

INTRODUCED: March 6, 2018

AN ORDINANCE No. 2018-078

To amend City Code §§ 2-297, 2-298, 2-299, 2-300, 2-1392, 2-1393, 5-12, and 16-84 and to amend ch. 2, art. IV of the City Code by adding therein a new div. 3.1 for the purpose of effectuating the reorganization of the Department of Economic and Community Development into a new Department of Economic Development and a new Department of Housing and Community Development.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 23, 2018 AT 6 P.M.

§ 1. That sections 2-297, 2-298, 2-299, 2-300, 2-1392, 2-1393, 5-12, and 16-84 of the Code of the City of Richmond (2015) be and are hereby **amended** and reordained as follows:

Sec. 2-297. Created; composition.

There shall be a Department of Economic [~~and Community~~] Development which shall consist of a Director of Economic [~~and Community~~] Development and such officers and employees organized into such bureaus, divisions and other units as may be provided by ordinance or by the Director consistent therewith.

Sec. 2-298. Functions.

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 14 2018 REJECTED: _____ STRICKEN: _____

The Department of Economic [~~and Community~~] Development shall be responsible for the following:

(1) Developing and staffing an overall economic [~~and community~~] development strategy for the City;

(2) Promoting business development and expansion;

(3) Providing technical assistance to emerging businesses;

(4) Identifying investment opportunities;

(5) [~~Administering special assistance loan and CARE programs;~~

~~(6)~~ Staffing the Economic Development Authority;

~~(7)~~ (6) Administering contracts relative to economic [~~and community~~] development initiatives;

~~(8)~~ (7) Serving as a regranting agency;

~~(9)~~ (8) Marketing the city relative to new business ventures;

~~(10)~~ (9) Supervising and coordinating the work and activities relating to the acquisition and disposal of certain real estate by and for the City as may be required by the Chief Administrative Officer;

~~(11)~~ Coordinating of all City agencies toward the attainment of orderly community development;

~~(12)~~ (10) Encouraging and promoting economic development within the city through cooperation with other governmental and private economic development organizations;

~~(13)~~ Administering community development finance programs, including but not limited to programs under Title I (Community Development) of the United States Housing and Community Development Act of 1974, as amended, or any other federal legislation or program

~~under which the City may receive and use or administer the use of federal funds for housing, community development or economic development purposes;~~

~~(14)~~ (11) Developing the comprehensive economic development plan pursuant to Section 2-1373;

~~(15)~~ (12) Developing the economic development implementation strategy pursuant to Section 2-1374; and

~~(16)~~ (13) Such other powers and duties as may be assigned to the Department by law or ordinance.

Sec. 2-299. Qualifications of Director.

The head of the Department of Economic ~~[and Community]~~ Development shall be the Director of Economic ~~[and Community]~~ Development. The Director shall be a person trained and experienced in business, public administration, finance or related areas.

Sec. 2-300. Appointment, powers and duties of Director.

(a) The Director of Economic ~~[and Community]~~ Development shall be appointed for an indefinite term by the Chief Administrative Officer and shall report to the Chief Administrative Officer.

(b) The Director of Economic ~~[and Community]~~ Development shall have general management and control of the Department of Economic ~~[and Community]~~ Development and its units. The Director shall appoint and remove all officers and employees of the Department, subject to applicable personnel policies established by ordinance, and shall have the power to make rules and regulations consistent with the Charter and City ordinances for the conduct of the function of the Department.

(c) The Directors of the Economic Development Authority, at their pleasure, may appoint the Director of Economic [~~and Community~~] Development to act as Executive Director of the Authority. It is the intent of the Council that this subsection supersede the provisions of Ordinance No. 72-169-178 to the extent that the two may conflict.

Sec. 2-1392. Criteria for designation of economic growth areas.

The Department of Economic [~~and Community~~] Development and the Department of Planning and Development Review jointly, or such other agency as the Chief Administrative Officer may designate, shall develop criteria, including public input, for the designation of a geographic area as an economic growth area in the master plan and shall furnish the City Council with a written report setting forth the recommended criteria and the basis therefor. Only criteria adopted by the City Council by resolution may be used as the basis for the designation of an economic growth area in the master plan.

Sec. 2-1393. Identification of economic growth areas.

Based on the criteria adopted pursuant to section 2-1392, the Department of Economic [~~and Community~~] Development and the Department of Planning and Development review jointly, or such other agency as the Chief Administrative Officer may designate, shall identify proposed economic growth areas for inclusion in the master plan, when the master plan is updated and with public input, and shall develop a proposed small area plan for each proposed economic growth area. Economic growth areas will be identified as such in the master plan.

Sec. 5-12. Barbed, razor and electric wire fences.

(a) *Barbed and razor wire fences.* No barbed or razor wire shall be used for the purpose of wholly or partially enclosing any lot or premises within the City. However, barbed ends of fences, barbed wire and razor wire may be used on top of any wall or fence wholly or partially

enclosing any lot or premises zoned for commercial or industrial use, and barbed wire may be used on top of any wall or fence wholly or partially enclosing any public school, park, recreational or playground site in any residential, commercial or manufacturing district, provided that:

(1) Such wall or fence is at least six feet in height.

