

**REPORT OF THE
COMMISSION ON CITY-COUNTY RELATIONS
TO
THE GOVERNOR
AND
THE GENERAL ASSEMBLY OF VIRGINIA**



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REPORT
of the
COMMISSION ON CITY-COUNTY RELATIONS

Richmond, Virginia

January 29, 1974

To: HONORABLE MILLS E. GODWIN, *Governor of Virginia*

and

THE GENERAL ASSEMBLY OF VIRGINIA

I. THE COMMISSION AND ITS CHARGE

The establishment of the Commission on City-County Relations is the latest attempt by the Commonwealth of Virginia to address itself to the problems of local government in this era of marked social, political, and technological change. That this Commission is the successor to at least four other study groups created by the General Assembly since 1950 to consider the impact of these changes on localities, does not suggest the inadequacy of the previous efforts, but rather the intractable nature of the problems confronted.¹ Each of the earlier studies has made contributions from which this Commission will benefit.

The Commission on City-County Relations was created by the 1971 General Assembly to investigate the status of city-county relations in the Commonwealth. The General Assembly instructed the Commission to consider these four questions:

- (a) whether annexation is the appropriate method to use for the addition of territory to cities and towns, and, if not, what methods are available and might be employed;
- (b) what changes in the annexation statutes should be made and with what purpose in mind;
- (c) whether counties should be authorized to become incorporated as cities as they attain certain characteristics, and by what method and criteria should such characteristics be evaluated and determined; and
- (d) whether the system of independent cities which exists in this Commonwealth should be modified or abolished and, if so, how such could be accomplished.²

While the Commission was requested to give "particular consideration to the complexities and essential implications of the Henrico-Chesterfield-Richmond county-city problems," it was also asked to consider how its proposals for that metropolitan area might apply throughout the state generally. In order to provide a proper climate for this study, the General

1. The four other study groups were: the Commission to Study Urban Growth (1950), the Virginia Advisory Legislative Council study of annexation statutes (1962), the Virginia Metropolitan Areas Study Commission (1966), and the Commission to Study Problems of the Expansion of the Boundaries of Richmond (1969).

2. Va. Acts, 1971, ch. 234, pp. 466-67.

Assembly declared that until January 1, 1976, no new annexation suit could be initiated by a city, nor could a county be granted city status.³

Through its meetings and public hearings the Commission has acquainted itself with the views and perspectives of local officials and administrators, state legislators, and citizen groups. In addition, the Commission has brought before it recognized authorities on metropolitan problems in other states. While the backgrounds of the members themselves represent long and varied involvement in the public affairs of the state, the sessions of the Commission have added greatly to the members' understanding of the complexities and political realities of city-county relations in Virginia.

While engaged in these inquiries, the members of the Commission have been increasingly impressed by the magnitude of their responsibilities. The questions placed before the Commission — the possible discontinuance of the independent status of cities, the future of the annexation process, the propriety of the incorporation of counties as cities — permit no easy comprehension and offer no simple solutions. The significance of the issues and the broad ramifications of possible changes in the existing law governing interlocal relations necessitate analysis of a most extensive and careful sort. Although this Commission was created by the 1971 session of the General Assembly, a delay in the selection of gubernatorial appointees resulted in a full year's delay in its actual establishment. Due to this delay, the Commission has had available neither the time to consider adequately the various proposals that have been placed before it nor the opportunity to develop specific recommendations.

It is from an appreciation of the complexities and realities of the problem of city-county relations, together with an awareness of the great variety of legal, social, and political conditions prevailing throughout the Commonwealth, that this Commission respectfully requests that the General Assembly grant a continuance of its study and a consequent delay in the presentation of its final report until December 1, 1974. By means of this interim report, the Commission undertakes to examine some of the current complexities of city-county relations in Virginia and to review some of the major proposals which have been placed before it for consideration.

