

APPROPRIATION ORDINANCE

ANNUAL APPROPRIATION ORDINANCE

OF THE

TOWN OF FRONT ROYAL, VIRGINIA

FOR THE FISCAL YEAR ENDING JUNE 30, 2010

AN ORDINANCE MAKING APPROPRIATIONS OF SUMS OF MONEY FOR ALL NECESSARY EXPENDITURES OF THE TOWN OF FRONT ROYAL, VIRGINIA FOR THE FISCAL YEAR ENDING JUNE 30, 2010 TO PRESCRIBE THE PROVISOS, TERMS, CONDITIONS, AND PROVISIONS WITH RESPECT TO THE TERMS OF APPROPRIATION AND THEIR PAYMENT, AND TO REPEAL ALL ORDINANCES WHOLLY IN CONFLICT WITH THIS ORDINANCE, AND ALL PARTS OF ALL ORDINANCES INCONSISTENT WITH THIS ORDINANCE TO THE EXTENT OF SUCH INCONSISTENCY.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA:

SECTION I

That the following sums of money are hereby appropriated for the general governmental purposes herein specified for the fiscal year ending June 30, 2010

GENERAL FUND EXPENDITURES

General Government	1,027,742
Financial Administration	851,865
Legal	462,096
Law Enforcement Services	3,530,084
General Property Maintenance	1,082,316
Planning and Zoning Administration	396,379
Risk Management/Insurance	579,800
Economic Development	42,615
Information Technology	430,783
Library [<i>Changed from \$117,683 to \$82,000</i>]	82,000
Transfers/Contingency Reserve	851,048
TOTAL GENERAL FUND EXPENDITURES	\$9,336,728

STREET FUND EXPENDITURES

Public Works	546,415
State Highway Maintenance System	1,827,950
TOTAL STREET FUND EXPENDITURES	\$2,374,365

ECONOMIC DEVELOPMENT FUND

Principal on Debt	80,839
Interest Payments	16,192
Operations	36,485
TOTAL DEBT SERVICE FUND EXPENDITURES	\$133,516

SPECIAL PROJECTS FUND

Community and Neighborhood Development	4,000
TOTAL SPECIAL PROJECTS FUND EXPENDITURES	\$4,000

SPECIAL REVENUE FUND

Asset Forfeiture	12,000
TOTAL SPECIAL REVENUE FUND EXPENDITURES	\$12,000

and the following sums of money are hereby appropriated for the enterprise operations specified for the year ending June 30, 2010:

ELECTRIC FUND EXPENDITURES

Operations	2,205,311
Purchase of Bulk Electricity	12,409,300
Transfer to General Fund	1,037,684
TOTAL ELECTRIC FUND EXPENDITURES	\$15,652,295

WATER FUND EXPENDITURES

Administrative Office	108,923
Water Plant Operation	1,264,984
Maintenance of Lines	491,217
Debt Service	1,119,125
Contingency and Transfers to Other Funds	403,584
TOTAL WATER FUND EXPENDITURES	\$3,387,833

SEWER FUND EXPENDITURES

Administrative Office	108,490
Wastewater Treatment Plant Operations	1,631,283
Maintenance of Lines	576,216
Debt Service	318,081
Contingency and Transfers to Other Funds	510,755
TOTAL SEWER FUND EXPENDITURES	\$3,144,825

REFUSE FUND EXPENDITURES

Operations	871,706
Transfer to General Fund	138,394
TOTAL REFUSE FUND EXPENDITURES	\$1,010,100

TOTAL ALL FUNDS EXPENDITURES **\$35,055,662**

**REVENUES
TO BE PROVIDED AS FOLLOWS**

GENERAL FUND

Real Estate Property Tax (\$0.0525 Per \$100 assessed valuation)	1,091,000
Public Service Property Tax & Tax Penalties	43,906
Personal Property Tax (\$0.74 per \$100 assessed valuation) <i>[Adopted rate \$0.60]</i>	527,000
Other Local Taxes	4,487,000
Permits and Fees	30,000
Fines and Forfeitures	320,000
Revenue from Use of Money and Property	134,000
Public Rights-of-Way Use Fee	50,000
Charges for Services	7,500
Intergovernmental	497,600
<i>Fund Balance [due to not increase PP tax rate]</i>	<i>120,000</i>
Interfund Transfers:	
Electric Fund	1,000,000
Water Fund	396,772
Sewer Fund	489,950
Refuse Fund	102,000
Non-Revenue Receipts	40,000
TOTAL GENERAL FUND REVENUE	\$9,336,728

