



**TOWN OF BOWLING GREEN
TOWN COUNCIL MEETING**

A G E N D A

**Thursday, December 07, 2023
7:00 PM**

CALL TO ORDER AND ESTABLISHMENT OF QUORUM:

PUBLIC HEARINGS:

- [1.](#) To Hear Public Comments Concerning an Ordinance Amending the Town Code by Adopting Provisions Regulating the Operation of Pedicabs Within the Town of Bowling Green - Jeff Gore, Town Attorney

DELEGATIONS: 3 MINUTES PER DELEGATION

PUBLIC COMMENTS: 3 MINUTES PER INDIVIDUAL

MEMBER COMMENTS:

STAFF REPORTS & PRESENTATIONS:

- [2.](#) Public Works Department Monthly Report for November 2023
- [3.](#) Police Departments Monthly Report for November 2023
- [4.](#) Town Treasurer/Finance Department Monthly Report for November 2023
- [5.](#) Town Administration (Town Manager, Town Clerk) Monthly Report for November 2023

CONSENT AGENDA:

- [6.](#) Bills – November 2023

UNFINISHED BUSINESS:

- [7.](#) Consideration of Amendments to the Town Code Concerning Operation of Commercial Pedicabs in the Town of Bowling Green - Jeff Gore, Town Attorney
8. Resolution to Reaffirm/Withdraw Support of the Town of Bowling Green/Caroline County VDOT Smartscale Project

NEW BUSINESS:

COMMITTEE REPORTS:

CLOSED SESSION:

RECONVENE IN OPEN SESSION:

ADJOURNMENT:

Town of Bowling Green

Ordinance Amending the Town Code by Adopting Provisions Regulating the Operation of Pedicabs within the Town

WHEREAS, Town Council hereby declares it to be in the interest of public safety and general welfare of its residents to adopt provisions regulating the operation of pedicabs in the Town.

NOW THEREFORE, BE IT ORDAINED by the Town Council for the Town of Bowling Green, Virginia that Council hereby adopts and approves this Ordinance Amending the Town Code by Adopting Provisions Regulating the Operation of Pedicabs within the Town by amending Chapter 4, Article IV of the Town Code to add Division 6. Pedicabs (§§ 4-600 through 4-608) as follows:

CHAPTER 4: NUISANCES AND OFFENSES

Article IV: Motor Vehicles and Traffic

Division 6. Pedicabs.

Section 4-600. Definitions.

For the purposes of this division, certain words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Operator* means any individual who operates a pedicab within the town.
- (b) *Owner* means any person who owns a pedicab, or, a pedicab business.
- (c) *Pedicab* means:
 - 1. A bicycle that has three (3) or more wheels which transports, or is capable of transporting, passengers on seats attached to the bicycle, that is operated by an individual and is used for transporting passengers for consideration; or
 - 2. A bicycle that pulls a trailer, sidecar or similar device which transports, or is capable of transporting, passengers on seats attached to the trailer, sidecar or similar device, operated by an individual and used for transporting passengers for consideration.
- (d) *Pedicab business* means a commercial enterprise that provides transportation and tours via pedicab, also referred to as owner.
- (e) *Pedicab operating permit* means a written permit issued by the town authorizing a person to operate a pedicab.

Section 4-601. Permit required to operate pedicab.

Town of Bowling Green

Ordinance Amending the Town Code by Adopting Provisions Regulating the Operation of Pedicabs within the Town

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It shall be unlawful for any person to operate a pedicab within the town without first having obtained a pedicab operating permit issued by the town pursuant to this division. Pedicab operating permits are the property of the town and are not transferable to any other operator.

(See Va. Code §§15.2-2015 et seq.) and Town Charter Article VII, §1 for general authority to regulate the use of public streets and rights of way.)

Section 4-602. Application for pedicab operating permit.

A. Before operating a pedicab, an applicant shall apply for and be issued a pedicab operating permit. The pedicab operating permit application form shall be in a form prescribed by the town manager in coordination with the chief of police.

B. The applicant shall provide the following information to complete the application:

- (1) The applicant's full name and residence address;
- (2) Proof that the applicant is eighteen (18) years of age or older;
- (3) Proof of ability to drive lawfully in the United States;
- (4) Proof of insurance as required by this Article;
- (5) Copy of the operator's business license as required by this Article;
- (6) A written description or map depicting the planned routes, and parking or standing area(s) while not in use or while waiting for requests to pick up passengers; and
- (7) The days of the week and hours planned for operation; and
- (8) Such other material as the town manager or chief of police may require.

Section 4-603. Insurance.

No pedicab shall be operated nor shall any pedicab permit or business license be issued therefor unless and until the owner has filed with the town manager for each pedicab operated evidence of a liability insurance policy, issued by a liability insurance company authorized to do business in Virginia, providing for coverage in the minimum amount of one million dollars (\$1,000,000.00) per occurrence for injury to or death of one person and in the minimum amount of two million dollars (\$2,000,000.00) in the aggregate for covered claims arising from the pedicab operations for bodily injury, property damage, personal and advertising injury and contractual liability.