II. FACTORS AFFECTING CITY-COUNTY RELATIONS

Any attempt to promote improvement in city-county relations in Virginia might begin with an effort to identify the forces currently affecting those relations, as developed in the sessions of the Commission during the past year. The major factors now impinging on the state's traditional city-county relationships are reviewed in the following pages. While already known to many citizens of the Commonwealth, a clear expression of them in this report can provide a basis for public consideration of the proposals which have been placed before the Commission.

The Independence of Virginia Cities

Virginia is unique among the states in that it has a statewide system of city-county separation. Cities in Virginia are totally independent political entities; no county authority or taxing power extends within a city boundary. Other states have provided for the independence of particular cities, but not on

3. The 1971 Act Provided a moratorium on annexation and the granting of city charters to counties only in those instances where counties adjoined cities having a population of more than 125 thousand. A 1972 enactment extended the moratorium to cover all counties and cities with the exception of those localities with annexation suits in progress. (Va. Acts, 1972 ch. 712, pp. 997-98).

a statewide basis.⁴ While indistinct in origin, and long based solely on an implicit legal foundation, the independence of Virginia cities was specifically provided for in Article VII of the 1971 Constitution, which defined a city as an “independent incorporated community.”

The effect of this independent status of cities on local affairs is that territorial gains by cities are made at the expense of counties. When cities expand through annexation, counties are reduced in size, population, and tax base. In states where cities are legally a part of the encompassing county, annexation by cities does not constrict the parent county. The annexation process in Virginia places cities and counties in an adversary relationship. The independent status of Virginia cities, consequently, has a significant impact on city-county relations.

The Adaptation of County Government

In conjunction with the independence of cities, Virginia developed over the years the policy, as expressed by its Supreme Court, of “placing urban areas under city government and keeping rural areas under county government.”⁵ Consistent with that principle, the cities of Virginia for many years were generally successful in using the annexation procedures for bringing the urban areas on their fringes within their boundaries (see Appendix I). However, in the middle decades of this century the wholesale appearance of the automobile and the availability of modern roads spurred suburban development in some areas of the state to such an extent that cities failed to keep abreast of the spreading urbanization. Counties which experienced this surge of suburban development began to adjust to their urbanizing condition.

In order to meet the needs of their new urban areas, counties sought and obtained from the General Assembly the authority to provide the needed urban services. Governmental powers and responsibilities which had previously been allowed only to city governments were now authorized for county use. Consequently, the distinctions which had previously existed between counties and cities regarding their roles and powers began to be blurred.

The urbanization of counties and their adaptation for the provision of urban services was to have a major influence on city-county relations. Cities adjacent to urbanizing counties were now confronted with annexing areas of considerable density and which were already supplied with an array of urban services. Annexation proceedings under these conditions created new obstacles to city expansion. First, annexation would now be more costly, since city compensation to the county would reflect the revenue capacity and public improvements of the area annexed. Secondly, annexation could now be contested by counties on the basis that the area was currently being properly served and did not stand to benefit from annexation.

Where the urbanization of counties has occurred, with the resulting adaptation of governmental structure and acquired capacity for the provision of urban services, interlocal relations have been significantly altered. New grounds for contention entered city-county relations in Virginia. It should be noted that the state’s seven standard metropolitan statistical areas, in which reside sixty-two percent of Virginia’s population, include thirteen urbanizing

4. St. Louis, Denver, Baltimore, and San Francisco are examples of special instances of municipal independence.

5. *County of Norfolk v. Portsmouth*, 186 Va. 1032 (1947).

counties.⁶ The relations between those counties and the adjacent cities are of obvious importance to the Commonwealth.

Differences in Metropolitan Populations

It is an often noted and well-documented fact that there has emerged in recent decades distinctions in the population profiles of cities and their surrounding counties. Lured by the prospect of less congested living and the availability of new housing, many of the city's young and financially able residents have migrated to the suburbs. This exodus has tended to reduce the city's tax potential and to make the central city the principal place of residence for the area's poor and old. Furthermore, the general absence of low cost and public housing in the suburbs together with the inadequacies of suburban public transportation have served to confine the poor to the central city. Since blacks constitute a disproportionate percentage of this low-income group, there has resulted a continuing concentration of blacks in the city. Consequently, there have developed sharp racial as well as socio-economic distinctions between city and county populations.

