regard to 18th Century Haymarket that public water was never an issue.



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She wants to know when VDOT got his plan. She can not imagine them (VDOT) sitting on them.

Atty Steketee responds what other option would we have other than to have him start the process all over again, fortunately we have a provision.

Greenhill Crossing Bond Reduction request, Section 2 - to \$267,786. Councilman Branca moved to reduce the bond to 33%-\$267,786, seconded by Councilwoman Leonard. Motion carried by unanimous vote.

Web Site - O. P. Ditch, provider. Mayor Kapp states he spoke with Mr. Ditch recently and asked for the status on our web site. Vice Mayor Shepard states he spoke with the Historical Commission about providing information for the web site.

Collection of delinquent taxes - Atty Steketee to review for March meeting.

**New Business**

Mt. View Elementary Yearbook Ad - Councilwoman Scarbrough moved to approve \$25.00 expenditure for a year book ad, seconded by Councilwoman Leonard. Motion carried by unanimous roll call vote.

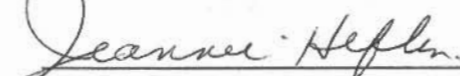
Virginia Institute of Governments - Weldon Center - membership dues \$250, Councilwoman Leonard moved to continue this year and look at to see if we want to renew next year, seconded by Councilman Bird. Motion carried by unanimous roll call vote.

BPOL delinquencies, penalty & interest - Atty Steketee to look at.


**Adjournment**

Councilwoman Leonard moved to adjourn at 11:35 p.m., seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

**RESPECTFULLY SUBMITTED:**

  
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Jeannie Heflin, Town Clerk

**APPROVED:**

  
\_\_\_\_\_  
John R. Kapp, Mayor

tc297

**AN ORDINANCE TO AMEND AND REENACT THE CODE OF ORDINANCES, TOWN OF HAYMARKET, VIRGINIA (1989), AS AMENDED, BY AMENDING SECTIONS 7-42, 7-50, AND 7-55, REPEALING SECTIONS 7-41, 7-43, 7-44, 7-45, 7-46, 7-47, 7-51, 7-52, 7-53, 7-54, AND 7-57 AND ADDING SECTIONS NUMBERED 7-58, 7-59, AND 7-60, REGARDING BUSINESS LICENSE AND TAX**

BE IT ORDAINED by the Council of the Town of Haymarket, Virginia, meeting in *Regular* session this *3<sup>rd</sup>* day of *February*, 1997:

1. That Sections 7-42, 7-50, and 7-55 of the Code of Ordinances, Town of Haymarket, Virginia (1989), as amended, are hereby amended and reenacted as follows:

**7-42 DEFINITIONS**

For the purposes of this chapter, the following shall apply to the terms set forth:

(a) Person. The word "person" shall include individuals, firms, partnerships, corporations, companies, associations or joint stock corporations; and it shall include any trustee, receiver, assignee, or personal representative thereof carrying on or continuing a business, profession, trade or occupation. A "person" shall not include a trustee, receiver or other representative or other representative duly appointed by a court to liquidate assets for immediate distribution, or a sergeant or sheriff, or any deputy, selling under authority of process or writ of a court of justice.

(b) Gross receipts. The term "gross receipts" shall mean the gross receipts from any business, profession, trade, or occupation, which operates in the town and which is required to be licensed in the town under the provisions of this chapter.

- (1) Gross receipts shall include cash, credits, fees, commissions, brokerage charges and rentals, and property of any kind, nature or description from all sales made or services rendered or activities conducted at, from or through a place of business within the town both to persons within the town and to persons outside the town. In this connection the word "person" shall be construed to include governmental entities and agencies. Gross receipts shall not include any deduction on account of cost of the property sold, the cost of materials, labor or service or other costs, interest or discounts paid, or any expense whatsoever unless specifically allowed under this ordinance, and shall include, in the case of merchants, the amount of the sale price of supplies and goods furnished to or used by the licensee or his family or other person for which no charge is made.