Any pedicab operator operating in the town shall maintain a separate policy of comprehensive general liability insurance for each separate pedicab, except where such person actually owns or holds legal title to more than one pedicab, in which event such person may maintain one policy of comprehensive liability insurance covering all pedicabs actually owned.

Pedicab operators shall provide written notice to the town within ten (10) days after becoming aware of cancellation or reduction in coverage.

Prior to beginning operations, the pedicab operator shall furnish the town with a copy of the policies or a certificate of insurance evidencing the required policies, and shall furnish a certificate of insurance evidencing renewal of such coverage to the town manager within ten (10) days of the renewal of the coverage.

Section 4-604. Business license requirement to operate pedicab.

It shall be unlawful for a person to operate a pedicab business without first obtaining a business license from the town.

Section 4-605. Operation after dark; equipment requirements.

A. Every pedicab when in use between sunset and sunrise shall be equipped with a headlight on the front emitting a white light visible in clear weather from a distance of at least 500 feet to the front and a red reflector visible from a distance of at least 600 feet to the rear when directly in front of lawful lower beams of headlights on a motor vehicle. Such lights and reflector shall be compliant with state law. Such headlights shall not have any aftermarket modifications that cause the headlights to appear as a blue light.

B. Every pedicab shall be equipped with a taillight on the rear emitting a red light plainly visible in clear weather from a distance of at least 500 feet to the rear when in use between sunset and sunrise.

(See Va. Code §46.2-1015)

Section 4-606. General pedicab operation.

A. Operators of pedicabs in the Town shall be subject to the following general requirements:

1. Operation of pedicab shall only occur on roadways posted at a speed limit of twenty-five (25) miles per hour or less and on routes designated by the town manager in coordination with the chief of police and the Virginia Department of Transportation.
2. No pedicab operator shall transport any more persons, including the operator, than the manufacturer's designated seating capacity for the pedicab.
3. All pedicab operators shall comply with all reasonable and lawful requests of a passenger as to the speed of travel and the route to be taken.
4. Pedicabs shall not operate on sidewalks.
5. Pedicabs shall not be parked nor stand on a sidewalk.
6. Pedicabs shall be subject to all applicable Town ordinances and regulations governing public parking.

B. It is unlawful for any person to operate a pedicab in violation of this Article, or otherwise to operate a pedicab in an unsafe operating condition.

Section 4-607. Other laws applicable to pedicab owners and operators.

Pedicab owner operators are subject to all applicable town, state and federal laws, rules and regulations.

Section 4-608. Enforcement.

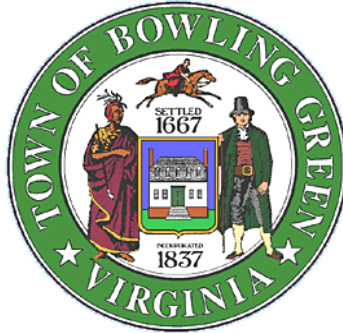
The town manager is authorized to administer and enforce the provisions of this chapter. Unless otherwise specifically provided, violations of this chapter shall be a Class 2 misdemeanor. Upon conviction thereof, penalties shall be in accordance with § 18.2-11 of the Code of Virginia.

Be it further Ordained, that this Ordinance shall take effect immediately upon adoption.

Adopted after proper notice and public hearing as required by law, this ___ day of _____, by the Bowling Green Town Council.

By: _____
Mayor

Attest: _____
Clerk



NOTICE OF PUBLIC HEARING
REGARDING AN ORDINANCE AMENDING CHAPTER 4, ARTICLE IV OF
THE TOWN CODE: MOTOR VEHICLES AND TRAFFIC, ADDING

DIVISION 6. PEDICABS

TOWN OF BOWLING GREEN, VIRGINIA

Notice is hereby given that the Town Council of the Town of Bowling Green, Virginia will hold a public hearing pursuant to state law and Town charter to receive public comment on the following: Amendments to the Bowling Green Town Code, Article IV: Motor Vehicles and Traffic, adding Division 6. Pedicabs.

The public hearing, which may be continued or adjourned, will be held on or about 7:00 p.m. on Thursday, December 7, 2023, in the Town Council Chambers, located in the Bowling Green Town Office, 117 Butler Street, Bowling Green, Virginia. Any person interested in the above described ordinance may appear at the hearing and present their views.

A copy of the proposed ordinance is on file and available for public review in the Town Offices located at 117 Butler Street, Bowling Green, Virginia, during regular business hours. Written comments regarding the proposed ordinances may be forwarded either to the Town Manager prior to the public hearings for transmission to the Council, or to the Council during the public hearings. Requests for special assistance should be made to the Town Manager on or before Friday, December 1, 2023; such requests should specify the nature of the assistance required.

