Town Council Agenda

SHEPHERDSTOWN SPECIAL TOWN COUNCIL MEETING AGENDA

Tuesday, November 10, 2026 – 6:30 p.m.

Town Hall – 104 North King Street

Join online by Zoom:

https://us06web.zoom.us/j/86067120451?pwd=fWNLscmYpiOmof8Pknlig4oZKNXa8i.1

Or join by telephone:

Dial: (301) 715-8592

Meeting ID: 860 6712 0451

Passcode: 818383

1. Call to Order

2. Attendance

3. Approval of Minutes

a. Town Council Minutes of October 14 and 28

4. Public Comment Period

5. Public Hearings

a. Second Reading, Ordinance Authorizing Accessory Dwelling Units (ADU)

b. First Reading, Amendment to Floodplain Ordinance

6. Mayor's Report and Proclamations

7. Ongoing Business

a. Purchase of Former Elementary School Property
b. Traffic Enforcement Equipment - Status
c. Grant Seeking Roadmap – Status
d. Financial Management System Upgrade - Status
e. Posted Requests for Bids, Proposals and Qualifications

8. New Business

a. Report on Experience Shepherdstown Activities
b. Appointment of Interim Chief of Police and Related Matters
c. Toys for Tots Announcement
d. Special Events Requests – Votes
    i. Cullison Park – Birthday Party – November 14
    ii. Shepherdstown Christmas Parade – December 5

e. Volunteer Applications for Tree Commission
    i. Justin Roedersheimer
    ii. Peggy Bowers
f. Shepherdstown Community Grant Applications – None
g. Donations Received - Status
h. Town Applications for Grants – Status

9. Town Staff / Department Reports

a. Department Reports
b. Town Financial Status
c. Approval of Town Expenditures

10. Reports by Committees, Commissions, and Boards

a. Age Friendly Shepherdstown Committee
b. Finance Committee
c. Grants Committee
d. Historic Landmarks Committee
e. Parks and Recreation Committee
f. Personnel Committee
g. Planning Commission
h. Police Committee
i. Public Works Committee
i. Tree Commission
j. Water Board
k. Sanitary Board

11. Adjournment

Town Council Meeting Minutes

DRAFT

SHEPHERDSTOWN TOWN COUNCIL MEETING MINUTES

Regular Meeting — Wednesday, October 14, 2026 — 6:30 p.m.
Town Hall — 104 North King Street and via Zoom

1. Call to Order

The meeting was called to order at 6:32 p.m. Mayor Gatz presided.

2. Attendance

Council Members Present: James Gatz (Gatz), Mayor; Jim Auxer (Auxer); Marcy Bartlett (Bartlett); Harriet Pearson (Pearson); Cheryl Roberts (Roberts); Ashleigh Sanders (Sanders); and Joe Yates (Yates). All members were present in person.

Members Absent: None.

Staff Present: Amy Boyd (Boyd), Town Clerk; Maged Kirollos (Kirollos), Finance Director; Gino Sisco (Sisco), Town Administrator; and Karl Musser (Musser), Program Manager and Planning & Zoning Specialist.

Visitors Present: List of those who signed in is available from the Town Clerk.

3. Approval of Minutes

a. Town Council Minutes of September 9 and 15. Roberts moved, Sanders seconded, to approve both sets of minutes. Bartlett asked that the September 9 minutes state the reason for her vote against the International Property Maintenance Code ordinance (Item 5.a). Pearson moved, Auxer seconded, to amend the motion by adding, after "Bartlett, who voted no," the words "because her position is that the Corporation of Shepherdstown should adopt both the State Building Code and the International Property Maintenance Code, as West Virginia law allows municipalities to adopt a State Building Code with or without a maintenance code." The amendment carried, all ayes. The motion to approve the September 9 minutes as amended and the September 15 minutes as written then carried, all ayes.

4. Public Comment Period

River Road Property Development (Item 8.a)**.** J. Aldis stated his belief that a recorded Old River Road easement crosses the property and asked that its status be resolved before construction, and suggested fencing along the bluff. S. Friedman, C. LeBeau, S. Tsukuda and B. Lukens raised concerns about a future development's consistency with the Comprehensive Plan; its density, scale and design; outdoor lighting and dark skies; and traffic speed and volume, and asked that residents be kept informed of the review process. C. LeBeau also noted the need for a buffer between her property and the new construction.

Accessory Dwelling Units. K. Alexander, Chair of the Historic Landmarks Commission, stated that the draft ordinance (Item 5.a) incorporates the Commission's recommended changes and addresses its historic preservation concerns.

Traffic Safety. A. Jones, L. Potter-Saum and E. Gross asked the Council to address speeding and pedestrian safety on West German, East German and West High Streets, including through traffic calming, one-way designations, signage and a public awareness campaign.

Immigration Enforcement Resolution. E. McGowen thanked the Council for adopting the resolution in September and for reporting it in the Town newsletter.

5. Public Hearings

a. First Reading of an Ordinance Authorizing Accessory Dwelling Units (ADU). Gatz read the title, "An Ordinance of the Corporation of Shepherdstown Establishing Requirements for Accessory Dwelling Units," and opened the public hearing. No members of the public spoke during the hearing. Gatz moved, Auxer seconded, on the question, "Shall the proposed ordinance be rejected?" Council members raised questions about enforcement, setbacks and the zoning districts covered, to be addressed before second reading. The motion failed, all nays. The ordinance will be considered on second reading at the November meeting.

6. Mayor's Report and Proclamations

Gatz highlighted the October Town newsletter and asked residents who do not receive it to contact Town Hall to be added to the email list. He reported that a water break in the Chaplain's Choice neighborhood that day required a temporary shutdown of the water system; service was restored, and a boil water advisory remained in effect pending state health department testing. There was discussion about how notices were sent to residents about the situation.

Gatz announced that Police Chief Mike King will retire at the end of October, and that C. Rodis, a member of the Board of Zoning Appeals, is moving away at the end of October.

Fall clean-up week is November 2–6.

Gatz thanked Public Works for curb and street cleaning work and asked residents to observe the temporary no-parking signs posted on cleaning days; Roberts noted that signs were posted on West High Street without visible cleaning, and Gatz noted that he will follow up.

Gatz announced a briefing for the Town Council by the Town's consultant Sustainable Strategies on Friday, October 16 at Town Hall, and a special Town Council meeting focused on the elementary school property on Wednesday, October 28.

7. Ongoing Business

a. Purchase of Former Elementary School Property. Gatz moved this item to the end of the meeting. See "Item 7.a, Taken Up Out of Order," following Item 10.

b. Postal Service Mail Delivery in Town. Sisco reported on his October 6 meeting with the Postmaster, who declined to attend a Council meeting but agreed to respond to written questions. Residents may email questions about mail delivery in town to Sisco through close of business October 21; Sisco will compile and forward them. No action was taken.

c. Traffic Issues on West High Street and the Surrounding Area. Gatz reported that the Public Works Committee will meet Monday, October 26 to develop a recommendation on the West High Street traffic proposals.

d. Use of Video Lottery Terminals in Town. Sisco reported that video lottery is not currently a permitted use in the Town's commercial districts and, according to Town counsel, the Lottery Commission's certification requires that video lottery be expressly recognized as a permitted use in the municipality's zoning ordinance. The Town may regulate the number, location and spacing of machines. Gatz asked staff to take next steps to develop an ordinance amendment allowing limited video lottery, with Planning Commission input. No vote was taken.

e. Proposed Donation of Building. Sisco reported on work done to analyze the proposed donation of a non-historic building at 205 North Mill Street, to be relocated to the Public Works yard on East High Street. A building mover estimated the move at more than $50,000; with site preparation and related work, the total is estimated at about $100,000, compared with about $45,000, plus concrete and electrical work, for a new steel building. No motion to accept the donation was made, and no action was taken.

f. Holiday Lights on German Street Buildings. Sisco reported that the holiday lights on German Street buildings are in disrepair and pose a safety hazard. He is consulting Experience Shepherdstown and German Street property and business owners on whether to repair, rehang or remove them. Town Council discussion noted the importance of safety and encouraged Sisco to seek a temporary fix for this season and a longer-term plan coordinated with Experience Shepherdstown. No formal action was taken.

g. Call for Volunteers for Town Boards, Committees and Commissions. Gatz called for volunteers for the Tree Commission, the Planning Commission, the Board of Zoning Appeals, and the Parks and Recreation Committee. Those interested should contact the Town Clerk (clerk@shepherdstown.gov).

8. New Business

a. Application for Planned Unit Development – Property at 5026 River Road. Gatz reported that he and staff held a pre-application conference with the applicants on September 29 and the materials provided to the Town Council are a general concept. If the applicants proceed with an application, it will first go to the Planning Commission under

the process established in the Town's PUD ordinance as recently amended. The process and materials will be posted on the Town website. No action was taken.

b. Mayor's Advisory Committee on Police / Traffic Enforcement. Gatz announced that he is forming an advisory committee on police and traffic enforcement, in response to the events of July 4 and public concern about traffic, to develop recommendations to Council targeted for January 2027. W. Mitchell and A. Jones have agreed to serve, and Gatz invited suggestions for additional members.

c. Business License Enforcement. Auxer shared his observation that there are businesses working in town that do not have business licenses from the Town as required, which he said creates public safety issues and makes it difficult for the Town to assist with consumer complaints. A discussion was held about how to address such non-compliance, including by the Town's encouraging residents and businesses to ask contractors about their licenses and posting a list of currently licensed businesses on the Town's website. No formal action was taken.

d. Special Events Requests – Votes.

i. Town Wide Yard Sale – October 24. P. Peltola described the event, in which residents hold yard sales at their own homes and keep sidewalks clear. Council agreed that a special event permit is not required for residents holding yard sales on their own property. No vote was taken.

ii. Holiday Kick Off & Tree Lighting – November 27. Vote on the application was deferred to the October 28 special Town Council meeting with applicant Experience Shepherdstown to confirm Fire Department participation and review.

iii. Festive First Friday – December 4. Deferred to the October 28 special meeting with same request as prior item.

Gatz noted that Shepherd University will hold its annual Founders Day walk during homecoming weekend; no Council action is required.

e. Shepherdstown Community Grant Applications. None.

f. Donations Received. None.

g. Town Applications for Grants. No new applications.

h. Posted Requests for Bids, Proposals and Qualifications. Gatz reported that a request for proposals for a consultant to assist with decision-making on the school property has been posted on the Town website and that responses have been received.

i. Resolution in Support of Voices Opposing Line Transmission (VOLT). C. Kemmerling of Jefferson County VOLT presented a resolution opposing the Valley Link North, Gore-Doubs-Goose Creek and MARL transmission line projects and urging the West Virginia Public Service Commission to deny any certificates for them. She and another VOLT representative described the projects' routes through Jefferson County and their effects on farmland, historic resources and groundwater. They noted that Valley Link's application to

the Public Service Commission is expected in early 2027 and that Valley Link will hold an open house in Ranson on November 18. The presenters clarified that VOLT stands for Voices Opposing Line Transmission, not Volunteers as stated on the agenda. Council members asked for time to review the resolution before acting. Gatz asked Council members to send comments to the Town Clerk by October 21 and stated that the resolution will be taken up for a vote at the October 28 special meeting.

9. Town Staff / Department Reports

a. Department Reports. Council reviewed the written reports. In response to questions, it was reported that the DEP citation at the wastewater plant was resolved through remediation without a fine, that three more benches (one memorial bench and two art benches) are to be installed, and that the new concrete pad at the Public Works yard will store rock, stone and glass. Questions on chlorine line replumbing and operator hiring will be referred to Coe. Council asked that the Public Works report indicate whether listed items are planned, in progress or completed. In response to a question on succession for King, Gatz stated that he will take time to consider next steps with the Personnel Committee, and that the department's experienced officers, including Sgt. Bryce Dickens, will provide continuity in the meantime.

b. Town Financial Status. Kirollos reported that, as of August 31, revenue was $145,881 below the year-to-date plan, due to the timing of sales, liquor and video lottery tax distributions, and expenses were $83,654 under plan. City Hall is over budget due to two Mills Group grant invoices, about $23,000, submitted for reimbursement. Budget Revision #1, previously approved, will be reflected in the September financial report, and Kirollos will update the schedule of restricted funds. Currently staff and outside consultants are preparing the annual report to the Public Service Commission for filing by the end of October.

c. Approval of Town Expenditures. Council asked about community grant disbursements and follow-up reports, tree removal costs, Tek Advisors charges, the Bavarian Inn trash reimbursement, the lease at 102 North King Street, the elevator telephone line and the general liability insurance payment. Kirollos clarified that the $64,338 liability insurance payment is a quarterly payment for the entire Corporation, allocated among the General Fund and the Water and Sanitary departments, and will provide the tree removal invoices. Sanders moved, Bartlett seconded, to approve the expenditures. Motion carried, all ayes.

10. Reports by Committees, Commissions, and Boards

a. Age Friendly Shepherdstown Committee. It was reported that volunteers are conducting point-in-time counts on the Market House Plaza and encouraging completion of the Plaza survey, online or on paper, and that the committee is exploring a Crash Studio traffic-safety assessment. Whether the group will recommend that it be a Town committee or an advisory body is on its next meeting agenda.

b. Finance Committee. No report.

c. Grants Committee. No report.

d. Historic Landmarks Committee. No report.

e. Parks and Recreation Committee. No report.

f. Personnel Committee. No report.

g. Planning Commission. No report.

h. Police Committee. No report.

i. Public Works Committee. No report.

j. Tree Commission. No report.

k. Water Board. It was reported that the Water Board is pursuing a simple rate increase limited to the unit rate, with other tariff elements to be reviewed later, and will then focus on its capital improvement plan.

l. Sanitary Board. No report.

Item 7.a, Taken Up Out of Order: Purchase of Former Elementary School Property. Bartlett moved, Gatz seconded, to enter executive session under W. Va. Code § 6-9A-4(b)(9) to discuss matters involving the purchase of real property. Motion carried, all ayes. Council entered executive session at 9:22 p.m. Gatz moved, Bartlett seconded, to return to open session. Motion carried, all ayes. Council returned to open session at 10:32 p.m. No action was taken.

11. Adjournment

Sanders moved, Yates seconded, to adjourn. Motion carried, all ayes. The meeting adjourned at 10:33 p.m.

Prepared and submitted by Harriet Pearson, Recorder

DRAFT

SHEPHERDSTOWN SPECIAL TOWN COUNCIL MEETING MINUTES

October 28, 2026 – 6:30 p.m.

Town Hall – 104 N. King Street, and via Zoom

1. Call to Order

Mayor Gatz called the meeting to order at 6:33 p.m. The agenda for this special meeting did not include a public comment period, but the Mayor offered to hear comments from anyone present. No members of the public spoke. At the Mayor's suggestion, Council agreed to take up the Shepherdstown Elementary School Property item at the end of the meeting.

2. Attendance

Members Present: James Gatz (Gatz), Mayor; Jim Auxer (Auxer); Marcy Bartlett (Bartlett); Harriet Pearson (Pearson); Cheryl Roberts (Roberts); Ashleigh Sanders (Sanders); and Joe Yates (Yates). Auxer participated via Zoom; all other members were present in person.

Members Absent: None.

Staff Present: Gino Sisco (Sisco), Town Administrator; and Maged Kirollos (Kirollos), Finance Director.

Visitors Present: A list of those who signed in is available from the Town Clerk. Speakers included C. Kemmerling and M. Hope, Jefferson County VOLT; and A. Nease, Experience Shepherdstown.

3. Resolution – Voices Opposing Line Transmission

Gatz introduced the resolution opposing the Valley Link North, Gore-Doubs-Goose Creek, and Mid-Atlantic Resiliency Line projects, which was first presented at the previous meeting. C. Kemmerling and M. Hope of Jefferson County VOLT (Voices Opposing Line Transmission) answered questions from Council.

Auxer moved to adopt the resolution for the Mayor's signature, seconded by Sanders. During discussion, Council agreed to spell out "PATH" as the Potomac Appalachian Transmission Highline and to change "Project" to "Projects" in the title. The motion to adopt the resolution as amended passed unanimously.

4. Special Events Requests

A. Nease of Experience Shepherdstown presented the three requests.

a. First Friday November 6. The application had been submitted to Town Hall and circulated by email but was not included in the meeting packet. The event is an inflatable-costume race down King Street. Participants gather at 5:00 p.m. and the race starts at 5:15 p.m., within the usual 5:00–7:00 p.m. First Friday hours. King Street would be closed from

Old Queen Alley (possibly from High Street) to German Street, and a hot beverage cart is possible. Sisco reported that staff had signed off on the application.

b. First Friday December 4. Festive First Friday will include a Shepherdstown Volunteer Fire Department bonfire with s'mores on King Street, a carol performance in Reynolds Hall, and Girl Scouts caroling through the streets.

c. Holiday Kick-Off. The Holiday Kick-Off and tree lighting is on November 27. It will include Santa and Mrs. Claus in McMurran Hall, and storytelling by the library's children's librarian at the bonfire. Nease confirmed that both December events and the Kick-Off have been coordinated with the Fire Department, which will set up and staff the bonfires. The Town will decorate the parking meters the day before Thanksgiving. Holiday free parking will run from November 25, 2026 through January 4, 2027.

Auxer moved to approve all three special event requests, seconded by Bartlett. The motion passed unanimously.

5. Town Communications / Alerts – Discussion

Gatz reported on problems with Town alerts during the recent boil-water advisory. Staff who would normally have been involved were out of the office that day, and the Town's alert system did not deliver all messages. Town Hall is reviewing both its internal procedures, including standardized messages, and the alert system itself. The Town plans to ask residents to confirm or update their contact information by mail, with an online option, to help improve the quality of the contact data.

6. Holiday Lights – Discussion

Sisco reported that he had contacted the contractor that has hung the downtown holiday lights in past years. The contractor has provided insurance information covering the Town and holds a current Town business license. The cost is $4,080, an estimated 24–32 labor hours, for a four-person crew. The crew will use a lift at third-story locations and ladders elsewhere to rehang and inspect the existing lights and replace failed bulbs and cords; no new lights will be added. Before work begins, Town Hall will reconfirm permission from property owners, since the existing permission list dates from 2024.

Sisco will find out how the snowflake lights (about seven) will be installed this year. He also reported that five streetlights are out and have been reported to the electric utility with addresses and pole numbers. The Town has also asked the utility to correct streetlights that are not coming on at dusk. Police officers would typically be expected to report lights that are out. Council members were also asked to report outages to Town Hall.

7. Sidewalk along Highway 480 to Morgan Grove Park – Discussion

Gatz reported that he has been told the State's contractors expect to begin construction in mid-November. He has asked for written confirmation, which had not yet been received. There will be intermittent traffic disruptions, managed by flaggers during set hours, and

residents may see road marking and flagging beforehand. The Town will announce the start in the Town newsletter once the date is confirmed.

8. Town Building Code – Discussion

Pearson presented her discussion paper, included in the packet, to gather Council input on the idea of the Mayor and Town staff drafting an ordinance adopting the West Virginia State Building Code by reference. She noted that the Town has no building code, although most of the surrounding county is covered by one, and that a code promotes safety and predictability in property sales and lending. Historic structures receive special considerations and exemptions, and the code would apply only to future work. The program could be kept lean by contracting out inspections and recovering costs through fees, though Town Hall would still need a staff point of contact.

Council members noted the value of interim inspections in catching poor construction. They raised implementation questions, including which staff member would run the program, how fees would be set, and how inspectors would be contracted. Members suggested coordinating with implementation of the property maintenance code, and noted that Shepherd University, as a state entity, would be exempt.

By consensus, Council asked the Mayor and Town staff to develop a draft ordinance and an implementation proposal for Council's consideration. No vote was taken, as none was required.

9. Traffic Issues on W. High Street and Surrounding Areas – Discussion

Gatz reported that the matter was discussed at a Public Works meeting earlier in the week. Public Works estimated about $6,800 to install the stop signs, one-way signs, and speed bumps shown on the map Roberts provided. Gatz has also consulted a consultant about an engineering review. The Town plans to start with the one-way signs and speed bumps as a pilot and get engineering input before investing further.

10. Shepherdstown Elementary School Property

Bartlett moved, seconded by Sanders, to enter executive session under W. Va. Code § 6-9A-4(b)(9) to discuss matters involving the purchase of real property. The motion passed unanimously, and Council entered executive session at approximately 7:15 p.m.

Pearson moved, seconded by Bartlett, to return to open session. The motion passed unanimously, and Council returned to open session at approximately 8:30 p.m. No action was taken.

11. Adjournment

Bartlett moved, seconded by Yates, to adjourn. The motion passed unanimously. The meeting adjourned at 8:33 p.m.

Prepared and submitted by Harriet Pearson, Recorder

Second Reading of Accessory Dwelling Unit Ordinance

Ordinance No. 2026-____

AN ORDINANCE OF THE CORPORATION OF SHEPHERDSTOWN
ESTABLISHING REQUIREMENTS FOR ACCESSORY DWELLING UNITS

The Corporation of Shepherdstown hereby ordains as follows:

Section 1. Findings and Purpose.

The Town Council finds and concludes that 2026 West Virginia Senate Bill 659, codified at W. Va. Code §§ 8-42-1 et.seq., requires municipalities to allow one accessory dwelling unit by right on each lot or parcel occupied by a single-family dwelling, and provides various requirements for municipalities in connection with permitting accessory dwelling units in their communities which supersede the general authority to implement zoning regulations under Chapter 8A of the West Virginia Code.

This ordinance is adopted for the purpose of complying with newly-adopted state law, and to further the purposes of the current Shepherdstown Comprehensive Plan.

In accordance with W. Va. Code § 8A-7-8, this Ordinance has been referred to the Shepherdstown Planning Commission for its advice, and Town Council receives and accepts the recommendation of the Planning Commission that the ordinance amendments are consistent with the current adopted comprehensive plan.

The Town Council additionally finds and concludes that the amendment to the Planning and Zoning Code established by this Ordinance is consistent with the current adopted comprehensive plan, including by furthering Goal EC13, taking action to allow accessory housing.

Section 2. Adoption of Amendment to Title 9 of the Codified Ordinances of the Town.

The following portions of the Codified Ordinances of the Town are hereby amended as provided (new matter <u>underlined</u>; deleted matter ~~stricken~~):

Sec. 9-207. Off-street parking requirements.

Parking space or spaces surfaced with asphalt, concrete or other stabilized material such as crusher-run and three (3) inches of stone shall be provided on any lot on which any of the following uses are hereafter established. Each space shall have access to a street or alley. For purposes of computing, each space will be not less than nine (9) feet wide nor twenty (20) feet long.

I. Minimum requirements for specific uses:

(a) For dwellings, one (1) space on the lot for each living unit in the building. For lodging houses, one (1) space on the lot for each lodging unit in the dwelling. No additional spaces will be required for the first ADU on any lot which already contains a single-family dwelling.

(b) For churches erected on new sites, one parking space on the lot for each ten (10) seats in the main auditorium, but existing churches and additions to or enlargements of churches existing at the time of passage of this title shall be exempt from this requirement.

(c) For places of public assembly, including auditoriums and theatres, one space for each seven (7) seats provided .

(d) For all schools, except high schools, two (2) spaces for each classroom; for high schools ten (10) spaces for each classroom.

(e) For institutions, clubs, lodges and other public and semi-public buildings, five (5) spaces for each one thousand (1,000) square feet of floor area.

(f) For commercial and residential uses located on the same lot in the Residential Commercial District, one space for each dwelling unit and one space for each two hundred (200) square feet of commercial floor area, with a minimum of two (2) spaces required. No additional spaces will be required for the first ADU on any lot which already contains a single-family dwelling.

(g) For commercial uses, except as specified in Section 9-207 I(f), one (1) space for each three hundred (300) square feet of floor area and one (1) space for each two (2) employees.

II. General rules and exceptions:

(a) In the RC and C Districts, parking space may be provided on a separate lot if within three hundred (300) feet of the building served, and two (2) or more owners may join together in the provision of this parking space.

(b) No parking space may be located in a front yard. This does not prohibit parking in a driveway.

(c) Parking spaces may be provided in side and rear yards in the Commercial District but are limited to rear yards in Residential Districts.

(d) Parking space for any use specifically permitted in an R District may be provided on a lot adjoining that use.

(e) Existing buildings not complying with off-street parking requirements may be remodeled, repaired or structurally altered, but any enlargement must provide the required parking spaces for said enlargement.

Sec. 9-208. Accessory Dwelling Units; Private detached garage or accessory building.

(a) A single Accessory Dwelling Unit (ADU) shall be permitted on any lot or parcel containing an existing single-family dwelling, subject to the following requirements:

1) Single-family dwelling. For purposes of determining whether the lot or parcel contains an existing single-family dwelling, a structure is a single-family dwelling if it meets the definition provided in this Code and is not used primarily for another purpose (such as a dwelling occupied for multifamily or commercial purposes as a preexisting, nonconforming use).

2) Type. The ADU may be attached to or detached from the single-family dwelling.

3) Area. The ADU must have a smaller area than the existing single-family dwelling, determined by measuring gross floor area. Attached or detached ADUs shall not be more than 75 percent of the gross floor area of the single-family dwelling or 1,000 square feet, whichever is less.

4) Setbacks: setbacks from front, side, and rear property lines, and from other structures, for detached ADUs will be the same as those for single-family dwellings in the district. Attached ADUs shall be considered a part of the principal structure for purposes of determining compliance with setbacks.

5) Height: Maximum building heights for ADUs shall be the same as the maximum building height for single-family dwellings in the zoning district.

6) Lot size: An ADU will be permitted on a lot having the minimum lot size required for a single-family dwelling in the district.

7) Lot coverage: An ADU will be subject to the maximum lot coverage provisions in the district. An ADU will be permitted if the ADU, together with the existing single-family dwelling and any other structures on the lot or parcel, will not exceed the maximum lot coverage for the district.

8) Building or lot frontage: An ADU will be permitted on a lot having the minimum lot frontage required for a single-family dwelling in the district.

9) Streets and Sidewalks: No improvements to streets or sidewalks will be required as a condition of establishing an ADU, but the property owner and/or contractor shall be responsible for the full cost of repairing and restoring any portion of a street, curb, sidewalk, or other public infrastructure damaged or deteriorated in connection with the construction of an ADU.

10) Parking: No additional off-street parking shall be required beyond what is required for the principal dwelling.

11) Use: ADUs shall be used as a dwelling and may be rented, leased, or used for short-term rental purposes subject to applicable law.

12) Design:

(A) Within a historic district as defined by W. Va. Code §8A-1-2, an ADU shall follow the design requirements imposed pursuant to any ordinance or regulation duly adopted for the preservation of that historic district.

(B) Within the Shepherdstown Historic District established pursuant to Chapter 3 of this Title, the requirement to follow such historic district design requirements shall include, but not be limited to, compliance with the then-current Shepherdstown Historic District Design Guidelines and the requirement to obtain a certificate of appropriateness prior to issuance of a project permit pursuant to Section 9-309.

(C) Except for applicable historic district regulations, an ADU shall not be required to match the exterior design, roof pitch, or finishing materials of the existing single-family dwelling.

(D) Unless expressly preempted by this subsection, all design and performance standards applicable to single-family dwellings in the zoning district shall apply to ADUs. If there are no design and performance standards applicable to single-family dwellings in the zoning district, then, unless expressly preempted by this subsection, all design and performance standards applicable to accessory structures in the zoning district shall apply to ADUs.

