

SENATE OF VIRGINIA

L. LOUISE LUCAS
18th SENATORIAL DISTRICT
ALL OF GREENSVILLE, NOTTOWAY, AND SUSSEX
COUNTIES ALL OF THE CITY OF EMPORIA, PART OF
BRUNSWICK, ISLE OF WIGHT, LUNENBURG, AND
SOUTHAMPTON COUNTIES, AND PART OF THE CITIES
OF CHESAPEAKE, FRANKLIN, PORTSMOUTH, AND SUFFOLK
POST OFFICE BOX 700
PORTSMOUTH, VIRGINIA 23705-0700



COMMITTEE ASSIGNMENTS
LOCAL GOVERNMENT, CHAIR
COURTS OF JUSTICE
EDUCATION AND HEALTH
FINANCE
RULES

March 5, 2008

The Honorable Janet D. Howell
Senate of Virginia
Room 321 General Assembly Building

The Honorable Kenneth R. Plum
Virginia House of Delegates
Room 401 General Assembly Building

Dear Senator Howell and Delegate Plum:

I am in receipt of your letter of March 4, 2008, requesting information on the incorporation of a town in the Commonwealth.

It is the custom and practice of the Senate Committee on Local Government to require a resolution from the affected local government expressing its support for any charter change, including incorporation. Without such a resolution of support, the committee will not report the legislation.

In the instance of a proposed incorporation within the County of Fairfax, a resolution passed by the Board of Supervisors would be necessary to indicate support for such incorporation notwithstanding the provisions of Virginia Code § 15.2-817 that provides that no unincorporated area within a county having the urban county executive form of government shall be incorporated in such a county and § 15.2-3602(A)(6) that provides that no unincorporated area shall be formed into a town if the proposed town is within a county that has a population density of more than 200 persons per square mile. Fairfax County has the urban county executive form of government and a density greater than 200 persons per square mile.

If your constituents find the legislative process for incorporation too rigorous they may seek incorporation through the courts as provided in § 15.20-3600. Only 100 signatures are required on a petition to the circuit court to have the Supreme Court set up a special court to hear the case. Petitioners would be required to show proof that incorporation "will be in the interest of the inhabitants within the proposed town," and that "the services required by the community cannot be provided by the establishment of a sanitary district, or under arrangements provided by law, or through extension of existing services provided by the county in which the community is

located." Proof would need to be shown also as to why incorporation should be permitted notwithstanding the prohibition on incorporation of areas that exceed 200 persons per square mile.

Please let me know if you need additional information.

Sincerely yours,

A handwritten signature in cursive script that reads "L. Louise Lucas".

L. Louise Lucas
18th Senatorial District

cc: The Honorable Riley E. Ingram



RILEY E. INGRAM
3302 OAKLAWN BOULEVARD
HOPEWELL, VIRGINIA 23860
SIXTY-SECOND DISTRICT

COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND

COMMITTEE ASSIGNMENTS:
COUNTIES, CITIES AND TOWNS (CHAIRMAN)
PRIVILEGES AND ELECTIONS
APPROPRIATIONS

March 31, 2008

The Honorable Kenneth R. Plum
2073 Cobblestone Lane
Reston, Virginia 20919

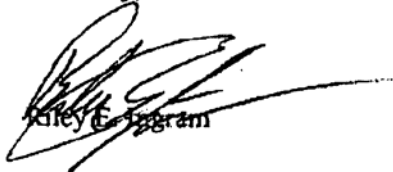
Dear Delegate Plum:

This is in response to your correspondence regarding Reston's request for a township. As chairman for the House Counties, Cities and Towns Committee, I do not see any way the committee would override the Code of Virginia regarding this issue. The only way the committee would act would be to have a resolution from the County Board of Supervisors stating their support for Reston to become a town.

Please, if I may be of additional assistance to you, do not hesitate to call. I would be glad to help in any way.

My best to you,

Sincerely,


Riley E. Ingram

SENATE OF VIRGINIA

JANET D. HOWELL
32ND SENATORIAL DISTRICT
POST OFFICE BOX 2608
RESTON, VIRGINIA 20195
PHONE: (703) 709-8283
EMAIL: SENHOWELL@ACL.COM



COMMITTEE ASSIGNMENTS:
PRIVILEGES AND ELECTIONS, CHAIR
COURTS OF JUSTICE
EDUCATION AND HEALTH
FINANCE
RULES

April 10, 2008

Mrs. Marion Stillson
President
Reston Citizens Association
11286 Spyglass Cove Lane
Reston, Virginia 20191

Dear Marion:

Congratulations on assuming the duties of President of the Reston Citizens Association. We look forward to working with you on issues that affect our community.

Knowing of the interest of some of your members on the issue of town incorporation of Reston, we wrote to the Honorable L. Louis Lucas, Chairman of the Senate Local Government Committee, and the Honorable Riley E. Ingram, Chairman of the House Counties, Cities and towns Committee, the two committees with jurisdiction over issues affecting local government.

As you will read in the letters, both chairmen make it clear that any proposals to incorporate a town would need a resolution of support from Fairfax County.

I hope that you will find this information useful. Please let us know if we can be of further assistance to you.

Sincerely yours,

Handwritten signature of Janet D. Howell in cursive.

Janet D. Howell

Handwritten signature of Kenneth R. Plum in cursive.

Kenneth R. Plum

Enclosures (2)

cc: The Honorable Catherine Hudgins, Hunter Mill District Supervisor
Ms. Jennifer Blackwell, President, Reston Association
Mr. Mark Looney, Greater Reston Chamber of Commerce

Mr. William G. Bouie, Chairman, Reston Community Center Board of
Governors
Mr. Gerald R. Volloy, President, ARCH
Mr. Anthony H. Griffin, County Executive, County of Fairfax
Ms. Barbara Rovin, Executive Director, Reston Town Center Association
and Reston Urban Core Association