TOWN OF BOWLING GREEN, VIRGINIA

John A. Anzivino, Interim Town Manager



**TOWN OF BOWLING GREEN
TOWN COUNCIL MEETING
MONTHLY REPORT / PROJECT UPDATE**

AGENDA ITEM: Public Works Department Monthly Report for November 2023

DATE: December 3, 2023

PREPARED BY: Shawn Fortune, Public Works Foreman

MONTHLY REPORT / PROJECT UPDATE:

Public Works

- We had two water main stress breaks, the first break was on Lafayette Ave, and the second break was on South Main Street.
- Leaf collection started on 11/21/2023. We collected ten loads of leaves. The guys worked eleven hours to get them up before it rained.
- On 11/22/2023 Public Works collected three loads of leaves and on 11/27/2023 two loads of leaves were collected.
- On 11/19/2023 and 11/24/2023 the grinder pump at Maury Heights pump station had to be pulled out. Excessive amounts of wipes had clogged the pump.
- The Christmas lights were put up on 11/17/2023.
- November BACT water samples were collected and taken to the lab.
- Radiological samples for Well 4 & 5 were collected and taken to the State Lab in Richmond.
- Eight water meter transmitters had to be replaced. Three had been hit by lawnmowers and two had battery failing warnings
- We had Maury Heights and Heritage Pines pump stations cleaned for wipes by Drainfield Solutions

ATTACHMENTS:

HEADS UP ITEMS:



**TOWN OF BOWLING GREEN
TOWN COUNCIL MEETING
MONTHLY REPORT / PROJECT UPDATE**

AGENDA ITEM: Police Departments Monthly Report November 2023

DATE: 11/30/2023

PREPARED BY: Chief Justin Cecil Sr.

MONTHLY REPORT / PROJECT UPDATE:

Police Activity for November 2023

23-Total calls for service

13-Assist other agencies

31-Summons / Parking tickets

78-Park walk and talks

2- Larcenies

1-Destruction of Property

3- Motor Vehicle Accidents

66-Property checks/ Vacation checks/ Business Checks

ATTACHMENTS:

None

HEADS UP ITEMS:

Preparation for Christmas Parade 12/09/2023



TOWN OF BOWLING GREEN TOWN COUNCIL MEETING MONTHLY REPORT / PROJECT UPDATE

AGENDA ITEM: Town Treasurer/Finance Department Monthly Report for November 2023

DATE: December 3, 2023

PREPARED BY: Trish Chenault, Deputy Treasurer

MONTHLY REPORT / PROJECT UPDATE:

- Working with Caroline County with tax bills
- Researching/correcting utility bills
- Consolidating and posting all credit card payments with bank statement & Orbipay
- Completed monthly payroll/taxes.
- Completed monthly accounts payable.
- Processed returned checks & fees
- Take deposits to bank
- Closing/balancing register at end of day and running reports
- Posting payments
- Entered in/out customer information/meter reads
- Business licenses
- Zoning applications
- Town Hall Rentals
- Training with Keystone
- Sent out 2023 Tax bills and utility bills

ATTACHMENTS:

- Monthly Town Hall Rental Report – November 2023
- YTD FY24 Revenue/Expenditure Report

HEADS UP ITEMS:

TOWN HALL RENTALS

November 2023

<u>#USES</u>	<u>NAME OF USER</u>	<u>ACTIVITY</u>	<u>FEES</u>
4	Town Hall Activities	Happy Yoga Class	\$ 150.00
1	Private Event	Banquet	\$ 875.00
1	Private Event	Class Reunion	\$ 875.00
1	Private Event	Birthday Party	\$ 450.00
7		Totals	\$2350.00

TOWN OF BOWLING GREEN
Revenue & Expenditure Detail Report
Report dates 07/01/2023 - thru - 06/30/2024

Table with columns: Account Number, Account Description, Original, Revised, Actuals, Remaining, % Remaining, and TYP E. It lists various revenue and expenditure items such as Current Year Taxes, Delinquent Taxes, and Water Sales.

TOWN OF BOWLING GREEN
Revenue & Expenditure Detail Report
Report dates 07/01/2023 - thru - 06/30/2024

Table with columns: Account Number, Account Description, Original, Revised, Actuals, Remaining, % Remaining, and TYP E. It lists various financial items such as CONNECTION FEES- SEWER, SALARIES, and FICA with their respective values.

TOWN OF BOWLING GREEN
Revenue & Expenditure Detail Report
Report dates 07/01/2023 - thru - 06/30/2024

Table with columns: Account Number, Account Description, Original, Revised, Actuals, Remaining, % Remaining, T, Y, P, E. Lists various budget items like HYBRID DISABILITY INSURANCE, BUILDING REPAIRS, VEHICLE MAINTENANCE, etc.