13) Application: No ADU may be constructed without a Project Permit as required by Section 9-902 or occupied without an Occupancy Permit as required by Section 9-903. Each application shall be accompanied by an application fee in the amount provided by Section 9-902.XIV.

14) Water and Sewer Service: No ADU will be permitted unless the applicant provides with the application for a Project Permit and/or Occupancy Permit, as applicable, a "will-serve" letter from the water and sewer system serving the single-family dwelling, or approval from Department of Health if municipal water/sewer service is not available. Water and sewer service for the ADU do not need to be separate from the service for the primary structure.

15) Manufactured homes. A manufactured home may be used as an ADU subject to the requirements of this Section only if it is installed on a permanent foundation and complies with applicable building, fire, and safety codes, as well as historic district design guidelines where applicable.

16) Other zoning regulations. ADUs will be subject to all other requirements of this Code, including Title 9 Planning and Zoning.

(b) A private garage or other accessory building, except an ADU, located in the rear yard may not be nearer than three (3) feet to any side lot line, nor nearer than twelve (12) feet to an alley line, except that a common or joint garage may be erected on adjoining lots. On corner lots, said garage or other accessory building shall not be nearer to the side street line than the main building.

CHAPTER 4 - COS (Conservation Open Space) District

Section 9-405 Accessory uses

(a) General signs. Section 9-210-I, “Signs, general.”

(b) ADUs, when constructed on a lot or parcel with an existing single-family dwelling, subject to the requirements of Section 9-208 of this Code.

CHAPTER 5 (PR) Park-Residential, R-1, R-2 Districts

Section 9-502 Uses permitted in the PR (Park Residential) District

(a) Uses (a) through (d) permitted in the COS District

(b) A single family residence per existing lot as presently recorded with no construction on a slope greater than twelve (12) percent, or below the base flood level as determined by H.U.D.

(c) ADUs, when constructed on a lot or parcel with an existing single-family dwelling, subject to the requirements of Section 9-208 of this Code.

CHAPTER 6 - RC (Residential Commercial) District

Section 9-602 Uses permitted in the Residential Commercial District

The following uses shall be permitted if not more than three thousand (3,000) square feet of floor area:

(a) Any use permitted in the R-2 District, including ADUs, when constructed on a lot or parcel with an existing single-family dwelling, subject to the requirements of Section 9-208 of this Code.

(b) Transient lodgings.

(c) Retail outlets: furniture, department, clothing dry goods, shoe and variety stores, hardware, electrical appliance, paint and wallpaper stores.

(d) Specialty shops: gift shops, jewelry stores, magazine, book and stationery outlets, florist shops, camera and photography shops and studios, sporting goods and antique shops.

(e) Food, Drug and Beverage: grocery, fruit and/or vegetable stores, delicatessens, drug stores, bakeries, restaurants, taverns, and the like.

(f) Service and recreation: laundromats, dry cleaning and laundry pick-up stations, barber and beauty shops, dressmaking and millinery shops, shoe repair and tailor shops, commercial recreation, repair shops for appliances and small articles, furnace, heating and plumbing shops.

(g) Business and professional offices: medical, dental, clinics, law offices, banks, finance, and utility company offices, insurance and real estate offices.

(h) Public service buildings: libraries, museums, and community centers.

(i) Accessory uses or buildings not used for dwelling; provided, that ADUs are permitted as provided in Section 9-208 of this Code.

(j) Business and advertising signs, real estate and public building signs or bulletin boards when attached to a building pertaining to the use of the property on which the sign is located, provided that they meet the requirements of Section 9-210

CHAPTER 7 C (Commercial) District

Section 9-702 Uses permitted in the Commercial District

The following uses shall be permitted:

(a) Any use permitted in the RC District; including ADUs, when constructed on a lot or parcel with an existing single-family dwelling, subject to the requirements of Section 9-208 of this Code.

(b) Newspaper printing and publishing facilities and print shop.

(c) Indoor storage and transfer.

(d) Automobile filling stations, automobile repair and sales.

(e) Lumber yards.

(f) Feed, grain and farmers' supplies

(g) Dry cleaners.

(h) Other commercial ventures, except that none shall be permitted that interfere with neighboring properties in terms of fire hazards, smoke emission, glare, noise, odor, dust, vehicle movement, liquid and solid waste, visibility, vibration, heat, electrical static, or radioactivity.

CHAPTER 9 – ENFORCEMENT AND PENALTIES

Section 9-902 Project permit

I. Required

(a) Before any construction, alteration, reconstruction, moving, or demolition of any structure is made within the town which would affect the exterior appearance of the structure, the applicant proposing to make the construction or change shall file with the Planning Commission an application for permission to build, alter, reconstruct, move, demolish or make the addition.

(b) Before any installation, erection, construction or moving of any utility equipment, including, but not limited to, any overhead electric transmission line, on metal or wooden poles or towers or pole structures, cross country telephone trunk line including microwave, transmission pipe line, natural gas line, trunk sewer line or sub-station and pump station, portable and stationary standby generators, fuel and oil tanks, air conditioning compressors, liquid propane gas tanks and security alarms, is made within the town, the applicant proposing to make the installation, erection, construction or move shall file with the Planning Commission an application for permission.

(c) Every application shall be referred to and considered by the Planning Commission and accepted or rejected by it; Provided, that: a duly appointed zoning officer may consider and approve, on behalf of the Planning Commission, applications filed which are for Category I projects as the same are defined in Section 9-902 XIV herein, entitled “Project permit fee schedule.” No permit for any such change may be granted until the Planning Commission or appropriate zoning officer has acted thereon as hereinafter provided. Applications not approved by the Zoning Officer will automatically be referred to and considered by the Planning Commission and accepted or rejected by it.

XIV. Project permit fee schedule. In order to defray the expense of administering this title, a fee is adopted in the following categories:

Category I:

Minor projects such as murals, awnings, porch railings, window boxes, satellite dishes, solar panels, gutters & downspouts, patios, sidewalks, hardscaping, signs, fences, storage sheds (not attached to the ground) and other minor changes and permit extensions. $50.00

Category II:

Window replacement, roof replacement, siding replacement, porch enclosure, driveways, carports and decks. $100.00

Category III:

New construction of and/or additions to residential, commercial and industrial structures, excluding additions for the purpose of constructing attached ADUs. $300 + $0.50 per sq. ft.

New construction of garages & other accessory buildings including ADUs, and additions to residential structures for the purpose of constructing attached ADUs (permanently attached to the ground). $50 + $0.10 per sq. Ft.

Category IV: Demolition or Relocation of a Structure:

Removal of any building feature(s) or razing of any structure(s) or relocation of a structure to new location. For either project, the applicant must submit the following in writing (in addition to an application):

1. Reason for the demolition/relocation (including historic documentation).
2. Describe the structure's condition in detail.
3. Describe the proposed reuse of the site, including full drawings of new structure & landscaping.
4. Evidence of relevant funding or financial concerns.
5. Timeframe for project

$50.00 Accessory Buildings
$150.00 Non-Contributing Structures (< 50 years old)
$500.00 Contributing Structures (≥ 50 years old)

The Planning Commission shall categorize any request not specifically listed in the above categories.

Fees shall be paid to the Town Treasurer/Clerk and must accompany the application. If work begins without the required permit, double the cost of said permit would be charged

CHAPTER 13 – DEFINITIONS

For the purpose of this title certain terms or words used herein shall be interpreted as follows:

Words used in the present tense include the future. All words in the singular include the plural and all words in the plural include the singular. The word "shall" is mandatory and not

131 directory. The word “used” shall be deemed to include “designed, intended, or arranged to be used.”

Accessory Dwelling Unit means a self-contained and independently accessed living unit that includes its own cooking, sleeping, and sanitation facilities and complies with, or is otherwise exempt from, any applicable regulatory requirements.

Accessory Dwelling Unit? Attached means an accessory dwelling unit located within or attached to a structure on the same parcel, with its own entrance/exit directly to the exterior of the property.

Accessory Dwelling Unit? Detached means an accessory dwelling unit that consists partly or entirely of a building that is separate and detached from a structure on the same parcel.

Accessory use or building - A use or separate unattached building customarily incidental and subordinate to the principle use or building and located on the same lot with such principal use or building.

Apartment - Dwelling unit clearly delineated from adjacent dwelling units as evidenced by the existence of separate entrance, separate plumbing, and separate kitchen. See dwelling unit.

Bed and Breakfast Establishment - A residence occupied by the owner in which rooms are let for transients and in which no meal other than breakfast is served for payment. Includes inns in which no long-term lease for rooms is executed by the guest and in which no meals are served for payment.

~~Dwelling? accessory apartment - A secondary dwelling unit established in conjunction with a primary dwelling unit, whether a part of the same structure or detached from the primary dwelling unit.~~

Dwelling? one family - A building containing not more than one (1) dwelling unit

Dwelling? single family means, in connection with any Accessory Dwelling Unit use, a building with one or more rooms designed for residential living purposes by one household that is detached from any other dwelling unit, and shall have the same meaning as that term defined by W. Va. Code §§ 8-42-1 et.seq., as it may be amended.

Dwelling unit A building or portion thereof arranged or designed for occupancy by not more than one (1) family for living purposes and having cooking facilities.

Family One or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, no such family may contain more than three (3)

persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a family or families.

Floor.area.of.building?total._.The total number of square feet of floor area in a building, excluding cellars, uncovered steps, and uncovered porches; but including the total floor area of accessory buildings on the same lot. All horizontal measurements shall be made between interior faces of walls.

Gross.Floor.Area means, in connection with Accessory.Dwelling.Units, the interior habitable area of a single-family dwelling or an accessory dwelling unit.

Household means a family living together in a single dwelling unit with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit.

Independently.accessed means, for purposes of any accessory dwelling unit, an entry and exit leading to the exterior of the accessory dwelling unit, as required by the International Residential Code adopted as part of the State Building Code.

~~Lot - A parcel of land occupied or to be occupied by a building and its accessory buildings, together with such open spaces as required.~~

Lot means part of a subdivision or a parcel of land, the map or plat of which has been legally recorded with the office of the County Clerk, or, a lot or parcel of land, described by metes and bounds, the deed of which has been recorded with the office of the County Clerk.

Manufactured. Home means a structure constructed in compliance with the federal Manufactured Home Construction and Safety Standards, 42 U.S.C. §5401 et. seq¡, and installed on a permanent foundation.

Parcel means a single lot, or a grouping of lots acquired by a single deed and considered as one buildable lot for zoning purposes. Parcels that consist of a grouping of lots acquired by a single deed may be subdivided for purposes of creating more buildable parcels, subject to compliance with all regulations contained within this Code, including the subdivision regulations.

Short_term.rental means an individually or collectively owned single-family house or single-family dwelling unit or a unit or group of units in a condominium, cooperative, time-share, or owner-occupied residential home that is offered for a fee for 30 days or less.

~~Short_term.rental.housing – A dwelling unit offered to a succession of renters, tourists, or transients by lease for periods of time less than four (4) months. Short-term rental housing includes, but is not limited to, day-to-day, week-to-week, and month-to-month leases Month-to month extensions to leases longer than four (4) months shall not be considered~~

~~short-term rental housing. Short-term rental housing shall be considered a boardinghouse under these Ordinances. (added December 2011)~~

Section 3. Repeal, Savings, Severability.

Any section of this Code repealed or modified by a subsequent ordinance will continue in force until the effective date of the repealing ordinance.

The repeal or modification of any part of this Code does not affect any existing right acquired, or liability or obligation incurred, under the code sections amended or repealed unless the modifying ordinance expressly so provides. Any repealed or modified part of this Code will remain in force for the purpose of sustaining any proper legal proceedings and prosecutions related to the enforcement of such right or liability brought prior to the repeal or modification.

The repeal of any repealing ordinance, clause, or provision does not revive any former ordinance, clause, or provision unless expressly provided by ordinance.

If any provision of this Ordinance, or the application of this Ordinance to any person or circumstance, is held invalid by a court of competent jurisdiction or other entity or agency having jurisdiction to make such determination, the remainder of this Ordinance and the application to other persons or circumstances remain in effect.

Section 4. Effective date; application. This ordinance shall be effective on January 1, 2027. This Ordinance does not affect rights, duties, or liabilities that matured, penalties that were incurred, and proceedings that were begun, before its effective date. The law remains in force for the purpose of sustaining any proper action or prosecution for the enforcement of the right, penalty, forfeiture or liability.

Section 5. Recording of ordinance. The Recorder is directed to obtain all signatures required by the form of Ordinance adopted and maintain an executed original ordinance with the official records of the Town, to be maintained, preserved, and accessed in accordance with the laws of the State of West Virginia, and to take the following additional actions: None.

Section 6. Regulations and guidance. Within 60 days of the adoption of this Ordinance, the Mayor or designee shall prepare, and publish, regulations and/or guidance designed to inform members of the public, in plain language, of the effect of the Ordinance. The regulations or guidelines may also include examples of permitted or preferred designs for ADUs, diagrams showing appropriate locations for ADUs, and a process or workflow describing how to create an ADU by identifying appropriate size and lot locations, preparing designs, applying for permits, constructing in accordance with Codes, and obtaining any necessary inspections and Occupancy permits.

FIRST READING: October 14, 2026

SECONDREADING: _____

ADOPTED: _____

FILED: _____

_____
Mayor

_____
Town Clerk

First Reading of Proposal to Repeal and Replace the Floodplain Ordinance

TO	Town Council Members
FROM	James Gatz
DATE	November 8, 2026
SUBJECT	Proposed Ordinance to Repeal and Replace Shepherdstown Ordinance, Chapter 12 of Title 9, The Floodplain Ordinance, with a Revised Ordinance as Required by the Federal Emergency Management Agency

The Town of Shepherdstown recently learned that the Federal Emergency Management Agency (FEMA), part of the U.S. Department of Homeland Security, requires the Town to adopt an approved floodplain management ordinance that complies with current National Flood Insurance Program (NFIP) regulations. If the Town does not adopt an approved ordinance by November 27, 2026, it will be suspended from the NFIP.

Town Attorney Chazz Printz is advising that we repeal the Town's existing Floodplain Ordinance and replace it with the sample ordinance provided by FEMA. The proposed replacement includes updates and additional details needed to meet FEMA standards.

We will provide a blackline version of the proposed replacement ordinance by the November 10 Town Council meeting to help council members review the changes.

AN ORDINANCE REPEALING AND REPLACING CHAPTER 12 OF TITLE 9 OF THE CODE OF SHEPHERDSTOWN, SECTIONS 9-1201 THROUGH 9-1210, THE FLOODPLAIN ORDINANCE, WITH A REVISED AND UPDATED FLOODPLAIN ORDINANCE, ENACTED AS CHAPTER 12 OF TITLE 9, SECTIONS 9-1201 THROUGH 9-1210

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Chapter 12 of Title 9 of the Code of Shepherdstown is hereby repealed and replaced with a revised, updated ordinance entitled Floodplain Ordinance, Sections 9-1201 through 9-1210, to read as follows:

FLOODPLAIN ORDINANCE

Purpose

Chapter 12 establishes that a floodplain exists and requiring all contractors, persons, partnerships, businesses, and corporations to obtain a permit for development and the construction, substantial improvement, or relocation of any building or structure; providing for certain minimum standards for construction within the floodplain area and setting forth special procedures for submission and approval of plans; and establishing penalties for any person who fails to comply with the requirements or provisions of this ordinance.

The provisions of this ordinance have been prepared with the intention of meeting the requirements of Section 60.3 (d) of the National Flood Insurance Program, the National Floodplain Insurance Act of 1968 (Public Law 91-152) amended by the Congress of the United States through the 15th of February, 1975; West Virginia Code §8-12-14 and §7-1-3v.

Section 9-1201 – GENERAL PROVISIONS

1.1 Intent

The intent of this Ordinance is to:

A. Promote the general health, welfare and safety of the Community.

B. Encourage the utilization of appropriate minimum construction practices in order to prevent or minimize flooding damage.

C. Minimize danger to public health and safety by protecting the water supply and sanitary sewage disposal in cooperation with the Jefferson County Health Department, and to protect natural drainage.

D. Assure the Jefferson County Assessor obtains information concerning improvement of real property as required by WV Code §11-3-3a.

E. Assure all Jefferson County E-911 addresses are obtained and kept current to maintain the established emergency response dispatch systems.

F. Reduce financial burdens imposed on the residents, real property owners and its governmental units by preventing the unwise design and construction of development in areas subject to flooding.

1.2 Abrogation and Greater Restrictions

This ordinance supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this Ordinance, the more restrictive shall apply.

1.3 Applicability

It shall be unlawful for any contractor, person, partnership, business, or corporation to undertake or cause to be undertaken, any development, new construction, substantial improvement, repair of substantial damage, other repairs, or the placement or relocation of any structure (including manufactured homes) in the Special Flood Hazard Area within the Town of Shepherdstown unless a floodplain determination has been made from the Floodplain Administrator, a floodplain permit application has been completed and a permit has been obtained from the Floodplain Administrator. In addition, where land is partially or fully in the Floodplain is to be developed, subdivided, utilized for a manufactured home park or subdivision or otherwise developed, a site plan with elevation data must be submitted to, and approved by, the Floodplain Administrator prior to any development.

Provision of all other codes, ordinances, and regulations shall be applicable insofar as they are consistent with the provisions of this Ordinance and the Town's need to minimize the hazards and damage resulting from flooding.

1.4 Matters not provided for specifically

Where conditions are encountered that are not specifically provided for herein, the Floodplain Administrator shall determine the applicability of the provisions of this Ordinance in accordance with its intent and shall require the applicant to take appropriate measures pursuant to such determination.

Section 9-1202 - INTERPRETATIONS AND DEFINITIONS

2.1 Definitions

General

Unless specifically defined below, words and phrases used in this Ordinance shall be interpreted so as to give this Ordinance its most reasonable application.

"Adjacent Property"

Adjacent Property includes any surface tract, regardless of whether such surface tract is entirely within the Town of Shepherdstown, so long as a portion of said surface tract is located within the Town, which shares an immediate and common boundary up or down stream to the property that is the subject of the application for Floodplain Permit. Adjacent property also includes all other property that may be affected by flooding.

Advisory Flood Height

The water surface elevation (WSEL), in feet, of the 1% annual chance (100-year) flood at a given location, as determined using hydrology and hydraulics (H&H) analysis and the best available elevation data.

"Adversely Affect Adjacent Properties"

To adversely affect a property the increase in the elevation of the 1% chance (100-year) base flood elevation must be more than 1 foot at any point. Stated conversely, if the effect is that the 1% chance (100-year) flood base flood elevation rises 1 foot or less the property is not "affected". This standard does not apply to the Floodway. If prior permit(s) has/have been approved in the same area of the Floodplain, the above definition would include the cumulative impact to the base flood elevation.

. Appurtenant Structure

A secondary structure on the same parcel of property as the principal structure, the use of which is incidental and shall not be habitable but shall be used only for storage in association with the principal structure on said property. This does not include a gas or liquid storage tank.

Base Flood

Means the flood having a one percent (1%) chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE)

The water surface elevation of the base flood in relation to the datum specified on the Town of Shepherdstown's Flood Insurance Rate Map. For the purposes of this Ordinance, the one hundred (100) year flood or 1% or greater chance of flooding in any given year. (See 100 year flood also)

Basement

Any area of the building having its floor sub grade (below ground level) **on all sides.**

Certificate of Compliance

A certification that the entire development, including the elevation of fill or the lowest floor of a structure is in compliance with all the provisions of this Ordinance.

Compensatory storage

An artificially excavated, hydraulically equivalent volume of storage within the special flood hazard area used to balance the loss of natural flood storage when artificial fill or structures are placed within the special flood hazard area.

Contractor – W.Va. Code §21-11-3(c)

A person who in any capacity for compensation, other than as an employee of another, undertakes, offers to undertake, purports to have the capacity to undertake, or submits a bid to construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any building, highway, road, railroad, structure or excavation associated with a project, development or improvement, or to do any part thereof, including the erection of scaffolding or other structures or works in connection therewith, where the cost of undertaking is two thousand five hundred dollars or more. Contractor includes a construction manager who performs management and counseling services on a construction project for a professional fee.

Contractor does not include:

a. One who merely furnishes materials or supplies without fabricating or consuming them in the construction project;

b. A person who personally performs construction work on the site of real property which the person owns or leases whether for commercial or residential purposes;

c. A person who is licensed or registered as a professional and who functions under the control of any other licensing or regulatory board, whose primary business is real estate sales, appraisal, development, management and maintenance, who acting in his respective professional capacity and any employee of such professional, acting in the course of his employment, performs any work which may be considered to be performing contracting work;

d. A pest control operator licensed under the provisions of W.Va. Code §19-16A-7(a) to engage in the application of pesticides for hire, unless the operator also performs structural repairs exceeding one thousand dollars on property treated for insect pests; or

e. A corporation, limited liability corporation, partnership or sole proprietorship whose primary purpose is to prepare construction plans and specifications

used by the contractors defined in this section and who employs a full time registered architect licensed to practice in this State or a registered professional engineer licensed to practice in this State. Contractor also does not include employees of such corporation, partnership or sole proprietorship.

Critical Facility

Any facility in which even a slight chance of flooding is too great a threat.

Typical critical facilities include hospitals, fire stations, police stations, storage of critical records, and similar facilities. These should be given special consideration when formulating regulatory alternatives and floodplain management plans. A critical facility should not be located in a special flood hazard area if at all possible. If a critical facility must be located in a special flood hazard area it should be provided a higher level of protection so that it can continue to function and provide services during a flood.

Development

Any man-made change to improved or unimproved real property, including but not limited to buildings or other structure, mining, dredging, filling, grading, paving, excavation or drilling operations, oil/gas well sites, pads, pits, retention ponds or storage of equipment or materials.

Flood

A general and temporary inundation of water in an area of normally dry land.

Flood Insurance Rate Map (FIRM)

The official map on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the Town of Shepherdstown. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

Flood Insurance Study

The official report in which the Federal Emergency Management Agency has provided flood profiles, floodway information, and water surface elevations.

Floodplain

a) A relatively flat or low land area adjoining a river, stream, or watercourse which is subject to partial or complete inundation;

b) An area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

Floodplain Administrator

The Floodplain Administrator shall be a resident of West Virginia and/or a person who has completed within one year of his appointment the State/FEMA sponsored NFIP Class 273 entitled "Managing Floodplain Development" and remain current with State required continuing education training pursuant to W.Va. Code § 15-5-20(a). In the absence of a formally appointed Floodplain Administrator the duties set forth in this Ordinance for the Floodplain Administrator shall be temporarily fulfilled by the Mayor of the Town of Shepherdstown.

Floodway

The channel of a river or other watercourse and the adjacent land area that must be reserved to discharge the base flood without increasing the water surface elevation of that flood more than one foot at any point.

Flood Proofing (NON-RESIDENTIAL ONLY)

Any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real property or improved real property, water and sanitary facilities, structures and its contents.

Freeboard

A factor of safety usually expressed in feet above a flood level or BFE for purposes of floodplain management. Freeboard tends to compensate for unknown factors that may contribute uncertainty to flood heights of any given flood and floodway condition, such as wave action, blockage at stream crossings, and increased runoff from urbanization of the watershed.

Highest Adjacent Grade (HAG)

The highest natural elevation of the ground surface immediately adjacent to the development or structure foundation. This is primarily used for purposes of insurance rating in approximated floodplains.

Historic Structure

Any structure that is:

(a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing in the National Register;

(b) Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a

district preliminarily determined by the Secretary to qualify as a registered historic district;

(c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,

(d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(i) By an approved state program as determined by the Secretary of the Interior; or,
(ii) Directly by the Secretary of Interior in states without approved programs.

Interested Person or Party

"Interested Person or Party" to include (1) the applicant; (2) the owner(s) of the subject property; (3) at least one adult residing in any residence on the subject property at the time the Floodplain Permit Application is filed; (4) owners of any adjacent property; and (5) at least one adult residing in any residence on the adjacent property at the time the Floodplain Permit Application is filed.

Licensed Manufactured Home Dealer

A business licensed to sell manufactured homes in the State of West Virginia as set forth in the West Virginia Code.

Licensed Manufactured Home Installer

A contractor licensed to install manufactured homes in the State of West Virginia as set forth in the West Virginia Code.

Licensed Professional Surveyor

Any person licensed by the West Virginia State Board of Examiners of Land Surveyors to engage in the practice of land surveying as defined in the West Virginia Code.

Lowest Adjacent Grade (LAG)

Lowest natural elevation of the ground surface immediately adjacent to the proposed development or structure foundation. The primary use of the LAG is to determine whether the structure is located within a special flood hazard area by comparing it to the base flood elevation.

Lowest Floor

The lowest floor of the lowest enclosed area (including basement). An unfinished enclosure constructed with flood resistant materials as defined in FEMA Technical Bulletin 2-93 (FIA-TB-2) and usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; Provided, that such enclosure has proper flood openings and is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

Manufactured Home

A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

New Construction

Structures for which the start of construction as herein defined commenced on or after December 15, 1980, and including any subsequent improvements to such structures

1% Annual Chance (One-Hundred (100) Year Flood)

A flood that has one chance in one-hundred or a one percent or greater chance of being equaled or exceeded in any given year. (See Base Flood Elevation also)

Person

Any individual or group of individuals, corporation, limited liability corporation, partnership, association or other entity, including State and Local governments and agencies.

Practice of Engineering

Any service or creative work, as described in West Virginia Code §30-13-1 et seq., the adequate performance of which requires engineering education, training and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning and design of engineering works and systems; planning the use of land and water; teaching of advanced engineering subjects, engineering surveys and studies; and the review of construction for the purpose of assuring compliance with drawings and specifications any of which embraces such services or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects and industrial or consumer products or equipment of a mechanical, electrical, hydraulic, pneumatic or thermal nature, insofar as they involve

safeguarding life, health or property, and including such other professional services as may be necessary to the planning, progress and completion of any engineering services. Engineering surveys include all survey activities required to support the sound conception, planning, design, construction, maintenance and operation of engineered projects.

Any person who practices any branch of the profession of engineering or who, by verbal claim, sign, advertisement, letterhead, card or in any other way represents himself to be a Registered Professional Engineer, or by using another title implies that he is a Registered Professional Engineer or that he is registered under West Virginia Code, §30-13-1 et seq. or who holds himself out as able to perform, or who performs any engineering service or work or any other service designated by the practitioner which is recognized as engineering, is considered to practice or offer to practice engineering within the meaning and intent of West Virginia Code §30-13-1 et seq.

Principally Above Ground

Where at least 51 percent of the Actual Cash Value of a structure, less land value, is above ground. [44 Code of Federal Regulations §59.1]

Professional

Any "professional" including but not limited to a "contractor", "developer", "engineer", "architect", "hydrologist", "land surveyor", etc., acting in any capacity with respect to this Ordinance, must be licensed by the State of West Virginia, when certification or licensure from the State of West Virginia is so required.

Reasonably Safe from Flooding

Means that during the base flood, or any other known flooding by the Floodplain Administrator, water should not damage structures and any subsurface waters related to the base flood and should not damage existing or proposed structures. Ways of determining Reasonably Safe from Flooding may be 3 feet above Highest Adjacent Grade, above high-water marks from historic flooding, using topographic extrapolation from contour lines or utilizing the advisory flood height data on the WV Flood Tool.