One immediate consequence resulting from this population alignment has been a fiscal dilemma for the cities. The congregation of the poor and old in the cities has caused city expenditures for social welfare to soar in relation to those of surrounding counties. At the same time, the cities are forced to carry this fiscal burden on a tax base already suffering from the loss of many of its more affluent citizens to the suburbs. The fiscal difficulties of many cities have prompted them to seek relief through either annexation, governmental consolidation, or intergovernmental aid programs.

This fiscal plight is only one of the consequences of population imbalance. To the extent that population differences are of a racial nature, metropolitan solutions to city problems are rendered more difficult. Proposals for the treatment of city problems which would alter jurisdictional boundaries will now bring into play the court-mandated requirements for school busing and the provisions of the Voting Rights Act of 1965 with its protection of minority voting rights.⁷ Boundary changes in areas where racial distinctions are sharp will involve not only these additional legal entanglements, but also will promote suspicion on the part of both city and county residents concerning the motives underlying the proposed changes. The consequences flowing from differences between city and county populations have a distinct bearing on interlocal affairs.

The Emergence of Regional Problems

Recent decades have witnessed the emergence of public issues which are regional in nature and which cannot be effectively dealt with by any one political subdivision. Environmental programs, such as air pollution

6. By definition of the U.S. Bureau of the Census, a standard metropolitan statistical area (SMSA) is "an integrated economic and social unit with a recognized large population nucleus." Each SMSA must contain one central city of at least 50,000 inhabitants, or two cities having contiguous boundaries and a combined population of at least 50,000. The SMSA includes such adjacent counties that are found to be "metropolitan in character and economically and socially integrated" with the SMSA nucleus. (See Appendix II for a listing of Virginia's SMSAs). U.S. Bureau of the Census, *Statistical Abstract of the United States*, 1972, p. 837.

7. By terms of the federal Voting Rights Act of 1965 changes in election laws in Virginia must receive approval by the United States Attorney General or the Federal District Court for the District of Columbia to ensure that racial discrimination does not result. Changes in municipal boundaries have been held to fall within the Act's purview. See *Perkins v. Matthews*, 400 U. S. 379 (1971).

abatement, and land-use planning are frequently mentioned as examples of public concerns requiring regional attention. In addition, there are capital investments and public improvements which could best be undertaken by localities acting in concert. Collective efforts in this regard could mean not only savings to localities but also the provision of public services that might well be provided more efficiently and economically on a regional basis.

The existence of these regional problems has been recognized by both the state and federal governments. The enactment by the 1968 General Assembly of the Virginia Area Development Act, which called for the division of the state into planning districts, signifies state recognition of the existence of problems requiring a regional approach. The requirement by the federal government that regional bodies review various local grant-in-aid requests as a prerequisite for approval is indicative of federal awareness that a regional perspective is required for the effective treatment of some public concerns.

It is not difficult to show the frequent interdependence of Virginia localities. That this interdependence is not yet fully reflected by interlocal cooperation and political bonds does not reduce its reality. The existence of regional problems and the resulting interdependence of localities is clearly a factor which impinges on city-county relations.

Strength of Local Identity

Virginia has local governments within its boundaries which can trace their beginnings as far back as 150 years before the establishment of our national government. The history associated with the names of many of Virginia's localities, together with their longevity, makes those localities more than mere political subdivisions to many Virginians. Then, too, Virginians have long been advised of the virtues of local government and its important place in the American political structure. The Jeffersonian emphasis upon local government runs strong in Virginia.

Virginia's attachment to its local governments has not prevented it from adapting itself to the requirements of contemporary life. The Commonwealth has responded to the need for regional planning; it has established a statewide standard of "high quality" public education; and it has assumed various welfare and other expenses formerly funded by its localities. These and other changes suggest Virginia's concern to adapt itself and the role of its local governments to contemporary requirements. While Virginians have demonstrated their willingness to alter their political processes in accordance with current need, attachment to local government in Virginia is strong and must be taken into account.

