

INTRODUCED: July 1, 2020

AN ORDINANCE No. 2020-154

To provide for the removal of certain monuments on City-owned property, provide for the disposition of such monuments, and repeal an ordinance accepting the General Thomas J. “Stonewall” Jackson monument, adopted Mar. 3, 1920, as authorized by Va. Code § 15.2-1812.

Patrons – Mr. Jones, Mrs. Lynch, Mr. Addison, Vice President Hilbert, President Newbille, Ms. Larson, Ms. Gray and Ms. Robertson

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: AUG 3 2020 AT 5 P.M.

WHEREAS, pursuant to section 15.2-1812 of the Code of Virginia (1950), as amended, localities within the Commonwealth of Virginia, “[n]otwithstanding any other provision of law, general or special, . . . may remove, relocate, contextualize, or cover any . . . monument or memorial [for the veterans of any war or conflict] located on the locality’s public property . . . regardless of when the monument or memorial was erected” after complying with certain provisions; and

WHEREAS, section 15.2-1812 of the Code of Virginia (1950), as amended, further prescribes that, before any such monument or memorial that is publicly owned may be removed,

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: AUG 03 2020 REJECTED: _____ STRICKEN: _____

relocated, contextualized, or covered, the local governing body “shall publish notice of such intent in a newspaper having general circulation in the locality,” shall conduct a hearing at which interested persons may present their views “not less than 30 days after publication of the notice,” and, if the local governing body votes to remove, relocate, contextualize, or cover any such monument or memorial after such public hearing, “shall first, for a period of 30 days, offer the monument or memorial for relocation and placement to any museum, historical society, government, or military battlefield;” and

WHEREAS, in accordance with section 15.2-1812 of the Code of Virginia (1950), as amended, the City (i) has published notice of its intent to remove the monuments identified in the document entitled “Monuments to Be Removed” (hereinafter, the “Monuments”), a copy of which is attached to and made a part of this ordinance, (ii) held a public hearing on the matter of such removal no less than 30 days after such publication, (iii) will offer the Monuments to museums, historical societies, governments, and military battlefields for a period of 30 days commencing upon the adoption of this ordinance, and (iv) has complied with all other requirements of applicable law;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as required and pursuant to the authority granted by section 15.2-1812 of the Code of Virginia (1950), as amended, and all other applicable law, and subject to the availability of funds, the Chief Administrative Officer is hereby authorized to cause the removal of the Monuments from their current locations in accordance with the following:

A. **Definitions.** For the purposes of this ordinance, the terms defined below shall have the meanings ascribed to them by this subsection (A).

1. **Monument.** For the avoidance of doubt, the word “Monument” means a monument or memorial identified in the document entitled “Monuments to Be Removed,” a copy of which is attached to and made a part of this ordinance, consisting of either a statue or a platform, or both.
 2. **Statue.** “Statue” means that part of a Monument representing the likeness of an individual, animal, or other object, which may be situated upon a platform.
 3. **Platform.** “Platform” means the solid base of a Monument permanently affixed to City-owned real property, made of marble, concrete, or other solid material, upon which a statue may be situated.
- B. **Timing of Removal.** The Chief Administrative Officer shall cause the removal of the Monuments promptly after the end of the offering period set forth in section 2 of this ordinance.
- C. **Phases of Removal.** Upon compliance with this ordinance and all other applicable law, and subject to availability of funds, the Chief Administrative Officer may cause the removal of the Monuments in the following phases:
1. **Phase One.** The Chief Administrative Officer first shall cause the removal of each statue as soon as possible after the end of the offering period set forth in section 2 of this ordinance, if the Chief Administrative Officer, or the designee thereof, determines that removal of the entire Monument is not feasible at that time.
 2. **Phase Two.** After causing the removal of the statues as required by this subsection (C) and subsection (D), the Chief Administrative Officer then shall cause the demolition or other removal of the platform as soon as practicable.