Recreational Vehicle

A vehicle which is:

a) built on a single chassis;

b) 400 square feet or less when measured at the largest horizontal projection;

c) Designated to be self-propelled or permanently towable by a light duty truck. and

d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Registered Professional Engineer

A person who has been duly registered or licensed as a registered professional engineer by the West Virginia State Board of Registration for Professional Engineers as required by W.Va. Code §30-13-13 et seq.

Remedy a Violation

To bring a structure or other development into compliance with the requirements of this Ordinance, or if full compliance is not possible, to reduce the adverse impact of the non-compliance to the greatest extent feasible.

Special Flood Hazard Area

The land in the Floodplain Area subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency in Flood Insurance Studies and on Flood Insurance Rate Maps as Zones A, AE, AO, AH, and A99. The term includes areas shown on other flood hazard maps that are specifically listed or otherwise described in this Ordinance.

Start of Construction

(*The definition for start of construction is to be used only when calculating the starting time for expiration of a Floodplain Permit.)*

The date the Floodplain Permit was issued, including Floodplain Permit for substantial improvement or repair of substantial damage provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within 180 days of the Floodplain Permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Although a Floodplain Permit must be obtained prior to beginning of the permitted work, permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of appurtenant buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

State Coordinating Office

The West Virginia Emergency Management Division.

Stream

As defined in West Virginia Code §7-1-3u, any watercourse, whether natural or man-made, distinguishable by banks and a bed, regardless of its size, through which water flows continuously or intermittently, regardless of its volume.

Structure

A walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

Subdivision

Development that includes a creation of individual land parcels for future sale. It does not include development where rights-of-way or easements are obtained and recorded.

Subject Property

"Subject property" includes the surface tract(s) upon which the proposed development is planned and for which the Floodplain Permit Application is submitted.

Substantial Damage

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50 percent of the fair market value of the structure before the damage occurred.

Substantial Improvement

Any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the fair market value of the structure before the start of construction of the improvement.
This term includes structures, which have incurred "substantial damage", as defined herein regardless of the actual repair work performed. The term does not, however, include any project for improvement of a structure to correct existing violation(s) of State or Local Health, Sanitary or Safety Code Specifications which have been identified by the Local Code Enforcement Official and which are the minimum necessary to assure safe living conditions.

Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined above, must comply with all Ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation

that a specific Ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic Places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from Ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

For the purpose of this definition improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences whether or not the alteration affects the external dimensions of the structure.

Top of Bank

The lines depicted on the FIRM maps delineating each side of a stream indicate the top of the bank. In the field a professional familiar with fluvial geomorphology should document the top of the bank. When a professional is not employed the top of the bank will be considered to be the top of the first significant slope landward of the water's edge when it is followed by at least 50 feet of relatively flat land.

Variance

A grant of relief by a community from the terms of a floodplain management regulation.

Violation

The failure of any structure or development to be fully compliant with all requirements of this Ordinance. A structure or other improvement and/or development without the elevation certificate, other certifications, or other evidence of compliance required by this Ordinance is presumed to be in violation until such time as the documentation is provided. No future improvements or developments can be made to structures found to be in violation unless the development is to bring the structure into compliance with the current ordinance.

Section 9-1203 – ESTABLISHMENT OF THE SPECIAL FLOOD HAZARD AREA

3.1 Identification

a. The identified special flood hazard area shall be those areas of the Town of Shepherdstown which are subject to a one percent or greater chance of flooding in any given year as shown on the Flood Insurance Rate Map (FIRM) and described in the Flood Insurance Study (FIS) for Jefferson County, West Virginia and Incorporated Areas (Town of Shepherdstown, Community No. 540069), prepared by the Federal Emergency Management Agency (FEMA), effective November 27, 2026, or the most recent revision thereof including all digital data developed as part of the FIS.

b. The identified special flood hazard area shall also be those special flood hazard areas which have been identified as flood hazard areas by the Town of Shepherdstown by use of historic or other technical data and shown on an officially recognized **"**FIRM or the West Virginia Flood Tool specifically Advisory Flood Height data". These areas shall be designated as appropriate with the level of technical data described below and shall be managed accordingly.

3.2 Descriptions of Special Flood Hazard Areas

The identified special flood hazard area shall consist of the following four specific areas:

a. The Floodway Area shall be those areas of AE zone identified as Floodways in the FIS and as shown on the FIRM. The term shall also include any floodway areas delineated by developers in the approximated floodplain and designated as such by the community.

b. The AE Area Without Floodway shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which 100-year flood elevations have been provided but no Floodway has been delineated.

c. The Approximated floodplain shall be those areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no one hundred (100) year flood elevations have been provided

d. Advisory Flood Heights
This information is displayed on the WV Flood Hazard Determination Tool. This data may be used (when available) by the Floodplain Administrator to determine if a property is in the Special Flood Hazard Area, also to assist to determine the height in which to elevate the structure as a permitting tool. And is acceptable data to FEMA for a Letter of Map Amendment (LOMA).

e. The AO and AH floodplain those areas identified as Zones AO and AH on the FIRM and in the FIS. These areas are subject to inundation by 1-percent-annual-chance shallow flooding where average depths are between one and three feet. In Zones AO and AH, drainage paths shall be established to guide floodwaters around and away from structures on slopes.

3.3 Changes in Designation of Area

a. Where natural or man-made changes have occurred and/or where more detailed studies have been completed by a qualified government agency, private entity, or qualified individual who can sufficiently document the necessity for such changes; the process to revise the delineation of the identified special flood hazard area may be recommended by the floodplain administrator and executed by the Shepherdstown Town Council. However, prior to any such change, approval must be obtained from the Federal Emergency Management Agency.

b. Base flood elevations within the Town of Shepherdstown may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practical

but, not later than six months from the date such information becomes available, the Town shall notify FEMA of the changes by submitting technical or scientific data.

c. The Town of Shepherdstown may identify and regulate new flood hazards or ponding areas. These areas shall be delineated on a "Local Flood Hazard Map" using best available topographic data and locally derived information such as flood of record, historic high-water marks and/or approximate study methodologies.

3.4 Elevations Prevail

a. If the lowest natural grade adjacent to proposed development is *above* the Base Flood Elevation, and the following is provided to the Floodplain Administrator:

    i. elevation information certified by a Licensed Professional Surveyor or Engineer and a site plan demonstrating that all proposed development will occur above the Base Flood Elevation **or**,

    ii. a Letter of Map Amendment (LOMA) from FEMA removing the site from the SHFA then the site shall be considered to be outside the Floodplain Area and shall not be required to conform to the provisions of this Ordinance at the discretion of the Floodplain Manager.

b. If the lowest natural grade adjacent to proposed development is *below* the Base Flood Elevation, the site shall be considered to be within the Floodplain Area and the proposed structure shall be required to conform to all appropriate provisions of this Ordinance.

3.5 Boundary Disputes

Should a dispute concerning any Floodplain boundary arise, an initial determination shall be made by the Floodplain Administrator and any party aggrieved by this decision may appeal to the Shepherdstown Town Council sitting as the "Floodplain Appeals Board". The burden of proof shall be on the appellant/applicant.

Section 9-1204 – UTILIZATION OF THE SPECIAL FLOOD HAZARD AREA

4.1 Floodway

Within any Floodway Area (F1), no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic or H & H analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge. The resultant engineering study (H & H) shall include a cover letter, signed and sealed by the responsible professional, providing a statement of findings in basic terms. In addition, studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Floodplain Administrator.

Because Floodways present increased risk to human life and property due to their relatively faster and deeper flowing waters the Floodways shall be preserved to the greatest extent possible.

a. New development shall not be permitted in the Floodway where reasonable alternatives exist elsewhere as determined by the Floodplain Administrator. In addition to the requirements below, the applicant shall demonstrate that there are no reasonable alternatives other than the Floodway encroachment before a permit is issued.

b. When the Floodway is the only reasonable alternative the applicant shall demonstrate that the Floodway encroachment is the minimum necessary to accomplish the project.

c. All permitted uses, activities, and development shall be undertaken in strict compliance with the flood proofing and related provisions contained herein, and in all other applicable Federal and State Laws, Ordinances and Regulations.

d. When small, single lot development (not incorporating significant amounts of fill) is proposed in a special flood hazard areas for which no regulatory floodway has been designated, a regulatory floodway may, at the discretion of the Floodplain Administrator, be determined to be a width equal to the channel of the stream and the adjacent land areas to a distance of one-half the width of the special flood hazard area as measured from the top of the bank nearest the site to the upland limit of the 1% annual chance special flood hazard area boundary.

4.2 AE Zone Without Floodway Area

Within any AE Zone Without Floodway Area, no new construction or development shall be allowed unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the elevation of the 100-year flood more than one (1) foot at any point.

4.3 Approximated Floodplain (Zone A)

Within any Approximated Floodplain Area:

a. The Floodplain Administrator shall use elevation and floodway information from Federal, State, or other acceptable sources when available to determine the elevation above which development will be reasonably safe from flooding.

b. When data from an acceptable source is not available, the Floodplain Administrator shall review, or shall cause to be reviewed; all proposed development to determine (1) the amount being invested and (2) the specific flood risk at the site. The Floodplain Administrator shall then require the applicant to determine the elevation above which the development and adjacent properties including but not limited to existing buildings will be reasonably safe from flooding using hydrologic and hydraulic analyses or other techniques. When hydrologic and hydraulic analyses are required, they shall only be prepared by a registered professional engineer who shall

certify that the methods used correctly reflect currently accepted technical concepts. The resulting study shall include a cover letter, signed by the responsible professional, providing a statement of findings in basic terms. In addition, studies, analyses, computations, etc. shall be submitted in sufficient detail to allow a thorough technical review by the Floodplain Administrator.

c. Any development and/or use of land shall be permitted provided that all such uses, activities and/or development shall be undertaken in strict compliance with this floodplain ordinance and related provisions contained herein and in all other applicable Federal and State Laws, Ordinances and Regulations.

d. Within any approximated Floodplain Zone (Zone A) without Floodway Area, no new construction or development shall be allowed unless it is demonstrated that the cumulative impact of the proposed development, when combined with all other existing and anticipated development, will not increase the elevation of the 100-year flood more than one (1) foot at any point.

e. When Advisory Flood Height Data is available, this data will be utilized to assist in permitting and regulating development within the Special Flood Hazard Area.

4.4 Alteration or relocation of a stream

a. Whenever a developer intends to alter or relocate a stream within the special flood hazard area the developer shall notify in writing, by certified mail, the Town of Shepherdstown Floodplain Administrator, the State Coordinating Office, any adjacent communities and any adjacent property owners of all such intended activities prior to the alteration or relocation of the stream. Copies of all required notifications must be submitted to the Federal Emergency Management Agency. In addition, prior to issuing the local permit, the Floodplain Administrator shall require copies of all necessary permits from those governmental agencies from which Federal or State Law requires approval

b. The developer shall also assure the Town of Shepherdstown in writing that the flood carrying capacity within the altered or relocated portion of the stream will be maintained. The Floodplain Administrator may require the applicant to demonstrate that the altered or relocated portion of stream will provide equal or greater conveyance than the original stream segment. If hydrologic and hydraulic analyses (H & H) are required, they shall only be undertaken by a registered professional engineer, who shall certify that the methods used correctly reflect currently accepted technical concepts. The resulting study (H & H) shall include a cover letter, signed by the professional engineer, providing a statement of findings in basic terms. In addition, studies, analyses and computations shall be submitted in sufficient detail to allow a thorough technical review by the Floodplain Administrator.

c. Alteration of a stream includes placement of temporary or permanent culverts, bridges or other stream crossings. The Floodplain Administrator may require the use of certain “best practice” techniques in the construction of bridges, culverts or

stream crossings to prevent damage, loss of stream crossings and localized flooding caused by blockage. These techniques may include, but are not limited to, wing walls, trash grates or requiring openings to be of sufficient size to pass debris and/or anticipated future increases in flood heights.

d. All new and replacement bridges, culverts and other stream crossings shall adhere to the relevant anchoring requirements contained in this Ordinance.

e. The developer is required to provide the Town of Shepherdstown a legal agreement detailing all scheduled inspections and maintenance to be performed on altered or relocated watercourses including culverts, bridges and other stream crossings. It shall be the responsibility of the applicant to transfer the agreement to the purchaser when the land associated with the watercourse alteration is transferred. A copy of all new agreements shall be provided to the Floodplain Administrator. Failure to transfer the agreement and provide a signed copy to the Floodplain Administrator shall subject the violator to the penalties set forth in Section 8.4 of this Ordinance.

f. When any watercourse alteration has occurred, the applicant must submit any maps, computations or other material required by the Federal Emergency Management Agency (FEMA) to revise the Flood Insurance Study (FIS) and/or Flood Insurance Rate Maps (FIRM), when notified by the Floodplain Administrator, and must pay any fees or other costs assessed by FEMA for this purpose.

Section 9-1205 – CRITERIA FOR BUILDING AND SITE PLAN APPROVAL

5.1 General

A Permit is required in order to determine whether all new construction or substantial improvements are:

a. Located in an identified Floodplain, Floodway or other special flood hazard area.

b. Designated (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

c. Constructed with material and utility equipment resistant to flood damage as outlined in FEMA Technical Bulletin 2-93 (FIA-TB-2) or the most recent revision thereof.

d. Constructed by methods and practices that minimize flood damage.

e. Constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during flooding.

f. To comply with West Virginia Code §11-3-3a concerning Jefferson County Assessor "Building or Real Property Improvement Notice".

g. Approved by the Jefferson County Health Department for Well, Septic and other permits to assure facilities are designed and located in compliance with the flood damage reduction requirements of this Ordinance.

5.2 Basic Format

The basic format of the permit shall include the following:

a. Name and address of applicant.

b. Name and address of owner of land on which proposed development is to occur.

c. Applicant shall provide names, addresses, and valid West Virginia license numbers of all contractors working at the building site, or affidavits stating that work is being performed by individuals exempt from contractor licensing as set forth in Title 28, Series 2, section 3.9(b) of the West Virginia Code of State Regulations or the most recent revision thereof, if known at the time the Permit Application is submitted. If not known, the applicant shall provide the information within 14 calendar days of execution of a contract with its contractor(s) prior to beginning construction.

d. A description of site location sufficient to locate the proposed development including district, tax map and parcel numbers and most recent deed book and page number.

e. A standard site plan showing size and location of the proposed development as well as any existing buildings or structures. The site plan shall also show all adjacent roads and watercourses with direction of flow, the lowest adjacent grade to the proposed foundation and/or toe of fill, the Base Flood Elevation and the location of the Floodway boundary when applicable.

f. An acknowledgement that the applicant agrees to pay any and all fees associated with the permitting process as set forth in Article VII Sections 7.3 and 7.9 of this Ordinance.

g. An acknowledgment that the applicant agrees to allow The Floodplain Administrator and authorized representatives of floodplain management programs access to the development to inspect for compliance.

h. The contract required by West Virginia Code of State Regulations, Title 28, Series 4, and all addendums to the contract(s) shall be presented to the Floodplain Administrator for review within fourteen (14) calendar days of contract signing. The Floodplain Administrator shall keep copies of all contracts or addendums and shall file "redacted" copies of the contracts and addendums with the Town Recorder in the Applicant's Permit Application File. The Floodplain Administrator shall consult with the applicant to redact proprietary and confidential information from the

contracts and addendums that are not otherwise public information. Failure to present contract(s) or addendums for review shall void the permit. If a licensed contractor is not involved, or the work is of an aggregate construction cost value of less than ten thousand dollars including material and labor, a brief written description of proposed work and the estimated value will suffice.

5.3 Elevation and Flood Proofing Information

All applicants are encouraged to exceed the minimum elevation requirements contained herein. Flood insurance rates can be lowered significantly by increasing the elevation of the lowest floor above the freeboard height required by this Ordinance.

Depending on the type of structure involved, the following information shall also be included in the application for work within the Special flood hazard area:

A. All structures, ductwork and electrical connections shall be elevated two feet above the Base Flood Elevation and:

   a. A plan showing the size of the proposed structure and its relation to the lot where it is to be constructed.

   b. A determination of elevations of the Base Flood, existing ground, proposed finished ground and lowest floor, certified by a registered professional engineer or licensed professional surveyor.

   c. Plans showing the methods of elevating the proposed structure including details of proposed fills, pile structures, retaining walls, foundations, erosion protection measures, etc. When required by the Floodplain Administrator, a registered professional engineer and/or architect shall prepare the plans.

   d. Plans showing the methods used to protect utilities (including sewer, water, telephone, electric, gas, etc.) from flooding to two feet above the Base Flood Elevation at the building site.

   e. During the course of construction, as soon as the basic elements of the lowest floor are in place and before further vertical construction, it is highly recommended that the applicant check for error by obtaining elevation data completed by a registered professional engineer or licensed professional surveyor certifying the height of the lowest floor. If a mistake in elevation has been made, this is the best time to correct the error.

   f. A finished construction elevation certificate must be prepared by a licensed West Virginia Professional Surveyor or a West Virginia Licensed Engineer. The elevation certificate must confirm the structure in question together with attendant utilities are elevated in compliance with permit conditions.

g. A Non-Conversion Agreement shall be signed by the applicant whenever the Floodplain Administrator determines that the area below the first floor could be converted to a non-conforming use (generally applies to enclosed areas below base flood elevation that are 5 feet high or more. This agreement shall state:

i. The area below Base Flood Elevation shall not be converted for use other than for parking, building access or for allowable storage as detailed in this Ordinance.

ii. The applicant agrees to notify prospective purchasers of the existence of the Non-Conversion Agreement. It shall be the responsibility of the applicant to transfer the agreement at closing to the purchaser through notarized signature, a copy of all new Non-Conversion Agreements shall be provided to the Floodplain Administrator. Failure to transfer the Non-Conversion Agreement and provide a signed copy to the Floodplain Administrator shall subject the violator to the penalties set forth in Section 8.4 of this Ordinance.

B. All structures shall be flood proofed to two feet (24") above the Base Flood Elevation (nonresidential structures only):

All applicants shall meet or exceed the minimum flood proofing requirements contained herein. Flood insurance rates can be lowered significantly by increasing the level of flood proofing above the height required by this Ordinance. In order to obtain an "elevation credited" flood insurance rate on dry flood proofed buildings, flood proofing must extend at least one foot above the Base Flood Elevation.

a. Plans showing details of all flood proofing measures, prepared by a registered professional engineer, showing the size of the proposed structure and its relation to the lot where it is to be constructed.

b. A determination of elevations of the Base Flood, existing ground, proposed finished ground, lowest floor, and flood proofing limits, certified by a registered professional engineer or licensed professional surveyor.

c. A Flood Proofing Certificate, FEMA 81-65, as revised by FEMA, shall be prepared by the registered professional engineer who prepared the plans in (1) above, stating the structure in question, together with attendant utility and sanitary facilities are designed so that:

i. The structure is water tight with walls substantially impermeable to the passage of water from the lowest structural element to two feet above the Base Flood Elevation.

ii. The structure will withstand the hydrostatic, hydrodynamic, buoyant, impact, and other forces resulting from the flood depths, velocities, pressures, and other factors associated with the Base Flood.

C. For Appurtenant structures constructed of flood resistant materials – used solely for parking of vehicles, or limited storage (Appurtenant Structures only)

a. A site plan prepared by a licensed professional surveyor or others of demonstrated qualifications showing elevation of existing ground, proposed finished ground and lowest floor. The plan shall also show details of proposed flood resistant materials usage and the size of the proposed structure and its relation to the lot where it is to be constructed. The location of the Floodway boundary shall be represented on the plan when a Floodway is present on the site.

b. An Elevation Certificate, based on finished construction, must be prepared by a licensed professional surveyor or others of demonstrated qualifications. This certificate or report must confirm that the structure in question, together with attendant utilities is designed so that:

(a) Flood resistant materials as detailed in FEMA Technical Bulletin 2-93 (FIA-TB-2) are used in the construction of the structure from the lowest structural element to two feet above the Base Flood Elevation and that all utilities are located at least two feet above the Base Flood Elevation.

(b) Hydrostatic flood forces on exterior walls are equalized by allowing for automatic entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

i. A minimum of two openings have a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

ii. The bottom of all openings shall be no higher than one foot (12”) above grade.

iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

c. In addition, the applicant shall sign a Non-Conversion Agreement and notify prospective purchasers of the existence of the Non-Conversion Agreement. It shall be the responsibility of the applicant to transfer the Non-Conversion Agreement to any purchaser at closing through notarized signature. A signed copy of the transferred Non-Conversion Agreement shall be provided to the Floodplain Administrator. Failure to transfer the Non-Conversion Agreement

and provide a signed copy to the Floodplain Administrator shall subject the violator to the penalties set forth in Section 8.4 of this Ordinance.

5.4 Site Plan Criteria

Site plans are required for all development, new construction and substantial improvements determined to be located in a special flood hazard area and all proposed subdivisions and manufactured home parks. These proposals shall be reviewed by the Floodplain Administrator to assure that they are consistent with the need to minimize flood damage.

The owner or developer shall submit a preliminary site plan to the Floodplain Administrator that includes the following information:

a. Name of registered professional engineer, licensed professional surveyor or other qualified person responsible for providing the information required in this section.

b. A map showing the location of the proposed subdivision and/or development with respect to Floodplain Areas, proposed lot sites and fill areas.

c. Where the subdivision or manufactured home park lie partially or completely in the special flood hazard areas, the plan map shall include detailed information giving the location and elevation of proposed roads, utilities and building sites. All such maps shall also show contours at intervals of two feet (2') or five feet (5') depending upon the slope of the land and identify accurately the boundaries of the special flood hazard area. A registered West Virginia Professional Engineer or a West Virginia licensed Professional Surveyor shall certify the site plan.

d. All subdivision proposals and other proposed new developments which are proposed to take place either fully or partially within the Approximated Floodplain Area and which are greater than ten (10) lots or two (2) acres, whichever is the lesser, shall include Base Flood Elevation data and shall delineate the Floodway.

    a. When a Flood Insurance Study (FIS) is available from FEMA, the data contained in that study must be used to substantiate the Base Flood Elevation.

    b. If a FEMA Flood Insurance Study is not available the required data may be available from an authoritative source, such as the U.S. Army Corps of Engineers, U.S. Geological Survey, Natural Resource Conservation Service or State and Local Water Resource Department.

    c. If the required data is not available from other sources the applicant shall develop the technical data using detailed methodologies comparable to those contained in a Flood Insurance Study. This data shall be prepared and certified by a registered professional engineer, who shall certify that the methods used correctly reflect currently accepted technical concepts

Where the subdivision or other development site lies partially in the special flood hazard area and all proposed development including fill, will take place on natural grade a significant vertical

distance above the Approximated Floodplain Area (Zone A) boundary depicted on the map, development of detailed Base Flood Elevation data may not be necessary. In these cases the site plan for the proposed development must show contours at intervals of two (2') or five (5') feet depending on the slope, and clearly delineate the area to be developed and the location of the special flood hazard boundary as scaled from the FEMA map. A registered West Virginia Professional Engineer, licensed West Virginia Professional Surveyor or others of demonstrated qualifications shall certify the site plan

5.5 – Restrictions to Subdivision of land in special flood hazard areas.

Subdivision of land in the special flood hazard area shall result in lots that include a buildable portion outside of the special flood hazard area and be served by streets within the proposed subdivision having surfaces at or above the base flood elevation of the line defining the special flood hazard area limits. All new structures shall be sited on the portion of the subdivided lot that is located outside of the special flood hazard area.

Section 9-1206– SPECIFIC REQUIREMENTS

6.1 Design and Construction Standards

In order to prevent excessive damage to buildings, structures, and related utilities and facilities, the following restrictions apply to all development, subdivision proposals, manufactured home parks, new construction and to construction of substantial improvements, and the repair of substantial damage, to existing structures occurring in the special flood hazard area.

A. Basements and Lowest Floors

a. Residential Structures – All new construction, relocation, substantial improvements, including repair of substantial damage, of residential structures must have the lowest floor, including basement, ductwork and utilities, elevated to two feet above the Base Flood Elevation.

b. Non-residential Structures – All new construction, relocation, substantial improvements, including repair of substantial damage, of non-residential structures must have the lowest floor, including basement, ductwork and utilities, elevated to two feet above the Base Flood Elevation; or, together with attendant utility and sanitary facilities, be designed so that the structure is water tight with walls substantially impermeable to the passage of water from the lowest structural element to two feet above the Base Flood Elevation.

c. Openings – For all new construction, relocation, substantial improvements, and repair of substantial damage, those fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for entry and exit of floodwaters. Designs for meeting this

requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:

i. A minimum of two openings having a total net area of not less than one square inch (1") for every square foot of enclosed area subject to flooding, shall be provided

ii. The bottom of all openings shall be no higher than one foot (12") above grade.

iii. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

d. A Non-Conversion Agreement shall be signed by the applicant on all flood-proofed structures and any elevated structures when the Floodplain Administrator determines that the area below the first floor could be converted to a non-conforming use (generally applies to the enclosed areas below base flood elevation that are 5 feet (5') or more in height). This agreement shall state:

i. The area below the Base Flood Elevation shall not be converted for use other than for parking, building access or for allowable storage as detailed in this Ordinance.

ii. The applicant agrees to notify prospective purchasers of the existence of the Non-Conversion Agreement. It shall be the responsibility of the applicant to transfer the Non-Conversion Agreement at closing to the purchaser through notarized signature. A copy of a Non-Conversion Agreement shall be provided to the Floodplain Administrator. Failure to transfer the Non-Conversion Agreement and provide a signed copy to the Floodplain Administrator shall subject the violator to the penalties set forth in Section 8.4 of this Ordinance.

B. Manufactured Home Placement

Certain unique characteristics of manufactured homes installed in special flood hazard areas pose an elevated risk of substantial damage to property. Therefore, it is required that:

All manufactured homes to be installed within the special flood hazard areas of the Town of Shepherdstown shall be installed by a contractor possessing a valid West Virginia Manufactured Home Installer's License. The installer shall use an installation design engineered to withstand flood hazards specific to the particular home site. Manufactured homes to be installed or substantially improved within the special flood hazard areas shall be installed in accordance with the following standards:

a. The lowest floor, ductwork and utilities including HVAC/heat pump shall be elevated two feet above the Base Flood Elevation.

b. Elevation shall be on reinforced piers on a permanent foundation or other foundation elements of at least equivalent strength engineered for use in a flood hazard area. Installation designs incorporating dry stacked block piers shall not be used in special flood hazard areas.

c. All manufactured homes shall be securely anchored to an adequately anchored foundation system in compliance with the requirements of 42 West Virginia Code of State Regulations, Series 19, Sections 10A and 10B as authorized by West Virginia Code § 21-9-1 et seq. The anchoring shall be adequate to resist flotation, collapse, or lateral movement. Methods of anchoring may include but are not limited to the over-the-top and frame ties, attached to permanent foundation elements. Ground anchors may not be adequate to satisfy flood specific anchoring requirements. This requirement is in addition to applicable State and Local anchoring requirements for resisting wind forces.

d. Permanently attached rigid skirts and perimeter wall skirts of brick or block must have openings to prevent collapse and damage to supporting piers. The openings must be designed to automatically equalize hydrostatic flood forces by allowing for entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:

   i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
   ii. The bottom of all openings shall be no higher than one foot (12”) above grade.

e. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

f. Any additions to a manufactured home shall be similarly anchored and vented.

g. Flexible Skirting and rigid skirting not attached to frame or foundation of a manufactured home are not required to have openings.

h. The licensed West Virginia manufactured home installer installing the unit shall perform a site inspection and certify in writing that the manufactured home has been installed to the standards set forth in this Ordinance.