Summary

The independent status of cities, the adaptation of county government, the distinctions in city and county populations, the emergence of regional problems, and the strength of local identity are clearly significant factors which affect interlocal relations in Virginia. The Commission does not contend that these factors alone condition the relations between its political subdivisions. It does believe, however, that serious proposals for the improvement of interlocal affairs must take into consideration the influences identified above.

III. PROPOSALS PRESENTED TO THE COMMISSION

The sessions of the Commission to date have been principally used to afford officials and interested parties an opportunity to place their perspectives and proposals before this body. While the various presentations have been given careful attention by Commission members, no attempt has

been made by the Commission to reconcile the issues before it and find a consensus. *The proposals and contentions reviewed in the following pages have been presented to the Commission for its consideration. None is endorsed by the Commission in this report, and it would be inappropriate to ascribe to the Commission any position regarding them.*

The proposals presented to the Commission focused on four general problem areas — municipal boundary extension, the mechanism for boundary change, the structure of local government, and local interdependence. These four categories of interlocal relations may serve as a basis for reviewing in this interim report the proposals placed before the Commission.

Municipal Boundary Extension

A variety of recommendations have been made to the Commission regarding Virginia's system of permitting municipal boundary extension through the judicial process. Proposals were made to abolish the annexation statutes in their entirety, to modify them in limited fashion, and to retain them as presently drawn.

Those who urged the abolition of the annexation process in its entirety listed several objections and adverse consequences which resulted from the procedure as practiced in Virginia. It was argued that annexation was an impediment to county planning, destructive of interlocal cooperation, involved a process that was increasingly costly and cumbersome, and in many instances offered only a piecemeal solution to area problems. For those counties subject to the threat of annexation, it was contended, every public decision required consideration of the prospects of annexation. Questions of capital improvements and service agreements could not be treated on their merits alone, but were tempered by the possibility of annexation. Furthermore, when annexation did become a reality, its impact on county operations and planning was severe.

The assertion was also made that the ever-present possibility of annexation was an obstacle to cooperation among localities. Since one of the criteria used by the courts to determine the necessity for annexation is "community of interest," counties subject to annexation are most hesitant to enter with cities into cooperative agreements which could be construed to indicate that a "community of interest" exists between them. While counties have acknowledged this hesitancy in concluding cooperative agreements, it has been contended that cities have also placed obstacles in the path of cooperative ventures. In any event, the threat of annexation is said to raise an artificial barrier to cooperative efforts that might otherwise be undertaken.

The Commission was also reminded that annexation often is a costly and time-consuming process. It is impossible to state precisely the costs of annexation proceedings, but they are known to be considerable. To the ordinary expenses of litigation must be added the cost of consultants, special studies, and the immeasurable loss of time by administrators caught up in an annexation proceeding. It should also be noted that the litigation accompanying annexations often is increased now because of the federal law for the protection of minority voting rights. By judicial interpretation of the Voting Rights Act of 1965, any boundary change which threatens to reduce the significance of minority voting can be contested through the courts. Several Virginia cities have already experienced court challenges on the basis of this Act.

The Commission notes that abolition of the annexation statutes would represent a significant change in interlocal relations in Virginia. Since the Virginia Constitution prohibits any boundary changes for cities, counties, or towns by special act, the repeal of the state's general law regarding annexation would mean that every city in the Commonwealth might be virtually

permanently confined to its present boundaries.⁸ While voluntary merger would remain a legal possibility, it is doubtful whether merger would be a viable option without the threat of annexation or without new inducements or mandates provided by the state (see Appendix III).

Proposals have also been made to the Commission for the modification of the existing annexation laws. Suggestions have been made that the composition of the annexation court be changed, either by excluding the judge from the judicial circuit containing the county facing annexation or by including the judge from the city initiating the annexation suit.⁹ Advocates of these changes in the court's composition assert that a more balanced or detached consideration of the issue would be provided.