TOWN OF BOWLING GREEN
Revenue & Expenditure Detail Report
Report dates 07/01/2023 - thru - 06/30/2024

Table with columns: Account Number, Account Description, Original, Revised, Actuals, Remaining, % Remaining, T, Y, P, E. Rows include various town activities like TOWN HALL ACTIVITIES, SALARIES, FICA, etc.

TOWN OF BOWLING GREEN
Revenue & Expenditure Detail Report
Report dates 07/01/2023 - thru - 06/30/2024

Table with columns: Account Number, Account Description, Original, Revised, Actuals, Remaining, % Remaining, T, Y, P, E. Rows include items like VEHICLE MAINT, PROFESSIONAL SERVICES, ELECTRICITY, PROPANE, MAILING COSTS, TELECOMMUNICATIONS, INSURANCE, Education/Training/License, VPDES FEES/DEQ, SEWER OPS MISCELLANEOUS, MISS UTILITY COST, OFFICE SUPPLIES, LAB SUPPLIES/CHEMICALS, Janitorial Supplies, SMALL TOOLS, REPAIR / MAINTENANCE, VEHICLE FUEL/OIL, UNIFORMS/SAFETY EQUIPMENT, PLANT & LAB SUPPLIES/CHEMICALS, Loan Interest Expense.



TOWN OF BOWLING GREEN TOWN COUNCIL MEETING MONTHLY REPORT / PROJECT UPDATE

AGENDA ITEM: Town Administration (Town Manager, Town Clerk)
Monthly Report for November 2023

DATE: December 3, 2023

PREPARED BY: John Anzivino, Interim Town Manager

MONTHLY REPORT / PROJECT UPDATE:

- Planning and Zoning Inquiries (ITM)
- Review of Zoning Permits (ITM)
- Preparation and Staff for the November 9, 2023 Town Council Meeting (ITM/Clerk)
- Preparation and Staff for the November 9, 2023 Town Council Worksession (ITM/Clerk)
- Staff Discussions Concerning Internal Operations/Processes (ITM)
- Discussion of Future Water Project with consultant Stantec (ITM)
- Updates to Town Website/Social Media (Clerk)
- Preparation for 2023 Christmas Parade- Planning Meeting Clerk/VDOT Road Closure Permit – ITM
- Creating and printing of Town Council Agendas/Packets (ITM/Clerk)
- Attend Town Council Worksessions & Meetings (Clerk/ITM)

Meetings/Training:

- Attendance at November Town Council Worksessions (Clerk)
- Attendance at Town Council Meetings (Clerk)
- Meetings on various topics with County staff, Town staff, Town Attorney (ITM/Clerk)
- Conversations with various Citizens (walk in), State Governmental Agencies, Planning Commissioners, Town Council Members (ITM)

Note: ITM (interim Town Manager)



**TOWN OF BOWLING GREEN
TOWN COUNCIL MEETING
AGENDA ITEM REPORT**

AGENDA ITEM: Bills – November 2023
ITEM TYPE: Consent Agenda
PURPOSE OF ITEM: Decision - By Motion
PRESENTER: Trish Chenault, Interim Treasurer
PHONE: (804) 633-6212

BACKGROUND / SUMMARY:

Items purchased and services rendered in November 2023

ATTACHMENTS:

November 2023 AP Disbursements Summary
November 2023 ACH Disbursements Summary

REQUESTED ACTION:

Approve/Deny

TOWN OF BOWLING GREEN
 MONTH-END DISBURSEMENTS SUMMARY
 FROM:11/01/2023 TO:11/30/2023

VENDOR#	NAME	INVOICE#	GROSS	DISC	NET	CHECK AMT	CHECK NBR	VOID	DATE
907	VALARIE COYLE	10/20/23	11.37	0.00	11.37	11.37	AP*30744		11/06/23
		TOTAL	11.37	0.00	11.37				
228	VIRGINIA DEPARTMENT OF TRAN	PERMIT2023-1	100.00	0.00	100.00	100.00	AP*30745		11/06/23
		TOTAL	100.00	0.00	100.00				
985	JEFF VOIT	10/20/23	23.60	0.00	23.60	23.60	AP*30746		11/06/23
		TOTAL	23.60	0.00	23.60				
18	A & M HOME CENTER	C98777	32.06	0.00	32.06	108.58	AP*30747		11/11/23
		C98875	9.88	0.00	9.88				
		C98888	12.49	0.00	12.49				
		C98918	12.29	0.00	12.29				
		C99019	8.99	0.00	8.99				
		C99233	32.87	0.00	32.87				
		TOTAL	108.58	0.00	108.58				
1063	ALACRITI PAYMENTS, LLC	MMXGRC1393SZ	3.15	0.00	3.15	3.15	AP*30748		11/11/23
		TOTAL	3.15	0.00	3.15				
1271	AUTOMATION PERSONNEL SERVIC	901868	1,836.00	0.00	1,836.00	4,110.75	AP*30749		11/11/23
		902718	573.75	0.00	573.75				
		902719	1,701.00	0.00	1,701.00				
		TOTAL	4,110.75	0.00	4,110.75				
1257	BERKLEY INVESTMENTS LLC	5	6,721.27	0.00	6,721.27	6,721.27	AP*30750		11/11/23
		TOTAL	6,721.27	0.00	6,721.27				
318	BUD'S AUTOMOTIVE	23-5502	362.25	0.00	362.25	3,633.07	AP*30751		11/11/23
		INV-2687	3,270.82	0.00	3,270.82				
		TOTAL	3,633.07	0.00	3,633.07				
843	CAROLINE COUNTY PUBLIC UTIL	BG24-103101	7,400.73	0.00	7,400.73	7,400.73	AP*30752		11/11/23
		TOTAL	7,400.73	0.00	7,400.73				
1017	CORE & MAIN	S552262	773.20	0.00	773.20	773.20	AP*30753		11/11/23
		TOTAL	773.20	0.00	773.20				
1238	EUROFINS ANALYTICS, LLC	79360-REPLAC	135.00	0.00	135.00	1,080.00	AP*30754		11/11/23
		82577	115.00	0.00	115.00				
		82640	185.00	0.00	185.00				
		82661	115.00	0.00	115.00				
		82701	115.00	0.00	115.00				
		82840	115.00	0.00	115.00				
		82844	115.00	0.00	115.00				
		82885	185.00	0.00	185.00				
		TOTAL	1,080.00	0.00	1,080.00				
28	G & G MILFORD FARM SERV.	201289	16.99	0.00	16.99	940.56	AP*30755		11/11/23
		201316	151.92	0.00	151.92				
		201354	28.97	0.00	28.97				
		201368	77.16	0.00	77.16				
		201371	19.90	0.00	19.90				

TOWN OF BOWLING GREEN
 MONTH-END DISBURSEMENTS SUMMARY
 FROM:11/01/2023 TO:11/30/2023

VENDOR#	NAME	INVOICE#	GROSS	DISC	NET	CHECK AMT	CHECK NBR	VOID	DATE
		201407	14.97	0.00	14.97				
		201462	47.97	0.00	47.97				
		201483	28.76	0.00	28.76				
		201557	302.99	0.00	302.99				
		201607	53.98	0.00	53.98				
		201638	64.99	0.00	64.99				
		K01415	131.96	0.00	131.96				
		TOTAL	940.56	0.00	940.56				
1256	HEFTY WILEY & GORE, P.C.	12649	3,000.00	0.00	3,000.00	3,000.00	AP*30756		11/11/23
		TOTAL	3,000.00	0.00	3,000.00				
1115	JUSTTECH	176.63	176.63	0.00	176.63	176.63	AP*30757		11/11/23
		TOTAL	176.63	0.00	176.63				
743	LOCAL SERVICES	189433	296.26	0.00	296.26	296.26	AP*30758		11/11/23
		TOTAL	296.26	0.00	296.26				
179	LUCK STONE CORPORATION CARO	IV-101882772	106.12	0.00	106.12	106.12	AP*30759		11/11/23
		TOTAL	106.12	0.00	106.12				
48	MID-ATLANTIC LAB	17431	60.00	0.00	60.00	60.00	AP*30760		11/11/23
		TOTAL	60.00	0.00	60.00				
659	SOSMETAL PRODUCTS INC	1524645	289.45	0.00	289.45	289.45	AP*30761		11/11/23
		TOTAL	289.45	0.00	289.45				
1235	STANTEC CONSULTING SERVICES	2077426	531.25	0.00	531.25	531.25	AP*30762		11/11/23
		TOTAL	531.25	0.00	531.25				
148	THE FREE LANCE STAR	A10292023609	406.80	0.00	406.80	406.80	AP*30763		11/11/23
		TOTAL	406.80	0.00	406.80				
949	ULINE	169889566	28.50	0.00	28.50	28.50	AP*30764		11/11/23
		TOTAL	28.50	0.00	28.50				
291	USA BLUE BOOK	INV00178197	2,124.02	0.00	2,124.02	2,680.95	AP*30765		11/11/23
		INV00191181	556.93	0.00	556.93				
		TOTAL	2,680.95	0.00	2,680.95				
902	WBQB/WFVA RADIO	3672-00011-0	1,650.00	0.00	1,650.00	1,650.00	AP*30766		11/11/23
		TOTAL	1,650.00	0.00	1,650.00				
1272	ZACHARIA KECK	IRRIGATION	188.32	0.00	188.32	188.32	AP*30767		11/15/23
		TOTAL	188.32	0.00	188.32				
1271	AUTOMATION PERSONNEL SERVIC	903551	648.00	0.00	648.00	648.00	AP*30768		11/20/23
		TOTAL	648.00	0.00	648.00				
1277	BARBARA CHESELDINE	10/21/2023	47.50	0.00	47.50	47.50	AP*30769		11/20/23
		TOTAL	47.50	0.00	47.50				
119	BOWLING GREEN FIRE DEPT	10/14/23EVEN	300.00	0.00	300.00	300.00	AP*30770		11/20/23