C. Appurtenant Structures

A. When possible, appurtenant structures shall be located out of the special flood hazard area.

B. Where appurtenant structures not connected to the principal structure are to be located on sites below the Base Flood Elevation, the following flood damage reduction provisions apply:

a. Use of the structure shall be restricted to parking or limited storage.

(a) Structures shall be no more than 300 square feet in size and valued at less than $7,000. (Seven thousand dollars).

(b) Floors shall be at or above grade on at least one side.

(c) Structures shall be located, oriented and constructed to minimize flood damage.

(d) Structures shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

(e) Flood resistant materials as detailed in FEMA Technical Bulletin 2-93 (FIA-TB-2) shall be used in the construction of the structure from the lowest structural element to two feet above the Base Flood Elevation.

(f) Machinery, electric devices or appliances, and all utilities shall be located at least two feet above the Base Flood Elevation.

(g) Opening requirements:

Hydrostatic flood forces on exterior walls are equalized by allowing for automatic entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

(i) A minimum of two openings have a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

(ii) The bottom of all openings shall be no higher than one foot (12”) above grade.

(iii) Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

b. In addition, a Non-Conversion Agreement shall be signed by the applicant stating that the use of the appurtenant structure or detached or attached garage shall not be changed from the use permitted, acknowledging that the structure may be subject to greater flood risk and that higher flood insurance premiums may be possible, and that a change in use may require full compliance with this Ordinance. The applicant agrees to notify prospective purchasers of the existence of the Non-Conversion Agreement. It shall be the responsibility of the applicant to transfer the Non-Conversion Agreement at closing to the purchaser through notarized signature. A copy of the Non-Conversion Agreement shall be provided to the Floodplain Administrator. Failure to transfer the Non-Conversion Agreement and provide a signed copy to the Floodplain Administrator shall subject the violator to the penalties set forth in Section 8.4 of this Ordinance.

D. Recreational Vehicle Placement

Recreational vehicles to be placed within any special flood hazard area shall either:

a) Be on site for fewer than 180 consecutive calendar days, and

b) Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnected utilities, security devices, and has no permanently attached additions, or

c) Be installed in accordance with the manufactured home placement requirements and all other flood reduction requirements contained in this Ordinance.

E. Fill

The Town of Shepherdstown officially recognizes the beneficial functions the Floodplain Area serves in storage and transportation of water during floods. Placement of fill in the special flood hazard area is discouraged and should be minimized.

Placement of fill in other areas of the special flood hazard area shall be restricted to functional purposes such as elevating a structure. Fill shall only be permitted in the same permit with the related structure or other functional purpose. Placement of fill to dispose of spoil from excavation or to elevate yards, parking lots, or fields will not generally be considered a functional purpose. The Floodplain Administrator may require the developer to provide compensatory storage before permitting fill.

No fill shall be permitted in the Floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with currently accepted technical standards that the proposed fill will not result in any increase in the Base Flood Elevation.

All fill placed in the special flood hazard area shall meet or exceed the following standards:

a. Fill shall be used only to the extent to which it does not adversely affect the subject property and adjacent properties. The Floodplain Administrator may require the applicant to demonstrate through engineering reports that proposed fill would not adversely affect the subject property and adjacent properties. When required, hydrologic and hydraulic analyses shall be undertaken only by a professional engineer who shall certify that the technical methods used correctly reflect currently accepted technical concepts. The resulting study shall include a cover letter, signed and sealed by the responsible professional, providing a statement of findings in basic terms. In addition, studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Floodplain Administrator. During permit review the Floodplain Administrator shall consider the following issues that have the potential to cause adverse impact to the subject property and adjacent properties:

    a. Unacceptable increases in flood heights.

    b. Blocking drainage from the subject property and adjacent properties.

    c. Deflection of floodwaters onto adjacent existing structures.

    d. Increases to stream velocity initiating or exacerbating erosion problems.

    e. Other unique site conditions may be considered when determining whether fill will cause adverse impact to the subject property and adjacent properties including, but not limited to, subsidence areas, karst topography, stream blockages, and steep topography adjacent to the channel.

b. Fill shall be used only to the extent to which it does not adversely affect the capacity of channels or floodways of any tributary to the mainstream, drainage ditch, or any other drainage facility or system.

c. A Fill Site must be contoured to drain properly (avoid ponding) consistent with pre-construction conditions. This provision does not apply to properly constructed impoundments which comply with the remainder of this Ordinance and which are properly permitted by the West Virginia Department of Environmental Protection.

d. Fill shall extend beyond a structure for a sufficient distance to provide acceptable access. For residential structures, fill shall extend laterally fifteen feet (15') beyond the building line from all points before the start of sloping required in subsection 5 below. For non-residential structures, fill shall be placed to provide access acceptable for intended use.

e. At grade access, with fill extending laterally fifteen feet (15') beyond the building line shall be provided to a minimum of twenty-five percent (25%) of the perimeter of a non-residential structure.

f. Fill shall consist of soil or rock material only. Sanitary landfills shall not be permitted; no trash or woody debris shall be buried on site.

g. Fill material shall be compacted to provide the necessary stability and resistance to erosion, scouring or settling. Fill compaction standards must be appropriate to proposed post fill use, particular attention is necessary when fill is being used to elevate a structure.

h. Fill slopes shall be no steeper than one (1) vertical on two (2) horizontal, unless substantiating data justifying steeper slopes are submitted to and approved by the Floodplain Administrator.

i. Fill site and fill must be protected from erosion.

    a. Fill slopes exposed to flood waters with expected velocities during the occurrence of the base flood of five feet per second or less will be protected from erosion by covering them with grass, vines, weeds, or similar vegetative undergrowth.

    b. Fill slopes exposed to flood waters with expected velocities during the occurrence of the base flood of greater than five feet per second will be protected from erosion by armoring them with stone or rock slope protection.

j. All applicants placing fill in a special flood hazard area shall obtain a Conditional Letter of Map Revision (CLOMR-F) from FEMA when directed to do so by the Floodplain Administrator before a permit can be issued. After fill is finished the applicant shall convert the CLOMR-F to a Letter of Map Revision based on Fill (LOMR-F) before a Certificate of Compliance/Occupancy can be issued. The Floodplain Administrator is hereby appointed as the designated official to approve a request for a (CLOMR-F) or (LOMR-F), and shall cooperate with the applicant with respect to any requirements of FEMA for requesting a (CLOMR-F) or (LOMR-F), which includes, but is not necessarily limited to, approving said request and executing Form 1, "Overview & Concurrence Form" or other form as may be required by FEMA.

k. The applicant shall submit any maps, computations or other material required by the Federal Emergency Management Agency (FEMA) to revise the Flood Insurance Study (FIS) and/or Flood Insurance Rate Maps (FIRM), when notified by the Floodplain Administrator, and shall pay any fees or other costs assessed by FEMA for this purpose.

F. Placement of Structures and other development

All structures and other development shall be constructed and placed on the property so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum obstruction effect upon the flow and height of floodwater.

a) Whenever possible, structures and other development shall be constructed with the longitudinal axis parallel to the direction of flood flow and,

b) In so far as practicable, structures and other development shall be placed approximately on the same flood-flow lines as those of adjoining structures or development.

G. Anchoring

a) All structures and other development including stream crossings shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, and lateral movement, thus reducing the threat to life and property and decreasing the possibility of the blockage of bridge openings and other restricted sections of the watercourse

b) All air ducts, large pipes, swimming pools, above ground gas and storage tanks located at or below the Base Flood Elevation shall be firmly anchored to resist flotation or lateral movement.

H. Flood Protection Setback

a) A Flood Protection Setback equal to twice the width of the watercourse channel measuring from the top of one bank to the top of the opposite bank of 50 feet, whichever is less, shall be maintained from the top of the banks of all watercourses. Specifically, as for oil and gas wells and well pads, no well pad may be prepared or well drilled within 100 feet from any perennial stream, natural or artificial lake, pond, reservoir or wetland. [See W.Va. Code §22-6A-12(b)]. To reduce erosion, natural vegetation shall be maintained in this area. Where natural vegetation does not exist along the watercourse and conditions for replanting are suitable, high priority shall be given to planting vegetation in the setback area to stabilize banks and enhance aquatic resources.

b) Necessary public works and temporary construction may be exempted from this subsection at the discretion of the Floodplain Administrator.

c) At the discretion of the Floodplain Administrator, the Flood Protection Setback requirement can be waived in whole or part if the applicant demonstrates that it is impossible to allow any development without encroachment into the Flood Protection Setback Area. The conditions shall be the minimum necessary and shall be made only after due consideration is given to varying other siting standards, such as side, front and back lot line setbacks.

I. Storage

a) No materials that are buoyant, flammable, explosive, or in times of flooding could be injurious to human, animal or plant life, shall be stored below Base Flood Elevation except for mineral storage properly and wholly within the ground in compliance with other State environmental agency(ies) requirements.

b) Storage of other material or equipment may be allowed if not subject to substantial damage by floods and firmly anchored to prevent flotation or readily removable from the area within the time available after flood warning.

c) Due to the potential of masking the natural elevation and making it more difficult to enforce this Ordinance, material that resembles "fill" material shall not be considered "storage" material for purposes of this subsection.

J. Utility and Facility Requirements

a) All new or replacement water systems, whether public or private, shall be designed to minimize or eliminate infiltration of floodwaters into the systems.

b) All new or replacement sanitary disposal systems, whether public or private, shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.

c) All other new or replacement public or private utilities and facilities shall be located and constructed to minimize or eliminate flood damage.

d) On-site waste disposal systems shall be located to avoid impairment to the system or contamination from the system during flooding.

K. Drainage

Adequate drainage shall be provided to reduce exposure to the special flood hazard areas as well as around structures on slopes within zones AH and AO to guide flood waters around and away from proposed structures

L. Backflow Preventer

Backflow prevention valves should be used for all enclosed structures with sewage or drainage facilities located in the special flood hazard area.

Section 9-1207 – ADMINISTRATION

7.1 Designation of Floodplain Administrator

The [Title of Appointee] of the Town of Shepherdstown is hereby appointed as Floodplain Administrator and is vested with the responsibility, authority and means to implement the commitments made. Upon appointment of a new Floodplain Administrator, the meeting minutes with the applicable Floodplain Ordinance shall be provided to The State Coordinating Office and FEMA.

Within one year (1) of their appointment the new Floodplain Administrator must attend the State/FEMA sponsored NFIP Class 273 entitled "Managing Floodplain Development" and remain current with State required continuing education annual training. (See W.Va. Code §15-5-20a). In the absence of a formally appointed Floodplain Administrator the duties set forth in this Ordinance for the Floodplain Administrator shall be temporarily fulfilled by the Mayor of the Town of Shepherdstown.

The Floodplain Administrator shall administer and implement this Ordinance by granting or denying floodplain development permits in accordance with its provisions. The Floodplain Administrator shall also be responsible for submitting all required reports to FEMA concerning participation in the National Flood Insurance Program.

7.2 Development Permits and Site Plan Approvals Required

It shall be unlawful for any contractor, person, partnership, business, limited liability corporation or corporation to undertake or cause to be undertaken, any development or the new construction, substantial improvement, repair of substantial damage, the placement or relocation of any structure (including manufactured homes) within the Town of Shepherdstown unless a permit application and standard site plan has been completed, and an approved permit has been obtained from the Floodplain Administrator. In addition, where land that is either partially or fully in the special flood hazard area is to be subdivided, utilized for a manufactured home park or subdivision or otherwise developed, a detailed site plan must be submitted to, and approved by, the Floodplain Administrator prior to any development.

7.3 Approval of Permits and Plans

a. The Floodplain Administrator shall review, or shall cause to be reviewed, all permit applications and plans within 90 calendar days from the Permit Application submission date in order to determine whether the proposed development is reasonably safe from flooding. Further, the Floodplain Administrator shall review all objections, comments, protest letters and other writings submitted in opposition of said Floodplain Permit Application and give due consideration to the same before granting or denying said Permit

b. All permits and plans shall be approved only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this Ordinance, State and Federal Laws, Ordinances and Regulations.

c. The Floodplain Administrator shall not issue a permit to any person who does not possess a valid contractor's license when a contractor's license is required by West Virginia Code §21-11-7.

d. The Floodplain Administrator, before issuance of the permit, shall require the applicant to furnish satisfactory proof that such person is duly licensed as a contractor under the provisions of West Virginia State Code. If the applicant is not licensed. If the applicant is not licensed under West Virginia Code §21-11-6 a written affidavit that such person is not subject to licensure as a contractor or subcontractor as defined in §21-11-6 shall be filed with the Town Recorder, date/time stamped and filed in the official Floodplain Permit Application File.

e. The Floodplain Administrator shall require and keep on file copies of any documentation pertaining to the permit from any other governmental agencies. Whether Federal or State or Local, that requires site approval, this shall be submitted to the Town Recorder, date/time stamped and filed in the official Floodplain Permit Application File prior to final issuance of said permit and prior to the start of construction. This information shall be maintained for the life span of the development.

f. The Floodplain Administrator shall provide a copy of all permits to the Jefferson County Assessor as required by West Virginia Code §11-3-3a. and provide a copy of all Floodplain Permits for new structures to the Jefferson County E-911 Addressing Coordinator.

After the filing of an Application for a Floodplain Permit and receiving a properly and timely filed objection to the issuance of a Floodplain Permit Application, but prior to the Floodplain Administrator's decision to grant or deny the same, the Floodplain Administrator may, in his sole discretion, hold a public meeting wherein evidence can be taken or given by interested persons or parties. Said meeting shall have a court reporter present to record all testimony and receive all exhibits and evidence. Said meeting notice shall be mailed by certified mail return receipt requested to the Permit Applicant and the objecting person or entity and placed upon the agenda of a regularly scheduled Shepherdstown Town Council meeting announcing the date, time and place of said meeting not prior to 10 calendar days from official announcement. The meeting transcript and exhibits presented shall be filed in the official Floodplain Application Permit File.

7.4 Application Procedures

Application for a permit and/or site plan approvals shall be filed, in writing, in duplicate, on the forms supplied by the Town of Shepherdstown and shall include all information stipulated under Section 9-1205 of this Ordinance.

7.5 Changes

After the issuance of a Floodplain Permit or site plan approval by the Floodplain Administrator or Floodplain Appeals Board, no changes of any kind shall be made to the application, permit, or any of the plans, specification or other documents submitted with the application without the written consent and approval of the Floodplain Administrator.

7.6 Permit Placards

The Floodplain Administrator shall issue a permit placard, which shall be prominently displayed on the subject property during the time development is in progress. This placard shall show the number of the permit, the date of its issuance and be signed by the Floodplain Administrator or the Shepherdstown Town Council sitting as the Floodplain Appeals Board.

7.7 Start of Construction

Work on the proposed development shall begin within 180 calendar days after the date of issuance of the Floodplain Permit or the Floodplain Permit shall expire unless a time extension request made in writing to the Floodplain Administrator and filed in the official Floodplain Permit Application File by the Floodplain Manager is granted, in writing, by the Floodplain Administrator after a showing by the applicant of "justifiable delay" not caused by the negligence or lack of due diligence of the applicant. Any extension of the 180 day Start of Construction time frame shall only be granted if the permit holder can demonstrate compliance with this Floodplain Ordinance, FIRM and/or FIS in effect at the time the extension is granted. All work on the proposed development must be completed within 18 months of permit issuance, at which time the permit shall expire, unless a time extension made in writing to the Floodplain Administrator and filed in the official Floodplain Permit File by the Floodplain Manager is granted in writing by the Floodplain Administrator. The request for a time extension shall be in writing and shall state the reasons for the extension. When considering an extension, the Floodplain Administrator shall consider the following criteria:

a) Has the applicant diligently pursued the completion of the proposed development during the 18 months?

b) Will the granting of the extension be detrimental to public safety, health, or welfare or injurious to other property?

7.8 Stop Work Orders, Inspections and Revocations

A. Stop-Work Orders

a) The Floodplain Administrator shall issue, or cause to be issued, a "Stop Work Order Notice" for any development found ongoing without having obtained a Floodplain Permit. Disregard of a Stop Work Order Notice shall subject the violator to the penalties described in Section 8.4 of this Ordinance.

b) The Floodplain Administrator shall issue, or cause to be issued, a "Stop Work Order Notice" for any development found non-compliant with the provisions of this Ordinance and/or the conditions of the Floodplain Permit. Disregard of a Stop Work Order notice shall subject the violator to the penalties described in Section 8.4 of this Ordinance.

c) In the event that the Floodplain Administrator issues a Stop Work Order Notice, the Floodplain Permit shall be stayed pending a determination of whether a violation actually occurred and/or abatement of the alleged violation, whichever occurs first.

d) In the event of an Appeal on a Floodplain Permit, the Floodplain Administrator shall immediately issue a Stop Work Order Notice that shall remain in effect until a resolution is reached.

B. Inspections and Revocations

a) During the development period, the Floodplain Administrator or other authorized Town, State or Federal Government Officials may inspect the premises to determine that the work is progressing in compliance with the information provided on the Floodplain Permit Application, this Ordinance and with all applicable Federal, State and Town laws, Regulations and Ordinances.

b) If the Floodplain Administrator discovers that the work does not comply with the Floodplain Permit Application, this Ordinance or that there has been a false statement(s) or misrepresentation(s) by any applicant in the permitting process, the Floodplain Administrator shall issue a "Stop Work Order Notice", revoke the permit and request a temporary injunction in the Circuit or Magistrate Court of Jefferson County. The Floodplain Administrator shall notify any appropriate agency or authority if the Floodplain Administrator finds a violation of any non-Floodplain Law, Regulation or Ordinance.

c) The Floodplain Administrator or other authorized Town, State or Federal Government Officials may inspect any development covered by this or previous Floodplain Ordinances to determine whether any portion of the development has been altered to be non-compliant with the requirements of this or other Ordinances.

7.9 Certificate of Compliance

a) In the special flood hazard area, it shall be unlawful to occupy, or to permit the occupancy, of any building or premises, or both, or part thereof hereafter created, erected, installed, changed, converted or wholly or partly altered or enlarged in its use or structure until a Certificate of Compliance has been issued by the Floodplain Administrator stating that the building or land conforms to the requirements of this Ordinance. Occupying or using a building or premises in

violation of this section shall subject the violator to the penalties described in Section 8.4 of this Ordinance.

b) In the special flood hazard area, it shall be unlawful to inspect and approve a permanent utility connection to any building or premises, or both, or part thereof hereafter created, erected, installed or rebuilt until the utility inspector is in possession of a copy of the Certificate of Compliance issued by the Floodplain Administrator stating that the particular development being inspected conforms to the requirements of this Ordinance. Inspection and approval of utilities in violation of this section shall subject the violator to the penalties described in Section 8.4 of this Ordinance.

c) In the special flood hazard area, it shall be unlawful to install a permanent utility connection to any building or premises, or both, or part thereof hereafter created, erected, installed or rebuilt until a Certificate of Compliance has been issued by the Floodplain Administrator stating that the development conforms to the requirements of this Ordinance. Installation of utilities in violation of this section shall subject the violator to the penalties described in Section 8.4 of this Ordinance.

d) A Certificate of Compliance shall be issued by the Floodplain Administrator upon satisfactory completion of all development in the special flood hazard.

e) Issuance of the Certificate of Compliance shall be based upon the inspection conducted as prescribed in this Ordinance and any finished construction elevation certificate, hydraulic data, flood proofing certificate, or encroachment analyses which may have been required as a condition of the Floodplain Permit approval process.

7.10 Fees

a) Floodplain Determination fee shall be assessed on all proposed development. This shall be a flat fee approved by the Shepherdstown Town Council.

b) Proposed development determined to be occurring in a special flood hazard area regulated by this ordinance shall be assessed an additional fee, payable to the Town of Shepherdstown based upon a set schedule approved by the Shepherdstown Town Council using the estimated value of the proposed construction as determined by the Floodplain Administrator.

c) In addition, the applicant shall be responsible for reimbursing the Town of Shepherdstown for any additional costs for services necessary for review and/or inspection of proposed development. Services include, but are not limited to, professional engineering and surveying. The Floodplain Administrator may require a deposit towards these additional costs. Additional costs may include reimbursement for contracted services.

Due to the increased cost of processing, when any work for which a permit is required by this ordinance is started or proceeded with prior to obtaining a permit the fees above specified shall be doubled. The additional fee is intended to partially reimburse the Town of Shepherdstown for the additional cost of processing permits for work already underway. To more fully recover this cost the fees above shall be tripled for every subsequent occurrence by the same person. Payment of the increased fee shall not relieve any person from complying fully with the requirements of this ordinance in the execution of the work or from other penalties prescribed herein.

Section 9-1208– APPEALS AND PENALTIES

8.1 Appeals

Whenever a person or entity is aggrieved by a decision of the Floodplain Administrator with respect to the provisions of this Ordinance, it is the right of that person or entity to appeal to the Shepherdstown Town Council sitting as the Floodplain Appeals Board, in writing, within thirty (30) days after notification of the decision of the Floodplain Administrator as announced at a regularly scheduled Shepherdstown Town Council meeting. Said Appeal shall be served by the aggrieved person by regular mail on all interested parties on the date that said Appeal is filed. Upon receipt of such appeal, the Floodplain Appeals Board shall set a time, date and place not less than ten (10) nor more than sixty (60) calendar days for the purpose of hearing the appeal. Notice of the time, date and place of the hearing shall be given to all interested parties by placing an announcement of said hearing date, time and place on the agenda of the next regularly scheduled Shepherdstown Town Council meeting notice and to announce the date, time and place of the appeal hearing not sooner than 10 calendar days from said announcement date, at which time all may appear and be heard. The determination by the Floodplain Appeals Board shall be final in all cases, subject to any Appeal to the Circuit or Magistrate Court of Jefferson County, West Virginia or any other Court of competent jurisdiction.

In the event an Appeal is filed wherein a Floodplain Permit has been granted by the Floodplain Administrator, the Floodplain Administrator shall immediately issue a Stop Work Order Notice that shall remain in effect until a resolution of said appeal.

8.2 Appeal Review Criteria

All appeals contesting only the permit fee, the cumulative substantial damage requirement, the flood protection setback requirement, or the freeboard requirements, may be handled at the discretion of the Floodplain Appeals Board.

8.3 Variances

If compliance with any of the requirements of this Ordinance would result in an exceptional hardship to a prospective builder, developer or landowner, the Town of Shepherdstown may, upon request, grant relief from the strict application of the requirements.

Considerations for the issuance of Variances to this Ordinance shall adhere to the following criteria:

a. A decision granting or denying the variance request shall only be issued by the Floodplain Appeals Board upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that granting the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing laws, regulations or ordinances.

b. An affirmative decision granting a variance shall be issued only upon determination that it is the minimum necessary, considering the Special Flood Hazard Area, to afford relief. Financial hardship, used as sole criteria, shall not be considered sufficient justification to grant a variance.

c. An affirmative decision granting a Floodplain variance shall be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

d. The Floodplain Appeals Board shall notify the applicant in writing and signed by a majority of the Floodplain Appeals Board that (i) the issuance of a decision to allow construction of a structure below the Base Flood Elevation will result in increased premium rates for flood insurance, and (ii) such construction below the Base Flood Elevation increases risk to life and property. Such notification shall be maintained with a record of all decisions as required in this Ordinance; and

e. The Floodplain Appeals Board shall (i) maintain a record of all decisions including justification for the decisions, and (ii) report such decisions issued in its biannual report to the Federal Emergency Management Agency.

f. An affirmative decision shall not be granted for issuance of a Floodplain variance for any construction, development use or activity within any Floodway Area that would cause any increase in the Base Flood Elevation.

8.4 Penalties

Any person, who fails to comply with any or all of the requirements or provisions of this Ordinance or direction or Order of the Floodplain Administrator, or any other authorized employee of the Town of Shepherdstown, shall be unlawful and shall be referred to the Prosecuting Attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, pay a fine to the Town of Shepherdstown of not less than fifty dollars ($50.00) or more than five hundred dollars ($500.00) plus cost of prosecution. Each day during which any violation of this Ordinance continues shall constitute a separate offense. In addition to the above penalties, all other actions are hereby reserved including an action in equity for the proper enforcement of this Ordinance. The imposition of a fine or penalty for any violation of, or non-compliance with, this Ordinance shall not excuse the violation or non-compliance with the

Ordinance or permit it to continue; and all such persons shall be required to correct or remedy such violations or non-compliance within a reasonable time. Any structure constructed, reconstructed, enlarged, altered or relocated in non-compliance with this Ordinance may be declared by the Town of Shepherdstown to be a public nuisance and abated as such subject to other applicable laws and exhaustion of appellate rights.

Section 9-1209– GOVERNMENT ACTIONS

9.1 Annexation

A. The Jefferson County Floodplain Ordinance in effect on the date of annexation shall remain in effect and shall be enforced by the Town of Shepherdstown Floodplain Administrator for all annexed areas until the Town adopts and enforces a Floodplain Ordinance which meets or exceeds the requirements for participation in the National Flood Insurance Program.

B. Municipalities with existing Floodplain Ordinances shall pass a resolution acknowledging and accepting responsibility for enforcing floodplain ordinance standards prior to annexation of any area containing identified special flood hazard areas.

C. All plats or maps of annexation shall show the Special Flood Hazard areas, Base Flood Elevation and location of the Floodway where determined.

D. In accordance with the Code of Federal Regulations, Title 44 Subpart (B) Section 59.22(a)(9)(v) all Federal Emergency Management Agency participating governments must notify the State Coordinating Office and Federal Insurance Administration in writing whenever the boundaries of the governments have been modified by annexation or the governments has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all Flood Insurance Rate Maps accurately represent the government's boundaries, a copy of a map of the government boundaries suitable for reproduction, clearly delineating the new boundaries or new area for which the government has assumed or relinquished floodplain management regulatory authority must be included with the notification.

E. NFIP participating governments must notify the State Coordinating Office in writing whenever the boundaries of the governments have been modified by annexation or the government has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. A copy of a map of the government boundaries suitable for reproduction, clearly delineating the new boundaries or new area for which the government has assumed or relinquished floodplain management regulatory authority must be included with the notification.

9.2 Permits for Governmental Entities

Unless specifically exempted by law, all public utilities and Municipal, County, State and Federal entities are required to comply with this Ordinance and obtain all necessary permits. Any entity claiming to be exempt from the requirements of this Ordinance must provide a written

statement setting forth the rationale for exemption and file the same with FEMA. In addition the entity claiming the exemption shall provide copies of all relevant legal documentation demonstrating the exemption.

Section 9-1210– SEVERABILITY AND MUNICIPAL LIABILITY

10.1 Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect and for this purpose the provisions of this Ordinance are hereby declared to be severable.