Proposals designed to reduce the expense of annexation proceedings and awards were also presented to the Commission. It was suggested that clearer statutory standards for annexation and the creation of fact-finding bodies by the state could simplify the judicial process and reduce the cost of litigation. The existence of the fact-finding bodies with their ability to advise the court on relevant questions could restrict the number of issues contested by the litigants and, thereby, the cost of preparing their cases. It was also recommended that changes be made in the formulas employed for determining the court-imposed cost to cities for annexation awards. One suggested change would permit cities to pay less than the full market price for annexed capital assets if they assumed the county's outstanding debt for those assets.

A number of proposals were also presented to the Commission which would affect the applicability of the annexation process. The Commission was urged to give consideration to a proposal which would allow cities to annex other cities. It was asserted that, if properly applied, this option could reduce political fragmentation in some areas and eliminate cities of insufficient size and capacity. It was also suggested that referenda be required in areas proposed for annexation as a prerequisite for the initiation of a suit. The Commission was further advised that annexation was an inappropriate instrument in the large metropolitan areas of the state. It was argued that in those areas a more comprehensive solution was required than that afforded by annexation. Yet another recommendation placed before the Commission would limit boundary expansions to those localities above a specified population density. The premise underlying these various proposals is that, with revisions, annexation through the judicial process can be an effective instrument for change.

While many presentations before the Commission called for the abolition or modification of the state's annexation laws, the existing system has not been without its defenders. The Commission was advised that the Virginia system of annexation through the courts has served the Commonwealth well since it was established in 1904. It was suggested to the Commission that the existing system for municipal boundary extension permitted a considerable degree of flexibility and objectivity and should be altered only with considerable caution.

The Mechanism for Boundary Changes

Considerable support was given in presentations before the Commission to the creation of a new mechanism for local boundary changes. Various

8. Va. Con., 1971, Art. VII, Sec. 2.

9. Annexation courts are presently comprised of the judge from the circuit court of the county involved in the annexation suit and two judges from "remote" judicial circuits. See Va. Code, 1950, sec. 15.1-1038.

proposals were made for the creation of a permanent, state-appointed body to decide annexation issues and to assist in the resolution of other interlocal problems. Among the other functions suggested for this body were those of reviewing all proposed intergovernmental contracts and cooperative agreements and ruling on other questions of boundary changes. While the proposals varied as to the responsibilities assigned to this body, essentially what was recommended was a Commission on Local Government similar to that proposed by the Virginia Metropolitan Areas Study Commission in 1967.

Proponents of such a commission suggested that several benefits might be derived from a body of this nature. First, it would be a permanent body capable of developing expertise on matters such as annexation and the provision of local public services. This reservoir of expertise would enable the state to bring experience and consistency to the resolution of interlocal problems throughout the Commonwealth. Second, since the commission would review proposed intergovernmental service agreements for need and equity, interlocal cooperation might be further encouraged. Finally, with annexation being resolved by this expert, administrative body, the costly judicial annexation process could be avoided and the hostility often engendered between neighboring localities might be diminished. The proposal for the creation of a commission with these responsibilities represents to its advocates an attempt to bring greater detachment, technical competence, and experience to bear on interlocal problems.

The Structure of Local Government

In accordance with its legislative charge, the Commission heard presentations which challenged the traditional roles of cities and counties in Virginia. The Commission was urged to provide an option for the incorporation of counties as cities. The granting of city status to counties, under present Virginia law, would render such counties immune from further annexation and guarantee their territorial integrity. The contention was made that some counties, by virtue of their urban nature and their capacity for the provision of public services, might merit city status. It was suggested that counties be required to obtain approval by countywide referendum prior to making application for a city charter. If approved by referendum, the county's application could then be reviewed by a court, similar to that provided for in annexation proceedings, in order to determine whether the political subdivision possessed the requisite urban characteristics and capacity to function as a city.