STREET FUND

State Highway Maintenance Funds	1,500,000
Revenue from Use of Money and Property	27,000
Street, Curb & Gutter Assessments	32,000
Transfers from General Fund	815,365
TOTAL STREET FUND REVENUE	\$2,374,365

ECONOMIC DEVELOPMENT FUND

Real Estate Property Tax (\$.0175 per \$100 assessed valuation)	133,516
TOTAL DEBT SERVICE FUND REVENUE	\$133,516

SPECIAL PROJECTS FUND

Recovered Costs	4,000
TOTAL SPECIAL PROJECTS FUND	\$4,000

SPECIAL REVENUE FUND

Asset Forfeiture Grant Funding	12,000
TOTAL SPECIAL REVENUE FUND	\$12,000

ELECTRIC FUND

Revenue from Use of Money and Property	100,000
Sale of Service	15,019,335
Non-Revenue Receipts	532,960
TOTAL ELECTRIC FUND REVENUE	\$15,652,295

WATER FUND

Revenue from Use of Money and Property	150,000
Antenna Rentals	15,000
Sale of Service and Commodities	2,916,833
Connection Fees	300,000
Miscellaneous	6,000
TOTAL WATER FUND REVENUE	\$3,387,833

SEWER FUND

Revenue from Use of Money and Property	60,000
Sale of Service and Commodities	2,784,325
Connection Fees	300,000
Miscellaneous	500

TOTAL SEWER FUND REVENUE **\$3,144,825**

REFUSE FUND

Revenue from Use of Money and Property	3,000
Sale of Services/Bags/Recycle Bins/Other	986,600
Sale of Recyclable Materials	20,500

TOTAL REFUSE FUND REVENUE **\$1,010,100**

TOTAL ALL FUNDS REVENUES **\$35,055,662**

SECTION II

All moneys appropriated as shown by the items contained in Section I are appropriated upon the provisos, terms, conditions and provisions hereinafter set forth in connection with said items and those set forth in this section.

Paragraph One

I. To provide for the current and other expenditures of the Town of Front Royal, Virginia; for the fiscal year beginning July 1, 2009 and ending June 30, 2010 the tax rates shall be set at:

- A) Upon all real estate the rate shall be set at \$0.07 for each \$100.00 of assessed valuation.
- B) Upon all personal property and machinery and tools the rate shall remain set at \$0.74 for each \$100.00 of assessed valuation. Except, that personal property described in Town of Front Royal Code §75-49(B), that has been specifically accepted for special classification by the designated official, shall remain at \$0.37 for each \$100.00 of assessed valuation for such volunteer fire or rescue members' single vehicle used to respond to calls or perform other official duties. [*Town adopted rate of \$0.60 with the shortfall coming from Fund Balance*].

II. Assessed valuation of property shall be determined and certified to the Town of Front Royal by the Commissioner of the Revenue of Warren County, and the State Corporation Commission on Public Service Corporation Property. All taxes shall be due and payable on or before December 5, 2009. For taxes not paid on or before December 5, 2009 a penalty of ten percent of the tax due will be added to the tax due. Interest at the annual rate of ten percent of the tax due will be added after December 31, 2009 on all unpaid taxes.

III. Proration of Personal Property Tax.

A. Tax levied and prorated on monthly basis. Tangible personal property tax shall be levied and collected on motor vehicles, trailers, and boats which have acquired a situs within the Town after January 1 of any tax year for the remaining portion of the tax year. When any person acquires a motor vehicle, trailer or boat with situs in the Town after January 1 and situs remains in the Town after such acquisition, the tax shall be assessed against the new owner for the remainder of the tax year. Such tax shall be prorated on a monthly basis. For purposes of proration, a period of more than one-half of a month shall be counted as a full month and a period of less than one-half of a month shall not be counted.