- G. Withdrawals from inventory for purposes other than sale or distribution and for which no consideration is received and the occasional sale or exchange of assets other than inventory whether or not a gain or loss is recognized for federal income tax purposes.
- H. Investment income not directly related to the privilege exercised by a business subject to licensure not classified as rendering financial services. This exclusion shall apply to interest on bank accounts of the business, and to interest, dividends and other income derived from the investment of its own funds in securities and other types of investments unrelated to the licensed privilege. This exclusion shall not apply to interest, late fees and similar income attributable to an installment sale or other transaction that occurred in the regular course of business.

(7) The following shall be deducted from gross receipts or gross purchases that would otherwise be taxable:

- A. Any amount paid for computer hardware and software that are sold to a United States federal or state government entity provided that such property was purchased within two years of the sale to said entity by the original purchaser who shall have been contractually obligated at the time of purchase to resell such property to a state or federal government entity. This deduction shall not occur until the time of resale and shall apply to only the original cost of the property and not to its resale price, and the deduction shall not apply to any of the tangible personal property which was the subject of the original resale contract if it is not resold to a state or federal government entity in accordance with the original contract obligation.
- B. Any receipts attributable to business conducted in another state or foreign country in which the taxpayer is liable for an income or other tax based upon income.

(c) Contractor. The term "contractor" shall include any person acting as a developer, general contractor or subcontractor or:

- (1) Accepting or offering to accept orders or contracts for doing any work to any building or structure, requiring the use of paint, stone, brick, mortar, wood, cement, structural iron or steel, sheet iron, galvanized iron, metallic piping, tin, lead, or other metal or any other building material;
- (2) Accepting or offering to accept contracts to do any paving, curbing or other work on sidewalks, streets, alleys, or highways, on public or private property, using asphalt, brick, stone, cement, concrete, wood or any composition;

#### **7-58 LICENSE APPLICATION FEE**

The fee for issuing a license under this chapter shall be \$30.00. (Thirty Dollars). This fee is in addition to any amount computed under Section 7-50 of this chapter.

#### **7-59 LICENSEE REQUIRED TO KEEP RECORDS**

Every person who is assessable with a local license tax shall keep sufficient records to enable the assessor to verify the correctness of the tax paid for the license years assessable and to enable the assessor to ascertain what is the correct amount of tax that was assessable for each of those years. All such records, books of accounts and other information shall be open to inspection and examination by the assessor in order to allow the assessor to establish whether a particular receipt is directly attributable to the taxable privilege exercised within this jurisdiction. The assessor shall provide the taxpayer with the option to conduct the audit in the taxpayer's local business office, if the records are maintained there. In the event the records are maintained outside this jurisdiction, copies of the appropriate books and records shall be sent to the assessor's office upon demand.

#### **7-60. STATE UNIFORM ORDINANCE PROVISIONS.**

a. The following provisions of state law are adopted here pursuant to Virginia Code § 58.1-3703.1:

1. License requirement. Every person shall apply for a license for each business or profession when engaging in a business in this jurisdiction if (i) the person has a definite place of business in this jurisdiction; (ii) there is no definite place of business anywhere and the person resides in this jurisdiction; or (iii) there is no definite place of business in this jurisdiction but the person operates amusement machines or is classified as an itinerant merchant, peddler, carnival, circus, contractor subject to Virginia Code § 58.1-3715, or public service corporation. A separate license shall be required for each definite place of business and for each business. A person engaged in two or more businesses or professions carried on at the same place of business may elect to obtain one license for all such businesses and professions if all of the following criteria are satisfied: (i) each business or profession is subject to licensure at the location and has satisfied any requirements imposed by state law or other provisions of the ordinances of this jurisdiction; (ii) all of the businesses or professions are subject to the same tax rate, or, if subject to different tax rates, the licensee agrees to be taxed on all businesses and professions at the highest rate; and (iii) the taxpayer agrees to supply such information as the assessor may require concerning the nature of the several businesses and their gross receipts.