



ORDINANCE 2021-02

REPEAL, RE-ENACT TOWN CODE 154.215

BOAT DOCKS/PIERS GENERALLY

WHEREAS, the Irvington Town Council (“Council”) proposes to repeal and re-enact Town Code §154.215 regarding general regulations for boat docks and piers; and

WHEREAS this Ordinance 2021-02 will eliminate the requirement in zoning districts R-1/R-2 for a conditional use permit for private docks and piers; and

WHEREAS, a notice of joint public hearing on this Ordinance 2021-02 was advertised April 29 and May 6, 2021, pursuant to VA Code Ann. §15.2-2204; and

WHEREAS, a joint public hearing on Ordinance 2021-02 was held on May 11, 2021 and the public also had the opportunity to speak about the ordinance at meetings held on April 8 and May 13, 2021; and

WHEREAS, the Planning Commission recommended the passage of this ordinance to Council on May 11, 2021; and

WHEREAS, this Ordinance 2021-02 was read twice before approval, at the April 8 and May 13, 2021 Council meetings.

BE IT ENACTED AND ORDAINED BY THE TOWN OF IRVINGTON, VIRGINIA, AS FOLLOWS:

1. Council hereby repeals Town Code §154.215, Generally.
2. Council hereby re-enacts Town Code §154.215 Generally as follows:

“§ 154.215. GENERALLY.

“(A) This subchapter pertains to any dock or pier, six feet wide or less, with or without a “L” or “T” head not to exceed eight feet and 25 feet long, for private use, a finger pier or boat house (fixed or floating) is not allowed. See drawing shown below.

[DRAWING INSERTED]

“(B) Docks or piers shall not be built or constructed or rebuilt or reconstructed until a zoning permit is obtained from the Zoning Administrator for the town.

“(C) (1) Docks/piers in Zoning Districts B-1, B-2, M-1 require a conditional use permit for all structures, including mooring pilings. Docks/piers in Zoning Districts R-1 and R-2, for private use, require no conditional use permit.

“(2) An application must be submitted to the State Marine Resources Commission requesting authorization before a dock/pier can be built or constructed.

“(3) A permit must be obtained from the United States Army Corps of Engineers before a dock/pier can be built/constructed in cases where the proposed dock/pier will encroach beyond one-fourth the waterway width (as determined by measuring mean high water to mean high water or ordinary high water mark to ordinary high water high).

3. This Ordinance is effective upon passage.

BE IT FURTHER ORDAINED BY THE TOWN OF IRVINGTON, VIRGINIA that the Town of Irvington shall place this Ordinance 2021-02 in the Minutes of its May 13, 2021 meeting.

Certification

I, Albert D. Bugg, III, Mayor, do hereby certify that Ordinance 2021-02 was adopted at the May 13, 2021 meeting at which a quorum was present and voting. The Vote was:

IN FAVOR

OPPOSED

Jackie Brown
R. Wayne Nunnally
Anthony Marchetti
Dudley M. Patteson
Bonnie Schaschek
Frances Westbrook

Albert D. Bugg, III, Mayor

ATTEST:

Sharon Phillips, Town Clerk