B. Relief or refund. When any motor vehicle, trailer, or boat loses its situs within the Town after January 1 or after the day on which it acquires a situs within the Town (hereafter "situs day"), the tax shall be relieved, prorated on a monthly basis, and the appropriate amount of tax refunded if such tax has already been paid, upon application by the owner to the Commissioner of the Revenue and notice to the Commonwealth of Virginia Department of Motor Vehicles (if applicable); provided however that no refund shall be made if the motor vehicle, trailer, or boat acquires a situs within the Commonwealth in a non-prorating locality.

C. Relief, refund or credit on sale. When any person sells or otherwise transfers title to a motor vehicle, trailer, or boat with a situs in the Town after January 1 or situs day, the tax shall be relieved, prorated on a monthly basis, upon application by the owner to the Commissioner of the Revenue and notice to the Commonwealth of Virginia Department of Motor Vehicles (if applicable), and the appropriate amount of tax already paid refunded or credited by the Treasurer, at the option of the taxpayer, against the tax due on any motor vehicle, trailer, or boat owned by the taxpayer during the same tax year.

D. Time Limitation for refund; minimum refund. Any refund required shall be made within thirty (30) days of the date such tax is relieved. No refund of less than five dollars (\$5.00) shall be issued to a taxpayer, unless specifically requested by the taxpayer.

E. Conditions for certain tax credits. Any person who moves from a non-prorating locality to the Town in a single tax year shall be entitled to a property tax credit in the Town if (i) the person was liable for personal property taxes on a motor vehicle, trailer, or boat and has paid those taxes to a non-prorating locality; and (ii) the owner replaces for any reason the original vehicle, trailer or boat upon which taxes are due to the non-prorating locality for the same tax year. The Town shall provide a credit against the total tax due on the replacement vehicle, trailer, or boat in an amount equal to the tax paid to the non-prorating locality for the period of time commencing with the disposition of the original vehicle, trailer, or boat and continuing through the close of the tax year in which the owner incurred tax liability to the non-prorating locality for the original vehicle, trailer or boat.

F. Exemptions of property for which tax has been paid to another jurisdiction. Tangible personal property which was legally assessed by another jurisdiction in the Commonwealth and on which the tax has been paid is exempt from taxation under this section for the tax year or portion thereof during which such property was legally assessed by other jurisdiction and taxes were paid to that jurisdiction and not refunded in whole or in part.

- G. Filing of returns. Filing procedures shall be in compliance with the Warren County Code.
- H. Billing for less than full year. Notwithstanding any other date for billings and payment of personal property taxes, the Town may bill all personal property taxes assessed for a portion of the tax year on or after December 15 of each year.
- I. Due date of taxes. The taxes shall be due not less than thirty (30) days after the date of the tax bill or due date on the tax bill, whichever is later.
- J. Time limit for applications. Any taxpayer entitled to a refund or credit must make application therefore to the Director of Finance no later than three (3) years from the last day of the tax year during which the motor vehicle, trailer or boat lost situs, was sold or had its title transferred.

Paragraph Two

Subject to the qualifications contained in this ordinance all appropriations made out of the General Fund, Street Fund, Economic Development Fund, Special Projects Fund, Service District Fund, Special Revenue Fund, Electric Fund, Water Fund, Sewer Fund, and Refuse Fund are declared to be maximum, conditional and proportionate appropriations, the purpose being to make the appropriations payable in full in the amount named, if necessary, and then only in the event the aggregate revenues collected and available during the fiscal year for which the appropriations are made are sufficient to pay all the appropriations in full. Otherwise the said appropriations shall be deemed to be payable in such proportions as the total sum of all realized revenue of the General Fund, Street Fund, Debt Service Fund, Special Projects Fund, Service District Fund, Special Revenue Fund, Electric Fund, Water Fund, Sewer Fund, and Refuse Fund is to the total amount of revenues estimated to be available in the said fiscal year by the Town Council.