TOWN OF BOWLING GREEN
 MONTH-END DISBURSEMENTS SUMMARY
 FROM:11/01/2023 TO:11/30/2023

VENDOR#	NAME	INVOICE#	GROSS	DISC	NET	CHECK AMT	CHECK NBR	VOID	DATE
		TOTAL	300.00	0.00	300.00				
1017	CORE & MAIN	T889111	697.45	0.00	697.45	697.45	AP*30771		11/20/23
		TOTAL	697.45	0.00	697.45				
1276	DEAN BAYLOR	10/28/23EVEN	300.00	0.00	300.00	300.00	AP*30772		11/20/23
		TOTAL	300.00	0.00	300.00				
1052	ENCO UTILITY SERVICES FLORI	INV62501	798.48	0.00	798.48	798.48	AP*30773		11/20/23
		TOTAL	798.48	0.00	798.48				
1238	EUROFINS ANALYTICS, LLC	185.00	185.00	0.00	185.00	767.00	AP*30774		11/20/23
		82967	115.00	0.00	115.00				
		83064	217.00	0.00	217.00				
		83111	135.00	0.00	135.00				
		83112	115.00	0.00	115.00				
		TOTAL	767.00	0.00	767.00				
1275	NANCYANN COUSINS	11/19/23EVEN	300.00	0.00	300.00	300.00	AP*30775		11/20/23
		TOTAL	300.00	0.00	300.00				
1274	RAMONDA CARTER	11/19/2023EV	100.00	0.00	100.00	100.00	AP*30776		11/20/23
		TOTAL	100.00	0.00	100.00				
1030	RED WING SHOES	202311100518	755.21	0.00	755.21	755.21	AP*30777		11/20/23
		TOTAL	755.21	0.00	755.21				
1273	RUSH TRUCK CENTERS	42015484	3,618.36	0.00	3,618.36	3,618.36	AP*30778		11/20/23
		TOTAL	3,618.36	0.00	3,618.36				
659	SOSMETAL PRODUCTS INC	1529782	856.88	0.00	856.88	856.88	AP*30779		11/20/23
		TOTAL	856.88	0.00	856.88				
1235	STANTEC CONSULTING SERVICES	2154522	6,606.25	0.00	6,606.25	6,606.25	AP*30780		11/20/23
		TOTAL	6,606.25	0.00	6,606.25				
949	ULINE	169480583&16	298.00	0.00	298.00	298.00	AP*30781		11/20/23
		TOTAL	298.00	0.00	298.00				
878	WHITE OAK ELECTRIC	3273	1,735.00	0.00	1,735.00	1,735.00	AP*30782		11/20/23
		TOTAL	1,735.00	0.00	1,735.00				

TOTALS

52,148.69

TOWN OF BOWLING GREEN
 MONTH-END DISBURSEMENTS SUMMARY
 FROM:11/01/2023 TO:11/30/2023

VENDOR#	NAME	INVOICE#	GROSS	DISC	NET	CHECK AMT	CHECK NBR	VOID	DATE
10	DOMINION VIRGINIA POWER	800140183287	5,678.81	0.00	5,678.81	20,966.88	ACH*30708		11/01/23
		800150179889	1,336.42	0.00	1,336.42				
		800180160677	101.62	0.00	101.62				
		800280161956	79.70	0.00	79.70				
		800360168580	143.72	0.00	143.72				
		800370159433	1,851.71	0.00	1,851.71				
		800400162028	17.45	0.00	17.45				
		800470153198	304.18	0.00	304.18				
		800860163887	607.62	0.00	607.62				
		800930143947	65.63	0.00	65.63				
		800960145686	186.18	0.00	186.18				
		810000188116	10,593.84	0.00	10,593.84				
		TOTAL	20,966.88	0.00	20,966.88				
12	WASTE MANAGEMENT	280709302812	108.55	0.00	108.55	108.55	ACH*30736		11/24/23
		TOTAL	108.55	0.00	108.55				
12	WASTE MANAGEMENT	280730102819	2,565.81	0.00	2,565.81	2,565.81	ACH*30737		11/24/23
		TOTAL	2,565.81	0.00	2,565.81				
1114	XEROX FINANCIAL SERVICES	123.22	123.22	0.00	123.22	123.22	ACH*30738		11/11/23
		TOTAL	123.22	0.00	123.22				
1094	BMW CLEANING SERVICES	41	1,050.00	0.00	1,050.00	1,050.00	ACH*30740		11/08/23
		TOTAL	1,050.00	0.00	1,050.00				
514	K L LANGFORD EXCAVATING	8010	2,584.00	0.00	2,584.00	2,584.00	ACH*30741		11/08/23
		TOTAL	2,584.00	0.00	2,584.00				
257	ON SITE PC	5641	65.00	0.00	65.00	130.00	ACH*30742		11/08/23
		5643	65.00	0.00	65.00				
		TOTAL	130.00	0.00	130.00				
918	STAPLES ADVANTAGE	1651826295	5.24	0.00	5.24	5.24	ACH*30743		11/08/23
		TOTAL	5.24	0.00	5.24				
41	VISA	10/27/2023	2,649.06	0.00	2,649.06	2,649.06	ACH*30744		11/08/23
		TOTAL	2,649.06	0.00	2,649.06				
44	VUPS	10230469	42.90	0.00	42.90	42.90	ACH*30745		11/08/23
		TOTAL	42.90	0.00	42.90				
1114	XEROX FINANCIAL SERVICES	4962742	123.22	0.00	123.22	123.22	ACH*30754		11/15/23
		TOTAL	123.22	0.00	123.22				