D. **Temporary Disposition of Monuments.** The Chief Administrative Officer shall cause each Monument or, as the case may be, the statues, platforms, or materials from the platforms, to be transferred to and stored on such City-owned property as may be permitted in accordance with section 8-12 of the Code of the City of Richmond (2015), as amended, or on such property not owned by the City as may be permitted in accordance with applicable law until such time as the Council determines the final disposition of the Monuments or, as the case may be, the statues, platforms, or materials from the platforms, by a resolution adopted in accordance with subsection (E).

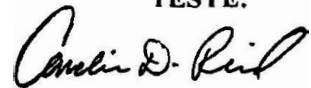
E. **Final Disposition of Monuments.** Pursuant to section 15.2-1812 of the Code of Virginia (1950), as amended, the Council, by the adoption of a resolution, may accept such offer or offers submitted to the City during or after the time period specified in section 2 of this ordinance or otherwise direct the final disposition of the Monuments after the offering period set forth in section 2 of this ordinance has expired.

§ 2. That, as required by and pursuant to the authority granted by section 15.2-1812 of the Code of Virginia (1950), as amended, the Council hereby offers the Monuments for relocation and placement to museums, historical societies, governments, or military battlefields for a period of 30 days after the effective date of this ordinance, referred to in this ordinance as the “offering period.”

§ 3. That the ordinance accepting General Thomas J. “Stonewall” Jackson Monument, adopted March 3, 1920, is hereby repealed.

§ 4. This ordinance shall be in force and effect upon adoption.

A TRUE COPY:
TESTE:



City Clerk

Monuments to Be Removed

1. General Thomas J. (Stonewall) Jackson monument located at the intersection of Monument Avenue and North Arthur Ashe Boulevard.
2. Jefferson Davis monument located at the intersection of Monument Avenue and North Davis Avenue.
3. Major General J.E.B. Stuart monument located at the intersection of Monument Avenue and Stuart Circle.
4. Matthew Fontaine Maury monument located at the intersection of Monument Avenue and North Belmont Avenue.
5. Cannon delineating the outer defensive ring of the city located in the median west of the intersection of Monument Avenue and Roseneath Road
6. Cannon delineating the inner defensive ring of the city in the median east of the intersection of Monument Avenue and North Davis Avenue
7. Joseph Bryan monument in Monroe Park located at 620 West Main Street.
8. Fitzhugh Lee monument in Monroe Park located at 620 West Main Street.
9. General A.P. Hill monument located at the intersection of West Laburnum Avenue and Hermitage Road.
10. Confederate Soldiers and Sailors monument in Libby Hill Park located at the intersection of North 29th Street and Libby Terrace.



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Haskell Brown, Interim City Attorney

THROUGH Lawrence Anderson, Council Chief of Staff

FROM Steven Taylor, Council Policy Analyst

COPY Michael Jones, 9th District Council Member
Summer Morris, 9th District Liaison
Stephanie Lynch, 5h District Council Member
Amy Robinson, 5th District Liaison
Andreas Addison, 1st District Council Member
Daniel Wagner, 1st District Liaison
Tabrica Rentz, Interim Deputy City Attorney
Meghan Brown, Deputy Council Chief of Staff

RECEIVED
By Barbara Fore at 9:57 am, Jun 26, 2020

DATE July 25, 2020

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TITLE Initiate Removal of Civil War Memorials as Authorized by State Law for Introduction at the July 1st Meeting of City Council.

This is a request for the drafting of an **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

Jones, Lynch, & Addison

SUGGESTED STANDING COMMITTEE

Land Use, Housing, & Transportation

ORDINANCE/RESOLUTION SUMMARY

The patron requests that legislation be drafted for Council's consideration that initiates the removal of civil war memorials on City owned property on using the processes authorized by the Virginia General Assembly during its 2020 Session. This process includes a minimum of 30 days public notice of the City's intent to remove, cover, contextualize, or relocate the war memorials and of a public hearing to allow persons to comment on the proposal.

This requests for legislation includes any necessary drafts to: 1) direct the City Clerk publish required public notices to the public of the intent to remove the war memorials; 2) legislation to initiate or authorization of applications to the Commission of Architectural Review for certificates of appropriateness; and 3) and the applications to Planning Commission to effectuate removal of the war memorials in order to comply with requirements of the zoning code, Master Plan, and to obtain a certificate(s).