(2) The barbed wire or razor wire is installed on arms or brackets extending from the top of such wall or fence inwardly over the private property to be wholly or partially enclosed.

(3) Not more than three strands of barbed wire shall be so installed, and the first strand shall be at least six inches from the face of the wall or fence.

(b) *Electric fences.* No electric fence shall be installed, operated or maintained in the City except as provided in this subsection.

(1) Electric fences shall be constructed, maintained and operated in conformance with the specifications set forth in International Electrotechnical Commission Standard 60335-2-76.

(2) The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in Paragraph 22.108 and depicted in Figure 102 of International Electrotechnical Commission Standard No. 60335-2-76.

(3) Electric fences shall be completely surrounded on the side facing the property exterior by a non-electrified fence or wall that is not less than six feet in height and at least six inches from the electric fence.

(4) Electric fences may be installed, operated or maintained only in B-3 General Business, M-1 Light Industrial and M-2 Heavy Industrial zoning districts.

(5) Electric fences shall be clearly identified with warning signs that read

“Warning - Electric Fence” or similar terms and which are posted at intervals of not less than 50 feet with at least one sign on each exterior perimeter side of the fence.

(6) No electric fence shall be installed until after certification from the Department of ~~[Economic]~~ Planning and ~~[Community]~~ Development Review that the plans for the fence meet the requirements of this subsection.

(7) This subsection does not apply to professionally designed electrified devices installed near or under ground level for the purposes of keeping household pets on property.

(c) *Violations.* Violation of this section shall be punishable by a fine of up to \$2,500.00.

Sec. 16-84. Conduct of affairs.

(a) *Quorum.* Six members of the Board shall constitute a quorum.

(b) *Officers.* The member of the City Council appointed to the Board shall serve as Chairperson of the Board and shall ensure that the City Council is regularly informed about Board activities, that the Board meets regularly in accordance with this division and that the duties of the Board are performed. The Board may select from among its membership such other officers as the Board deems necessary to discharge its duties.

(c) *Meetings.* The Board shall meet at least quarterly and as often as it deems necessary in order to perform the duties provided for in this division.

(d) *Reporting.* On an annual basis, the Board shall deliver to the City Council and the Mayor a brief summary of the Board’s activities for the preceding year.

(e) *Freedom of Information.* Board meetings and records shall be subject to the provisions of the Virginia Freedom of Information Act (Code of Virginia, § 2.2-3700 et seq.).

(f) *Procedures.* The Board may adopt bylaws or rules of procedure not inconsistent with this division to govern the conduct of its meetings and operations.

(g) *Staff and resources.* The Council Chief of Staff and the Department of [~~Economic~~] Housing and Community Development shall provide such staff and resources as may be necessary to assist the Board in the duties imposed by this division.

§ 2. That Chapter II, Article IV of the Code of the City of Richmond (2015) be and is hereby amended and reordained by adding therein a new division numbered 3.1, consisting of new sections numbered 2-311 through 2-313, as follows:

DIVISION 3.1

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Sec. 2-311. Created, composition.

There shall be a Department of Housing and Community Development, which shall consist of a Director of Housing and Community Development and such officers and employees organized into such bureaus, divisions, and other units as may be provided by ordinance or by orders of the Director consistent therewith.

Sec. 2-312. Functions.

The Department of Housing and Community Development shall be responsible for the following:

- (1) Developing and coordinating the implementation of a citywide housing strategy;
- (2) Administering contracts relative to housing and community development initiatives;
- (3) Administering community development finance programs, including but not limited to programs under Title I (Community Development) of the United States Housing and

Community Development Act of 1974, as amended, or any other federal legislation or program under which the City may receive and use or administer the use of federal funds for housing, community development or economic development purposes;

(4) Administering the City's Commercial Area Revitalization Effort and Extra Commercial Area Revitalization Effort programs and other special assistance loan programs;

(5) Administering the City's relationships with the Richmond Redevelopment and Housing Authority concerning public housing redevelopment and with the United States Department of Housing and Urban Development;

(6) Coordinating the City's efforts to facilitate and support residential development unrelated to United States Department of Housing and Urban Development programs;

(7) Serving as a regranteeing agency;

(8) Administering the operations of the Affordable Housing Trust Fund in accordance with Article III of Chapter 16; and

(9) Performing such other functions as may be assigned to the Department by law or ordinance.

Sec. 2-313. Director—appointment, qualifications, powers and duties.

(a) The head of the Department of Housing and Community Development shall be the Director of Housing and Community Development. The Director shall be a person trained and experienced in business, public administration, finance, or related fields.

(b) The Director of Housing and Community Development shall be appointed for an indefinite term by the Chief Administrative Officer and shall report to the Chief Administrative Officer.

(c) The Director of Housing and Community Development shall have general management and control of the Department of Housing and Community Development and its units. The Director shall appoint and remove all officers and employees of the Department, subject to applicable personnel policies established by ordinance, and shall have the power to make rules and regulations consistent with the Charter and City ordinances for the conduct of the function of the Department.

§ 3. This ordinance shall be in force and effect on July 1, 2018.