The Commission was also advised that provision should be made for allowing cities to relinquish their charters and revert to county jurisdiction. The ramifications of both city reversion to town status and complete reversion to an unincorporated condition were explored before the Commission. Since the General Assembly is empowered by the Constitution to provide by general law for the "dissolution" of local governments, this proposal would appear to be free of constitutional restraint.¹⁰

Advocates of the option permitting the relinquishing of city charters contend that this action may be the proper course for some Virginia cities. Clearly, by means of reversion to county jurisdiction, cities would be able to share their fiscal burdens with a broader constituency; further, a more regional treatment might be afforded for area problems. One major observation which arose from presentations before the Commission regarding the dissolution of cities should be noted. It was observed that the dissolution of cities in some metropolitan areas might not be an appropriate remedy for the problems of those regions. There are a number of Virginia cities in metropolitan areas

10. Va. Con., 1971, Art. VII, Sec. 2.

where, if reversions were made to the county of origin, the cities would be divided. Thus, in those instances, efforts to find a solution to local problems through a broadened constituency could result in additional fragmentation.

The proposals for the incorporation of counties and for the reversion of cities to county jurisdiction would result in major structural changes in Virginia local government. The significance and ramifications of these proposals must be carefully evaluated.

Local Interdependence

It has been asserted before this Commission that solutions to interlocal problems in Virginia are best found through cooperative ventures such as those authorized by the Virginia Area Development Act.¹¹ In accordance with the provisions of this 1968 Act, Virginia was divided into twenty-two planning districts. Each district was to be served by a planning district commission, which was to perform such regional studies and planning as directed by the local governments comprising the district.

While the planning districts were legally restricted to planning functions, it was envisioned that the development of a regional perspective through these ventures would lead to a desire to undertake programs on a regional basis. To that end, the Virginia Area Development Act allowed for the creation of service districts. Despite the fact that planning districts in Virginia have operated with some success, there is no indication that a general movement toward service districts is underway.

In an endeavor to promote more regional cooperation in the state, a committee was appointed by the governor in October, 1972, to review the provisions of the Virginia Area Development Act and to make recommendations to facilitate its implementation.¹² The recommendations of the Governor's Committee are pertinent to the inquiry of this Commission, for they represent an alternative approach to the solutions of a major segment of interlocal problems.

The essential intent of the Committee's recommendations was to promote a regional approach to area problems through the greater utilization of planning districts and, subsequently, through the creation of service districts. To accomplish these objectives the Governor's Committee recommended that planning districts be authorized to offer any services which local governments could jointly provide under existing law. Since planning districts were already in existence, and since some interest had been shown by localities in their utilization for the delivery of services, it was felt these changes might significantly increase cooperative regional programs.¹³ In addition, the Governor's Committee would have the composition of both planning district and service district commissions changed so that they would be under the control of locally elected officials.

The proposals for revision of the Virginia Area Development Act do not profess to reach the fiscal and social problems of central cities, but they do seek to promote increased cooperation among neighboring localities. Accordingly, these proposals are significant for city-county relations and the charge of this Commission.

11. Va. Code, 1950, secs. 15.1-1401-1452.

12. See *Report of the Governor's Ad Hoc Committee to Review the Virginia Area Development Act* (1972).

13. The Lenowisco Planning District (Lee, Norton, Wise, Scott, and Big Stone Gap) sought and obtained special emergency legislation in 1972 authorizing a program of stream clearance and solid waste disposal (Va. Acts, 1972, ch. 814, 1456-57).

IV. IN QUEST OF SOLUTIONS

Aspects of city-county relations in Virginia have been subjected to numerous studies by the General Assembly. The major points which have emerged from the presentations before this Commission are hardly novel, but they are the product of current inquiry. A review of those presentations reveals general agreement on several points. First, it is recognized that there are significant fiscal and social problems confronting some of the Commonwealth's major cities. Second, it is noted that efforts by such cities to alleviate their problems through annexation have proven costly, disruptive to the functions of adjacent counties, and detrimental to interlocal cooperation. Third, there is an awareness that there exist public concerns of a regional nature which defy effective treatment by individual localities. Finally, it is accepted that the great variety of legal and social conditions prevailing in Virginia caution against proposals which would impose general, statewide solutions for interlocal problems. These points which found general acceptance in the presentations before this body will guide the further deliberations of the Commission and help mold its future recommendations.