TOTALS

30,348.88



The Historic Town of **BOWLING GREEN** V I R G I N I A

MEMORANDUM

To: The Honorable Mark Gaines, Mayor and Members of the Bowling Green Town Council

From: John A. Anzivino, Interim Town Manager

Subject: Pedicab Public Hearing

Date: November 29, 2023

In advance of your December 7 Public Hearing on the proposed Pedicab ordinance I thought I might share some information concerning the proposal. Just after the Council's November 9 meeting when you discussed the draft ordinance with Jeff Gore, I had several requests from Dr. Young and responded to several emails, some with assistance from Jeff Gore, concerning the proposed ordinance. At Dr. Young's request, I provided her with a copy of the ordinance proposed for public hearing.

In our discussions Dr. Young has indicated that she feels that

- There is no need for the ordinance – I have explained that the ordinance has been developed as a simple tool to ensure that the public's safety is protected and that other communities (Norfolk, Alexandria, Wytheville) in the Commonwealth have ordinances regulating Pedicabs; in addition, I noted other businesses in Bowling Green and universally are exposed to various forms of regulation (zoning, hours of operation, parking requirements, signage, etc.) and that each community regulates differently and at different levels, but all with public safety in mind
- The Council is singling her out for overregulation - I have explained to her that the Council has performed its due diligence and that the ordinance developed is relatively simple and patterned after the Town's golf cart ordinance.

I also understand that Dr. Young has been working to generate supporters in the community who may appear at the public hearing. Based upon prior questions Mr. Gore and I have responded to Council should be aware of her questions/comments and our responses to date. So, here you go:

November 15 email to myself and the Mayor and the Town's Response

I am writing to inquire if, at this point, any adjustments can be made to the Pedicab Ordinance Draft before it is published for public review?

Response: The Ordinance, as drafted by the Town Attorney, incorporates comments from the Town Council provided at their November 9 worksession. The document scheduled for public hearing may be amended by Council after public comments are received.

The draft contains ambiguous and unclear statements with which I, as a business owner in Bowling Green, vehemently disagree.

Response: You may offer those comments at public hearing for incorporation into the record and for consideration by Council prior to adoption. As noted at the November 9 meeting, the ordinance is drafted primarily with public safety as a focus and is not considered punitive by the Town. Most businesses face some form of regulation in the case of zoning, signage, etc. Some businesses, dependent upon their nature, may have regulations assigned to limit noise, dust, lighting, etc.

Specifically:

The entire draft ordinance is excessively wordy and punitive in nature. This is very discouraging to me as a business owner in Bowling Green, and to other prospective business owners.

Response: Please see above.

There is not clear distinction throughout the document between a pedicab business, and a town resident who wishes to ride a pedicab for leisure activity. Will there be a business permit and a separate pedicab permit like golf carts? If so, should there be two ordinances.

Response: The ordinance was developed to manage pedicabs as a business, primarily with safety of customers in mind. A business license would be required for all businesses in accordance with Town Code - fixed or mobile as allowed by state statute. Golf Carts are currently regulated via an adopted ordinance with numerous safety requirements outlined for both private use and for business use, if utilized, such as you have said you may do. If a tour business were to use golf carts, they would be required to obtain a business license and have their golf carts licensed under the Town's existing ordinance.

The document does not portray an understanding that a pedicab is legally a bicycle, not a vehicle. Vehicles must be registered by the Dept. of Motor Vehicles and display a license plate. Electric bikes are also classified legally as bicycles.

Response: The Town Council understands this (your statement above) from communications with VDOT concerning use of public streets. Council has chosen to develop regulations because you will be using a pedicab (bicycle) to convey passengers as a business.

Sec. 4-602 (6) Why is a written distinction of routes, parking, days of week, etc. required? Main Street Historic Tours will operate within the Town of Bowling Green and cater to customer's schedules!

