



# 2025 VIRGINIA GENERAL ASSEMBLY LEGISLATIVE PROGRAM

TOWN OF LEESBURG, VIRGINIA

Adopted by  
Town Council on  
June 25, 2024

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# Town of Leesburg

## 2025 Legislative Program

### 1. General Topics:

#### *Legislative Priorities:*

##### 1.1 Marijuana Regulations:

The Town Council requests that the General Assembly take action to clarify state and local roles and responsibilities pertaining to marijuana rules and regulations.

##### 1.2 Remote Meetings of Advisory Boards and Commissions:

The Town Council requests amending Section 2.2-3708.2 of the Code of Virginia to allow advisory boards and commissions serving a locality, when not performing any adjudicatory function, to be permitted to conduct public meetings virtually, with no requirements for in-person attendance or quorum determination. All meetings would be required to provide real-time public access and methods for public participation.

##### 1.3 Increase to the Allowable Limits of Remote Participation for Elected Officials:

The Town Council requests amending Section 2.2-3708.2(b) of the Code of Virginia to allow members of legislative bodies, boards, and commissions, regardless of function, to participate through electronic communication means for reasons of unsafe travel conditions or personal health risks upon the approval of a majority of the members in physical attendance.

##### 1.4 Memorandums of Agreement with the County:

The Town Council requests an amendment to the Code of Virginia which mandates that counties that contain incorporated towns must provide services to town residents on equal parity with county residents without the necessity of a written agreement and that, for those services provided, county regulations and standards apply.

##### 1.5 Plastic Bag Tax:

The Town Council requests an amendment to Code of Virginia Section 58.1-1745 to require counties to distribute collected revenue back to the towns within their jurisdiction using the formula already in place for distribution of sales tax.

### *Position Statements:*

**1.6 More Authority for Large Towns:**

When crafting legislation that impacts localities, the General Assembly, when practicable, should grant large towns the same authorities that are granted to cities and counties.

**1.7 Oppose Any Reduction of Local Taxing Authority:**

The Town Council opposes any reduction or narrowing of the taxing authority of local governments, including but not limited to business license tax, machinery & tools tax, sales tax, and meals tax. Further, the General Assembly should take no action to restrict the use of current local revenue sources.

**1.8 Oppose Any Unfunded Mandates:**

The Town Council opposes any new state mandates that are not fully funded by the Commonwealth and opposes the shifting of fiscal responsibility from the state to localities for existing programs.

**1.9 Support Revenue Sharing with State:**

The Town Council supports any state revenue sharing formula to assist local governments with public infrastructure needs, so long as the formula includes recognition of the needs in high growth localities.

**1.10 Legal Notice Publication:**

The Town Council supports legislation that would give localities the authority to post legal notices on the locality's official website as a substitute for publishing legal notices in print newspapers.

**1.11 Rights to Share Customer Account Information:**

The Town Council opposes any legislation that would restrict the sharing of customer contact information, exclusive of consumption data, between governmental bodies for the purpose of tax collection.

## **Focus Areas:**

### **2. Land Use**

#### *Legislative Priorities:*

**2.1 Real Estate Disclosures:**

The Town Council requests the repeal of Code of Virginia Section 15.2-983.1 to once again allow localities to establish or enforce a mandatory disclosure requirement for a

real estate licensee, any party to a contract of the sale or listing of residential real property, or any authorized agent of such party. The changes brought about by the enactment of HB467 and SB354 in the 2024 Session prevent the Town from requiring the disclosure to homes located within the one-mile perimeter for the Leesburg Executive Airport that may be impacted by aviation noise.

**2.2 Local Authority for Regulation of Short-Term Rentals:**

The Town Council requests the repeal of SB544 (Code of Virginia Section 15.2-983-D) that prevents localities from requiring a special exception, special use, or conditional use permit be obtained for the use of a residential dwelling as a short-term rental where the dwelling unit is also legally occupied by the property owner as his primary residence.

The Town Council requests the repeal of Code of Virginia Section 15.2-983-B(2) in order to require that all persons register short-term rentals within a locality. The Code currently provides a registration exemption for individuals who are licensed by the Real Estate Board or a property owner who is represented by a real estate licensee.

**2.3 Local Authority for Regulation of Accessory Dwelling Units:**

The Town Council requests that SB304 be rejected during the 2025 Session to allow localities to retain local authority to regulate how and where Accessory Dwelling Units are developed and who may occupy the units once constructed.