10.2 Liability

The granting of a permit or approval of a subdivision, development plan in an identified Special Flood hazard Area, shall not constitute a representation, guarantee, or warranty of any kind by the Town of Shepherdstown or by any official or employee thereof of the practicability or safety of the proposed use, and shall create no liability upon the Town of Shepherdstown and/or the Shepherdstown Town Council. This Ordinance does not create a private cause of action. **All applicants proposing construction in or near a special flood hazard area are urged to locate construction as far away from, and as high above, all flooding sources as possible.**

_____(Mayor)

_____(Recorder)

First Reading:_____

Second Reading:_____

Enacted:_____

Special Events Request

Special Events Application

The Corporation of Shepherdstown has enacted Ordinance 8-801 et seq. requiring a special events application be submitted for all assemblies, demonstrations, special events and parades, as detailed in Sections 8-801 through 8-810 in the Corporation of Shepherdstown Codified Ordinances. All requests must be submitted for departmental and Town Council review. The information requested by this form will be used to determine eligibility for a special events permit. **The event will not be considered for approval until the entire application and all of its parts have been submitted. Applications are due to the Office of the Town Administrator no later than 14 days prior to the proposed special event.**

Event Title Davis' 6th Bday **Event Date** 11/14/26

Event Sponsor [redacted] **Secondary Date**

Organizer's Contact Information

Name: [redacted]

Address [redacted]

Email [redacted]

Event Information

Requested Area(s) ____ City Streets/Sidewalks ____ Sidewalks only ____ Other

Location of Event Rumsey / Cullison Park

Attach route for processional events. Be precise when indicating location.

Event Hours 12 until 2 **Set up start time** 11 **Clean up end time** 3

******NOTE**** Town Square Events are limited to SIX (6) Hours, including set-up and clean-up time.**

Anticipated Attendance (per day): **Participants** _____ **Spectators** _____ (family/friends = 25)

Office Use Only

Department Heads: Please indicate disposition of event proposal and attach any comments or conditions.

Police: BAD **Approved** ____ **Denied** ____ **Conditional**	**Planning:** [illegible] **Approved** ____ **Denied** ____ **Conditiona**
Fire: ____ **Approved** ____ **Denied** ____ **Conditional**	**Public Works:** [illegible] **Approved** ____ **Denied** ____ **Conditional**
Town Admin.: [illegible] **Approved** ____ **Denied** ____ **Conditional**	**Town Council:** ____ **Approved** ____ **Denied** ____ **Conditional**

Estimated Staff Needed: **Police:** _____ **Fire:** _____ **Public Works:** _____

Recorder _____ Amount Due _____ Amount Paid 25 ✓ Insurance Provided _____ Council Agenda 11-10-26

Permit No. _____ Conditions Attached? _____

FILED
OCT 2 6 2026
$25.00
#218-26

Event Information

Answer the following questions, in full, and attach any additional information

Name of Event Davis's 6th B-day

Brief Description of Event: my son B turning 6, B-day Party family

Has your organization held this event in the past? yes
When and Where? Cullison

Is the event a fundraiser? ND

Will you require assistance from Fire/EMS? ND (additional fees apply) How many units? _____ Council reserves the right to assign additional units at applicant cost.

Will you require assistance from the Police Department? ND (additional fees apply)
How many units? _____ Council reserves the right to assign additional units at applicant cost.

Will items be left overnight? ND What and where? _____
Hazmat items must be attended constantly.

Will you be providing private security? _____

Will alcohol ND or food (cake) be served?
Additional approvals may be necessary through the ABCA or Health Department.

Will you have vendors? ND Are you charging admission ND?
Check with B&O Licensing to obtain additional licenses and tax information.

Will streets ND or intersections _____ be blocked? **Requires** police department assistance.
List streets and/or intersections _____

Public Works assistance needed? ND Street Sweeping _____ Barricades or fencing Material _____ (additional fees apply)—Council reserves right to assign additional units at applicant cost

Will you be using loud speakers or amplification devices? ND

Continued on next page

Will you be installing temporary structures, such as tents, bleachers, stages, inflatables? No What and where? _____
Check with Planning for U&O Requirements

Will you require dedicated parking or bagged meters? _____
What and where? _____
Check with Parking for costs and arrangements

Indemnification

I [redacted] shall defend and hold harmless the Corporation of Shepherdstown, its officers, employees, agents and representatives thereof, from all suits, actions, claims of any kind, including attorney's fees, brought on account of any personal injuries, damages or violation of rights sustained by any person or property in consequence of any neglect on behalf of _____ (name of organization or business), while their personal property is situated on Town property. I shall further hold the Corporation of Shepherdstown harmless from any claims or amounts arising from any violation of any law, bylaw, ordinance, regulation or decree.

[If required] A certificate of general liability insurance coverage in the amount of no less than $1 million per instance and $2 million aggregate naming the Corporation of Shepherdstown as an additional insured is attached to this application.

I further swear that all information provided in this application is true and accurate to the best of my knowledge and understand that the Shepherdstown Town Council has authority to change or amend my indicated needs, as necessary, and I am responsible for additional fees.

Signature [redacted] Date 10/25/24

Title _____

FEE SCHEDULE

Application Fee--$25.00

Police Fees--$50.00 per hour or partial hour worked, per officer.

Fire/EMS--$35.00 per hour or partial hour worked, per firefighter and $100 per hour or partial hour for firefighting apparatus and/or medic unit.

Public Works--$35.00 per hour or partial hour worked, per laborer, including time requested or deemed necessary for setup and/or clean-up and $100 per hour or partial hour for Public Works equipment including but not limited to street sweeper, garbage collection, or other heavy equipment required to provide support.

Example – An event beginning at 11am and continuing until 4pm that requires one police officer would incur a cost of 5 hours X $50.00 = $250.00. The same event requiring Public Works setup and support beginning at 10am to 11am with event cleanup and breakdown from 4pm to 5pm would incur a Public Works expense of 2 hours X $50.00 = $100.00.

Additional fees for Town Service may be waived for all Town Funded Events and Town Co- Funded Events

*** The need for Town services is determined by applicant request or staff recommendation and ultimately approved by Town Council***

Special Events Application

The Corporation of Shepherdstown has enacted Ordinance 8-801 et seq. requiring a special events application be submitted for all assemblies, demonstrations, special events and parades, as detailed in Sections 8-801 through 8-810 in the Corporation of Shepherdstown Codified Ordinances. All requests must be submitted for departmental and Town Council review. The information requested by this form will be used to determine eligibility for a special events permit. **The event will not be considered for approval until the entire application and all of its parts have been submitted. Applications are due to the Office of the Town Administrator no later than 14 days prior to the proposed special event.**

Event Title Town of Shep Christmas Parade **Event Date** 12/5/2026

Event Sponsor Rotary Club of Shepherdstown **Secondary Date** NONE

Organizer's Contact Information

Name: [redacted] **Cell:** [redacted]

Address: [redacted]

Email shepherdstownparades@gmail.com **Alt. Phone** N/A

Event Information

Requested Area(s) X City Streets/Sidewalks ___ Sidewalks only ___ Other

Location of Event See Attached Maps

Attach route for processional events. Be precise when indicating location.

Event Hours 1000 until 1100 **Set up start time** 0830 **Clean up end time** 1130

******NOTE**** Town Square Events are limited to SIX (6) Hours, including set-up and clean-up time.**

Anticipated Attendance (per day): **Participants** 250 **Spectators** 800

Office Use Only

Department Heads: Please indicate disposition of event proposal and attach any comments or conditions.

Police: PAD Approved ___ Denied ___ Conditional	**Planning:** Approved ___ Denied ___ Conditional
Fire: Approved ___ Denied ___ Conditional	**Public Works** Approved ___ Denied ___ Conditiona
Town Admin. Approved ___ Denied ___ Conditional	**Town Council:** ___ Approved ___ Denied ___ Conditional

Estimated Staff Needed: **Police:** ___ **Fire:** ___ **Public Works:** 2

Recorder ___ Amount Due ___ Amount Paid 25.00 Insurance Provided ___ Council Agenda 11-10-26

Permit No. ___ Conditions Attached? ___

PAID
OCT 7 2026
$25.00
#21032-PD

Event Information

Answer the following questions, in full, and attach any additional information

Name of Event Christmas in Shepherdstown Parade

Brief Description of Event: See attached addendum.

Has your organization held this event in the past? YES
When and Where? Since 2012 on German Street

Is the event a fundraiser? NO

Will you require assistance from Fire/EMS? *PENDS (additional fees apply) How many units? _____ Council reserves the right to assign additional units at applicant cost.

Will you require assistance from the Police Department? YES (additional fees apply) How many units? _____ Council reserves the right to assign additional units at applicant cost.

Will items be left overnight? NO What and where? NO
Hazmat items must be attended constantly.

Will you be providing private security? NO

Will alcohol NO or food NO be served?
Additional approvals may be necessary through the ABCA or Health Department.

Will you have vendors? NO Are you charging admission NO ?
Check with B&O Licensing to obtain additional licenses and tax information.

Will streets YES or intersections YES be blocked? **Requires** police department assistance.
List streets and/or intersections SEE ATTACHED MAP.

Public Works assistance needed? YES Street Sweeping NO Barricades or fencing Material YES (additional fees apply)—Council reserves right to assign additional units at applicant cost

Will you be using loud speakers or amplification devices? YES

Continued on next page

Will you be installing temporary structures, such as tents, bleachers, stages, inflatables? YES What and where? Rotary Tent or announcer on McMurran Hall Lawn (See MAP)
Check with Planning for U&O Requirements

Will you require dedicated parking or bagged meters? YES
What and where? SEE ATTACHED ADDENDUM
Check with Parking for costs and arrangements

Indemnification

I [redacted] shall defend and hold harmless the Corporation of Shepherdstown, its officers, employees, agents and representatives thereof, from all suits, actions, claims of any kind, including attorney's fees, brought on account of any personal injuries, damages or violation of rights sustained by any person or property in consequence of any neglect on behalf of Rotary Club of Shepherdstown (name of organization or business), while their personal property is situated on Town property. I shall further hold the Corporation of Shepherdstown harmless from any claims or amounts arising from any violation of any law, bylaw, ordinance, regulation or decree.

[If required] A certificate of general liability insurance coverage in the amount of no less than $1 million per instance and $2 million aggregate naming the Corporation of Shepherdstown as an additional insured is attached to this application.

I further swear that all information provided in this application is true and accurate to the best of my knowledge and understand that the Shepherdstown Town Council has authority to change or amend my indicated needs, as necessary, and I am responsible for additional fees.

Signature [redacted] Date 10/7/2026

Title Rotary Club of Shepherdstown - Parade Coordinator

Addendum to 2026 Christmas Parade Event Request

BRIEF DESCRIPTION & HISTORY OF EVENT

There has been a Christmas in Shepherdstown celebration in the town annually since 1988, and this parade has been part of that celebration for most of those years. The Shepherdstown Rotary Club has been organizing the parade since 2012.

Participation in the parade is open to any area institution, organization, business, or individual in good standing. There is no fee to participate but participants must register beforehand. The parade has grown over the years, and last year's parade had 81 entries and lasted about an hour.

The parade has always been held on the first Saturday of December. In 2015, when Shepherd University hosted a NCAA Division II playoff football game on that date, the parade's traditional 11:00 a.m. start time exacerbated traffic and parking problems. Therefore, in 2016 the parade start time was moved up one hour, to 10:00 a.m. The start time has remained there ever since, in large part because—regardless of whether a football game is being held—the earlier start makes it easier for parade entries to participate in both our parade and Charles Town's, which is held in the afternoon of the same day.

The town of Shepherdstown has traditionally paid for the sound system used by the parade's announcer, folding this cost into the contract for the sound system used for the activities associated with the arrival of Santa Claus the Friday evening after Thanksgiving. In recent years, Welsh Sound LLC has provided the sound system for both these events.

STREET CLOSURES.

As in previous years, this year's parade route will be limited to the section of German Street between Church and Princess streets. The parade will form up on Church Street, with most of the units in the blocks south of German Street, and horses and horse-drawn units in the block between German and High streets. The parade will disperse on Princess Street.

Therefore, we are requesting the following closures:

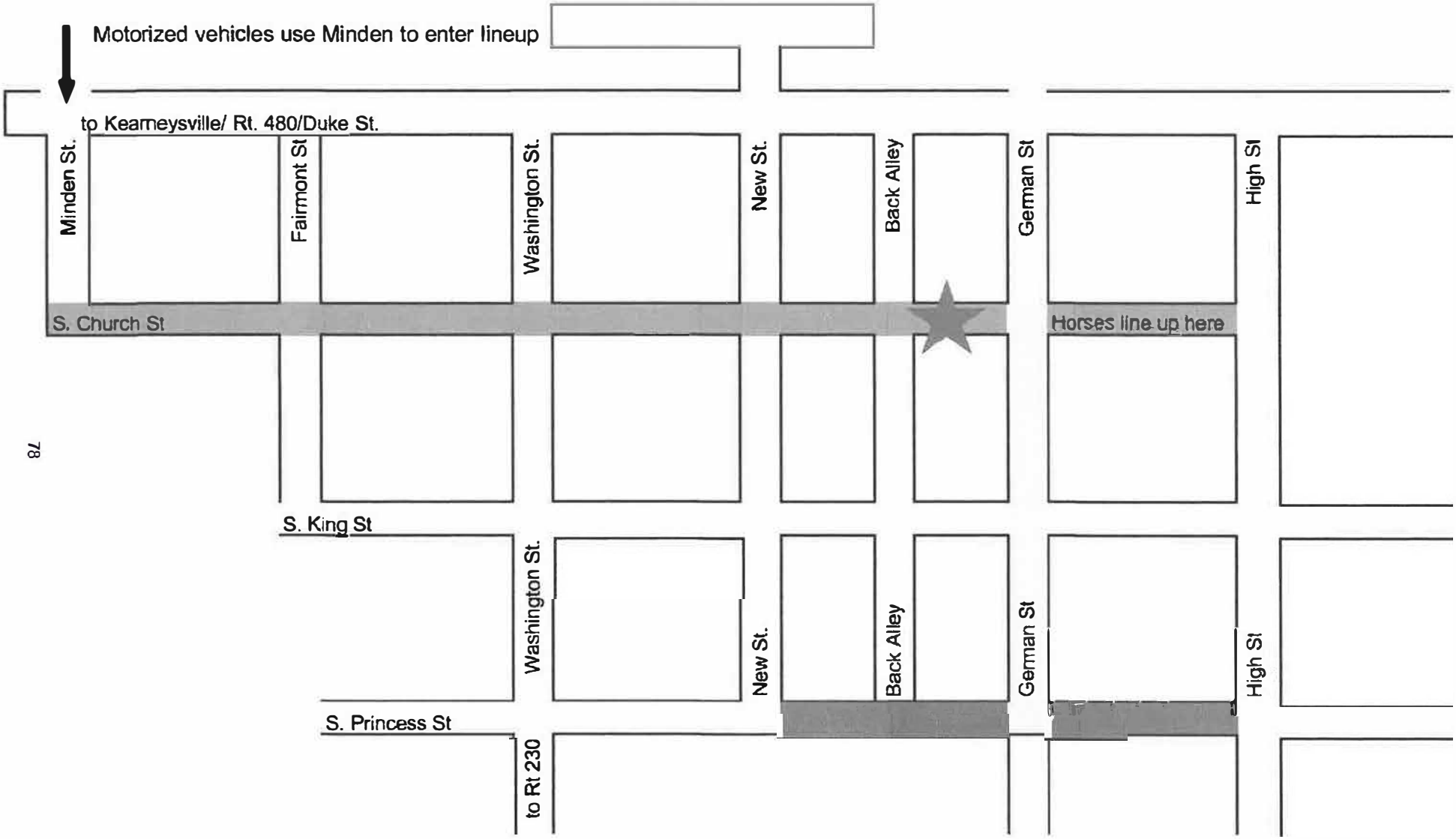
1) The two + blocks of Church Street between German Street and the town line just south of Washington Street and the block between German and High streets from 8:30 am until approximately 11:00 a.m. (We also ask that the meters in the block between German and Church streets be hooded the night before, with "no parking" signs or cones posted in that area.)

2) German Street, between Church and Princess streets, from 9:30 a.m. until the end of the parade at 11:00 a.m. or so.

3) The block of Princess Street between German and High streets from 10:00 a.m. until 11:00 a.m.

In addition, we are asking that the King Street parking spaces designated for Town Hall business along the McMurran Hall wall across from Town Hall be blocked off the night before with "no parking" signs or cones, so that the parade sound system provider can use this area to park its truck and offload sound equipment for the parade starting about 8:30 a.m.

Shepherdstown Xmas parade



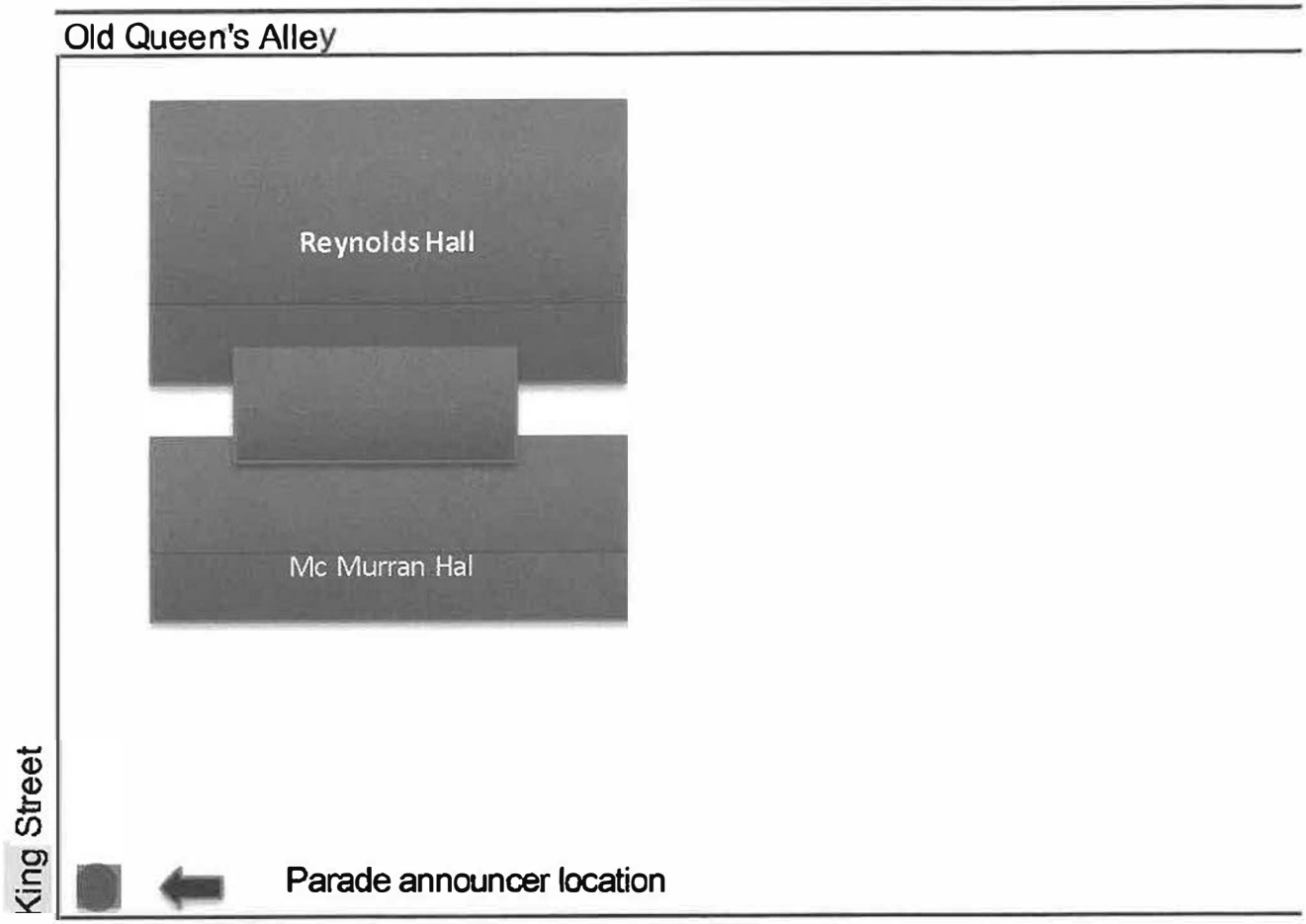
Parade entries will line up on Church Street (access re restricted 8:30-11:00 am)

Parade coordinator will be stationed here

Parade route (closed to traffic 10:00 am-11:00)

Parade entries disperse here (closed to traffic 1 10:00 am-11:00 am)

Parade announcer location



ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 10/7/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Hylant - Toledo
811 Madison Ave
Toledo, OH 43604-5684

CONTACT NAME: [redacted]
PHONE (A/C, No, [redacted]
E-MAIL [redacted]

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Westchester Surplus Lines Insurance Company	10172
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
U.S. Rotary Clubs & Districts
Rotary Club of Shepherdstown
ATTN: Risk Management Dept.
1560 Sherman Avenue
Evanston, IL 60201

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$ 2,000,000
	CLAIMS-MADE [X] OCCUR	X		G73578917 005	7/1/2026	7/1/2027	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 500,000
	X Liquor Liability						MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 4,000,000
	X POLICY [ ] PRO-JECT [ ] LOC						PRODUCTS - COMP/OP AGG	$ 4,000,000
	OTHER:							$
A	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$ 2,000,000
	ANY AUTO	X		G73578917 005	7/1/2026	7/1/2027	BODILY INJURY (Per person)	$
	[ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	X HIRED AUTOS ONLY X NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB [ ] OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB [ ] CLAIMS-MADE						AGGREGATE	$
	DED RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N [ ] (Mandatory in NH)	N/A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The Certificate Holder is included as an additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the Insured.

CERTIFICATE HOLDER

Corporation of Shepherdstown
PO BOX 248
Shepherdstown, WV 25443

2026 Christmas in Shepherdstown Parade

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE [redacted]

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Volunteer Applications

BOARDS AND COMMISSIONS APPLICATION

Please write at least a paragraph for the sections that ask for a description (attach additional sheets if necessary).
You are also welcome to submit a résumé.

Name: ☑ Mr. ☐ Ms. Justin Roedersheimer Address: [redacted] _____

Phone numbers – Home: _____ Work: _____ Cell: [redacted]

Email address: [redacted] Employer: Self

Occupation: _ _Digital Marketing Consultant_____

Which board/commission would you like to serve on? _____

Please describe your background and education.

Professional Background

[redacted]

Education

MA in Cultural Anthropology from Columbia University
BAs in International Studies & French from Eckerd College

Please describe your experience and any special training you may have that apply to this board/commission.

Personal interest in green spaces, native plants and environmental issues.

Experience in destination marketing
2012-Present

[redacted]

Please describe your motivation for serving on this board/commission.

A strong desire to see Shepherdstown maintain and grow a vibrant community that values its green spaces and its history.

Please describe what you know about this board/commission.

Shepherdstown advisory group that manages, protects, and expands the urban forest—including trees in parks, along streets, and in public rights-of-way.

How did you hear about this board/commission?

We requested a street tree several years ago and worked through the commission to have one approved.

Please provide two personal or professional references (include name and phone number).

[redacted]

Signature: _____ Date submitted: Oct 20, 2026

Please type in your answers and submit the completed form by hand, mail, fax or email to:

Town Clerk's Office
104 North King Street
P.O. Box 248
Shepherdstown, West Virginia 25443-0248
304-876-1473 (fax)
clerk@shepherdstown.us
For additional information, or to request a hard copy of the application, please call 304-876-2398.

BOARDS AND COMMISSIONS APPLICATION

Please write at least a paragraph for the sections that ask for a description (attach additional sheets if necessary).
You are also welcome to submit a résumé.

Name: ☐ Mr. ☑ Ms. Peggy Bowers Address: [redacted]

Phone numbers – Home: [redacted] Work: _____ Cell: [redacted]

Email address: [redacted] Employer: Self

Occupation: Bed and Breakfast owner, Garden Designer, Dog trainer

---

Which board/commission would you like to serve on? _____

Please describe your background and education.

Degree in ornamental horticulture- 40 years as a professional in the horticultural industry.
Current- Owner Sundogs Bed and breakfast designing and maintaining 1.5 acres of gardens. Private consultations and designs for local Shepherdstown Residents.
Past-
Garden Manager at George Washingtons Mount Vernon Alexandria VA
Horticulturists at River Farm, headquarters of the American Horticultural Society Alexandria VA
Rosarian and garden leader at Dumbarton Oaks Washington DC

Please describe your experience and any special training you may have that apply to this board/commission.

Professional horticulturists with extensive experience with plant care and plant health with a strong emphasis on native plants.

Please describe your motivation for serving on this board/commission.

Charlotte Baker-Shenk asked and I love trees.

Please describe what you know about this board/commission.

Oversee tree and plant selection and health in public spaces with-in the city of Shepherdstown

How did you hear about this board/commission?

Charlotte Baker-Shenk

Please provide two personal or professional references (include name and phone number).

[redacted]

Signature: _____ Date submitted: 10/20/2026

Please type in your answers and submit the completed form by hand, mail, fax or email to:

Town Clerk's Office
104 North King Street
P.O. Box 248
Shepherdstown, West Virginia 25443-0248
304-876-1473 (fax)
clerk@shepherdstown.us
For additional information, or to request a hard copy of the application, please call 304-876-2398.

Staff Reports

Wastewater, Water and Streets Departments

Water/Sewer Leaks / Issues

1) Billmyer mill rd. service line leak
2) Devon Way Main break
3) 303 S King st service line leak
4) 101 Sallie Ln service line leak

Water plant/Wastewater plant

Water plant-

- PSC reports
- UV Maintenance

Wastewater plant-

- UV Maintenance
- PSC reports

Lead and Copper rule

- GRR plan-line replacement deadline Oct 2037

Streets

- Fix street signs
- Installed Speed signs
- HH Banners up
- Road work/ patch work
- New Bench German St
- Leaks
- Plaza maintenance/take down 11/2/26
- Curb clean up and street sweeping complete
- Clean-up week 11/2-11/6

Trash/Recycling/Yard waste/Rough cost

- Glass- 7 tons Oct $1500.00
- Trash – 48 Tons collected in the month of Oct $2500.00
- Recycling- 12 Tons collected in the month of Oct $1200.00
- Yard Waste- 12 loads - Dump cost $125

PATH Project update (Kenny Shipley)

- construction to start 11/9/26

Operator update

- Reviewing applications

Police Department

Calls for Service and Mutual Aid

During October, the Shepherdstown Police Department responded to **331 calls for service**, including 30 calls assisting the Jefferson County Sheriff's Office, representing **9.07%** of total department activity. These mutual-aid responses primarily involved emergencies or incidents requiring additional personnel, including alarms, injury-related motor vehicle crashes, panic alarms, and suspicious persons. Agencies throughout Jefferson County operate under a Mutual Aid Memorandum of Understanding (MOU), providing for reciprocal assistance when additional personnel or resources are needed.

Noteworthy Events and Traffic Enforcement

October marked the installation and activation of the department's new radar and speed-monitoring units at three downtown locations: German Street, South Princess Street, and Church Alley at South Duke Street. The department also completed its first traffic study using data collected during the final weekend of October through the TraffiCloud program. This information will assist in evaluating traffic patterns, vehicle speeds, and future enforcement priorities.

In response to recent traffic-related incidents and community safety concerns, officers increased enforcement efforts throughout the month. Officers conducted **85 traffic stops and issued 32 citations** for violations including speeding, stop-sign violations, crosswalk violations, cellular telephone violations, and other traffic offenses.