V. CONCLUSION

The Commission requests that the proposed bill attached as Appendix IV be enacted so that its work may be concluded.

Respectfully submitted:

G.R.C. Stuart, *Chairman*

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Appendix I
Annexation Proceedings By Virginia Cities

Period	Granted	Denied
1904-09	7	2
1910-14	3	
1915-19	6	
1920-24	8	
1925-29	6	
1930-34	2	
1935-39	7	1
1940-44	8	
1945-49	5	
1950-54	10	2
1955-59	11	1
1960-64	18*	3
1965-69	10	8
1970-	5	2

*Includes awards declined by Bristol (1962) and by Richmond (1964).

Sources: Chester W. Bain, *Annexation in Virginia: The Use of the Judicial Process for Readjusting City-County Boundaries*. Charlottesville: Published for the Institute of Government, University of Virginia by The University Press of Virginia, 1966; Edward L. Morton, "Municipal Annexation in Virginia, 1960-70," *The University of Virginia News Letter* 48 (May 15, 1972): 33-36; and Virginia Municipal League, "Virginia Annexation Survey 1962-1972," Richmond, 1972 (Mimeographed).

Appendix II
Virginia's Standard Metropolitan Statistical Areas

Newport News-Hampton

Hampton
Newport News
York County

Norfolk-Portsmouth

Chesapeake
Norfolk
Portsmouth
Virginia Beach

Richmond

Richmond
Chesterfield County
Henrico County
Hanover County

*Northern Virginia**

Alexandria
Fairfax
Falls Church
Arlington County
Fairfax County
Loudoun County
Prince William County

Petersburg-Colonial Heights

Petersburg
Colonial Heights
Hopewell
Prince George County
Dinwiddie County

Lynchburg

Lynchburg
Amherst County
Campbell County

Roanoke

Roanoke
Salem
Roanoke County

*This standard metropolitan statistical area also includes the District of Columbia and two Maryland counties.

Source: U. S. Bureau of the Census, *Statistical abstract of the United States, 1972*.

APPENDIX III
MERGERS IN VIRGINIA

Approved Mergers

<u>Units of Government Involved</u>	<u>Name of Merged Government</u>	<u>Merger Effective Date</u>
Richmond (city) - Manchester (city)	Richmond (city)	1910
Waynesboro (town) - Basic City (town)	Waynesboro (town)	1923
Hampton (city) - Phoebus (town) - Elizabeth City (county)	Hampton (city)	1952
Newport News (city) - Warwick (city)	Newport News (city)	1958
Virginia Beach (city) - Princess Anne (county)	Virginia Beach (city)	1963
South Norfolk (city) - Norfolk (county)	Chesapeake (city)	1963
Tazewell (town) - North Tazewell (town)	Tazewell (town)	1963
Christiansburg (town) - Cambria (town)	Christiansburg (town)	1964
Nansemond (county) - Holland (town) - Whaleyville (town)	Nansemond (city)	1972
Suffolk (city) - Nansemond (city)	Suffolk (city)	1974

Defeated Mergers

<u>Units of Government Involved</u>	<u>Year of Rejection</u>
Richmond (city) - Henrico (county)	1961
Winchester (city) -Frederick (county)	1969
Roanoke (city) - Roanoke (county)	1969
Charlottesville (city) - Albemarle (county)	1970
Bristol (city) - Washington (county)	1971

Source: Edward L. Morton and Weldon Cooper, "Local Government Mergers Resume in Virginia," *Virginia Town & City*, July 1973, pp. 23-24.

APPENDIX IV.

A BILL to amend and reenact Chapter 234 of the Acts of Assembly of 1971, relating to the creation of a commission to study city-county relationships and appropriating funds.