Paragraph Three

All balances of the appropriations payable out of the General Fund, Street Fund, Debt Service Fund, Special Projects Fund, Service District Fund, Special Revenue Fund, Electric Fund, Water Fund, Sewer Fund, and Refuse Fund of the Town Treasury unencumbered at the close of business on the thirtieth day of June, 2010, except as otherwise provided for, are hereby declared to be lapsed into the Town Treasury. Such unencumbered balances shall be used for the payment of the appropriations that may be made in the appropriation ordinance for the fiscal year beginning July 1, 2010. However, nothing in this paragraph shall be construed to be applicable to unencumbered balances remaining to the credit of any Sinking Fund, or any funds created by the setting up of special revenues, but such balances shall be used in financing the proposed expenditures of these funds for the fiscal year beginning July 1, 2010.

Paragraph Four

The director or administrative officer in charge of a department shall have the authority to transfer moneys between line items and categories within the budgeted appropriations of such department. No department receiving appropriations under the provisions of this ordinance shall exceed the total amount of its appropriation except with the prior consent and approval of the Town Council or the Town Manager. Where the Town Manager is the administrative officer in charge of a department, no prior consent or approval shall be required for such department to exceed its appropriation. The Town Manager may transfer moneys within any Fund to provide for such expenditure in excess of a department's budgeted appropriation. No Fund receiving appropriations under the provisions of this ordinance shall exceed the total amount of its appropriation except with the prior consent and approval of the Town Council who may then authorize by resolution the transfer of moneys between the Funds. If any such department or fund shall exceed the amount of its appropriation without such consent and approval, the director or administrative officer, in the discretion of the Town Council, may be deemed guilty of neglect of official duty and may be subject to removal therefore.

Paragraph Five

Nothing in this section shall be construed as authorizing any reduction to be made in the amounts appropriated in this ordinance for the payment of interest, bonds, or contributions to any Sinking Fund on the bonded debt of the Town Government.

Paragraph Six

None of the moneys mentioned in this ordinance in connection with the General Fund, Street Fund, Economic Development Fund, Special Projects Fund, Service District Fund, Special Revenue Fund, Electric Fund, Water Fund, Sewer Fund, and Refuse Fund shall be expended for any purpose other than those for which they are appropriated except as provided in Paragraph Four. It shall be the duty of the Director of Finance to see that this provision is strictly observed and to report to the Town Manager any irregularities.

Paragraph Seven

Allowances out of any of the appropriations made in this ordinance by any or all of the Town departments, bureaus, or agencies to any of their officers and employees for expenses on account of the use of such officers and employees of their personal automobiles in the discharge of their official duties shall not exceed the standard mileage rate as determined by the IRS (55 cents per mile as of January 1, 2009).

Paragraph Eight

All traveling expense accounts shall be submitted on forms and according to regulations prescribed or approved by the Town Manager.

Paragraph Nine

All moneys from the sale of general government real estate or other property shall be set aside in a separate account of the General Fund and subject to expenditure only through appropriate action of the Council. Except, where the Council shall have specified that the moneys from the sale of an item or a class of property shall be paid into a specified account of a Town department.

Paragraph Ten

All moneys collected by any department, bureau, agency or individual of the Town Government shall be paid into the Town Treasury not later than the day immediately following the day of collection.

Paragraph Eleven

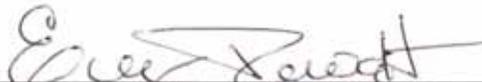
The Fund budgets in Section I as included in the general budget are hereby adopted and made the official budget document of the Town of Front Royal. It is expressly provided that the restrictions with respect to the expenditure of the moneys appropriated shall apply only to the lump sum amounts for the classes of expenditures, of Funds, which have been included in this ordinance.

Paragraph Twelve

All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

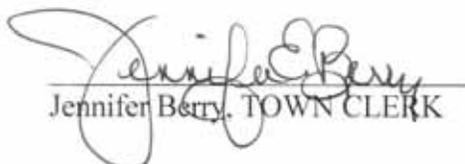
THIS ORDINANCE SHALL BECOME EFFECTIVE JULY 1, 2009.

APPROVED:



Eugene Tewalt, MAYOR

ATTEST:



Jennifer Berry, TOWN CLERK

The above ordinance was published in the *Northern Virginia Daily* on April 11 & 18, 2009, was approved on its first reading at a regular meeting of the Town Council held on April 27, 2009, and was formally approved on the second and final reading at the regular meeting of the Town Council on May 11, 2009.