Department Update

October also marked the retirement of Chief Mike King. The department recognizes and appreciates Chief King's service and contributions to the Town of Shepherdstown. As the department moves forward through this transition, our commitment remains focused on professional law enforcement services, community engagement, public safety, and continued departmental improvement.

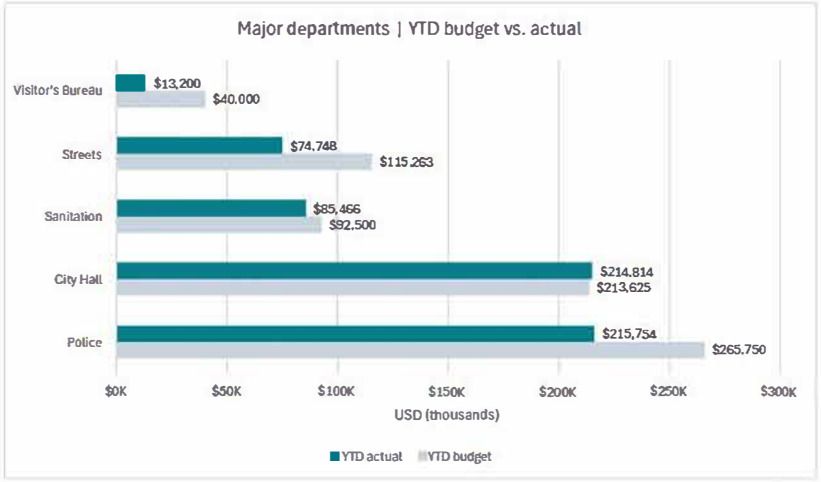
Town Financial Status

SHEPHERDSTOWN | FY27 EXECUTIVE SUMMARY

Budget vs. actual • Through September 30, 2026 • Q1 / 3 months • USD

Spending restraint supports the reported balance; carryover masks a small operating shortfall.

Financial position	YTD budget	YTD actual	Actual – budget
Reported revenue	$759,225	$722,060	($37,165)
Total expenditure	$786,600	$653,935	($132,665)
Reported balance	**($27,375)**	**$68,125**	**$95,500**
Less: carryover funding	$75,000	$75,000	—
Balance excl. carryover	**($102,375)**	**($6,875)**	**$95,500**
Assigned fund balance[1]	$28,125	$28,125	—
Balance incl. all funding	**$750**	**$96,250**	**$95,500**



EXECUTIVE TAKEAWAYS

Revenue is 4.9% below the YTD plan. Liquor tax ($50.0K below plan), video lottery ($35.3K), and hotel/motel tax ($21.4K) lead the shortfalls. Property tax (+$75.2K) and sales tax (+$25.3K) offset much of the gap.

Spending is 20.8% of the $3.149M annual budget. Police ($50.0K), Streets ($41.3K per source), Visitor's Bureau ($26.8K), and unused contingencies ($25.0K) drive reported underspending. Timing is not proof of permanent savings.

Civic Promotions spent $21.3K against no budget. City Hall is $1.2K over plan, including $23.1K of unbudgeted pass-through grant costs noted as submitted for reimbursement.

REVENUE WATCH | LARGEST SHORTFALLS

Revenue line	YTD budget	YTD actual	Variance
Liquor tax	$50,000	—	($50,000)
Video lottery	$62,500	$27,168	($35,332)
Hotel / motel tax	$77,500	$56,067	($21,433)
Other-entity contributions	$15,000	—	($15,000)
Operating interest	$45,000	$36,575	($8,425)

LARGEST SPENDING AREAS

Department	YTD budget	YTD actual	Variance
Police	$265,750	$215,754	($49,996)
City Hall	$213,625	$214,814	$1,189
Sanitation	$92,500	$85,466	($7,034)
Streets	$115,263	$74,748	($40,514)
Visitor's Bureau	$40,000	$13,200	($26,800)

MANAGEMENT PRIORITIES

1 Confirm Q2 liquor-tax receipts and monitor hotel/motel and video-lottery trends before revising the full-year revenue outlook.

2 Track grant reimbursements and validate Civic Promotions funding / budget authorization; do not treat delayed spending as available savings.

Bottom line: Spending restraint supports the reported balance, but carryover funding masks a small operating shortfall. Revenue collections and grant reimbursements warrant close monitoring.

Corporation of Shepherdstown

FY27 Budget vs Actuals

Through September 30, 2026

	REVENUES	FY26 Budget Actuals	FY27 Budget	FY27 Budget REV 1 - Approved	FY27 Budget Thru 9/30/2026	FY 27 Actuals Thru 9/30/2026	Over/(Under) Budget Thru 9/30/26	Notes and Explanations
298	Assigned Fund Balance	$ 0	$ 0	$ 112,500	$ 28,125	$28,125	$0	
299	Carryover	$ 384,522	$ 300,000	$ 300,000	$ 75,000	$75,000	$0	
301	Taxes Ad Valorem	$ 273,184	$ 275,000	$ 275,000	$ 68,750	$143,995	$75,245	Property Taxes (Collections are heavy in Aug/Sep and Feb/Mar)
301-06	Supplemental Taxes	$ 501	$ 0	$ 0	$ 0	$0	$0	These are additional Property Taxes that are collected on reassessed values of properties throughout the year
303	Gas & Oil Severance Tax	$ 3,817	$ 5,000	$ 5,000	$ 1,250	$6,824	$5,574	Annual distribution from WV for Gas and Oil mining taxes imposed on businesses (Distribution occurs in October)
304	Utility Tax	$ 97,720	$ 85,000	$ 85,000	$ 21,250	$14,687	($6,563)	Monthly Utility Taxes assessed on all utilities
305	B&O Tax	$ 89,186	$ 90,000	$ 90,000	$ 22,500	$21,693	($807)	Quarterly tax assessed on First Energy Only
306	Liquor Tax	$ 217,791	$ 200,000	$ 200,000	$ 50,000	$0	($50,000)	Quarterly tax assessed on the sale of Wine, Liquor, and Private Clubs by WV - Anticipation of higher revenue in Q2
307	Animal Control Tax	$ 173	$ 400	$ 400	$ 100	$116	$ 16	Fees for dog tages collected by Jefferson County
308	Hotel/Motel Tax	$ 209,714	$ 310,000	$ 310,000	$ 77,500	$56,067	($21,433)	Monthly Tax assessed on local hotels, motels, and short term rentals
314	Sales Tax	$ 636,586	$ 625,000	$ 625,000	$ 156,250	$181,535	$25,285	Quarterly 1% sales tax collected by WV on sales within Shepherdstown limits (Distributions received in Oct, Jan, Apr, and Jul)
320	Fines, Fees, and Court Costs	$ 46,263	$ 50,000	$ 50,000	$ 12,500	$16,835	$4,335	
321	Parking Violations	$ 19,490	$ 18,000	$ 18,000	$ 4,500	$3,200	($1,300)	
325	Business Licenses	$ 16,929	$ 10,500	$ 10,500	$ 2,625	$4,061	$1,436	
326	Building Permits	$ 3,343	$ 3,000	$ 3,000	$ 750	$799	$ 49	
327	WV Opioid settlement fund	$ 1,029	$ 3,000	$ 3,000	$ 750	$0	($750)	
328	Franchise Tax	$ 7,894	$ 5,000	$ 5,000	$ 1,250	$0	($1,250)	Quarterly Tax assessed by Shepherdstown on Comcast Cable
330	Interstate/International Registration Plan	$ 1,622	$ 5,000	$ 5,000	$ 1,250	$0	($1,250)	Fees assessed by WV on commercial vehicles using the roads in The State (Usually collected monthly, but they are sporadic)
342	Parking Meters	$ 137,256	$ 156,000	$ 156,000	$ 39,000	$36,561	($ 2,440)	Includes Parking Meter and Parking Permit Revenue
345	Rent and Concession Revenue	$ 54,101	$ 56,000	$ 56,000	$ 14,000	$12,600	($1,400)	Monthly rent from the Water and Sewer Departments ($1,800 each)
350	Refuse Collection	$ 188,720	$ 180,000	$ 180,000	$ 45,000	$49,843	$4,843	Monthly refuse collection revenue
367	Other Grants	$ 0	$ 0	$ 15,000	$ 3,750	$0	($3,750)	
368	Contributions from Other Entities	$ 0	$ 60,000	$ 60,000	$ 15,000	$0	($15,000)	
374	Payroll Reimbursement	$ 3,131	$ 0	$ 0	$ 0	$0	$0	
376	Gaming Income	$ 101,559	$ 100,000	$ 100,000	$ 25,000	$23,230	($1,770)	Monthly Tax assessed by WV on gaming revenue in The State
380	Interest Income - Operating Account	$ 185,125	$ 180,000	$ 180,000	$ 45,000	$36,575	($8,425)	
381	Misc. Reimbursements	$ 0	$ 0	$ 0	$ 0	$0	$0	
382	Refunds and Rebates	$ 8,728	$ 10,000	$ 10,000	$ 2,500	$1,952	($548)	Quarterly Rebate from WV Purchasing Card
391	Recycling Program	$ 41,537	$ 40,000	$ 40,000	$ 10,000	$9,247	($753)	Monthly recycling collection revenue
397	Video Lottery	$ 324,378	$ 250,000	$ 250,000	$ 62,500	$27,168	($35,332)	Weekly Tax assessed by WV on Video Lottery Games
399	Miscellaneous Revenue	$ 28,788	$ 5,000	$ 5,000	$ 1,250	$75	($1,175)	Grant Revenue - Payroll Reimbursement for Police grant work
	Total Revenues	$ 3,083,084	$ 3,021,900	$ 3,149,400	$ 759,225	$ 722,060	($37,165)	

	Department Expense Line Items	FY26 Budget Actuals	FY27 Budget	FY27 Budget REV 1 - Approved	FY27 Budget Thru 9/30/2026	FY 27 Actuals Thru 9/30/2026	Over/(Under) Budget Thru 9/30/26	Notes and Explanations
409	Mayor's Office - 409	FY26 Budget Actuals	FY27 Budget	FY27 Budget REV 1 - Approved	FY27 Budget Thru 9/30/2026	FY 27 Actuals Thru 9/30/2026	Over/(Under) Budget Thru 9/30/26	Notes and Explanations
101	Salary	$0	$2,000	$2,000	$500		($500)	
104	FICA	$0	$0	$0	$0		$0	
111	Telephone	$0	$500	$500	$125		($125)	
226	Liability Insurance	$0	$100	$100	$25		($25)	Workers Comp
	Total Mayor's Office	$0	$2,600	$2,600	$650	$0	($650)	
410	City Council -410	FY26 Budget Actuals	FY27 Budget	FY27 Budget REV 1 - Approved	FY27 Budget Thru 9/30/2026	FY 27 Actuals Thru 9/30/2026	Over/(Under) Budget Thru 9/30/26	Notes and Explanations
101	Salaries	$6,000	$6,000	$6,000	$1,500	$1,638	$138	
104	FICA	$459	$250	$250	$63	$125	$63	
226	Liability /Workers Comp Insurance	$0	$200	$200	$50		($50)	Workers Comp
	Total Council	$6,459	$6,450	$6,450	$1,613	$1,764	$151	
87								
411	City Recorder	FY26 Budget Actuals	FY27 Budget	FY27 Budget REV 1 - Approved	FY27 Budget Thru 9/30/2026	FY 27 Actuals Thru 9/30/2026	Over/(Under) Budget Thru 9/30/26	Notes and Explanations
101	Salaries	$1,500	$1,500	$1,500	$375	$433	$58	
104	FICA	$115	$106	$106	$27	$33	$7	
226	Liability /Workers Comp Insurance	$0	$94	$94	$24		($24)	Workers Comp
	Total Recorder	$1,615	$1,700	$1,700	$425	$466	$41	
141								
416	Police Judges - 416	FY26 Budget Actuals	FY27 Budget	FY27 Budget REV 1 - Approved	FY27 Budget Thru 9/30/2026	FY 27 Actuals Thru 9/30/2026	Over/(Under) Budget Thru 9/30/26	Notes and Explanations
223	Professional Services	$2,400	$2,400	$2,400	$600	$600	$0	One Municipal Court Judge and one prosecutor
	Total Police Judges	$2,400	$2,400	$2,400	$600	$600	$0	
435	Regional Dev Authority - 435	FY26 Budget Actuals	FY27 Budget	FY27 Budget REV 1 - Approved	FY27 Budget Thru 9/30/2026	FY 27 Actuals Thru 9/30/2026	Over/(Under) Budget Thru 9/30/26	Notes and Explanations
222	Dues & Subscriptions	$0	$2,500	$2,500	$625		($625)	Annual Bill from Regional Development Authority
	Total Regional Dev. Authority	$0	$2,500	$2,500	$625	$0	($625)	
437	Planning & Zoning - 437	FY26 Budget Actuals	FY27 Budget	FY27 Budget REV 1 - Approved	FY27 Budget Thru 9/30/2026	FY 27 Actuals Thru 9/30/2026	Over/(Under) Budget Thru 9/30/26	Notes and Explanations
103	Salaries	$44,299	$0	$0	$0	$0	$0	
104	FICA	$3,086	$0	$0	$0	$0	$0	
105	Group Insurance	$12,407	$0	$0	$0	$0	$0	
106	Retirement	$0	$0	$0	$0	$0	$0	
211	Telephone		$0	$0	$0	$0	$0	

	Department Expense Line Items	FY26 Budget Actuals	FY27 Budget	FY27 Budget REV 1 - Approved	FY27 Budget Thru 9/30/2026	FY 27 Actuals Thru 9/30/2026	Over/(Under) Budget Thru 9/30/26	Notes and Explanations
214	Travel		$0	$0	$0	$0	$0	
218	Postage	$27	$0	$0	$0	$0	$0	
220	Advertising/Legal Publications	$697	$0	$0	$0	$0	$0	
221	Training & Education		$0	$0	$0	$0	$0	
222	Dues & Subscriptions		$0	$0	$0	$0	$0	
209	Professional Services	$25,813	$0	$0	$0	$0	$0	legal costs
226	Insurance & Bonds	$1,407	$0	$0	$0	$0	$0	Workers Comp
230	Contracted Services		$0	$0	$0	$0	$0	
341	Departmental Supplies	$769	$0	$0	$0	$0	$0	
353	Computer Software / Tech	$5,424	$0	$0	$0	$0	$0	
	Total Planning and Zoning	**$93,929**	**$0**	**$0**	**$0**	**$0**	**$0**	
438	**Elections - 438**	**FY26 Budget Actuals**	**FY27 Budget**	**FY27 Budget REV 1 - Approved**	**FY27 Budget Thru 9/30/2026**	**FY 27 Actuals Thru 9/30/2026**	**Over/(Under) Budget Thru 9/30/26**	**Notes and Explanations**
103	Salaries	$1,800	$0	$0	$0	$0	$0	
222	Departmental Supplies	$1,392	$0	$0	$0	$0	$0	
223	**Total Elections**	**$3,192**	**$0**	**$0**	**$0**	**$0**	**$0**	No election in FY 25
440	**City Hall - 440**	**FY26 Budget Actuals**	**FY27 Budget**	**FY27 Budget REV 1 - Approved**	**FY27 Budget Thru 9/30/2026**	**FY 27 Actuals Thru 9/30/2026**	**Over/(Under) Budget Thru 9/30/26**	**Notes and Explanations**
103	Salaries	$271,029	$320,000	$330,000	$82,500	$94,611	$12,111	
104	FICA	$20,584	$23,000	$23,000	$5,750	$7,192	$1,442	
105	Group Insurance	$23,880	$40,000	$40,000	$10,000	$7,966	($2,034)	
106	Retirement	$21,455	$27,000	$27,000	$6,750	$8,090	$1,340	
108	Overtime/Extra Help		$2,000	$2,000	$500		($500)	
211	Telephone	$8,000	$9,000	$9,000	$2,250	$2,993	$743	
213	Utilities	$12,288	$10,000	$10,000	$2,500	$2,993	$493	
214	Travel		$2,000	$2,000	$500		($500)	
215	R&M Building & Grounds	$22,153	$20,000	$20,000	$5,000	$16,995	$11,995	ADA Doors $9700, $5,500 - submission for Reimb
216	R&M Equipment	$2,628	$2,000	$27,000	$6,750	$743	($6,007)	
218	Postage	$1,001	$2,500	$2,500	$625		($625)	Mail Machine
219	Building & Equipment Rental	$704	$1,000	$1,000	$250	$2,201	$1,951	
221	Training and Education	$447	$10,000	$10,000	$2,500	$21	($2,479)	
220	Advertising/Legal Publications	$1,535	$1,500	$1,500	$375	$65	($310)	
222	Dues & Subscriptions	$3,265	$2,500	$2,500	$625	$990	$365	Zoom, Adobe Acro, Monday.com subscription --annual - 5 seats for Work Management
223	Professional Services	$85,959	$50,000	$153,000	$38,250	$17,020	($21,230)	Monthly Communication Director and all professional fees / Planning & Zoning Professional Services
224	Audit Costs	$18,856	$17,000	$17,000	$4,250		($4,250)	Yearly Audit Costs - BHM, CPA HRP - CH Audit Cost June 30, 2024
226	Insurance & Bonds	$41,231	$30,000	$30,000	$7,500	$6,430	($1,070)	Workers Comp and liability insurance
230	Contracted Services	$44,831	$50,000	$72,000	$18,000	$11,633	($6,367)	Sustainable Strategies

	Department Expense Line Items	FY26 Budget Actuals	FY27 Budget	FY27 Budget REV 1 - Approved	FY27 Budget Thru 9/30/2026	FY 27 Actuals Thru 9/30/2026	Over/(Under) Budget Thru 9/30/26	Notes and Explanations
440.71	PassThrough Grant Expenses		$0	$0	$0	$23,099	$23,099	The Mills Group 2 invoices- submitted for reimbursement
341	Departmental Supplies	$31,925	$30,000	$30,000	$7,500	$6,433	($1,067)	Office Supplies, Cleaning Supplies, Town Uniform Laundry Services, Etc
353	Computer Software/IT	$29,192	$45,000	$45,000	$11,250	$5,340	($5,911)	Tek Advisor IT Services , Intuit software
	Total City Hall	**$640,965**	**$694,500**	**$854,500**	**$213,625**	**$214,814**	**$1,189**	Even though appears to be an increase reflects lines that are underbudgeted in the current year
444	**Contributions/Transfers-444**	**FY26 Budget Actuals**	**FY27 Budget**	**FY27 Budget REV 1 - Approved**	**FY27 Budget Thru 9/30/2026**	**FY 27 Actuals Thru 9/30/2026**	**Over/(Under) Budget Thru 9/30/26**	**Notes and Explanations**
566	Contributions/Transfers to Other Funds	$5,126	$2,000	$14,500	$3,625		($3,625)	Streets Grant Expense - Pass-Through Grant Expenses
568	Contributions - Community Grants	$112,200	$49,000	$49,000	$12,250	$16,000	$3,750	Shepherdstown Visitor's Center - Community Grant - PYMT # 1
568-1	Fire Dept	$7,201	$8,000	$8,000	$2,000		($2,000)	
	Total Contributions/Transfers	**$124,527**	**$59,000**	**$71,500**	**$17,875**	**$16,000**	**($1,875)**	
571	**Parking-571**	**FY26 Budget Actuals**	**FY27 Budget**	**FY27 Budget REV 1 - Approved**	**FY27 Budget Thru 9/30/2026**	**FY 27 Actuals Thru 9/30/2026**	**Over/(Under) Budget Thru 9/30/26**	**Notes and Explanations**
103	Salaries	$0	$0	$0	$0	$0	$0	New Dept for FY 26 - will allocate from Police Dept moving forward.
104	FICA	$0	$0	$0	$0	$0	$0	
105	Group Insurance	$0	$0	$0	$0	$0	$0	
106	Retirement	$0	$0	$0	$0	$0	$0	
216	R&M Equipment	$0	$0	$0	$0	$0	$0	
345	Uniforms	$0	$0	$0	$0	$0	$0	
	Total Parking	**$0**	**$0**	**$0**	**$0**	**$0**	$0	
699	**Contingencies-699**	**FY26 Budget Actuals**	**FY27 Budget**	**FY27 Budget REV 1 - Approved**	**FY27 Budget Thru 9/30/2026**	**FY 27 Actuals Thru 9/30/2026**	**Over/(Under) Budget Thru 9/30/26**	**Notes and Explanations**
566	Merit	$0	$0	$0	$0	$0	$0	
	COLA	$0	$0	$0	$0	$0	$0	
566	Unexpected Contingencies	$0	$200,000	$100,000	$25,000	$0	($25,000)	
	Total Contingencies	**$0**	**$200,000**	**$100,000**	**$25,000**	**$0**	($25,000)	
700	**Police Department - 700**	**FY26 Budget Actuals**	**FY27 Budget**	**FY27 Budget REV 1 - Approved**	**FY27 Budget Thru 9/30/2026**	**FY 27 Actuals Thru 9/30/2026**	**Over/(Under) Budget Thru 9/30/26**	**Notes and Explanations**
103	Salaries	$532,410	$550,000	$563,000	$140,750	$124,339	($16,411)	Inlcudes Parking Enforcement and Admin Support
104	FICA	$39,990	$42,000	$42,000	$10,500	$9,328	($1,172)	
105	Group Insurance	$107,523	$110,000	$110,000	$27,500	$19,159	($8,341)	
106	Retirement	$19,794	$45,000	$45,000	$11,250	$3,767	($7,483)	
108	Overtime/Extra Help		$25,000	$25,000	$6,250	$0	($6,250)	Overtime is not being broken out separately but is being included in Salary line (This had not been previously separated from Salaries before FY25)
211	Telephone	$10,000	$10,000	$10,000	$2,500	$0	($2,500)	
213	Utilities	$6,209	$10,000	$10,000	$2,500	$2,150	($350)	

	Department Expense Line Items	FY26 Budget Actuals	FY27 Budget	FY27 Budget REV 1 - Approved	FY27 Budget Thru 9/30/2026	FY 27 Actuals Thru 9/30/2026	Over/(Under) Budget Thru 9/30/26	Notes and Explanations
215	R&M Building & Grounds	$ 24,852	$ 5,000	$ 5,000	$ 1,250	$ 0	($1,250)	
216	R&M Equipment	$ 8,795	$ 8,000	$ 8,000	$ 2,000	$ 546	($1,454)	
217	R&M Auto	$ 7,925	$ 20,000	$ 20,000	$ 5,000	$ 3,893	($1,107)	
218	Postage	$ 1,961	$ 2,000	$ 2,000	$ 500	$ 1085	$585	
219	Building & Equipment Rental	$ 0	$ 0	$ 0	$ 0	$ 132	$132	
220	Advertising/Legal Publications	$ 0	$ 1,000	$ 1,000	$ 250	$ 0	($250)	
221	Training & Education	$ 1,477	$ 6,000	$ 6,000	$ 1,500	$ 1,773	$273	
222	Dues & Subscriptions	$ 0	$ 0	$ 0	$ 0	$ 748	$748	
223	Professional Services	$ 6,257	$ 6,000	$ 6,000	$ 1,500	$ 169	($1,331)	Law Firm Fees + Police Legal Fees
226	Insurance & Bonds	$ 79,539	$ 80,000	$ 80,000	$ 20,000	$ 19,362	($638)	Workers Comp and Liability Insurance
229	Court Costs and Damages	-$ 647	$ 1,000	$ 1,000	$ 250	$ 0	($250)	
230	Contracted Services	$ 8,524	$ 15,000	$ 15,000	$ 3,750	$ 1,315	($2,435)	Magistrate and Police Court Attorney
235	Police Remittance Fees	$ 7,380	$ 7,000	$ 7,000	$ 1,750	$ 2,670	$920	
307	Bank Charges		$ 0	$ 0	$ 0	$ 0	$0	
341	Departmental Supplies	$ 11,042	$ 15,000	$ 30,000	$ 7,500	$ 7,766	$266	
343	Police Gas/Fuel	$ 34,786	$ 25,000	$ 25,000	$ 6,250	$ 6,487	$237	
345	Uniforms	$ 6,553	$ 7,000	$ 7,000	$ 1,750	$ 960	($790)	Police Uniform
353	Computer Software/IT	$ 31,116	$ 45,000	$ 45,000	$ 11,250	$ 10,104	($1,146)	Software costs, Tek Advisors Etc - (Notebooks for 2 police vehicles)
	Total Police Dept	**$ 945,486**	**$ 1,035,000**	**$ 1,063,000**	**$ 265,750**	**$ 215,754**	**($49,996)**	
750	**Streets - 750**	**FY26 Budget Actuals**	**FY27 Budget**	**FY27 Budget REV 1 - Approved**	**FY27 Budget Thru 9/30/2026**	**FY 27 Actuals Thru 9/30/2026**	**Over/(Under) Budget Thru 9/30/26**	**Notes and Explanations**
103	Salaries	$ 121,803	$ 170,000	$ 170,000	$ 42,500	$ 23,032	($19,468)	
104	FICA	$ 9,250	$ 12,000	$ 12,000	$ 3,000	$ 1,755	($1,245)	
105	Group Insurance	$ 27,294	$ 30,000	$ 30,000	$ 7,500	$ 4,863	($2,637)	
106	Retirement	$ 6,306	$ 7,000	$ 7,000	$ 1,750	$ 1,165	($585)	
211	Telephone	$ 381	$ 700	$ 700	$ 175	$ 26	($149)	
213	Utilities	$ 24,819	$ 28,000	$ 28,000	$ 7,000	$ 5,979	($1,021)	
215	R&M Buildings & Grounds	$ 6,303	$ 12,000	$ 12,000	$ 3,000	$ 1,384	($1,616)	
216	R&M Equipment	$ 24,186	$ 16,000	$ 16,000	$ 4,000	$ 1,127	($2,873)	
217	R&M Auto	$ 13,107	$ 15,000	$ 15,000	$ 3,750	$ 5,458	$1,708	
220	Advertising/Legal Publications/Postage	$ 3000	$ 250	$ 250	$ 63	$ 0	($63)	
221	Training & Education	$ 36	$ 600	$ 600	$ 150	$ 0	($150)	
226	Insurance & Bonds	$ 20,699	$ 20,000	$ 20,000	$ 5,000	$ 4,917	($ 83)	Workers Comp and Liability Insurance
230	Contracted Services	$ 78,693	$ 75,000	$ 97,000	$ 24,250	$ 6,425	($17,825)	Includes Landscape, Tree Maintenance
341	Departmental Supplies	$ 25,821	$ 35,000	$ 40,000	$ 10,000	$ 15,771	$5,771	Danleeco-Concrete $3K, See my flags $3K, "Stop to Pedestrian in Crosswalk" signs x 6 and anchor kit/6solar barricade lamps 3$ 3K
343	Auto Supplies	$ 7,873	$ 7,500	$ 7,500	$ 1,875	$ 1,758	($117)	
345	Uniforms	$ 4,145	$ 5,000	$ 5,000	$ 1,250	$ 1,087	($163)	
353	Computer / Software		$ 3,000	$ 3,000	$ 750	$ 0	($750)	