Be it enacted by the General Assembly of Virginia:

1. That Chapter 234 of the Acts of Assembly of 1971 is amended and reenacted as follows:

§ 1. The General Assembly finds and declares that the economic, social and political welfare, and the ability to provide services on a planned and continuing basis, are essential to the well-being of the counties and cities of this Commonwealth. Such political subdivisions must not only take actions which are designed to further their interests but must also give due consideration to the implications of such actions upon the Commonwealth as a whole.

The General Assembly further finds and declares that the situation currently confronting the Commonwealth involving the counties of Henrico and Chesterfield and the city of Richmond, in particular, and other political subdivisions in general, has grave underlying implications which far transcend the local interests involved. In this instance, action must now be avoided which would have irreversible, and possibly adverse, effects upon the development of the localities of Virginia. To avoid that result is one objective of this legislation.

§ 2. There is hereby created a commission on city-county relations. The Commission shall be composed of thirteen persons of whom six shall be appointed by the Speaker of the House of Delegates, including not less than two from the membership of the House Committee on Counties, Cities and Towns, three shall be appointed by the President of the Senate, including not less than two from the membership of the Senate Committee on Counties, Cities and Towns, and four shall be appointed by the Governor from the State at large. The Commission shall elect its own Chairman. *The membership of the Commission as it exists on the effective date of this act shall continue insofar as practicable. In the event any member is unable to serve, the successor shall be chosen as in the original appointment of such member.* The Commission shall make an interim report to the Governor and General Assembly no later than December one, nineteen hundred seventy-one, and shall conclude its study and make its final report to the Governor and General Assembly, upon the matters hereinafter set out, not later than ~~November~~ *December* one, nineteen hundred seventy-~~three~~ *four*.

§ 3. Among other matters, the Commission shall consider the following:

(a) Whether annexation is the appropriate technique to use for the addition of territory to cities and towns, and, if not, what techniques are available and might be employed;

(b) What changes in the annexation statutes should be made and with what purpose in mind;

(c) Whether counties should be given the right to become incorporated as cities as they attain certain characteristics, and by what method and criteria such characteristics should be evaluated and determined;

(d) Whether the system of independent cities which exists in this Commonwealth should be modified or abolished and, if so, how such could be accomplished.

In all of the foregoing, the Commission shall give particular consideration to the complexities and essential implications of the Henrico-Chesterfield-Richmond county-city problems and it shall consider how its findings might

apply in other political subdivisions of the State, in particular, the metropolitan areas of Northern Virginia, Roanoke Valley and Hampton Roads.

§ 4. All agencies of the State shall assist the Commission upon request and the several colleges and universities supported by the State are requested to make available staff and services to it in order that the Commission will be well supplied with information and proposed solutions to the problems which it must consider.

§ 5. *The members of the Commission shall receive a per diem allowance of thirty-five dollars for each day or any part thereof devoted to their duties as members of the Commission and, in addition, shall be reimbursed for their expenses incurred in the discharge of their duties.*

2. Beginning February one, nineteen hundred seventy-one and terminating January one, nineteen hundred seventy-six, no city charter shall be granted or come into force in any county which adjoins a city of more than one hundred twenty-five thousand population, and, for and during such time, no annexation suit shall be instituted against such county; an annexation suit against such county instituted during such time shall be stayed; provided, however, that an annexation suit against such county instituted and pending prior to February one, nineteen hundred seventy-one, shall not be stayed and such proceedings may continue in any such suit; provided, however, that the foregoing shall not prohibit the institution of an annexation proceeding for the purpose of implementing annexation involving such county, the extent, terms and conditions of which have been agreed upon by such county and a city or by such county and a town.

3. In order to provide funds for the purposes of this act, there is hereby appropriated from the general fund of the State treasury the sum of ~~thirty~~ *fifty* thousand dollars to be expended for the purposes set forth herein. ~~From this appropriation, members of the Commission shall receive no compensation for their services, but shall be paid the actual and necessary expenses incurred in the performance of their duties.~~ The Commission is authorized to employ and compensate therefrom such professional, expert and secretarial services as it may require.

4. An emergency exists and this act is in force from its passage.

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