*Position Statements:*

**2.4 Oppose any reduction of local land use authority:**

The Town Council opposes legislation that weakens local authority to plan and regulate land use, zoning and property maintenance. This authority should remain with local governing bodies. The Town Council generally supports the granting of additional land use, zoning, and property maintenance authority to localities, especially in areas experiencing high rates of sustained growth, and as a means to address the fiscal burdens experienced by localities in providing needed public services to local residents. The Town Council supports existing local authority to accept cash and in-kind proffers from developers to assist localities in financing the capital facilities and infrastructure needed to serve new development and opposes legislation to eliminate or restrict that authority.

**2.5 Wireless Communication Facility Placement:**

The Town Council opposes any legislation that limits the Town's authority to regulate the placement of wireless communication facilities in Town right-of-way and on Town-owned facilities and rental and permit fees related to such equipment.

### 3. Environment

#### *Legislative Priorities:*

##### 3.1 Glass Recycling:

The Town Council requests the state develop a program to incentivize localities and private recycling processors to provide glass recycling and to assist in expanding markets for recycled glass.

##### 3.2 Prohibition on Disposable Plastic Bags:

The Town Council requests legislation that would allow localities to prohibit the use of disposable plastic bags by retail establishments.

#### *Position Statements:*

##### 3.3 Tree Save Efforts:

The Town Council supports efforts that would strengthen localities' ability to require private new construction projects to save existing trees.

##### 3.4 Automobile Emissions Inspections:

The Town Council supports the expansion of biennial motor vehicle emissions inspection requirements for localities with significant commuter traffic.

##### 3.5 Dam Safety Funding and Regulations:

The Town Council urges the federal government and the Commonwealth of Virginia to provide adequate funding for high hazard dam inspection, maintenance, and reconstruction.

##### 3.6 Stormwater Local Assistance Funding:

The Town Council urges the Commonwealth of Virginia to continue funding for the SLAF program to assist localities with providing the construction of projects to satisfy the Chesapeake Bay Total Daily Maximum Load (TMDL) requirements.

##### 3.7 English Ivy Prohibition

The Town Council supports legislation that would authorize a locality to adopt an ordinance to prohibit the sale of English Ivy.

## 4. Public Safety

### *Legislative Priorities:*

#### 4.1 Temporary Detention Order Expansion

The Town Council requests an amendment to the Code of Virginia that would allow an extension to a 72-hour Temporary Detention Order (TDO). Under the current state code, community services cannot pursue a second TDO when a bed is not found within the initial 72-hour period. Local magistrates are directed, pursuant to a prior Attorney General opinion, to not grant successive TDOs. The Town would like to see Va. Code §§ 37.2-808, -809, and -814 amended to allow for a second TDO assuming no change in the person's circumstances while preserving an individual's right to due process.

#### 4.2 Enhanced Benefits for Emergency Dispatchers

The Town Council requests an amendment to the Code of Virginia that would allow local governments to provide enhanced retirement benefits for hazardous duty service to full-time salaried emergency dispatchers.

#### 4.3 Workers' Compensation Benefits for Emergency Dispatchers

The Town Council requests an amendment to the Code of Virginia that would allow emergency dispatchers to claim workers' compensation benefits relating to post-traumatic stress disorder under the Virginia Workers' Compensation Act.

#### 4.4 VaLORS Membership for Emergency Dispatchers

The Town Council requests an amendment to the Code of Virginia that would extend membership in the Virginia Law Officers' Retirement System (VaLORS) to emergency dispatchers who are employed by agencies whose law enforcement officers are eligible for membership in VaLORS.

#### 4.5 License Plate Reader Systems

The Town Council requests an amendment to the Code of Virginia that would allow for the use of license plate readers to scan, detect, and record data about vehicles and license plate numbers for the purpose of identifying a vehicle that is associated with a wanted, missing, or endangered person or that may be connected to a crime and for such data to be maintained for 30 days.

*Position Statements:*

**4.6 State Funding for Local Emergency Management Coordinators**

The Town Council supports the allocation of state funding to localities to ensure that Virginia communities are able to have Emergency Management Coordinator positions.

**5. Utilities**

*Position Statements:*

**5.1 Chesapeake Bay TMDL and State Water Quality Management Planning Regulation:**

The Town Council urges the Commonwealth of Virginia to provide adequate funding for state and federally mandated capital improvements for TMDL, water quality, and lead abatement (public and private water systems/services).

**5.2 Polyfluoroalkyl Substances (PFAS):**

The Town Council urges the Commonwealth of Virginia to not set a maximum containment level (MCL) for Polyfluoroalkyl Substances (PFAS) until sufficient study and research has been conducted and provide adequate funding to enable municipal water and wastewater systems to upgrade plants to meet State and Federal mandates.