	Department Expense Line Items	FY26 Budget Actuals	FY27 Budget	FY27 Budget REV 1 - Approved	FY27 Budget Thru 9/30/2026	FY 27 Actuals Thru 9/30/2026	Over/(Under) Budget Thru 9/30/26	Notes and Explanations
	Total Streets	$ 373,716	$ 437,050	$ 464,050	$ 115,263	$ 74,748	($41,264)	
800	**Sanitation-800**	**FY26 Budget Actuals**	**FY27 Budget**	**FY27 Budget REV 1 - Approved**	**FY27 Budget Thru 9/30/2026**	**FY 27 Actuals Thru 9/30/2026**	**Over/(Under) Budget Thru 9/30/26**	**Notes and Explanations**
103	Salaries	$ 181,557	$ 190,000	$ 190,000	$ 47,500	$ 35,499	($12,001)	
104	FICA	$ 13,791	$ 14,000	$ 14,000	$ 3,500	$ 2,696	($ 804)	
105	Group Insurance	$ 9,925	$ 10,000	$ 10,000	$ 2,500	$ 1,768	($732)	
106	Retirement	$ 13,240	$ 16,000	$ 16,000	$ 4,000	$ 1,503	($2,497)	
216	R&M Equipment	$ 5,518	$ 2,000	$ 2,000	$ 500	$ 7,142	$6,642	Trash Truck Repairs
217	R&M Auto	$ 3,897	$ 5,000	$ 5,000	$ 1,250	$ 278	($973)	
218	Postage	$ 0	$ 0	$ 0	$ 0	$ 0	$0	
220	Advertising	$ 0	$ 0	$ 0	$ 0	$ 0	$0	
221	Training & Education	$ 0	$ 0	$ 0	$ 0	$ 0	$0	
226	Insurance & Bonds	$ 1,046	$ 2,000	$ 2,000	$ 500	$ 270	($230)	Workers Comp
230	Contracted Services	$ 33,071	$ 50,000	$ 50,000	$ 12,500	$ 13,176	$676	Reimbursement to Bavarian Inn for Trash Service Per Annexation Agreement
341	Departmental Supplies	$ 9,719	$ 12,000	$ 12,000	$ 3,000	$ 7,165	$4,165	We-Design Mfg & Construction inv $3K
343	Auto Supplies	$ 4,776	$ 5,000	$ 5,000	$ 1,250	$ 1,353	$103	
345	Uniforms	$ 4,188	$ 4,000	$ 4,000	$ 1,000	$ 1,398	$398	
349	001-Landfill	$ 34,128	$ 40,000	$ 40,000	$ 10,000	$ 8,585	($1,415)	Landfill Fees
349	002-Recycling	$ 18,903	$ 15,000	$ 15,000	$ 3,750	$ 4,422	$672	Recycling Fees
353	Software/IT	$ 738	$ 5,000	$ 5,000	$ 1,250	$ 211	($1,039)	Intuit, Tek Advisors Etc
	Total Sanitation	$ 283,270	$ 370,000	$ 370,000	$ 92,500	$ 85,466	($7,034)	
806	**Water & Sewer-806**	**FY26 Budget Actuals**	**FY27 Budget**	**FY27 Budget REV 1 - Approved**	**FY27 Budget Thru 9/30/2026**	**FY 27 Actuals Thru 9/30/2026**	**Over/(Under) Budget Thru 9/30/26**	**Notes and Explanations**
103	Salaries	$ 0	$ 0	$ 0	$ 0	$ 0	$0	Salaries are being recorded in Due To/From Account Instead of here
104	FICA	$ 0	$ 0	$ 0	$ 0	$ 0	$0	FICA is being recorded in Due To/From Account Instead of here
105	Group Insurance	$ 0	$ 0	$ 0	$ 0	$ 0	$0	
106	Retirement	$ 0	$ 0	$ 0	$ 0	$ 0	$0	Retirement is being recorded in Due To/From Account Instead of here
	Total Water & Sewer	**$ 0**	**$ 0**	**$ 0**	**$ 0**	**$ 0**	**$0**	Water and Sewerwill reimburse for these expenses
900	**Parks and Rec - 900**	**FY26 Budget Actuals**	**FY27 Budget**	**FY27 Budget REV 1 - Approved**	**FY27 Budget Thru 9/30/2026**	**FY 27 Actuals Thru 9/30/2026**	**Over/(Under) Budget Thru 9/30/26**	**Notes and Explanations**
103	Salaries	$ 0	$ 0	$ 0	$ 0		$0	
104	FICA	$ 0	$ 0	$ 0	$ 0		$0	
105	Group Insurance	$ 0	$ 4,000	$ 4,000	$ 1,000	$ 851	($149)	Parks ER Workers Comp
106	Retirement	$ 0	$ 0	$ 0	$ 0		$0	
213	Utilities	$ 67	$ 1,700	$ 1,700	$ 425	$ 153	($272)	
215	R&M Buildings & Grounds	$ 3,891	$ 9,000	$ 9,000	$ 2,250		($ 2,250)	

	Department Expense Line Items	FY26 Budget Actuals	FY27 Budget	FY27 Budget REV 1 - Approved	FY27 Budget Thru 9/30/2026	FY 27 Actuals Thru 9/30/2026	Over/(Under) Budget Thru 9/30/26	Notes and Explanations
216	R&M Equipment	$0	$1,000	$1,000	$250		($250)	
226	Insurance & Bonds	$7,204	$3,000	$3,000	$750	$633	($117)	Liability Insurance -
341	Departmental Supplies	$259	$1,000	$1,000	$250	$250	$0	
343	Auto Supplies	$2,077	$1,000	$1,000	$250	$404	$154	
459	Capital Outlay-Equipment	$0	$0	$0	$0		$0	
	Total Parks and Rec	**$13,498**	**$20,700**	**$20,700**	**$5,175**	**$2,292**	**($2,883)**	
901	**Visitor's Bureau - 901**	**FY26 Budget Actuals**	**FY27 Budget**	**FY27 Budget REV 1 - Approved**	**FY27 Budget Thru 9/30/2026**	**FY 27 Actuals Thru 9/30/2026**	**Over/(Under) Budget Thru 9/30/26**	**Notes and Explanations**
567	Contributions	$106,311	$155,000	$155,000	$38,750	$13,200	($25,550)	50% of Hotel/Motel Tax Collections
460	Construction in progress	$7,892	$5,000	$5,000	$1,250	$0	($1,250)	Rankin Painting - Market House Painting Project for $12k
	Total Visitor's Bureau	**$114,203**	**$160,000**	**$160,000**	**$40,000**	**$13,200**	**($26,800)**	
912	**Civic Promotions-912**	**FY26 Budget Actuals**	**FY27 Budget**	**FY27 Budget REV 1 - Approved**	**FY27 Budget Thru 9/30/2026**	**FY 27 Actuals Thru 9/30/2026**	**Over/(Under) Budget Thru 9/30/26**	**Notes and Explanations**
568	Contributions	$0	$0	$0	$0		$0	50% of Hotel/Motel Tax Collections - New Department
568-001	Contributions-Vibrant Downtown & Support the Businesses	$0	$0	$0	$0	$15,765	$15,765	Market House Plaza - Grant recived in FY26
568-002	Contributions-Housing & Historical Preservation	$13,161	$0	$0	$0		$0	Installation of Christmas lights at the Market House and Town Hall
568-003	Contributions-Land Use Planning	$0	$0	$0	$0		$0	
568-004	Contributions-Sustainable Services	$5,566	$0	$0	$0	$5,566	$5,566	Tobacco Warehouse Flood Insurance
568-005	Contributions-Town Facilities & Parks	$0	$0	$0	$0		$0	
	Total Civic Promotions	**$18,727**	**$0**	**$0**	**$0**	**$21,331**	**$21,331**	
916	**Library916**	**FY26 Budget Actuals**	**FY27 Budget**	**FY27 Budget REV1 - Approved**	**FY27 Budget Thru 9/30/2026**	**FY 27 Actuals Thru 9/30/2026**	**Over/(Under) Budget Thru 9/30/26**	**Notes and Explanations**
567	Contributions	$24,840	$30,000	$30,000	$7,500	$7,500	$0	Monthly Contribution from Shepherdstown to the library of $2,070
	Total Library	**$24,840**	**$30,000**	**$30,000**	**$7,500**	**$7,500**	**$0**	
381	**Total Expenses**	**$2,646,828**	**$3,021,900**	**$3,149,400**	**$786,600**	**$653,935**	**($133,415)**	
382								
383	**Surplus or (Deficit)**	**385,028**		**0**			**96,250**	**Transfer to Capital Outlay**
	True Surplus or (Deficit)						**96,250**	

Corporation of Shepherdstown
Balance Sheet
As of Sep 30, 2026

	Total
Assets	
Current Assets	
Bank Accounts	**$3,692,133.75**
Accounts Receivable	
General Funds A/R	$0.00
108 Other Accrued Receivables	$0.00
108.01 NSF Check Receivables	886.40
Total for 108 Other Accrued Receivables	**$886.40**
109 Accrued Taxes Receivable	**$321,958.30**
111 Garbage Billing	**$26,690.07**
Total for General Funds A/R	**$349,534.77**
Total Accounts Receivable	**$349,534.77**
Other Current Assets	**$82,546.00**
Total Current Assets	**$4,124,214.52**
Fixed Assets	
General Fixed Assets (Gov-Wide)	
Accumulated Depr.	**-$4,403,379.15**
Construction in Progress	**$229,189.05**
Fixed Assets	-$4,300.00
130 Fixed Assets-Land	**$894,254.11**
131 Fixed Assets-Buildings	**$3,214,973.79**
132 Fixed Assets-Other Impr.	**$296,105.98**
133 Fixed Assets-Equipment	**$1,763,991.10**
136 Fixed Assets-Infrastructure	**$3,499,506.16**
Total Fixed Assets	**$9,664,531.14**
Total for General Fixed Assets (Gov-Wide)	**$5,490,341.04**
Total Fixed Assets	**$5,490,341.04**
Other Assets	**$68,447.10**
Total Assets	**$9,683,002.66**
Liabilities and Equity	
Liabilities	
Current Liabilities	
Accounts Payable	
244.01 General Fund Payable - Payroll	0.00
General Funds A/P	-$1,059.09
201 Accounts Payable, Vendor	66,185.67
Total for General Funds A/P	**$65,126.58**

Corporation of Shepherdstown
Balance Sheet
As of Sep 30, 2026

	Total
Total Accounts Payable	**$65,126.58**
Credit Cards	
213 Purchase Card Payable	$39,734.49
213.1 PCard-Gen Fund Operating Funds	0.00
Total for 213 Purchase Card Payable	**$39,734.49**
Fifth Third	0.00
Total Credit Cards	**$39,734.49**
Other Current Liabilities	
140.01 DO-RHBT Payments Subsequer	0.00
140.02 DO - Change in Proportionate	-1,320.00
140.3 DO - Difference in Earnings	0.00
140.4 DO-Reallocation of Opt. Out	0.00
140.5 DO - Change in Assumptions	-2,695.00
200.02 EVCF Endowment Fund	0.00
2104 PEIA Payable	4,356.00
242 Sewer Payable - Payroll Fund	0.00
243 Water Payable - Payroll Fund	0.00
245 Unreceipted Cash W/S G Dept)	0.00
250.10 Net OPEB Liability	0.00
260 Accrued Compensated Absences	71,127.04
280.10 DI-Different Expected/Actual I	11,110.00
280.20 DI-Difference Proj/Actual Earn	318.00
280.30 DI-Changes/Differences Prop. S	13,022.00
280.40 DI - Changes in Assuptions	10,648.00
280.5 DI-Reallocation of Opt. Out	0.00
290.50 Restricted for Equipment	96,206.00
292.20 PPA-Beginning OPEB Liability	927.00
292.30 PPA-2017 RHBT Payment	-16,453.00
292.40 PPA-Beginning Net OPEB Obligati	0.00
Child Support	-971.53
Christmas Club	-360.00
Due to (from) Coal Severance	-22,750.31
Due to (from) Sewer	-1,220,321.66
Due to (from) Water	-1,531,724.92
Garnishments	3,170.12
Gen Fund Other Current Liab.	
220 Accrued Wages & Taxes Payable	2,671.45
235 Customer Dep Funds/Int Payable	$0.00
Customer Deposit Funds Payable	22,709.11
Customer Deposit Interest Payable	3,325.55

Corporation of Shepherdstown
Balance Sheet
As of Sep 30, 2026

	Total
Total for 235 Customer Dep Funds/Int Payable	**$26,034.66**
239 Deferred Revenue	$0.00
239.10 Defered Revenue - Other	0.00
Deferred Property Tax Revenue	0.00
Total for 239 Deferred Revenue	**$0.00**
240 Other Current Liabilities	
Appeal Bonds-Police court	0.00
Board of Appeals Fee Bond	400.00
Total for 240 Other Current Liabilities	**$400.00**
Total for Gen Fund Other Current Liab.	**$29,106.11**
Payroll Liabilities	35,263.35
VALIC Retirement Payable	18,291.77
Total Other Current Liabilities	**-$2,503,051.03**
Total Current Liabilities	**-$2,398,189.96**
Total Liabilities	**-$2,398,189.96**
Equity	**$12,081,192.62**
Total Liabilities and Equity	**$9,683,002.66**

Approval of Town Expenditures

Transaction Detail by Account
Corporation of Shepherdstown
Sep-26

	Transaction date	Transaction type	Num	Name	Memo/Description	Amount
GENERAL FUNDS BANKING						
101.011 General Operating Funds 6209						
	10/01/2026	Bill Payment (Check)	ACH	The Bavarian Inn	Reimbursement for trash service per agreement - May, June, July, Aug., Sept. 2026	-13,175.65
	10/01/2026	Bill Payment (Check)	ACH Payment	Kershner Controls	Service call for Town Hall outdoor lighting/installation of bulbs	-1,350.00
	10/01/2026	Bill Payment (Check)	23948	Native Havens LLC	Landscaping Payment # 2	-11,000.22
	10/05/2026	Bill Payment (Check)	23949	Linda Layne	Soil and Mulch for Ped Walkway/Plants behind the Welcome Center	-500.40
	10/05/2026	Bill Payment (Check)	23950	Birds Nest Natives	Plants for the planter boxes	-407.00
	10/05/2026	Bill Payment (Check)	23951	D&A Cleaning Company, LLC	Cleaning Services	-950.00
	10/05/2026	Bill Payment (Check)	23952	Storm, LLC	October/November 2026 Lease Payment for 102 N. King Street	-1,250.00
	10/05/2026	Bill Payment (Check)	23953	D. Frank Hill, III, Municipal Judge	Municipal Judge	-200.00
	10/05/2026	Bill Payment (Check)	23954	Shepherdstown Public Library	Monthly donation for October 2026	-2,500.00
	10/05/2026	Bill Payment (Check)	23955	Melissa E. Viteri	Reimbursement per court 9/16/26	-155.00
	10/05/2026	Bill Payment (Check)	23956	Jason Frank Anderson	Reimbursement per court 9/16/2026	-155.00
	10/05/2026	Bill Payment (Check)	23957	Tiffany R. Thompson	Reimbursement per court 9/16/2026	-100.00
	10/05/2026	Bill Payment (Check)	23958	Crystal Gastley	Interpreting Services on 7/7/26 and 9/23/26 (3 hours total)	-100.00
	10/05/2026	Bill Payment (Check)	23959	Tek Advisors	I.T. Services--9/1/26 - 10/1/26	-3,595.73
	10/05/2026	Bill Payment (Check)	23960	Panhandle Printing	Plaza Project - October Calendar Signs	-60.00
	10/05/2026	Bill Payment (Check)	23961	Danleeco-Concrete	Plaza Project - Invoice #31042	-3,056.00
	10/06/2026	Bill Payment (Check)	ACH Payment	Mosca Design	Plaza Project - Cafe Lighting	-118.68

10/06/2026	Bill Payment (Check)	ACH	Potomac Edison Company	Town Hall / Police Electric	-697.77
10/06/2026	Bill Payment (Check)	ACH	Potomac Edison Company	Rumsey Park Electric	-12.33
10/06/2026	Bill Payment (Check)	ACH	Potomac Edison Company	Street Lights	-1,873.57
10/08/2026	Bill Payment (Check)	ACH Payment	Viking Tree Service LLC	Invoice #2823--Silver Maple - Tree removal and stump grinding	-5,850.00
10/08/2026	Bill Payment (Check)	23962	Sustainable Strategies DC, LLC	Grant Consulting Retainer - October 2026/Communications Fee	-3,020.00
10/13/2026	Bill Payment (Check)	23963	Christine Masser	Sewing 2 patches and 2 bars on Sgt. Dicken's Uniform	-80.00
10/13/2026	Bill Payment (Check)	ACH	Potomac Edison Company	O'Hurley's Street Lights	-33.57
10/13/2026	Bill Payment (Check)	ACH	Potomac Edison Company	319 N. Princess Street Lights	-20.57
10/13/2026	Bill Payment (Check)	ACH Payment	Corporation of Shepherdstown	Water Bill for 104 N. King Street	-439.67
10/13/2026	Bill Payment (Check)	ACH	Corporation of Shepherdstown	Water Bill for 102 N. King Street	-81.83
10/13/2026	Bill Payment (Check)	ACH Payment	Corporation of Shepherdstown	Water Bill for Rumsey Park	-37.77
10/13/2026	Bill Payment (Check)		Fogle Accounting and Consulting	Accounting Svcs	-2,750.00
10/21/2026	Bill Payment (Check)	ACH	Michael Chalmers	Communication Fees	-1,700.00
10/22/2026	Bill Payment (Check)	23964	For Generations Quilting LLC	Coin bags "labeled" parking x 6	-60.00
10/22/2026	Bill Payment (Check)	23965	Jefferson County Emergency Communications	FirsNet Nighthawks CAD/Mobile Data	-182.02
10/22/2026	Bill Payment (Check)	23966	Shawn A. Bracaloni	Reimbursement per court ruling - citation 26ST00978	-95.00
10/23/2026	Bill Payment (Check)	ACH Payment	Oracle Elevator	Quarterly maintenance fee for elevator at Town Hall - 10/1/26 - 12/31/26	-615.18
10/27/2026	Bill Payment (Check)	ACH	Jefferson County CVB	Hotel/Motel 50%--Receipts--September 2026	-13,198.07
10/28/2026	Check	23967	Gino Sisco	Halloween Candy for Daycare Kids - Reimbursement	-32.20
10/29/2026	Bill Payment (Check)	ACH	Northeastern Supply, Inc	Invoice #5016816 - Plaza Project	-62.17
10/29/2026	Bill Payment (Check)	ACH Payment	Northeastern Supply, Inc	Invoice #4989580 - Plaza Project	-1,065.25
10/29/2026	Bill Payment (Check)	23968	Robert Bane	1 Load of Unscreen topsoil delivered to 409 E. High Street	-600.00

10/30/2026	Bill Payment (Check)	ACH	USI Insurance Services	Public Official Bond renewal for Amy Boyd 10/11/26 - 10/11/27	-100.00
11/02/2026	Bill Payment (Check)	ACH Payment	Michael Chalmers	Communication Fees	-1,700.00
11/02/2026	Bill Payment (Check)	ACH	D&A Cleaning Company, LLC	Cleaning Services for Oct. 2026 (Town Hall/102 N. King St.)	-950.00
11/02/2026	Bill Payment (Check)	23969	Kable Excavating	Haul 2 loads of Class II stone from Inwood Quarry	-1,099.05
11/04/2026	Bill Payment (Check)	23970	Shepherdstown Public Library	Monthly donation Nov 2026	-2,500.00
11/04/2026	Bill Payment (Check)	23971	Storm, LLC	November/December 2026 Lease Payment for 102 N. King Street	-1,250.00
11/04/2026	Bill Payment (Check)	23972	D. Frank Hill, III, Municipal Judge	Municipal Judge	-200.00
11/04/2026	Bill Payment (Check)	23973	Bob's Tire Service, Inc.	Auto Repair	-279.80
11/04/2026	Bill Payment (Check)	23974	Tek Advisors	IT Services	-6,638.71
11/04/2026	Bill Payment (Check)	23975	Sustainable Strategies DC, LLC	Grant Consulting Retainer - November 2026/Communications Fee	-3,020.00
11/04/2026	Bill Payment (Check)	ACH	Mosca Design	Hometown Heroes - Banners (Pass-tbrough grant expenses)	-967.43
Total for 101.011 General Operating Funds 6209					**-$89,885.64**

101.09 PoliceDR/CR Acct-all 6798

09/01/2026	Expense	Merch SETL EPX	MERCH SETL EPX ST 290414701	-0.35
09/01/2026	Expense	Merch SETL EPX	MERCH SETL EPX ST 290414701	-19.36
09/02/2026	Expense	Merch SETL EPX	MERCH SETL EPX ST 290414701	-55.95
09/08/2026	Expense	Merch SETL EPX	MERCH SETL EPX ST 290414701	-0.35
09/15/2026	Expense	Merch SETL EPX	MERCH SETL EPX ST 290414701	-0.35
09/22/2026	Expense	Merch SETL EPX	MERCH SETL EPX ST 290414701	-0.35
09/29/2026	Expense	Merch SETL EPX	MERCH SETL EPX ST 290414701	-0.35
Total for 101.09 PoliceDR/CR Acct-all 6798				**-$77.06**

101.50 Payroll Checking 0471

09/01/2026	Bill Payment (Check)	23230	WV-Mountaineer Flexible Benefits	General Funds A/P:201 Accounts Payable, Vendor	-2,010.20
09/02/2026	Bill Payment (Check)	ACH Payments	Aflac	General Funds A/P:201 Accounts Payable, Vendor	-567.52
09/02/2026	Expense		VALIC	VALIC Retirement Payable	-9,648.20
09/03/2026	Expense		Gusto	City Hall Accounting/Audit:440.21 City Hall Accounting Services	-614.38
09/15/2026	Expense		VALIC	VALIC Retirement Payable	-10,026.48
09/16/2026	Expense		PEIA	Health Insurance	-5,310.00
09/29/2026	Expense		VALIC	VALIC Retirement Payable	-10,338.07
Total for 101.50 Payroll Checking 0471					**-$38,514.85**
Total for GENERAL FUNDS BANKING with sub-accounts					**-$128,477.55**
213 Purchase Card Payable					
09/01/2026	Credit Card Credit	2615	Costco.com	Credit for returned Gazebo	-1,551.49
09/01/2026	Expense	3082	Hach Company	Water Sample Reagents (635.11 water)	109.34
09/01/2026	Expense	3082	Hach Company	Water Sample Reagents (635.11 water)	327.50
09/01/2026	Expense	5623	AR&E	Monthly Inspection on Water Pumps/HazMat (401.43 water)	233.25
09/01/2026	Expense	5623	James River Equipment	Streets Vehicle Expenses:2 buckets hydraulic fuel/skidsteer	325.98
09/01/2026	Expense	5623	Intuit	QB Fees	149.80
09/01/2026	Expense	5623	Intuit	QB Fees	149.80
09/01/2026	Expense	5623	Intuit	QB Fees	90.95
09/02/2026	Expense	4802	Harbor Freight	Streets Maintenance & Equipment:Rachets/tools Departmental Supplies	93.26
09/02/2026	Expense	3985	Zoom	City Hall Dues & Subscriptions	10.00
09/02/2026	Expense	5623	WV DHHR Bureau for Public Health	Lab Testing (635.11 water)	92.00
09/02/2026	Expense	5623	Gladhill Pest Control Inc.	Pest Control	653.00
09/03/2026	Expense	2540	Berkeley Club Beverages, Inc.	Police Department: Departmental Supplies Hot and cold cooler rental/Bottles of water	55.86
09/03/2026	Expense	4802	Home Depot	Streets Maintenance & Equipment:750.341 Departmental Supplies Cold Patch/socket wrench set	1,051.71

09/03/2026	Expense	3985	Comcast Business, Inc	Telecommunications for Sewer (401.22 sewer)	297.51
09/03/2026	Expense	2615	Lowes	Furniture for Market Plaza	442.98
09/03/2026	Expense	5623	Oldcastle APG	Sanitation Dumping Fees:-Recycling	45.00
09/03/2026	Expense	5623	Everest Window Cleaning (Bolyard Ent.)	Window Cleaning	91.80
09/03/2026	Expense	5623	Berkeley Club Beverages, Inc.	Hot and cold cooler rental/Bottles of water	62.73
09/04/2026	Expense	4802	Home Depot	Furniture for Market Plaza	662.46
09/04/2026	Expense	4802	84 Lumber Co.	Market Plaza Lumber	736.96
09/04/2026	Expense	3985	Comcast Business, Inc	Telecomm	432.19
09/04/2026	Expense	3082	Amazon.com	Sewer - Reflective Jackets (750.2 sewer/passenger mirror for Ford F150	272.55
09/04/2026	Expense	3082	Home Depot	Water Parts (401.43 water)	358.68
09/06/2026	Expense	3082	Hardware Store, The	Plaza Project parts	33.98
09/06/2026	Expense	3082	Tractor Supply Company	Plaza Project - Parts	263.23
09/06/2026	Expense	5623	Waste Management Inc	Landfill / Sludge	1,704.16
09/07/2026	Expense	4594	Whale of a Wash (Delux Wash)	Police Vehicle Expenses:Car Wash	12.00
09/07/2026	Expense	4802	Home Depot	Market House Light Supplies	424.27
09/08/2026	Expense	3985	Comcast Business, Inc	Telecomm.	1,149.69
09/08/2026	Expense	3985	Comcast Business, Inc	Water Communications (401.22 water)	365.09
09/08/2026	Expense	3985	Apple.com	Charges	25.37
09/08/2026	Expense	5623	Intuit	CH QuickBooks Advanced	363.80
09/09/2026	Expense	4810	Specialty Business Supplies, Inc	Shipping Samples (635.11 water)	12.25
09/09/2026	Expense	2540	MacKay Meters	Police R&M Equipment Meter Keys "Parking"	82.47
09/09/2026	Expense	4802	Dog Waste Depot	Sanitation Other Expenses:800 Sanitation:Dogpot bags Departmental Supplies	379.97
09/09/2026	Expense	2615	Home Depot	440.219 City Hall Building & R&M Building & Grounds	129.47
09/09/2026	Expense	5623	WV DHHR Bureau for Public Health	Lab Testing (635.11 water)	69.00
09/09/2026	Expense	5623	Monday.com	440 City Hall:City Hall Dues & Subscriptions	$770.40
09/10/2026	Expense		US Bank	US Bank Payment	-$63,743.76
09/10/2026	Expense	3009	Federal Flags	700 Police Department:Ultra Heavy DutyAmerican Flag x 2 Departmental Supplies	$105.00
09/10/2026	Expense	3985	Apple.com	440 City Hall:City Hall Other Expenses:440.222 City Hall Dues & Subscriptions	$12.71
09/10/2026	Expense	2615	Food Lion	Training & Education	$21.47
09/10/2026	Expense	2654	Genspark AI	700 Police Department:Computer Software monthly subscription Computer Software	$24.99
09/10/2026	Expense	2654	ExpoPrint	700 Police Department:Canopy Tent/Table Cover printed/shipping Departmental Supplies	$909.99
09/10/2026	Expense	2654	Amazon.com	700 Police Department:Pop up canopy tent Departmental Supplies	$342.39
09/10/2026	Expense	2654	Axon.com	700.216 Police R&M Equipment Axon Body 4-dock-single bay	$229.00
09/10/2026	Expense	3082	Amazon.com	Water Parts (401.43 water)	$108.73