Response: Street usage limitations are provided under the golf cart ordinance already and the Council feels that it is important to know which neighborhoods you will be providing tours in and when you will be providing tours should residents of those neighborhoods have questions about why a Pedicab is visiting various areas of the Town or a neighborhood.

(8) Specifically, what other material may the town manager or chief of police require?

Response: That will be determined when the ordinance is adopted, if it is by adopted by Council. I assume they would be fairly simple and common-sense rules, if any are adopted.

Sec. 4-603 Insurance: This section is excessive. Pedicab owners do not possess legal titles to own a pedicab. What other businesses in town are asked for certificates of insurance? The Gym, where people may be severely injured? Establishments that serve alcohol, where patrons may drive impaired? Businesses in town where the ceiling is sagging and ready to fall on customers?

Response: As far as penalties, the draft Ordinance includes identical penalties to the Town's golf cart ordinance, which provides for a Class 2 misdemeanor as the penalty for violations.

Insurance is recommended as a way of ensuring a minimum level of protection for the general public. The Town requires proof of insurance to operate a golf cart as a stated requirement. If an

individual chooses to operate a business transporting people and does not carry insurance, that's something the business may want to consider rethinking to protect themselves as well. If the proposed insurance limits are not appropriate, then Council can consider lowering them prior to adoption of the ordinance.

Sec. 4-606: Why would the Pedicab not be allowed to park on Main Street? The City of Fredericksburg celebrates its Carriage Rides and provides a space in front of the Visitor's Center for the horse and carriage to stand and load/unload passengers.

Response: This section was deleted after Council discussion and will not be included in the final draft.

Sec. 4-608. Enforcement: This is excessive and threatening to a business owner or prospective business owner in Bowling Green. Do other Town Ordinances have such?

Response: As far as penalties, this draft includes identical penalties to the Town's golf cart ordinance, which provides for a Class 2 misdemeanor as the penalty for violations.

Finally,

I would like to ask specifically which Council members worked with the attorney to draft this ordinance.

Response: All Council members, during my tenure as Interim Manager, have weighed in on the development of the Ordinance and no one has individually influenced its development, or attempted to influence its development. All Council members have said they want to see an ordinance developed and hear public comment as part of the review process. The scheduled public hearing is the place that public comment will occur prior to modification/adoption/denial of the draft by the Town Council.

I applied for a business license back in July of 2023. I am greatly concerned that my business is being asked for much more than any other business in Town, with similar liability issues.

Response: The Town Attorney has advised that I may issue your business license and it will be available for you to pick up in the front office on Monday.

And again, I would respectfully ask that this document be further reviewed and revised before being published for public review. I would be happy to meet with you, and any of Council at any time!

November 17 email response to Dr. Young from myself with assistance from Jeff Gore

Please find my response and the Town Attorney's response to your questions below in bold type.

Would you please send me a copy of the ordinance as it will be provided to the public for review?

Response: I will forward a copy of the ordinance version scheduled for public hearing when the first public notice is published and Council receives their copy (on or about November 24)

And I am curious, why are you able to now provide me with a business license?

Response (from Town Attorney) Every person engaged in any business in the town is required under the town BPOL ordinance to obtain a business license for such business if they maintain a definite place of business in town. The ordinance also makes such person (or their business" subject to the business license tax, which is separate from the business license fee itself.

The ordinance defines "business" as a course of dealing which requires the time, attention and labor of the person so engaged for the purpose of earning a livelihood or profit... it implies a continuous and regular course of dealing, rather than an irregular or isolated transaction."

Not every business in town is subject to town-specific regulations. But ALL businesses in town, unless specifically exempt by state law or town code, are subject to business license and business tax requirements.

So, the business began prior to the town's adoption of specific regulations. That just means it wasn't subject to specific regulations, it doesn't mean it was an "illegal" business that was exempt from licensure or couldn't be licensed. If/when the proposed pedicab ordinance is adopted, this business, like all future pedicab businesses in town, will be subject to the pedicab regulations.

This is why my advice is to proceed with issuing the business license, assuming the business is subject to the town's business license.

I hope this is helpful as you hear public comments and continue your discussion. The ordinance, as drafted, provides a simple way of ensuring basic public safety steps are in place to protect both citizens and visitors to the community and I believe is worthy of your consideration and approval.

I have included draft motions for your consideration below

For Approval of the Ordinance

I move to approve Ordinance Amending the Town Code by Adopting Provisions Regulating the Operation of Pedicabs within the Town as presented at a Public Hearing of the Town Council on December 7, 2023

For Denial of the Ordinance

I move to deny approval of an Ordinance Amending the Town Code by Adopting Provisions Regulating the Operation of Pedicabs within the Town as presented at a Public Hearing of the Town Council on December 7, 2023

For Modification of the Ordinance and Approval

I move to approve Ordinance Amending the Town Code by Adopting Provisions Regulating the Operation of Pedicabs within the Town as presented at a Public Hearing of the Town Council on December 7, 2023 with the following modifications (List)