**5.3 Lead and Copper Mitigation in Drinking Water:**

As a result of the Environmental Protection Agency's recently revised Lead and Copper Rule, the Town Council urges the Commonwealth of Virginia to provide adequate funding, including grants, for any possible future lead surveys and abatement projects for water systems. If abatement work is required, the Town asks that the state adopt a realistic timeline for work to be completed. All private property lead or galvanized abatement should be the responsibility of the property owner and not the water service provider.

**5.4 Municipal Utility Force Majeure Exemption**

The Town Council urges the Commonwealth of Virginia to exempt municipal utility operations from state fines and penalties when water or wastewater plants experience significant treatment impacts that are outside of the control or authority of the municipality, so long as the locality is fully communicating with state regulatory agencies and working in good faith to rectify the situation.

**5.5 Treatment Plant Expansion Funding:**

The Town Council supports the development of a state financing program that would share water and sewer plant expansion costs between the state and localities equally.

## 6. Transportation

### *Position Statements:*

#### 6.1 State Oversight of Locally Administered Projects:

The Town Council supports state policy changes to reduce state oversight of locally administered transportation projects. Such oversight is duplicative, cumbersome, inefficient, and results in unnecessary delays and costs. Periodic state audits of locally administered projects would be more efficient and better policy than constant, day to day oversight.

#### 6.2 VDOT Cost Estimates:

The Town Council supports state policy changes to mandate further refinement of VDOT cost estimates for transportation projects in an effort to improve accuracy. In those circumstances when there are excess funds on a specific project, allow those funds to be reallocated to other transportation projects more efficiently.

## 7. Finance

### *Position Statements:*

#### 7.1 Line of Duty Act:

The Commonwealth of Virginia should reassume the funding responsibility for the Line of Duty program instead of passing that financial obligation on to localities.

#### 7.2 HB 599 Law Enforcement Assistance Funding:

The General Assembly should follow the 599 Law Enforcement Assistance Funding formula established in the Code of Virginia Section 9.1-165 instead of the annual Appropriations Act passed by the General Assembly that distributes funds based on a standard, across-the-board percentage increase or decrease from the previous fiscal year's allocations.

#### 7.3 State Funding for School Resource Officers:

The Town Council supports legislation that would provide state funding for school resource officers at all public elementary, middle, and high schools.

#### 7.4 Bills of Financial Impact to the Town:

The Town Council supports reinstatement of the requirement that bills resulting in a net expenditure and/or net decrease in revenue for local governments be filed on or before the first day the legislature convenes.

**7.5 Business, Professional and Occupational License (BPOL) Taxes:**

The Town Council opposes any legislation that would eliminate the BPOL tax, unless current revenue from the BPOL tax is replaced with new local revenue that is distributed directly to each locality based on point of sale. Further, the Town Council requests that if the BPOL tax is eliminated, localities be granted the authority to issue an annual license to businesses physically located within the locality for a nominal fee to recover administrative costs necessary for the collection of requisite information for other business processes and state mandated reporting.

**7.6 Marijuana Sales Tax:**

If authorized, the Town Council supports the Commonwealth of Virginia centrally collecting taxes on marijuana sales and distributing the tax on a monthly basis to each jurisdiction based where the local portion of the tax was assessed and collected.

## **8. Budget Funding Requests**

**8.1 Liberty Street Parking Lot Dump Site Remediation:**

The Town Council requests \$20,000,000 in funding to support the full remediation of the former municipal dump located at 204 Liberty Street. The dump site was active during the mid-1900s and contains toxins including lead and petroleum related chemicals. The property is currently owned by the Town and used as a public surface parking lot.

**8.2 Air Traffic Control Tower Funding:**

The Town Council requests \$600,000 in funding from the State Department of Aviation, or through other state sources, to support the Town in providing temporary mobile trailer air traffic control services while the permanent control tower is being constructed. Additional support for design and construction of the permanent tower through grants and other sources will also be needed.

**8.3 State Maintenance Funds for Roadway Paving and Repair:**

The Town Council requests that the Virginia Department of Transportation continue to fund road maintenance through the two programs established to help localities with roadway maintenance, the Revenue Sharing maintenance program and the State of Good Repair program. Funding for both programs should only come from state sources, and not be commingled with federal funds. Currently, the state includes federal dollars in these programs, thus requiring all local projects receiving these funds to meet all federal regulations. This requires duplication of procurement and significant delays and increased costs for simple projects such as street paving.