09/10/2026	Expense	3082	Amazon.com	Water Fittings (401.43 water)	$48.10
09/10/2026	Expense	3082	Arden Equipment Repair	Streets Maintenance & Equipment: R&M Equipment Mower Blades	$185.72
09/10/2026	Expense	5623	Quill Corporation	City Hall Departmental Supplies	$83.99
09/10/2026	Expense	5623	Quill Corporation	Water / Sewer . CH office Supplies	$361.20
09/10/2026	Expense	5623	T-Mobile	Communication - Cell Phones	$483.64
09/11/2026	Expense	3082	Amazon.com	Water Parts (401.43 water)	$49.98
09/11/2026	Expense	3082	Amazon.com	Water Parts (401.43 water)	$137.31
09/11/2026	Expense	3082	Amazon.com	Water Parts (401.43 water)	$55.70
09/11/2026	Expense	3082	Amazon.com	Water Parts (401.43 water)	$112.68
09/11/2026	Expense	3082	Amazon.com	Water Parts (401.43 water)	$27.63
09/11/2026	Expense	3082	Amazon.com	Water Parts (401.43 water)	$30.55
09/13/2026	Expense	3082	Amazon.com	Water Parts (401.43 water)	$98.94
09/15/2026	Expense	3985	CallingPost Communications, Inc.	Communication system fees	$583.00
09/15/2026	Expense	3082	Panhandle Dumpsters	Sanitation: Departmental Supplies	$613.60
09/15/2026	Expense	3082	Home Depot	Water Parts (401.43 water)	$283.22
09/16/2026	Expense	2540	The Gun Shop	700 Police Department:Ammunition/Shipping fee Departmental Supplies	$3,329.14
09/16/2026	Expense	4802	84 Lumber Co.	Streets Maintenance & Equipment:Concrete Pad R&M Buildings & Grounds	$956.47
09/16/2026	Expense	3985	Survey Monkey	440.230 City Hall Contracted Services	$496.08
09/16/2026	Expense	3985	Apple.com	Supplies	$44.35
09/16/2026	Expense	3082	Sheetz	Streets Vehicle Expenses: R&M Auto	$15.99
09/16/2026	Expense	3082	Amazon.com	Water Pipe (401.43 water)	$92.59
09/16/2026	Expense	5623	PA Municipal, Inc.	Streets Maintenance & Equipment: Departmental Supplies	$1,377.26
09/16/2026	Expense	5623	Cintas Corporation	Uniform	$513.47
09/16/2026	Expense	5623	Cintas Corporation	Uniform	$1,903.73
09/17/2026	Expense	4258	MRO Supply	Bearings for fine screens (Headworks) (401.47 sewer)	$349.69
09/17/2026	Expense	4810	Home Depot	Solar Salt/Office supplies (401.43 water)	$146.02
09/17/2026	Expense	2540	Quill Corporation	Police Departmental Supplies	$537.77
09/17/2026	Expense	2615	Home Depot	City Hall Departmental Supplies	$24.59
09/17/2026	Expense	3082	Amazon.com	Streets Vehicle Expenses:Plug for Truck-Compact Inverter Power Supply R&M Auto	$118.50
09/17/2026	Expense	3082	Amazon.com	Streets Maintenance & Equipment:750.216 R&M Equipment	$66.96
09/17/2026	Expense	3082	Amazon.com	Water parts (401.43 water)	$8.19
09/17/2026	Expense	5623	Oldcastle APG	Sanitation Dumping Fees:-Recycling	$105.00
09/17/2026	Expense	5623	Rentals Unlimited, Inc.	Plaza Project - Lift, Boom 32' Trailer	$1,075.83
09/17/2026	Expense	5623	Rentals Unlimited, Inc.	Streets Maintenance & Equipment: R&M Buildings & Grounds	$428.00
09/17/2026	Expense	5623	Everest Window Cleaning (Bolyard Ent.)	Window Cleaning	$91.80

09/18/2026	Expense	4586	Shepherdstown Rocs	Police Vehicle Expenses: Gas/Fuel	$15.00
09/18/2026	Expense	4802	Harbor Freight	Streets Maintenance & Equipment: Departmental Supplies	$59.99
09/18/2026	Expense	4802	Home Depot	Streets Maintenance & Equipment: Departmental Supplies	$96.76
09/19/2026	Expense	3985	Comcast Business, Inc	City Hall Utilities: Telephone/Utilities	$347.34
09/19/2026	Expense	2615	Home Depot	City Hall Departmental Supplies	$63.34
09/19/2026	Expense	2654	Sheetz	Police Vehicle R&M Auto	$15.99
09/19/2026	Expense	2654	Amazon.com	Police Department:Uniforms	$11.47
09/19/2026	Expense	3082	Amazon.com	Water parts (401.43 water)	$16.78
09/21/2026	Expense	2654	Amazon.com	Police Department: Uniforms	$11.52
09/21/2026	Expense	2654	Calibre Press	Police Department: Training & Educations	$199.00
09/21/2026	Expense	5623	Waste Management Inc	Landfill / Sludge	$1,929.53
09/22/2026	Expense	3009	SpyPoint	Police Department: Dues & Subscriptions	$10.00
09/22/2026	Expense	3985	EVO GOV	Monthly fee for web site hosting and content management system	$150.00
09/22/2026	Expense	3082	North Queen Car Wash	Streets Vehicle Expenses: R&M Auto	$135.82
09/23/2026	Expense	3009	POS Supply Solutions	Office Supplies/PEO Paper	$422.15
09/23/2026	Credit Card Credit	2540	Law Enforcement Systems, Inc.	Police Departmental Supplies - credit	-$119.00
09/23/2026	Expense	3985	Apple.com	City Hall Dues & Subscriptions	$3.17
09/23/2026	Expense	2654	Amazon.com	Police Departmental Supplies: Men's Military short sleeve shirts/flash drives	$174.02
09/23/2026	Expense	2654	Amazon.com	Police Department: Uniforms: Uniform patches	$35.63
09/23/2026	Expense	5623	Quill Corporation	Office Supplies	$461.99
09/24/2026	Expense	3985	Bowles Rice LLP	440.223 City Hall Professional Services	$900.00
09/24/2026	Expense	3985	Apple.com	City Hall Dues & Subscriptions	$50.76
09/24/2026	Expense	2654	Flying Cross	Police Department: Uniforms	$281.96
09/24/2026	Expense	2654	Amazon.com	Police Department: - Uniforms	$40.64
09/25/2026	Expense	5623	Griffith Energy Services, Inc. (gasoline)	Gasoline - Fuel	$2,781.91
09/25/2026	Expense	5623	Griffith Energy Services, Inc. (diesel)	Diesel - Fuel	$2,070.07
09/26/2026	Credit Card Credit	2615	Home Depot	City Hall Departmental Supplies	-$26.26
09/26/2026	Expense	2615	Home Depot	City Hall Departmental Supplies	$47.68
09/28/2026	Expense	2540	Depot Florist	700 Police Department:700.341 Departmental Supplies	$171.20
09/28/2026	Expense	2615	Home Depot	City Hall Departmental Supplies	$14.59
09/28/2026	Expense	2615	Home Depot	City Hall Departmental Supplies	$26.74
09/28/2026	Expense	2615	Home Depot	City Hall Departmental Supplies	$32.09
09/28/2026	Expense	5623	Adobe Acropro	City Hall Dues & Subscriptions	$21.19
09/29/2026	Expense	9895	Tractor Supply Company	Sewer - Pump Station spray (401.46 sewer)	$159.99

Total for 213 Purchase Card Payable		**-$25,560.76**

RESTRICTED FUNDS		
103 Customer Deposit Accounts 3194		
	8/31/2026	
Total for 103 Customer Deposit Accounts 3194		**$0.00**
Total for RESTRICTED FUNDS with sub-accounts		**$0.00**
	TOTAL	**$0.00**

Reports of Committees, Commissions and Boards

Summary of Meetings

Age Friendly Shepherdstown – October 14

The committee reviewed progress on the Pedestrian Plaza pilot, including ongoing data collection and plans for a business survey to gather feedback from the local business community. Members also discussed the Mayor's proposed pedestrian safety advisory group and the potential use of Crash Studio as a complementary resource. The committee considered whether to remain a Town committee or transition to an independent advocacy group but made no recommendation to change its current structure. Responses to the 2026 AARP Age-Friendly Leadership Survey were reviewed and approved.

Finance Committee – November 4

Staff will establish a project implementation timeline to guide the deployment of the new software."

Staff will develop a comprehensive communication and roll-out plan to introduce the new billing software to residents. Upcoming work sessions in April 2027 will focus on orienting residents to the software, as well as highlighting its key billing and payment features."

Historic Landmarks Commission – November 2

The HLC approved one application, denied one application, and had one applicant who was not present. During discussion of the denied application, questions arose regarding the HLC's authority to approve or deny exterior painting, particularly painted versus unpainted masonry. The Committee is seeking guidance from Town Council on this matter.

Two Town applications were discussed but not voted on. The Committee agreed in principle with replacing the existing Visitor Center welcome sign with a wooden sign and retaining the German Street bollards while modifying their appearance to improve aesthetics.

The Committee held one workshop, received a staff update regarding 101 S. Princess Street, and requested an update on Shepherd Burial Ground.

Parks and Recreation Committee – October 27

The Committee reviewed the condition of the Town's parks. Bane-Harris Park needs additional weeding and mulch, while Cullison and Library Parks remain well-maintained. Riverfront Park needs additional trash receptacles due to increased litter. Viola Devonshire Park needs weekend maintenance assistance. Rumsey Park improvements, including

Phase III, Step 1 and the bike rack, are complete; follow-up remains pending on two historic information panels.

The Committee welcomed new member Ashleigh Sanders and discussed filling the remaining vacancy. The Rumsey/Riverfront Trail engineering study request remains pending. The Committee recommended incorporating a requested QR code into existing interpretive panels at Rumsey Park. A proposed replacement tree will be referred to the Tree Commission.

Planning Commission – October 19

The Planning Commission approved Application 26-26 for the installation of a propane tank at 207 W. New Street, with a reminder to maintain the required three-foot side setback and provide vegetative screening. The Commission received an update that Town Council approved the first reading of the Accessory Dwelling Units (ADU) ordinance incorporating the Commission's recommendations, with a second reading expected next month. Staff was asked to look into hanging signs that may not meet the required seven-foot clearance above sidewalks.

Public Works Committee – October 26

The Public Works Committee discussed several infrastructure and planning matters, including proposed traffic-calming measures near Duke and German Streets, with concerns raised about potential impacts on traffic safety and a possible pilot program. Marcy provided an update on the food waste composting program, noting regulatory and cost challenges with the proposed Tabler Farm partnership and the exploration of alternative providers. The committee also discussed renewing the expired engineering contract with Ghosh, with a proposal to issue an RFQ for both water and wastewater engineering services and general town engineering needs. Street lighting issues, including inconsistent timing and nonfunctioning lights, were also discussed, with Gino following up with the electric company.

Joint Meeting of the Water and Sanitary Boards – October 22

The Boards discussed utility financial reporting, internal water and sewer charges, potential rate increases, and long-term infrastructure needs. Both Boards voted to eliminate charges for internal utility usage while continuing to track usage. Decker CPAs will present recommendations regarding potential rate increases at the December meeting. The Boards also approved Step One water and sewer capacity applications for Colonial Hills Phases III and IIIA. The Town Engineer confirmed sufficient system capacity for the proposed development, with detailed engineering plans to be reviewed during Step

Two. Members also discussed potential grant funding for infrastructure improvements and expressed concerns regarding the proposed use of grinder pumps.

Age Friendly Shepherdstown Meeting Minutes
October 21, 2026
1:30 p.m.
Zoom Only

1. **Attendees:**
   Members Attending: Leigh Ann Evanson, Lois Spreen, LouAnn Stovall, Marcy Bartlett, Jan Hafer
   Staff Attending: Gino Sisco
   Absent: Amy Boyd

2. **Introductions:** None

3. **Minutes:** The minutes of the September committee meeting were approved.

4. **Old Business:**

   a) **Pedestrian Plaza update:** Reviewed progress on data collection activity.
      a. Volunteers are scheduled for the remaining data collection dates
      b. On-line feedback survey will be available until November 2
      c. Leigh Ann supported the development of a business survey and timeline for the Town. The plan is for the survey to be sent to the business community in November to get their input on the plaza pilot. AFS is not involved in the administration of the business survey.

   b) **Crash Studio –** The Mayor is setting up an advisory group to address pedestrian safety in Town. The Crash Studio would be a nice complement to the efforts of that committee. Lois to send an email to the Mayor regarding this tool.

   c) **Committee Structure –** Discussed AFS organizational structure (town committee vs. independent advocacy group) and if any change would help us better serve the community. At this point, no compelling case was presented to consider changing from the current committee structure. We will continue the discussion in November.

5. **New Business:** Reviewed and approved proposed input for the 2026 AARP Age Friendly Leadership Survey. It is due to be submitted NLT 10/30/26. Lois will input our responses.

6. **Next Meeting:** November 19, 2026 at 1:30pm via ZOOM

MINUTES
Shepherdstown Parks & Recreation
October 27, 2026

1. Attendees: Cheryl Roberts, Chair; Tobi Moriarity, Ashleigh Sanders, Adam Thomas, and Gino Sisco, Town Staff.

2. The meeting convened at Town Hall and called to order by the chair at 1:00 p.m.

3. Motion by T. Moriarity to approve the agenda; seconded by A. Thomas; No objections; Motion approved.

4. Approval of Minutes – August 25, 2026 (September Mtg Cancelled). Adam motion to approve; Cheryl seconded.

5. Welcome Visitors: Traci Morris.

6. Unfinished Business:

    a. Bane-Harris Park – C. Roberts reported that the park is being used daily, especially the playground area. The equipment has been wall-maintained, as expected

    b. The basketball court is used several times a week, with a couple of uses of the Pickle Ball Court. There is a need for weeding and refreshing the mulch in the playground area, particularly beneath the equipment. Cheryl will send an email to Gino and Woody Coe as a reminder.

    c. Cullison Park – C. Roberts reported that the walking trail is being used regularly, and the equipment has been well-maintained, as expected. A memorial bench was installed last Sunday and the location is perfect. Cheryl will include in her email to Gino and Woody, as reminder for weeding and mulch refreshing. Going forward, Adam will visit and report on Cullison Park since Rumsey is next door.

    d. Library Park - C. Roberts reported that the park area has been well-maintained by the Welcome Center staff. The tree is being monitored by the Tree commission members.

    e. Riverfront Park – T. Moriarty reported that people have been gathering closer to the river area and have left clothing, bottles, cans, etc. Adam mentioned that Shepherdstown Rotary has been involved with minor maintenance. Ashleigh and friends performed a clean-up recently and there is a need for trash receptacles.

    f. Rumsey Park – A. Thomas - Adam reported that everything looks great, hydrants, parking spaces. Wall looks great --- Forsythia area, etc.

        i. Phase III, Step 1- Complete - CLOSED

        ii. Bike Rack – Complete - CLOSED

        iii. Follow-Up – James Rumsey Replacement Panel - C. Roberts reported that there she has not received any information in following up with the content for the panel that was submitted to the mayor. This item will remain until additional information is received.

        iv. Follow-Up – Historic Bridges Panel – C. Roberts reported that she has not received any information regarding Dr. Alexander and Doug Perks' donation submission to the town for the acquisition and/or approval for the panels. This item will remain until additional information is received

g. Viola Devonshire Park – C. Roberts reported that Town Hall Intern, Hunter Whetzel, along with the Lambda Chi Alpha fraternity at Shepherd University have been trying to obtain help on the weekends. Cheryl will contact Public Works seeking assistance with maintenance of this park. For future report, Ashleigh offered to report on this park.

7. New Business

   a. New Members (Town Council & Town Resident)

      i. Appointed by Mayor – Welcome Ashleigh Sanders – Ashleigh's membership was welcomed and well-received.

      ii. Vacancy Application – This position is posted on the Town's website and Cheryl reported that she believes at least one resident is interested. She will re-connect for confirmation and completion of the application.

   b. Funding Request: Engineering Study – Rumsey/Riverfront Trail – Waiting for an update on the status of the request. Will retain as "Old Business" for future.

   c. Rumseyan Society – Request for Signage w/ QR Code at Rumsey Park

      i. Committee agreed upon recommendation for the QR Code to be an opportunity to integrate this on existing panels that are planned, as opposed to a new sign.

   d. Request for Tree Planting – (Replacement for previous Oak Tree)

      i. This item will move forward for comments from the Tree Commission.

8. Other Topics for Future Planning

   a. No additional topics were discussed.

9. Next Meeting – December 1, 2026 @ 1:00 p.m. –Town Hall

10. Adjournment: Motion by T. Morarity to adjourn; seconded by A. Thomas. No objections; motion passed. Metting adjourned at 1:54 p.m.

    Respectfully Submitted by:

    Cheryl Roberts, Chair

    Parks & Recreation Committee

SHEPHERDSTOWN PLANNING COMMISSION MEETING MINUTES

October 19, 2026 – 6:00 p.m.

Town Hall – 104 North King Street

1. **Call to Order**

   The meeting was called to order at 6:04 pm by Madge Morningstar.

   Attendance

   Members Present: Lauren Chapalee, Michael Binder, Madge Morningstar, James Gatz, Joe Yates

   Staff Present: Karl Musser

2. **Approval of Previous Months' Minutes**

   Lauren Chapelee makes a Motion to approve the minutes from the September 19, 2026 and October 5, 2026 meetings. James Gatz seconded. All ayes, motion passed.

3. **Visitors**

   Visitors Present: Joya Subudhi (Applicant), Jim Auxer

4. **Conflicts of Interest**

   No conflicts of interest were disclosed.

5. **Applications**

   a. **Application 26-26 – 207 W. New St. – Propane Tank**

      The Commission discusses the location and size of the proposed tank and the intended vegetative screening. The Commission advises making sure the 3 ft side setback is maintained when the tank is installed.

      Michael Binder moved to approve Application 26-26. Lauren Chapalee seconded. All ayes; motion carried.

6. **Continuing Business**

   a. **Town Council Update.**

      Joe Yates reports that the Council approved the first reading of the Accessory Dwelling Units (ADU) ordinance with the Planning Commission's recommendations and that the second reading is expected next month.

7. **New Business**

   a. Madge Morningstar asks staff to look into hanging signs that may not have the required 7' clearance above the sidewalk.

8. **Adjournment**

   James Gatz moved to adjourn. Michael Binder seconded. All ayes; motion carried. The meeting adjourned at 6:29 pm.

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Shepherdstown Public Works Committee Minutes

Monday, October 26, 2026, 6:30 p.m.

Town Hall 104 N. King Street

1. **Call to Order** 6:32pm
2. **Attendance**
    a. **Members Present** James Gatz (J Gatz), Harriet Pearson (H Pearson), Jim Auxer (J Auxer)
    b. **Staff Present** Rachael Oviatt (R Oviatt), Huner Wetzel (H Wetzel)
    c. **Visitors Present**: Marcy Bartlett (M Bartlett)
3. **Committee Priorities and Meeting Schedule**
    a. J Gatz noted that the Public Works Committee hadn't met since June and suggested they might need to adjust their meeting schedule due to fewer available committee members.
    b. The committee discussed the placement of building codes, with J Gatz and J Auxer suggesting they might fit under the Public Works Department rather than Planning Commission.
    c. The group reviewed ongoing projects including the Market Plaza pilot, compost project, stormwater initiatives, and the O'Hurley property matters.
    d. The committee noted a lack of energy and participation compared to previous years, with some members expressing willingness to support ad-hoc meetings as needed rather than establishing regular monthly meetings.
    e. The group discussed bringing the plaza project back to the Public Works Committee for review before it goes to the full Town Council.
        i. They agreed that having an intermediate committee review would allow for community input and help determine project prioritization against other town needs.
        ii. The committee will evaluate the data from a pilot study and assess factors like projected costs and required staff time before making recommendations to the council.
    f. The Public Works Committee discussed various infrastructure and maintenance priorities including snow removal, streetscape improvements, holiday lights, streetlights, and IPMC enforcement.

DRAFT

g. The committee established a monthly meeting schedule and identified the need for an RFQ for trash services.

4. **Street Issues in Neighborhood west of Duke and north of German streets**
    a. The group discussed traffic concerns and potential solutions for a specific area, with the committee expressing concerns about the impact on German Street traffic and the need for more study.
    b. J Auxer suggested following Cheryl Robert's lead and implementing a trial period to evaluate the proposed changes, with the option to adjust if issues arise.
    c. The discussion included considerations about costs for implementing measures like stop signs and speed humps, with uncertainty about exact pricing but estimates around $1,000-$2,000 for signs.
        i. The group discussed traffic safety issues on High Street, agreeing to address the problem informally first before considering a professional assessment, provided the cost remains under $8,000.
        ii. They noted resident support for proposed changes and identified the need for additional cost analysis and safety verification.
    d. Next steps identified include having police officers assess safety concerns and determining the total cost of proposed traffic modifications.
5. **Food Waste and Compost Project**
    a. M Bartlett provided an update on the food waste composting program, explaining that the University is hesitant to proceed due to state regulatory concerns and operational complexities, leading them to explore alternative composting service providers.
    b. Shepherdstown reported that while a pilot program was initially planned with 30 participants, only 21-24 people signed up, and they are now exploring alternatives including working with local farmers or using a different company after issues arose with the original Tabler Farm arrangement.
6. **Draft RFQ for On-Call Engineering Services**
    a. The committee discussed renewing the Ghosh contract for water and wastewater services, which expired in March, and considered creating a separate on-call engineering services RFQ for other town needs not covered by the existing contract.
7. **Adjourn** Motion to adjourn at 8:02 p.m. from H Pearson, second by J Auxer, unanimous approval

Quick Summary

The Public Works Committee held a meeting to discuss various infrastructure and planning matters for Shepherdstown. The committee reviewed traffic calming measures proposed for a neighborhood west of Duke Street and north of German Street, with Mayor Shepherdstown expressing concerns about potential safety impacts on German Street traffic and suggesting a pilot approach with police department input. Marcy provided an update on the food waste composting program, explaining that the planned partnership with Tabler Farm faced regulatory challenges and cost concerns, leading the team to explore alternative composting companies. The committee also discussed the need to renew the engineering contract with Ghosh, which expired in March, with James proposing to issue an RFQ for both water/wastewater engineering services and general town engineering needs. The conversation ended with a brief discussion about street lighting issues, including inconsistent timing and non-working lights that Gino was investigating with the electric company.

Next Steps

- Ask staff to determine the estimated cost of installing the proposed traffic calming measures (stop signs, one-way signs, speed bumps) in the neighborhood west of Duke and north of German Street.
- Have the police department review the proposed traffic configuration for safety concerns, specifically checking for blind turns or visibility issues.
- Give staff another month to return with a plan for the food waste composting program, including alternatives to the Tabler Farm arrangement.
- Put out an RFQ for an on-call town engineer for general town needs, separate from the water/wastewater contract.
- Ensure Woody has input on the RFQ for the on-call town engineer.
- Discuss with the electric company contact (Thomas Butcher) the streetlight timer issues and non-functioning lights.
- Explore creating a master tracker/calendar in SharePoint for deadlines, contract expirations, grants, and compliance reports.

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Draft Minutes for

October 22 Meeting

Joint Meeting of the Water and Sanitary Boards

1. Call to Order

2. Visitors-- Representatives of Colonial Hills, and Jeff Ekstrom of GHOSH Engineers. Michael Miller by zoom.

3. Board Members Present

Sanitary Board – Harvey Heyser, Robert Keller and James Gatz

Water Board – James Gatz, Marcy Bartlett, John Bresland, Jack Eggeston, Dan Shelton, Kathleen Stratton and Sue Kemnitzer

4. Minutes September 24 Regular Meeting

Vote – Sanitary Board approved with correction of date of previous meeting minutes from July to August

Vote – Water Board approved with correction of date of previous meeting minutes from July to August

5. Flow and Quality Reports

Staff outlined the difference between the monthly average of gallons of water pumped from the water plant and the amount entering the sewer plant. Both Boards would like a more complete explanation which describes the interrelationships among water treated, water billings, sewage treated, and sanitary billings. Plus, comparison of these numbers through recent years to decern trends.

6. Financial Reports – Board members asked for more explanation of trends.

7. Old Business

a. Methodology for charging intraplant water and sewer usage. A handout prepared by staff summarized two options for accounting for Inter-Departmental Costs for Uses of Water and Sewer Services.

Option #1. Charge both the Water and Sewer systems $0 for their use of all of the inter-department water and sewer services. This is the standard practice used by other utilities in the region.

Option #2. Charge the Water and Sewer systems the amount of their actual use.

Staff reviewed the history of interdepartmental charges, explaining that since 2009, the Sewer Department has charged the Water Department a flat annual fee of $100,000, established by the former mayor and public works director. This fee was in addition to approximately $112,000 for actual sewer use. Under Option #1, annual Water Department costs and Sanitary Department revenue would each decrease by $212,000.

Vote: The Sanitary Board voted for Option #1 with the proviso that the volumes used for intra-plant purposes be tracked. Staff noted that they already are required to report these to the Public Service Commission and will continue to do so.

Vote: The Water Board also voted for Option #1.

b. Discussion of Water Rate Increases and timeline for application to Public Service Commission. Staff reported that the town accountants, Decker CPAs, will advise the boards on rate increases at the December meeting.

c. Status of study of Water Department capacity fees and long-term capital needs. Board members are reaching out for advice from the University of Maryland Center Environmental Finance Center, an applied research center working with communities , including water and wastewater facilities, to achieve affordable and equitable finance and policy solutions.

d. Status of the Water and Sanitary Departments annual reports to the Public Service Commission. The town accountants are in the midst of preparing the Public Service Commission report.

e. Hydrant Report – no changes from last month.

f. Suggestions for topics that the grant writing contractor should pursue.

Board members suggest a range of topics such as projects to conduct planning for long-term capital needs, financing for extending sewer lines to current water customers and replacement of water lines which may have been connected to lead lines.

8. New Business

a. Step One Application for Colonial Hills phase III Water and Sewer Capacity. Thirty-two units are proposed.

The Jeff Ekstrom of GOSH Engineers (the town engineers), stated that the existing water system has the hydraulic capacity to provide water service to this development. He also stated that the existing collection system has the hydraulic capacity to handle additional sewage flow from this development. He recommended the approval of the Step One applications.

Vote: The Sanitary Board voted to approve the application.

Vote: The Water Board voted to approve the application.

b. Step One Application for Colonial Hills Phase IIIA Water and Sewer Capacity. Sixty-one units are proposed.

Jeff Ekstron, the town engineer, stated that there is capacity in the water and sanitary systems to serve this development. He recommended the approval of the Step One applications.

Vote: The Sanitary Board voted to approve the application.

Vote: The Water Board voted to approve the application.

The detailed engineering design for the projects will be the subject of the Step Two application. However, Sanitary Board members commented that the use of grinders indicated on the preliminary plans for Phase III will be a matter of concern if they are in the Step 2 application.

9. Summary for Town Council

- Step One applications were approved for 73 new units in the Colonial Hills project which is adjacent to the new library. This only indicates that means that we have capacity in our Water and Sewer systems to serve the proposed homes. Step Two addresses the design of the system.

-Given adjustments in the charges for intraplant water and sewer usage, a rate increase may be necessary for the Sanitary Department as well as the Water Department.

-Details of the rate increases will be presented by the town accountant, Decker CPAs, at our December 3 meeting and we invite council members to participate in that meeting.

10. Next meeting – December 3 to accommodate the holiday schedule.

11. Adjourn